

## **LEGISLATIVE COUNCIL BRIEF**

Hospital Authority Ordinance  
(Chapter 113)

### **HOSPITAL AUTHORITY ORDINANCE (AMENDMENT OF SCHEDULE 1) ORDER 2016**

#### **INTRODUCTION**

At the meeting of the Executive Council on 5 April 2016, the Council ADVISED and the Chief Executive ORDERED that the Hospital Authority Ordinance (Amendment of Schedule 1) Order 2016 (the Order), at **Annex A**, should be made under section 20 of the Hospital Authority Ordinance (Cap. 113) (the Ordinance), to accord the Tin Shui Wai Hospital (TSWH) with proper legal status before it comes into operation.

#### **JUSTIFICATIONS**

2. Schedule 1 to the Ordinance (reproduced at **Annex B**) lists out the hospitals the management and control of which may be vested in the Hospital Authority (HA) under agreements with the Government. TSWH is a newly built hospital and thus has not been listed in Schedule 1.

3. TSWH will be managed and operated by HA under an agreement between the Government and HA, and will commence operation in the fourth quarter of 2016. To accord TSWH with proper legal status before it comes into operation, we propose to amend Schedule 1 to the Ordinance by adding TSWH as a prescribed hospital under the Ordinance the management and control of which may be vested in HA under an agreement with the Government.

4. Under section 20 of the Ordinance<sup>1</sup>, the Chief Executive may by order amend Schedule 1.

## **THE ORDER**

5. Section 3 of the Order amends Schedule 1 to the Ordinance by adding TSWH to the list of hospitals the management and control of which may be vested in HA under agreements with the Government.

## **LEGISLATIVE TIMETABLE**

6. The legislative timetable is as follows –

Publication in the Gazette	15 April 2016
Tabling at the Legislative Council	20 April 2016
Commencement of the Order	10 June 2016

## **IMPLICATIONS OF THE PROPOSAL**

7. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance. It has no economic, civil service, family, gender, environmental or sustainability implications. The proposal also has no financial implications as the Government's annual subvention to HA is an all-inclusive one that has incorporated financial resources to enable the latter to provide public healthcare services through all of its hospitals, including TSWH which is to be newly commissioned.

## **PUBLIC CONSULTATION**

8. The proposal to include TSWH as a prescribed hospital under the Ordinance is procedural in nature and public consultation specifically on it is

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<sup>1</sup> Section 20 of the Ordinance provides that –

“The Chief Executive may by order amend Schedule 1, 2 or 3 but any order to amend Schedule 3 shall be subject to the approval of the Legislative Council.”

not necessary. HA, on the other hand, has regularly engaged the Yuen Long District Council and the local community since 2012 on the construction of TSWH and the associated development of healthcare services in the district. A site visit was also arranged for the Yuen Long District Council to the TSWH project site on 22 April 2015. Local community welcomes the provision of additional hospital facilities to meet the increasing medical demand of the residents in the district.

## **PUBLICITY**

9. A spokesperson will be available to handle enquiries.

## **ENQUIRIES**

10. Any enquiries on this brief can be addressed to Miss Linda LEUNG, Principal Assistant Secretary for Health (telephone: 3509 8916, facsimile: 2810 7851).

**Food and Health Bureau**  
**April 2016**

## Hospital Authority Ordinance (Amendment of Schedule 1) Order 2016

(Made by the Chief Executive under section 20 of the Hospital Authority Ordinance (Cap. 113) after consultation with the Executive Council)

### 1. Commencement

This Order comes into operation on 10 June 2016.

### 2. Hospital Authority Ordinance amended

The Hospital Authority Ordinance (Cap. 113) is amended as set out in section 3.

### 3. Schedule 1 amended (hospitals the management and control of which may be vested in the Authority under agreements with the Government)

Schedule 1—

**Add in alphabetical order**

“Tin Shui Wai Hospital”.

Chief Executive

2016

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## Explanatory Note

This Order amends Schedule 1 to the Hospital Authority Ordinance (Cap. 113) by adding Tin Shui Wai Hospital as a prescribed hospital the management and control of which may be vested in the Hospital Authority under an agreement with the Government.

**Schedule 1 to the Hospital Authority Ordinance  
(Chapter 113)**

**Hospitals the Management and Control of which  
May be Vested in the Authority under  
Agreements with the Government**

[sections 2(1) & 20]

Castle Peak Hospital  
Hong Kong Eye Hospital (Added L.N. 385 of 1993)  
Kowloon Hospital  
Kwai Chung Hospital  
North District Hospital (Added L.N. 623 of 1997)  
North Lantau Hospital (Added L.N. 102 of 2013)  
Pamela Youde Nethersole Eastern Hospital (Added L.N. 385 of 1993)  
Prince of Wales Hospital  
Princess Margaret Hospital  
Queen Elizabeth Hospital  
Queen Mary Hospital  
Shatin Hospital (Replaced L.N. 385 of 1993)  
Siu Lam Hospital  
St. John Hospital  
Tai Po Hospital (Added L.N. 152 of 1997)  
Tang Shiu Kin Hospital  
Tsan Yuk Hospital  
Tseung Kwan O Hospital (Added L.N. 285 of 1999)  
Tuen Mun Hospital  
Wong Chuk Hang Hospital (Added L.N. 233 of 1995)

(Amended L.N. 162 of 2002; L.N. 60 of 2006)  
(Format changes—E.R. 2 of 2014)