

**立法會**  
**Legislative Council**

LC Paper No. CB(2)841/17-18

(These minutes have been  
seen by the Administration)

Ref : CB2/BC/5/16

**Bills Committee on Medical Registration (Amendment) Bill 2017**

**Minutes of the second meeting**  
**held on Tuesday, 11 July 2017, at 5:00 pm**  
**in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon Tommy CHEUNG Yu-yan, GBS, JP (Chairman)  
Hon LAU Kwok-fan, MH (Deputy Chairman)  
Hon LEUNG Yiu-chung  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon LEUNG Kwok-hung  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Steven HO Chun-yin, BBS  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon WU Chi-wai, MH  
Hon YIU Si-wing, BBS  
Hon CHAN Han-pan, JP  
Hon Kenneth LEUNG  
Hon Alice MAK Mei-kuen, BBS, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung, JP  
Hon Dennis KWOK Wing-hang  
Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon CHU Hoi-dick  
Dr Hon Junius HO Kwan-yiu, JP  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-chun  
Hon Wilson OR Chong-shing, MH

Dr Hon Pierre CHAN  
Hon CHAN Chun-ying  
Hon CHEUNG Kwok-kwan, JP  
Dr Hon CHENG Chung-tai  
Hon Jeremy TAM Man-ho  
Dr Hon LAU Siu-lai

**Members absent** : Prof Hon Joseph LEE Kok-long, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon HO Kai-ming

[According to the Judgment of the Court of First Instance of the High Court on 14 July 2017, LEUNG Kwok-hung, Nathan LAW Kwun-chung, YIU Chung-yim and LAU Siu-lai have been disqualified from assuming the office of a member of the Legislative Council, and have vacated the same since 12 October 2016, and are not entitled to act as a member of the Legislative Council.]

**Public Officers attending** : Mr Chris SUN Yuk-han, JP  
Head, Healthcare Planning and Development Office  
Food and Health Bureau

Mr FONG Ngai  
Principal Assistant Secretary for Food and Health  
(Health) 3  
Food and Health Bureau

Miss Natalie LAU Wai-kwan  
Assistant Secretary for Food and Health (Health) 8  
Food and Health Bureau

Miss Lisa LAI  
Secretary, Medical Council of Hong Kong  
Department of Health

Mr Joseph SIU Wing-ho  
Deputy Secretary (Medical Council) 1  
Department of Health

**Attendance by invitation** : Hong Kong Doctors Union  
Dr YEUNG Chiu-fat  
President

Miss KWAN Kit-man

Dr MAK Siu-king

Liberal Party

Mr NG Lung-fei  
Member

Hong Kong Ample Love Society Ltd.

