

立法會
Legislative Council

LC Paper No. CB(2)877/18-19

(These minutes have been
seen by the Administration)

Ref : CB2/SS/5/18

**Subcommittee on Private Healthcare Facilities Ordinance
(Specification of Date for Section 135(1)(a)) Notice
and Private Healthcare Facilities Ordinance
(Specification of Date for Section 136(1)(a)) Notice**

**Minutes of the second meeting
held on Tuesday, 15 January 2019, at 2:45 pm
in Conference Room 2 of the Legislative Council Complex**

Members present : Dr Hon Pierre CHAN (Chairman)
Dr Hon KWOK Ka-ki
Hon SHIU Ka-fai

Member absent : Hon CHAN Han-pan, BBS, JP

Public Officers attending : Mr FONG Ngai
Deputy Secretary for Food and Health (Health) 3
Food and Health Bureau

Miss Lily LEE Lee-man
Principal Assistant Secretary for Food and Health
(Health) 4
Food and Health Bureau

Mr Michael LI Chi-lung
Assistant Secretary for Food and Health (Health) 4B
Food and Health Bureau

Dr Sarah CHOI Mei-yee, JP
Head, Office for Regulation of Private Healthcare
Facilities
Department of Health

Dr FUNG Ying
Principal Medical and Health Officer (Private Healthcare
Facilities) 2
Department of Health

Miss Elaine NG Pui-kei
Senior Government Counsel
Department of Justice

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

Staff in attendance : Ms Clara TAM
Assistant Legal Adviser 9

Miss Kay CHU
Senior Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 5

Action

I. Meeting with deputations and the Administration

The Chairman suggested and members agreed that the meeting be proceeded to agenda item II directly as the deputation had not turned up at the meeting.

II. Meeting with the Administration

[File Ref.: L.N. 261 of 2018, L.N. 262 of 2018, FHB/H/53/6 and LC Paper No. LS31/18-19]

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).

Examination of the two items of subsidiary legislation

3. The Subcommittee completed examination of the Private Healthcare Facilities Ordinance (Specification of Date for Section 135(1)(a)) Notice

Action

and the Private Healthcare Facilities Ordinance (Specification of Date for Section 136(1)(a)) Notice ("the two Notices").

Legislative timetable

4. The Chairman concluded that the Subcommittee had completed its scrutiny of the two Notices. Members noted that as the scrutiny period of the two Notices had been extended by resolution to the Council meeting of 30 January 2019, the deadline for giving notice of amendment to the two Notices was 23 January 2019. The Chairman would make a verbal report on the deliberations of the Subcommittee to the House Committee on 18 January 2019.

III. Any other business

5. There being no other business, the meeting ended at 3:13 pm.

Council Business Division 2
Legislative Council Secretariat
25 February 2019

**Proceedings of the second meeting of
Subcommittee on Private Healthcare Facilities Ordinance
(Specification of Date for Section 135(1)(a)) Notice
and Private Healthcare Facilities Ordinance
(Specification of Date for Section 136(1)(a)) Notice
held on Tuesday, 15 January 2019, at 2:45 pm
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)/Discussion	Action required
<i>Agenda item I: Meeting with deputations and the Administration</i>			
000919 - 001112	Chairman Admin	Opening remarks Members agreed that the meeting would proceed to agenda item II directly.	
<i>Agenda item II: Meeting with the Administration</i>			
001113 - 001252	Chairman Mr SHIU Ka-fai	Mr SHIU Ka-fai's view on the meeting arrangement for receiving views from members of the public.	
001253 - 002224	Chairman Dr KWOK Ka-ki Admin	Dr KWOK Ka-ki's concern about the timetable of the Administration for briefing or meeting the relevant stakeholders on the Private Healthcare Facilities Ordinance (Cap. 633) ("the Ordinance"). Raising a similar concern, the Chairman asked about the Administration's contact point(s) in this regard. The Administration advised that any parties interested in receiving a briefing on the new regulatory regime might contact the Food and Health Bureau or the Office for Regulation of Private Healthcare Facilities under the Department of Health. In the meantime, a meeting with the Hong Kong Private Hospitals Association and another meeting with certain healthcare facilities under the management of incorporated bodies had been arranged in the second half of January 2019. A briefing for members of the Hong Kong Dental Association had also been arranged. The Administration would consider the way forward taking into account the concerns and views raised by the attendees at the Symposium on Healthcare Facilities Management 2019 ("the Symposium"). Dr KWOK Ka-ki and the Chairman suggested that the Administration should make reference to the issues of concern raised at the Symposium and compile a set of frequently asked questions and answers for stakeholders' easy reference.	
002225 - 002543	Chairman Mr SHIU Ka-fai Admin	Mr SHIU Ka-fai's enquiries and the Administration's advice on the registration and programme for the Symposium. Expressing concern over the wide coverage of the Ordinance and the large number of stakeholders involved, Mr SHIU Ka-fai urged the Administration to raise different sectors' awareness of the licensing scheme through different channels. The Chairman's remarks on the arrangement for the meeting.	

Time marker	Speaker	Subject(s)/Discussion	Action required
002544 - 002812	Chairman Dr KWOK Ka-ki Admin	Dr KWOK Ka-ki's suggestion that the Administration should organize sector targeted briefings and meetings to facilitate individual sectors and professions' understanding of the Ordinance. The Administration undertook to take into account members' views in the engagement process.	
002813 - 002821	Chairman	Commencement of examination of the Private Healthcare Facilities Ordinance (Specification of Date for Section 135(1)(a)) Notice and the Private Healthcare Facilities Ordinance (Specification of Date for Section 136(1)(a)) Notice ("the two Notices")	
002822 - 003112	Admin Chairman ALA9	<u>Examination of the two notices</u> The Legal Adviser to the Subcommittee's advice that no difficulties had been identified in the legal and drafting aspects of the two Notices.	
003113 - 003153	Chairman	Way forward and the legislative timetable	
<i>Agenda item III: Any other business</i>			
003154 - 003204	Chairman	Closing remarks	

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 25 February 2019