

Bills Committee on the Medical Registration (Amendment) Bill 2016

**Government's response to the follow-up actions arising from the
discussion at the meeting on 9 May 2016**

**The Medical Council of Hong Kong's mechanism on
handling conflict of interest**

This note provides the Government's response to the follow-up action on the Medical Council of Hong Kong ("MCHK")'s mechanism on handling conflict of interest arising from the discussion at the meeting on 9 May 2016.

MCHK's mechanism and guidelines on handling conflict of interest

2. It was a unanimous decision of all members of MCHK present at its meeting on 4 May 2016 to revise the Standing Order No. 6 of MCHK as follows -

"6. Conflict of interests of members

(1) A member of the Council or a committee or a sub-committee who has personal or pecuniary interest, direct or indirect, in the outcome of any matter under consideration by the Council or committee or sub-committee, is required to make a declaration of his interest to the Council or committee or sub-committee as appropriate prior to the discussion of the matter; and he shall not participate in any deliberation or decision regarding the matter.

(2) A member of the Council or a committee or a sub-committee is also required to make a declaration of his interest to the Council or committee or sub-committee as appropriate prior to the discussion of the matter if a reasonable, objective and informed person would reasonably apprehend that he has not brought or will not

bring an impartial mind to bear on the deliberation and/or decision of the matter; and he shall not participate in any deliberation or decision regarding the matter.

(3) In situation(s) other than those mentioned in sub-paragraphs (1) and (2) above, a member of the Council or committee or sub-committee may make a declaration of his interest out of prudence; and he shall further declare that he can nevertheless bring an impartial mind to bear on the deliberation and/or decision of the matter.

(4) No member shall appear before the Council or committee or sub-committee as a legal practitioner or act as an expert witness for any party appearing before the Council or committee or sub-committee, regardless of whether he is going to be paid or not.

3. Regarding the concern raised by a Member of the Bills Committee about the Standing Order No. 6(3), MCHK would like to clarify that the purpose of this sub-paragraph is to encourage member(s) to make a declaration of interest in case he has any doubt if there is a potential conflict of interest. Upon a member's disclosure of an interest under Standing Order No. 6(3), the Council or committee or sub-committee will consider whether he has brought or will bring an impartial mind to bear on the deliberation and/or decision of the matter and decide on whether he shall participate in any deliberation or decision regarding the matter.

**Food and Health Bureau
Medical Council Secretariat
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