

立法會
Legislative Council

LC Paper No. CB(2)611/05-06
(These minutes have been
seen by the Administration)

Ref : CB2/BC/16/04

Bills Committee on Dentists Registration (Amendment) Bill 2005

**Minutes of the first meeting
held on Monday, 21 November 2005 at 8:30 am
in Conference Room B of the Legislative Council Building**

Members present : Dr Hon KWOK Ka-ki (Chairman)
Hon Andrew CHENG Kar-foo
Hon Audrey EU Yuet-mee, SC, JP
Hon LI Kwok-ying, MH

Public Officers attending : Item II

Mr Jeff LEUNG
Principal Assistant Secretary for Health, Welfare and Food
(Health)

Dr T H LEUNG, JP
Deputy Director of Health

Dr Joseph CHAN
Consultant i/c Dental Service
Department of Health

Mr H Y AU
Head, Boards & Councils
Department of Health

Ms Lonnie NG
Senior Assistant Law Draftsman (Acting)

Clerk in attendance : Ms Doris CHAN
Chief Council Secretary (2) 4

Staff in attendance : Miss Monna LAI
Assistant Legal Adviser 7

Ms Maisie LAM
Council Secretary (2) 2

Miss Maggie CHIU
Legislative Assistant (2) 4

Action

I. Election of Chairman

Dr KWOK Ka-ki was elected Chairman of the Bills Committee.

II. Meeting with the Administration

(LC Paper Nos. CB(2)400/05-06(01) to (04))

2. The Bills Committee deliberated (Index of proceedings at **Annex**).
3. The Bills Committee requested the Administration to provide the following information -

Transitional arrangements for existing specialist dentists

- (a) taking into account that at present, dentists who had been awarded Fellowship in dental surgery by the Hong Kong Academy of Medicine (HKAM) or of equivalent status would be accredited as specialists by the Dental Council of Hong Kong (“the Council”), what were the arrangements and the criteria of the Council for granting specialist titles through administrative means before and after the inauguration of the HKAM in 1993;
- (b) the number of existing registered dentists who had been granted approval by the Council to use specialist titles and, amongst them, the number and the qualifications/ experience of those dentists who were not Fellows of the HKAM but whose names would be included in the Specialist Register by virtue of the proposed grandfather clause; and
- (c) whether there would be a cut-off date for the granting of specialist titles by the Council before the enactment of the amendment to establish a Specialist Register for registered dentists under the Dentists Registration Ordinance (Cap. 156) (“the Ordinance”).

Appeals

- (a) the policy intent and the related provisions in the Bill and the Ordinance regarding the appeal mechanism against -
 - (i) the Council's decision on not entering an applicant's name in the General Register and the Specialist Register; and
 - (ii) the Council's order to remove a dentist's name from the General Register and the Specialist Register;
- (b) the policy intent regarding the difference between unprofessional conduct and qualification issue, which determined the right of appeal of a registered dentist.

III. Date of next meeting

4. The Committee agreed that relevant organisations such as the Hong Kong Dental Association should be invited to make written submissions on the Bill. In this regard, the Administration was requested to provide a list of relevant organisations to the Secretariat for reference. Members who wished to suggest any organisations to be invited to give views on the Bill were requested to provide the relevant details to the Clerk.

5. Members further agreed that the next meeting would be held on 12 December 2005 at 2:30 pm.

(Post-meeting note : The date of the next meeting was changed to 13 December 2005 at 10:45 am.)

6. There being no other business, the meeting ended at 10:30 am.

Council Business Division 2
Legislative Council Secretariat
7 December 2005

**Proceedings of the first meeting of the
Bills Committee on Dentists Registration (Amendment) Bill 2005
on Monday, 21 November 2005 at 8:30 am
in Conference Room B of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 001049	Mr Andrew CHENG Mr LI Kwok-ying Dr KWOK Ka-ki Ms Audrey EU	Election of Chairman	
001050 - 001524	Chairman Administration	Briefing by the Administration on the Bill	
001525 - 002316	Chairman ALA7	ALA7's comments on the Administration's response to issues raised in her letter dated 26 August 2005 [LC Paper Nos. CB(2)400/05-06(02) and (03)]	
002317 - 003050	Ms Audrey EU Chairman Administration ALA7	Provisions in the Dentist Registration Ordinance regarding the removal of a dentist's name from the General Register Policy intent for the difference regarding the act leading to the removal of a dentist's name from the General Register under section 18(1) and the removal of a dentist's name from the Specialist Register under the proposed section 2(4)(c)	
003051 - 005122	Mr LI Kwok-ying Administration Chairman	<u>Transitional arrangements for existing specialist dentists</u> The Administration was requested to provide - (a) what were the arrangements and the criteria of the Dental Council of Hong Kong ("the Council") for granting specialist titles through administrative means before and after the inauguration of the HKAM in 1993; and (b) the number of existing registered dentists who had been granted approval by the Council to use specialist titles and the number and the qualifications/ experience of those dentists who were not Fellows of the HKAM but whose names would be included in the Specialist Register by virtue of the proposed grandfather clause.	✓ (Admin to provide a written response)
005123 - 010719	Mr Andrew CHENG Administration Chairman ALA7	<u>Appeals</u> The Administration was requested to provide - (a) the policy intent and the related provisions in the Bill and the Ordinance regarding the appeal mechanism against - (i) the Council's decision on not entering an applicant's name in the General Register and the Specialist Register; and (ii) the Council's order to remove a dentist's name from the General Register and the Specialist Register;	✓ (Admin to provide a written response)

Time Marker	Speaker	Subject(s)	Action Required
		(b) the policy intent regarding the difference between unprofessional conduct and qualification issue, which determined the right of appeal of a registered dentist.	
010720 - 011033	Chairman ALA7 Administration	Reasons for the difference in manners in which the General Register and the Specialist Register were kept	
011034 - 013800	Chairman Administration ALA7 Mr LI Kwok-ying	<p>Composition and functions of the proposed Education and Accreditation Committee and the existing Credentials Committee</p> <p>Appeal against the decision of the Council on not entering an applicant's name in the Specialist Register on the ground of qualification</p> <p>The use of the grandfather clause to include in the Specialist Register the names of those dentists who had been granted approval by the Council to use specialist titles but were not Fellows of the HKAM</p> <p>The Administration undertook to provide a response in writing to the issue raised by members on whether there would be a cut-off date for the granting of specialist title by the Council before the enactment of the amendment to establish a Specialist Register for registered dentists under the Dentists Registration Ordinance</p>	<p>✓ (Admin to provide a written response)</p>
013801 - 015327	Chairman Administration ALA7 Mr Andrew CHENG	<p>The difference in penalties imposed on a person concerning exhibition of certificate of registration when his name was not entered into the Register under section 14(2) and a person who falsely pretended to be a dentist or a specialist under the proposed sections 25 and 25A</p> <p>Reasons for not imposing a statutory requirement to require a dentist whose name is included in the Specialist Register to exhibit the certificate to the effect that his name had been included in the Specialist Register in the premises in which he practised dentistry for gain</p>	
015328 - 015539	Chairman Mr Andrew CHENG	Invitation of submissions of views on the Bill	<p>✓ (Clerk to invite views from deputations)</p>
015540 - 015849	Chairman Mr Andrew CHENG	Date of next meeting	