

Medical Registration (Amendment) Bill 2017

**Government's Response to the Follow-up Issues Raised at the
Bills Committee Meeting on 29 January 2018**

This paper sets out the Government's response to the follow-up issues raised at the Bills Committee meeting on 29 January 2018 ([Annex A](#)).

Election arrangement of the two seats nominated and elected by the fellows of the Hong Kong Academy of Medicine (HKAM)

2. Under the committee stage amendments proposed by the Government, there will be two members to be nominated and elected by fellows of HKAM in accordance with the regulations or procedures of HKAM to the Medical Council of Hong Kong (MCHK). The election arrangement of these two seats is set out in the submission of HKAM at [Annex B](#) for easy reference.

Meeting arrangement of inquiry conducted by MCHK

3. At present, the MCHK Secretariat would prepare the inquiry rota on a quarterly basis and would inform MCHK members and assessors who are scheduled to be on the next duty roster in the second month of the current roster. Each panel would include four doctor members, one lay member and two assessors. Each MCHK member, except the Chairman of MCHK, and assessor, will be rostered in accordance with the alphabetical order of their English names to attend the scheduled inquiries. The Secretariat will invite other MCHK members/assessors to attend the inquiries upon being notified of the unavailability of individual MCHK member/assessor.

4. Generally speaking, the reasons of MCHK members/assessors for being not able to attend scheduled inquiries are prior work commitment and/or urgent clinical duties. The MCHK Secretariat does not keep the statistics on the reasons by individual member/assessor for not attending the scheduled inquiries.

5. As the MCHK Secretariat will strive to arrange a panel with available MCHK members/ assessors for conducting inquiry, there are no inquiry meetings that had to be re-scheduled due to unavailability or non-attendance of MCHK members or assessors. The conducting of scheduled inquiries has not been affected.

Food and Health Bureau
February 2018

Bills Committee on Medical Registration (Amendment) Bill 2017

**List of follow-up actions required of the Administration
arising from the discussion at the meeting on 29 January 2018**

The Administration was requested to:

- (a) in respect of its proposal to add in the composition of the Medical Council of Hong Kong ("the Medical Council") two seats of registered medical practitioners who were Fellows of the Hong Kong Academy of Medicine ("the Academy of Medicine") being nominated and elected by Fellows of the Academy of Medicine, relay to the Academy of Medicine members' request for it to advise the Bills Committee the nomination and election arrangements mapped out by it in this regard and its views as to whether the arrangements should be provided for in the legislation. Under the relevant draft amendments to the Bill proposed by the Administration (i.e. the proposed new section 3(2)(ha) to the Medical Registration Ordinance (Cap. 161) ("the Ordinance")), these two seats were to be nominated and elected by Fellows in accordance with the regulations or procedures of the Academy of Medicine; and
- (b) in respect of the meetings of the Medical Council held for the purpose of an inquiry in accordance with existing section 21 of the Ordinance,
 - (i) provide information, if available, on the reasons for the low attendance rates of individual members of the Medical Council (except those who could not take part in disciplinary inquiries due to their other capacities as set out in the note listed under item (a) in Annex B to LC Paper No. CB(2)748/17-18(02)) and individual assessors in inquiries in the past two years;
 - (ii) provide statistics on the number of inquiry meetings that had to be re-scheduled due to unavailability or non-attendance of members of the Medical Council or assessors; and
 - (iii) advise whether the unavailability or non-attendance of members of the Medical Council or assessors in inquiries had affected the Medical Council's efficiency in conducting disciplinary inquiries.



弘醫道 育專才 建未來
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31st January 2018

Hon. Tommy CHEUNG Yu-yan, GBS, JP

Chairman

Bills Committee on Medical Registration (Amendment) Bill 2017

Legislative Council of the Hong Kong Special Administrative Region

Legislative Council Complex

1 Legislative Council Road

Central, Hong Kong

Dear Mr. Cheung,

On behalf of the Hong Kong Academy of Medicine (the "Academy"), I am writing to provide updates on the arrangements for the two additional seats of registered medical practitioners who are Fellows of the Academy, with respect to the revised proposal on the composition of the Medical Council of Hong Kong (the "Medical Council") released by the Food and Health Bureau in October 2017.

Under the latest proposal, there will be an addition of two seats who are Fellows nominated and elected by Fellows in accordance with the regulations or procedures of the Academy. In order to formulate the relevant nomination and election mechanisms for these two seats, the Academy conducted a survey among all Fellows during 12 December 2017 – 5 January 2018 to collect their views on the subject.

While the mechanisms are yet to be determined, we are pleased to share with you the survey results for your reference. A total of 7,572 questionnaires were sent out to our Fellows and 1,906 replies were received, giving a response rate of around 25%. The purpose of the survey was to collect views from Fellows on three aspects: 1) eligibility to stand for election; 2) nomination mechanism; and 3) means of election. The results revealed a majority (~75%) of respondents agreed that no prerequisite requirements or conditions would be needed for the two new seats from the Academy and that the two candidates should be nominated (~83% of respondents) and elected (~93% of

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respondents) by all Fellows. The Academy Council discussed the results and resolved to accept the views reflected in the survey. In future, if the Bill is passed according to the Government's latest proposal as described in this letter, we shall follow the resolution of the Academy Council, i.e. all Academy Fellows will be eligible to stand for election of the two additional seats and there will be no prerequisite requirements or conditions. These two additional seats will be nominated and elected directly by all Academy Fellows.

As we communicated with the Food and Health Bureau earlier, we will keep a close watch on the legislative process of the Medical Registration (Amendment) Bill 2017 and follow up on the issue as appropriate.

The Academy Council is pleased to submit any supplementary documents if required. We would be grateful if we could also be informed of the meeting schedule of the Bills Committee in future, so that we could provide you the updates about our discussion in advance, if needed.

Yours sincerely,

Prof. LAU Chak-sing
President
Hong Kong Academy of Medicine

c.c. Professor Sophia CHAN, JP
Secretary for Food and Health