Ms TSANG Cheuk-yi  
Chairlady

Mr CHAN Wai-kit

Hong Kong Prostate Foundation

Miss Percy KWOK Sik-yin  
Honorary Executive Secretary

Dr AU Yiu-kai

Dr LEUNG Ka-lau

Dr WAI Yuk-chun

Doctors for Democracy

Dr KWONG Po-yin  
Member

Frontline Doctors' Union

Dr CHAN Tsz-tai  
Resident

Miss LAM Tin-kei

Rehabilitation Alliance Hong Kong

Mr LAU Kwok-lam  
Senior Project Officer

The Hong Kong Medical Association

Dr CHOI Kin  
President

Mr James FUNG Tak-kwan

Democratic Alliance for the Betterment and Progress of  
Hong Kong

---

Mr SIU Wai-chung  
Deputy Spokesperson of Policy

Hong Kong Patients' Voices

Mr Alex LAM Chi-yau  
Chairman

Committee on Youth, Business and Professionals  
Alliance for Hong Kong

---

Mr Ray WONG  
Vice Chairman

The Democratic Party

Mr Joshua FUNG Man-tao  
Community Officer

Consumer Council

Mr Simon CHUI  
Deputy Chief Executive

Mr TAM Hoi-pong

Hong Kong Alliance of Patients' Organizations Limited

Mr YUEN Siu-lam  
Chairman

Dr WONG Yam-hong

Elderly Health Concern Group

Mr LIN Wai-kiu  
Representative

New People's Party

Dr Isaac YIP  
Vice Chair (Policy) to Youth Commission

Concern Group on Medical Council Reform

Mr Brian WANG  
Representative

Mr KEE Chi-fai

Hong Kong Patients' Rights Association

Ms FUNG Mei-yee  
Representative

Society for Community Organization

Mr Tim PANG  
Community Organizer

Mr SIT Pui-yu

The Medical Council of Hong Kong

Prof LAU Wan-yee, SBS  
Chairman

Patients' Alliance on Healthcare Reform

Mr WOO Chau-wai  
Representative

Dr Arisina MA Chung-yee

Hong Kong Academy of Medicine

Dr LUK Hung-to  
Elected Council Member

**Clerk in attendance** : Ms Maisie LAM  
Chief Council Secretary (2) 5

**Staff in attendance** : Ms Wendy KAN  
Assistant Legal Adviser 6

Ms Priscilla LAU  
Council Secretary (2) 5

Miss Maggie CHIU  
Legislative Assistant (2) 5

---

Action

**I. Meeting with deputations and the Administration**

[File Ref: FHCR1/F/3261/92, LC Paper Nos. LS74/16-17, CB(2)1723/16-17(02), CB(2)1824/16-17(01) to (02) and CB(3)628/16-17]

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee received oral representation from 35 deputations on the Bill, and noted four written submissions from organization and individuals not attending the meeting.

**II. Any other business**

3. Members agreed that the Bills Committee would hold its next meeting on 20 July 2017 from 2:30 pm to 6:30 pm.

4. At Dr Pierre CHAN's request, members agreed to invite representatives of the Hospital Authority ("HA") to the next meeting of the Bills Committee to answer questions from members on the employment of non-locally trained medical practitioners with limited registration by HA.

5. There being no other business, the meeting ended at 7:42 pm.

Clerk  
Admin

**Proceedings of the second meeting of  
the Bills Committee on Medical Registration (Amendment) Bill 2017  
held on Tuesday, 11 July 2017, at 5:00 pm  
in Conference Room 1 of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
<i>Agenda item I: Meeting with deputations and the Administration</i>			
000424 - 000929	Chairman Dr Pierre CHAN Admin	Opening remarks  Dr Pierre CHAN's request for inviting representatives from the Hospital Authority ("HA") to attend the next meeting of the Bills Committee.	
000930 - 001253	Hong Kong Doctors Union	Presentation of views (LC Paper No. CB(2)1841/16-17(01))	
001254 - 001514	Dr MAK Siu-king	Presentation of views (LC Paper No. CB(2)1884/16-17(02))	
001515 - 001817	Liberal Party	Presentation of views	
001818 - 002137	Hong Kong Ample Love Society Ltd.	Presentation of views	
002138 - 002444	Mr CHAN Wai-kit	Presentation of views (LC Paper No. CB(2)1824/16-17(03))	
002445 - 002703	Hong Kong Prostate Foundation	Presentation of views (LC Paper No. CB(2)1824/16-17(08))	
002704 - 003011	Dr AU Yiu-kai	Presentation of views (LC Paper No. CB(2)1841/16-17(02))	
003012 - 003321	Dr LEUNG Ka-lau	Presentation of views	
003322 - 003629	Dr WAI Yuk-chun	Presentation of views (LC Paper No. CB(2)1854/16-17(02))	
003630 - 003945	Doctors for Democracy	Presentation of views (LC Paper No. CB(2)1824/16-17(04))	
003946 - 004252	Frontline Doctors' Union	Presentation of views (LC Paper No. CB(2)1824/16-17(05))	
004253 - 004557	Miss LAM Tin-kei	Presentation of views (LC Paper No. CB(2)1824/16-17(06))	
004558 - 004911	Rehabilitation Alliance Hong Kong	Presentation of views (LC Paper No. CB(2)1841/16-17(03))	
004912 - 005220	The Hong Kong Medical Association	Presentation of views (LC Paper No. CB(2)1824/16-17(14))	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
005221 - 005540	Mr James FUNG Tak-kwan	Presentation of views (LC Paper No. CB(2)1841/16-17(02))	
005541 - 005746	Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views	
005747 - 010113	Hong Kong Patients' Voices	Presentation of views	
010114 - 010424	Committee on Youth, Business and Professionals Alliance for Hong Kong	Presentation of views	
010425 - 010634	The Democratic Party	Presentation of views	
010635 - 010958	Consumer Council	Presentation of views (LC Paper No. CB(2)1915/16-17(01))	
010959 - 011246	Hong Kong Alliance of Patients' Organizations Limited	Presentation of views (LC Paper No. CB(2)1824/16-17(07))	
011247 - 011614	Dr WONG Yam-hong	Presentation of views (LC Paper No. CB(2)1884/16-17(03))	
011615 - 011924	Elderly Health Concern Group	Presentation of views (LC Paper No. CB(2)1854/16-17(01))	
011925 - 012244	New People's Party	Presentation of views	
012245 - 012529	Concern Group on Medical Council Reform	Presentation of views (LC Paper No. CB(2)1854/16-17(01))	
012530 - 012853	Mr KEE Chi-fai	Presentation of views (LC Paper No. CB(2)1854/16-17(01))	
012854 - 013204	Hong Kong Patients' Rights Association	Presentation of views (LC Paper No. CB(2)1854/16-17(01))	
013205 - 013532	Society for Community Organization	Presentation of views (LC Paper No. CB(2)1854/16-17(01))	
013533 - 013719	Mr SIT Pui-yu	Presentation of views (LC Paper No. CB(2)1854/16-17(01))	
013720 - 014039	The Medical Council of Hong Kong	Presentation of views	
014040 - 014354	Patients' Alliance on Healthcare Reform	Presentation of views (LC Paper No. CB(2)1864/16-17(01))	



