

LETTERHEAD OF THE FAMILY PLANNING ASSOCIATION OF HONG KONG

21 October 1998

Your Ref: CB2/BC/3/98

Ms Doris Chan
Clerk to Bill Committee
Legislative Council
Legislative Council Building
Jackson Road
Central
Hong Kong

Dear Ms Chan,

Bills Committee on Human Reproductive Technology Bill

With reference to your letter of 15 October 1998, I am pleased to submit the following views on behalf of the Family Planning Association of Hong Kong.

1. Section 21(2)(a)(i) specifies that the applicant cannot be the person supervising the reproductive technology activity. This creates practical difficulty for us because the Executive Director, as the head of the Association, would be expected to be the applicant. At the same time, the Executive Director is responsible for overseeing the clinical services of the Association. In fact, our present staffing is such that the Executive Director may be the only person with higher medical qualifications sufficient to satisfy the Council on suitability to provide such reproductive technology service. Our Association does not have Senior Medical Officers or Consultants on full time establishment. The Bill does not set out the qualifications required for the person supervising the activity. If a basic medical degree alone suffices, then there would be no difficulty. On the other hand, if specialist qualification is required, then the Association would be unable to comply with the requirement.

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2. Section 30(2) does not spell out the categories of information to be maintained in the Register. We presume this will be discussed in further detail by the Council or its committee(s). We hope we will be consulted on this because it relates to the kind of data we need to collect in respect of our service clients.
3. Section 30(3)(b) mentions counselling of the person requesting information. Would the organization which provided the reproductive technology service be obliged to perform such counselling? If so, this would have resource and manpower implications on our service.
4. Section 30(5). Are we correct to assume that this clause means the Bill does not have retrospective effect? In other words, gamete donors who donated before the enactment of the Bill did so under the reassurance that their personal particulars are kept solely by the Association. It would constitute a breach of contract if such information had to be released to the Council or other persons as a result of the introduction of this Bill.

I hope our concerns will be duly addressed by the Bills Committee. Please feel free to call us should further information be required. We do not feel strongly about appearing before the Committee to give oral representation, nor do we object to our submission being made available to the public.

Yours sincerely

Susan Fan (Dr)
Executive Director