

LEGISLATIVE COUNCIL BRIEF

Hospital Authority Ordinance
(Chapter 113)

HOSPITAL AUTHORITY ORDINANCE (AMENDMENT OF SCHEDULE 1) ORDER 2018

INTRODUCTION

At the meeting of the Executive Council on 23 January 2018, the Council ADVISED and the Acting Chief Executive ORDERED that the Hospital Authority Ordinance (Amendment of Schedule 1) Order 2018 (the Order), at **Annex A**, should be made under section 20 of the Hospital Authority Ordinance (Cap. 113) (the Ordinance), to accord Hong Kong Children's Hospital (HKCH) proper legal status before it comes into operation.

JUSTIFICATIONS

2. Schedule 1 to the Ordinance (reproduced at **Annex B**) lists out the hospitals the management and control of which may be vested in the Hospital Authority (HA) under agreements with the Government. HKCH is a newly built hospital and thus has not been listed in Schedule 1.

3. HKCH will serve as a tertiary specialist hospital for management of complex paediatric cases, working closely with the existing 13 paediatric departments in HA hospitals through a hub-and-spoke model to form a coordinated service network. It will have a total planned capacity of 468 in-patient and day-patient beds, operating theatres, ambulatory surgery/day procedure centre, integrated rehabilitation centre and child development assessment services, children recreation and play therapy areas, family rest area, as well as research and training facilities. Through the concentration of cases of complex,

serious and uncommon diseases among children, as well as the pooling of medical expertise, advanced technology and resources, HKCH is aimed to enhance the quality of paediatric care in Hong Kong and provide a platform to facilitate research development and professional training.

4. HKCH will be managed and operated by HA under an agreement between the Government and HA, and will commence operation in the fourth quarter of 2018. To accord HKCH proper legal status to enable the establishment of its Hospital Governing Committee¹ before it comes into operation, we propose to amend Schedule 1 to the Ordinance by adding HKCH as a prescribed hospital under the Ordinance the management and control of which may be vested in HA under an agreement with the Government.

5. Under section 20 of the Ordinance², the Chief Executive may by order amend Schedule 1.

THE ORDER

6. **Section 2** of the Order amends Schedule 1 to the Ordinance by adding HKCH to the list of hospitals the management and control of which may be vested in HA under agreements with the Government.

LEGISLATIVE TIMETABLE

7. The legislative timetable is as follows -

Publication in the Gazette	2 February 2018
Tabling at the Legislative Council	7 February 2018

¹ Section 13(2)(b) of the Ordinance provides that –

“The Authority may for a particular public hospital, establish a committee, to be called a Hospital Governing Committee, to govern the public hospital in accordance with the provisions of this Ordinance and any directions of the Authority.”

² Section 20 of the Ordinance provides that –

“The Chief Executive may by order amend Schedule 1, 2 or 3 but any order to amend Schedule 3 shall be subject to the approval of the Legislative Council.”

IMPLICATIONS OF THE PROPOSAL

8. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance. It has no economic, civil service, environmental or sustainability implications. The proposal also has no financial implications as the Government's annual subvention to HA is an all-inclusive one that has incorporated financial resources to enable the latter to provide public healthcare services through all of its hospitals, including HKCH which is to be newly commissioned. On family and gender implications, the establishment of HKCH would enhance the quality of paediatric care in Hong Kong and enhance support to families and carers (especially the mothers) in taking care of children.

PUBLIC CONSULTATION

9. The proposal to include HKCH as a prescribed hospital under the Ordinance is procedural in nature and public consultation specifically on it is not necessary. HA, on the other hand, has been working hand-in-hand with relevant stakeholders in universities, non-governmental organisations, patient groups, etc. to facilitate the planning and commissioning of HKCH. The Legislative Council Panel on Health Services was also updated on the progress of development of HKCH at its meeting held on 15 June 2015. HA tentatively plans to brief the Kowloon City District Council on the services of HKCH in March 2018.

PUBLICITY

10. A spokesperson will be available to handle enquiries.

ENQUIRIES

11. Any enquiries on this brief can be addressed to Miss Linda Leung, Principal Assistant Secretary for Food and Health (Health) (telephone: 3509 8916, facsimile: 2810 7851).

Food and Health Bureau
January 2018

**Hospital Authority Ordinance
(Amendment of Schedule 1) Order 2018**

(Made by the Chief Executive under section 20 of the Hospital Authority Ordinance (Cap. 113) after consultation with the Executive Council)

- 1. Hospital Authority Ordinance amended**
The Hospital Authority Ordinance (Cap. 113) is amended as set out in section 2.
- 2. Schedule 1 amended (hospitals the management and control of which may be vested in the Authority under agreements with the Government)**
Schedule 1—
Add in alphabetical order
“Hong Kong Children’s Hospital”.

Chief Executive

2018

Explanatory Note

This Order amends Schedule 1 to the Hospital Authority Ordinance (Cap. 113) by adding Hong Kong Children's Hospital as a prescribed hospital. The management and control of the hospital may be vested in the Hospital Authority under an agreement with the Government.

**Schedule 1 to the Hospital Authority Ordinance
(Chapter 113)**

**Hospitals the Management and Control of which
May be Vested in the Authority under
Agreements with the Government**

[sections 2(1) & 20]

Castle Peak Hospital
Hong Kong Eye Hospital (Added L.N. 385 of 1993)
Kowloon Hospital
Kwai Chung Hospital
North District Hospital (Added L.N. 623 of 1997)
North Lantau Hospital (Added L.N. 102 of 2013)
Pamela Youde Nethersole Eastern Hospital (Added L.N. 385 of 1993)
Prince of Wales Hospital
Princess Margaret Hospital
Queen Elizabeth Hospital
Queen Mary Hospital
Shatin Hospital (Replaced L.N. 385 of 1993)
Siu Lam Hospital
St. John Hospital
Tai Po Hospital (Added L.N. 152 of 1997)
Tin Shui Wai Hospital (Added L.N. 46 of 2016)
Tang Shiu Kin Hospital
Tsan Yuk Hospital
Tseung Kwan O Hospital (Added L.N. 285 of 1999)
Tuen Mun Hospital
Wong Chuk Hang Hospital (Added L.N. 233 of 1995)

(Amended L.N. 162 of 2002; L.N. 60 of 2006)
(Format changes—E.R. 2 of 2014)