Time marker	Speaker	Subject(s)/Discussion	Action required
014355 - 014702	Dr Arisina MA Chung-ye	Presentation of views (LC Paper No. CB(2)1824/16-17(09))	
014703 - 015021	Hong Kong Academy of Medicine	Presentation of views	
015022 - 015258	Miss KWAN Kit-man	Presentation of views	
015259 - 015611	Mr TAM Hoi-pong	Presentation of views	
015612 - 020401	Chairman Admin	<p>The Administration's response to the major concerns and issues raised by the deputations:</p> <p>(a) as had been emphasized during the scrutiny of the Medical Registration (Amendment) Bill 2016 ("the 2016 Bill"), the Medical Council of Hong Kong ("the Medical Council") was operated under professional autonomy. The members appointed by the Chief Executive ("CE") performed the duty of the member of the Medical Council independent of the Government. To address the concerns of some in the medical profession that the number of elected members were less than the number of appointed members, the Medical Registration (Amendment) Bill 2017 ("the Bill") proposed to convert the two seats to be nominated by the Hong Kong Academy of Medicine ("the Academy of Medicine") for appointment by CE to two seats to be elected by the Academy of Medicine in accordance with its regulations or procedures. It should be noted that the number of Fellows of the Academy of Medicine had increased from about 2 500 to 7 500 over the past 20 years. It should also be noted that for the four additional lay members of the Medical Council proposed under the current Bill, three of them were to be elected by recognized patient-related organizations and one of them was to be nominated by the Consumer Council, without appointment by CE. After the passage of the Bill, the details of the patient organizations election arrangements would be set out in a subsidiary legislation to be tabled in the Legislative Council ("LegCo");</p> <p>(b) under the Bill, the elected members (i.e. being the registered medical practitioner members or lay members) plus the lay member to be nominated by the Consumer Council would account for approximately two-thirds of the membership of the Medical Council. Separately, the 16 elected registered medical practitioner members would account for half of the membership of the Medical Council, which was what the medical profession had been calling for at the later stage of the last legislative exercise; and</p> <p>(c) HA currently had a shortfall of about 300 medical practitioners. It was the Government's policy that the public healthcare sector would endeavour to employ all fresh local medical graduates to provide training opportunities for these graduates and the Government would provide necessary</p>	

