



中華人民共和國香港特別行政區政府總部衛生福利及食物局
Health, Welfare and Food Bureau
Government Secretariat, Government of the Hong Kong Special Administrative Region
The People's Republic of China

(Translation)

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Miss Mary SO
Clerk to Panel on Health Services
Legislative Council Secretariat
3/F, Citibank Tower
3 Garden Road
Hong Kong

Dear Miss So,

Registration of Chinese Medicine Practitioners

At the meeting of the Legislative Council Panel on Health Services on 13 November 2006, students of the part-time undergraduate degree course in Chinese medicine jointly run by the Open University of Hong Kong and the University of Xiamen distributed a letter to Members. We already responded to issues raised in the letter on 5 December 2006. At Members' request made at the meeting, we now provide further information on the following-

- the number of listed Chinese medicine practitioners (CMP) who have completed undergraduate degree courses in Chinese medicine similar to the one jointly run by the Open University of Hong Kong and the University of Xiamen but who were not considered eligible to undertake the Licensing Examination; and

- the number of appeals lodged to the Chinese Medicine Council (the Council) against the decisions of the Practitioners Board since the implementation of the Chinese Medicine Ordinance and how these appeals have been resolved ultimately.

Under the Chinese Medicine Ordinance (the Ordinance), all listed CMPs, regardless of their academic qualifications, are eligible to sit the CMP Licensing Examination. There is thus no question of listed CMPs facing accreditation problems about their academic qualifications in this respect. Others would have to apply to undertake the Licensing Examination pursuant to the Ordinance before they can obtain registration status. Their application will be approved only if they satisfy the Practitioners Board that at the time of the application they have satisfactorily completed such undergraduate degree course of training in Chinese medicine practice as is approved by the Practitioners Board.

Under section 97 of the Ordinance, any person applying to sit the CMP Licensing Examination who is aggrieved by the decision of the Practitioners Board may appeal against the decision to the Council within the specified period. The decision of the Council shall be final. The appellant, if dissatisfied with the decision of the Council, may apply to the court for a judicial review. During the 2003 to 2007 examination years, the Practitioners Board rejected a total of 20 applications by holders of degrees in part-time Chinese medicine programmes to sit the Licensing Examination, among whom 15 had appealed to the Council and 13 were unsuccessful. For the other two appeal cases, hearings have been scheduled for March 2007. The above mentioned 13 applicants have not applied to the court for a judicial review.

Yours sincerely,
(Miss Pamela LAM)
for Secretary for Health, Welfare and Food