

Chapter:	113	Title:	HOSPITAL AUTHORITY ORDINANCE	Gazette Number:	L.N. 130 of 2007
Section:	5	Heading:	Powers of the Authority	Version Date:	01/07/2007

Remarks:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

The Authority may do all such things as are necessary for, or incidental or conducive to, the better performance of its functions and in particular but without prejudice to the generality of the foregoing, may-

- (a) for the provision of hospital services, enter into and carry out, any agreement with the Government or any other person for the management and control by the Authority of-
 - (i) any property held, or managed and controlled, by the Government or the person;
 - (ii) any employee of the Government or the person; or
 - (iii) the Hospital Services Department of the Government;
- (b) acquire and hold property of any description if in the opinion of the Authority such property is necessary for-
 - (i) the accommodation of the Authority or of any committee; or
 - (ii) the performance of any function which the Authority may perform, and, subject to the terms and conditions upon which such property is held, dispose of it;
- (c) enter into, carry out, assign or accept the assignment of, vary or rescind, any contract, agreement or other obligation;
- (d) provide in public hospitals, whether by itself or by other persons under agreements entered into with them, facilities for the purchase and consumption of food and drink, and such other amenities and facilities as the Authority is of the opinion are necessary or expedient to provide for the benefit of patients in, the staff of, or visitors to, public hospitals;
- (e) establish and maintain such hospital services as the Authority considers necessary or desirable for the purposes of this Ordinance;
- (f) erect, provide, equip, maintain, alter, remove, demolish, replace and improve the buildings, premises, furniture and equipment used by the Authority for the provision of hospital services subject to the terms and conditions upon which any such property is managed and controlled pursuant to an agreement referred to in paragraph (a);
- (g) subject to section 18, charge fees for the provision of hospital services;
- (h) employ such persons as it thinks fit to carry out hospital services or any other matter relating to the performance of its functions or the exercise of its powers;
- (i) engage the services of such technical and professional advisers as it thinks fit to advise the Authority on any matter relating to the performance of its functions or the exercise of its powers;
- (j) undertake and execute any lawful trust which has as an object the furtherance of any function which the Authority is required or is permitted by

this Ordinance to perform or any other similar object;

(k) accept and solicit gifts and donations, whether subject to any trust or not;

(l) with the approval of the Secretary for Food and Health, make grants, upon such conditions, if any, as the Authority determines, of financial assistance out of the resources of the Authority to charitable and other organizations, and to other persons, involved in services relevant to the health of the public; (Amended L.N. 106 of 2002; L.N. 130 of 2007)

(m) establish and maintain a system for providing a proper consideration of complaints from users of hospital services, or of members of the public, in relation to hospital services;

(n) with the approval of the Secretary for Food and Health, establish (including own and acquire) any body corporate for the purpose of doing any thing which the Authority may do and may vest in any body corporate so established such functions and powers as in the opinion of the Authority are calculated to facilitate the provision of hospital services by the Authority; (Amended L.N. 106 of 2002; L.N. 130 of 2007)

(o) exercise such other powers as are conferred on it under this Ordinance or any other enactment; and

(p) perform any of its functions or exercise any of its powers either alone or in association with any person involved in hospital services.

(Enacted 1990)

Chapter:	113	Title:	HOSPITAL AUTHORITY ORDINANCE	Gazette Number:
Section:	23	Heading:	Protection of members of Authority, etc.	Version Date: 30/06/1997

(1) No member of the Authority or of any committee, acting in good faith, shall be personally liable for any act done or default made-

- (a) by or on behalf of the Authority; or
- (b) by or on behalf of any committee,

in the performance or purported performance of the functions, or the exercise or purported exercise of the powers, imposed or conferred on the Authority under this Ordinance.

(2) The protection conferred under subsection (1) on members of the Authority or of a committee in respect of any act or default shall not in any way affect the liability of the Authority for that act or default.

(Enacted 1990)
