

**Bills Committee on the Medical Registration (Amendment) Bill 2016  
The Government's Response on the Second Batch of Draft  
Committee Stage Amendments Proposed by Dr Hon KWOK Ka-ki**

This paper provides the Government's response on the second batch of the draft committee stage amendments ("CSA") proposed by Dr Hon KWOK Ka-ki.

**CSA proposed by Dr Hon KWOK Ka-ki**

2. The CSA proposed by Dr Hon KWOK Ka-ki aims to add eight medical assessors to be appointed by the Hong Kong Medical Association ("HKMA").

**Assessors appointed by the Medical Council of Hong Kong**

3. Under the existing Medical Registration Ordinance ("MRO"), in addition to the members of Medical Council of Hong Kong ("MCHK"), the assessors appointed by MCHK can also participate in inquiries. The panel of assessors includes -

- (a) Ten "medical assessors" who are registered medical practitioners nominated two each by the -
  - (i) Director of Health ("DH");
  - (ii) Hospital Authority ("HA");
  - (iii) Hong Kong Academy of Medicine ("HKAM");
  - (iv) University of Hong Kong ("HKU");
  - (v) Chinese University of Hong Kong ("CUHK"); and
- (b) four lay assessors nominated by the Secretary for Food and Health ("SFH").

**The Government's Response**

4. We object to CSA. The suggestion of adding medical assessors nominated by HKMA had been previously raised in the scrutiny of the Medical Registration (Amendment) (No. 2) Bill 1995, which sought to, among others, introduce a panel of assessors for the purpose of

conducting inquiry. The consideration at the time, which still applies, was that, as HKMA already had seven representatives on MCHK, there was no need for HKMA to further nominate representatives to the panel of assessors.

5. To facilitate MCHK to conduct inquiry meetings more frequently and in parallel, the Medical Registration (Amendment) Bill (“the Bill”) proposes to increase the number of assessors from 14 (i.e. ten medical assessors and four lay assessors) to 34 (i.e. 20 medical assessors nominated four each by DH, HA, HKU, CUHK and HKAM; and 14 lay assessors nominated by SFH). We propose to adjust the quorum of an inquiry meeting to allow more flexibility for MCHK to form a quorum to conduct an inquiry<sup>1</sup>. We consider that the refined quorum arrangement, accompanied with the proposed increase in the number of lay Council Members<sup>2</sup> and both medical and lay assessors and the increased legal support and flexibility under the Bill, will facilitate MCHK to conduct inquiries more frequently and in parallel.

**Food and Health Bureau**  
**June 2016**

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<sup>1</sup> Under the Bill, the proposed quorum is a panel of five persons, with at least (i) one Council member who is a registered medical practitioner; (ii) one assessor who is a registered medical practitioner; and (iii) one lay person (who is a lay Council member or lay assessor), subject to the majority being registered medical practitioners.

<sup>2</sup> from four to eight