Time marker	Speaker	Subject(s)/Discussion	Action required
		resources. Given that training of local medical graduates and specialists would take time, the proposed extension of the maximum term of limited registration and renewal of such registration from a period of not exceeding one year to a period of not exceeding three years would provide flexibility for HA to address its imminent manpower need.	
020402 - 020923	Chairman Mr CHAN Han-pan	Mr CHAN Han-pan's expression of his support to the Bill which could help to enhance the credibility of the Medical Council and improve the complaint investigation and disciplinary inquiry mechanism of the Medical Council, as well as attract more experienced non-locally trained specialists to perform clinical work in HA so as to ease its existing medical manpower shortage in the short term.	
020924 - 021330	Chairman Dr Pierre CHAN	Dr Pierre CHAN's concern that a majority of the 142 medical practitioners with limited registration registered under Promulgation No. 2 published by the Medical Council as at end June 2017 were employed by the medical schools of the University of Hong Kong ("HKU") and The Chinese University of Hong Kong ("CUHK"). While HA had received nearly 380 applications in its recruitment exercises for non-locally trained medical practitioners with limited registration conducted during the period between 2011-2012 and 2016-2017 to address manpower shortage, only 35 applications were submitted by HA to the Medical Council for approval of limited registration.	
021331 - 021746	Chairman Dr Helena WONG Academy of Medicine Admin	<p>Dr Helena WONG invited deputations' views on Dr Au Yiu-kai's proposal concerning the composition of the Medical Council as set out in his submission (LC Paper No. CB(2)1841/16-17(02)). Instead of converting the two appointed seats from the Academy of Medicine to elected seats as proposed in the Bill, it was proposed that one appointed seat from HA and one appointed seat from the Department of Health be converted to elected seats for direct general election by all registered medical practitioners.</p> <p>Representative of the Academy of Medicine remarked that the Academy had no established position on the above proposal. At present, the two registered medical practitioners from the Academy of Medicine to be appointed to the Medical Council were nominated and elected by the Council. In response to its Fellows' call for enhancing the transparency of the election, the Academy of Medicine was gauging views from its Fellows on how to elect two representatives, be they served as appointed members or elected members in future, to the Medical Council.</p> <p>The Administration advised that both the legislative proposal and Dr Au Yiu-kai's proposal concerning the composition of the Medical Council had been fully deliberated by the Tripartite Platform on Amendments to the Medical Registration Ordinance.</p>	
021747 - 022150	Chairman Mr Michael TIEN Admin	Mr Michael TIEN noted that while a requirement of HA for the employment of non-locally trained medical practitioners with limited registration was that the person concerned possessed a specialist qualification comparable to the intermediate examination	

Time marker	Speaker	Subject(s)/Discussion	Action required
		<p>of the constituent colleges of the Academy of Medicine, HKU and CUHK did not have such a requirement. However, non-locally trained medical practitioners so employed by HKU and CUHK might also have to perform clinical duties according to the need in their teaching, research or hospital work. In the light of the above, he considered that the proposed extension of the maximum validity period and renewal period of limited registration from a period of not exceeding one year to a period of not exceeding three years should only be applicable to those medical practitioners having a specialist qualification comparable to the intermediate examination of the constituent colleges of the Academy of Medicine.</p>	
022151 - 022430	<p>Chairman Mr Holden CHOW</p>	<p>Expressing support to the Bill, Mr Holden CHOW remarked that (a) the setting up of more than one Preliminary Investigation Committee and the proposed inquiry panel could speed up complaint investigation and disciplinary inquiries of the Medical Council; and (b) the proposed increase in the number of lay members of the Medical Council from four to eight would increase its transparency and accountability.</p>	
022431 - 023229	<p>Chairman Ms Alice MAK Society for Community Organization Hong Kong Patients' Rights Association Mr LEUNG Kwok-hung Admin</p>	<p>In response to Ms Alice MAK's invitation for views on the concern over potential vote-rigging in the election of three persons representing patients' interests to fill the additional lay members seats of the Medical Council, representative of the Society for Community Organization remarked that there was no cause for such concern as the detailed election arrangements would be set out in subsidiary legislation subject to the scrutiny of LegCo and patient organizations had been engaged in the process.</p> <p>Mr LEUNG Kwok-hung's view that a narrow electorate base and proxy voting were two common factors causing vote-rigging; and his remark that while the Committee stage proceedings of the 2016 Bill could not be completed before the prorogation of the Fifth LegCo, it provided an opportunity for the medical sector, patient groups and the Administration to have a thorough discussion on the amendments to the Medical Registration Ordinance (Cap. 161).</p> <p>At Ms Alice MAK's invitation, representative of the Hong Kong Patients' Rights Association shared with members about her complaint lodged with the Medical Council against professional misconduct of certain registered medical practitioners employed by HA.</p>	
023230 - 023641	<p>Chairman Dr Junius HO Admin</p>	<p>Dr Junius HO's view that HA should relax its stringent qualification requirements concerning employment of non-locally trained medical practitioners with limited registration as set out in paragraph 11 of LC Paper No. CB(2) 1824/16-17(02) so that more non-locally trained medical practitioners would be eligible for employment.</p>	
023642 - 023922	<p>Chairman</p>	<p>The Chairman's remark that the Liberal Party was in supportive of the Bill.</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
<i>Agenda item II: Any other business</i>			
023923 - 024010	Chairman	Date of next meeting	

Council Business Division 2  
Legislative Council Secretariat  
6 February 2018