



27 September 2021

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Secretary for Food and Health  
Food and Health Bureau  
The Government of the Hong Kong Special Administrative Region  
18/F, East Wing, Central Government Offices  
2 Tim Mei Avenue, Tamar, Hong Kong

Dear Professor Chan,

**Views on the Government's latest proposed changes  
to the Medical Registration (Amendment) Bill 2021**

**EX OFFICIO MEMBERS**

*Presidents of  
the Academy Colleges of*  
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It has come to the attention of the Council of the Hong Kong Academy of Medicine (the "Academy") that the Government announced the latest proposed changes to the Medical Registration (Amendment) Bill 2021 (the Amendment) on 31 August 2021. The Academy has found it regrettable that such proposed changes, which depart significantly from the original Amendment, had not been formally communicated to the Academy until our meeting on 3 September 2021. We are, however, pleased with the consensus reached during the meeting that timely and open communication would be essential for maintaining mutual trust and respect.

Whilst the Academy is honoured to be entrusted with a gate-keeping role in safeguarding standards of specialist qualifications under the proposed Amendment, the Academy Council would like to reiterate our views on and concerns about each of the three latest proposed changes to the Amendment.

One of the proposed changes is *to enable non-locally trained medical graduates who are Hong Kong permanent residents and possess the recognised medical qualifications to be eligible to take the Licensing Examination in Hong Kong, irrespective of whether a period of internship is inclusive in their medical training.* The Academy suggests that the Medical Council of Hong Kong may consider reviewing, and strengthening where appropriate, the existing mechanism of Licensing Examination to help safeguard the standards.

Secondly, it is proposed *to allow non-Hong Kong permanent residents holding recognised medical qualifications and specialist qualifications to apply for special registration in Hong Kong.* The Academy considers that its mandates are to oversee postgraduate training and to uphold professional standards, and hence the individual doctor's nationality or place of residence is not of material concern

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Mr. Woody Chang

**Auditor**  
Crowe (HK) CPA Limited

**Chief Executive Officer**  
Mr. Aaron Cheng

to the Academy in this context. Notwithstanding, to ensure the standards of medical practitioners under the future Special Registration, there should be an objective, impartial and transparent assessment by an independent, professional body (such as the Academy together with its Colleges) for each medical practitioner at the entry point of application for Special Registration, as well as throughout the 5-year period of supervised clinical practice and the exit assessment upon completion. We consider this arrangement crucial in light of potential conflicts of interest on the part of the employing institution.

The third proposed change is *to impose a bridging arrangement for limited registration doctors to migrate to the Special Registration regime, with a provision of retrospective recognition of the pre-Amendment Ordinance service of the limited registration doctors*. The Academy has serious reservations and grave concerns about this proposal, which effectively foregoes the initial assurance and promise given to the public that only doctors who graduated from “recognised medical qualifications” would be eligible for Special Registration, since possessing “recognised medical qualifications” is presently not a criterion for Limited Registration or a factor to be taken into account under the Academy’s existing Certification for Specialist Registration (CSR) vetting mechanism.

The Government seeks to find justifications for the above proposal in the participation of Academy Colleges during the Limited Registration vetting and hiring processes. However, under the proposed Amendment, such participation by Academy Colleges is not required by law nor does it carry regulatory force, and thus cannot be safely relied upon in lieu of the “recognised medical qualifications” criterion in the long run. Moreover, neither the Academy nor any postgraduate professional bodies are currently involved in the hiring of non-locally trained medical practitioners with Limited Registration by the two local medical schools and the Department of Health. The situation is even more worrisome in regard to the proposed “retrospective recognition” provision as many of the doctors concerned would not have undergone vetting of any kind by a postgraduate professional body in the first place. Satisfactory on-the-job performance or academic status by and of itself does not necessarily give assurance as the individual medical practitioner may or may not have been engaged in clinical practice during the course of the employment. In other words, the third proposed change to the Amendment might fail to scrutinise and ensure the quality of an individual doctor’s primary medical qualification as is deemed necessary for independent clinical practice locally. The fact that certain medical practitioners without a suitable primary medical qualification might obtain Special Registration and be eventually allowed to practise medicine independently under Full Registration is antithetical to the original spirit of the Medical Registration Ordinance.

In consideration of the above and in the public interest, the Academy finds it necessary to review and modify where appropriate the relevant vetting mechanisms of CSR and/or Limited Registration should the third proposed change to the Amendment be enacted.

The Academy would like to tender in principle support towards any appropriate measures to optimise the supply of doctors in Hong Kong, with the prerequisites that standards of medical practitioners would not be compromised, local medical graduates be given fair considerations, and professional autonomy be safeguarded. The Academy strongly believes that admission of non-locally trained doctors to Hong Kong is only one of the possible solutions to address the manpower shortage in healthcare sector. Holistic and strategic planning should be formulated and implemented to rectify the present situation such as additional measures to improve the working environment and to retain the workforce in the public sector, and a regular review of the duration of public sector service to be undertaken by Special Registration doctors under the Amendment. Timely consultations and active engagement with various stakeholders in the legislative process are of fundamental importance for securing the public's trust in our healthcare system and its over-arching governance.

Thank you for your attention.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Gilberto Ka-kit Leung', written in a cursive style.

Professor Gilberto Ka-kit Leung  
President  
Hong Kong Academy of Medicine

cc The Hon Elizabeth Pui-fan Quat, BBS, JP  
Chairman, Bills Committee on Medical Registration (Amendment) Bill 2021,  
Legislative Council