

L.N. 153 of 2020

**Medical Laboratory Technologists (Special Exemptions)
Regulation**

(Made by the Secretary for Food and Health under section 29(1A) of the Supplementary Medical Professions Ordinance (Cap. 359))

1. Commencement

This Regulation comes into operation on 8 August 2020.

2. Exemptions

- (1) A specified person is exempt from section 21(1) of the Ordinance in respect of the specified profession while the person is conducting specified tests for the Government.
- (2) A specified company is exempt from section 20 of the Ordinance in respect of the specified profession in relation to the employment of a specified person by the company to conduct specified tests for the Government.

(3) In this section—

NHC (衛健委) means the National Health Commission of the People's Republic of China;

specified company (指明公司) means a company that—

- (a) is registered under the Companies Ordinance (Cap. 622) or under the Companies Ordinance (Cap. 32) as in force at the time of the registration; and
- (b) carries on the business of practising the specified profession;

specified person (指明人士) means a member of the National accredited laboratory testing personnel arranged by the NHC to conduct specified tests in Hong Kong for the Government;

specified profession (指明專業) means the profession of medical laboratory technologist, which is set out in item 1 of the Schedule to the Ordinance;

specified test (指明檢測) means a nucleic acid test for detecting the coronavirus disease 2019 (COVID-19), which is specified in item 8A of Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599).

3. **Expiry**

This Regulation expires at midnight on 7 October 2020.

Professor Sophia CHAN Siu-chee
Secretary for Food and Health

7 August 2020

Explanatory Note

This Regulation exempts a specified person conducting COVID-19 nucleic acid tests for the Government from section 21(1) of the Supplementary Medical Professions Ordinance (Cap. 359) (*Ordinance*) in respect of the profession of medical laboratory technologist (*specified profession*). Under that section, a person who practises the specified profession without being registered in respect of that profession commits an offence.

2. The Regulation also exempts a specified company from section 20 of the Ordinance in respect of the specified profession for employing a specified person to conduct COVID-19 nucleic acid tests for the Government. Under section 20(4) of the Ordinance, if a company employs a person who has not been registered in respect of the specified profession to practise that profession, the company, its director and its manager each commits an offence.