

**Bills Committee on Electronic Health Record Sharing System
(Amendment) Bill 2025**

**List of follow-up actions required of the Administration arising from
discussion at the meeting on 20 May 2025**

The Bills Committee requested the Administration to provide written response on the following matters regarding the Electronic Health Record Sharing System (Amendment) Bill 2025 (“the Bill”):

(a) Regarding clause 28 of the Bill:

- (i) examine the provisions relating to new sections 26C, 26D, 26G and 26H of the Electronic Health Record Sharing System Ordinance (Cap. 625), as proposed in the Bill, concerning suspension and revocation of recognition of non-Hong Kong healthcare providers and non-Hong Kong information infrastructures, on whether it is necessary to allow such non-Hong Kong healthcare providers and non-Hong Kong information infrastructures to continue providing new data and information of a registered healthcare recipient to the “Electronic Health Record Sharing System” (“eHealth System”) during the period of suspension of recognition (see the proposed new sections 26C(4) and 26G(4) of Cap. 625), and consider empowering the Commissioner for the Electronic Health Record (“the Commissioner”) to immediately revoke such recognition without being required to comply with the requirements set out in the proposed new sections 26D(4) and 26H(4) of Cap. 625, in specific circumstances, for protection of personal data within the eHealth System; and
- (ii) examine the drafting of the Chinese text of the proposed new section 26E(3)(b) of Cap. 625 (i.e. “認可該設施，便可能損害醫健通系統的保安，或危害其完整性。”) for the sake of clarity; and

(b) Regarding clause 29 of the Bill:

- (i) examine the drafting of the proposed new sections 26Q(1)(b) and 26Q(2) of Cap. 625 (Provision of specified health data to eHealth System by specified healthcare providers) to clearly express that the

Commissioner will specify the “health data” for a certain category, rather than the “healthcare providers”;

- (ii) examine the English text of the proposed new section 26R(2)(b)(ii) of Cap. 625 to determine whether “health data” is a singular or plural noun, and whether it is necessary to amend the provision in light of the nature of the term; and
- (iii) as regards paragraph 13 of the Government’s reply dated 28 April 2025 (LC Paper No. CB(3)608/2025(03)) to the Assistant Legal Adviser’s letter, which stated that “in the event that an enforcement notice is amended by the Commissioner by another written notice pursuant to the proposed new section 26R(4) of Cap. 625, the original enforcement notice will be taken to have no effect. The 28-day time limit for appeal to the Administrative Appeals Board against the decision of the Commissioner under the proposed new section 56(2)(g) of Cap. 625 will begin from the day after the receipt of the amended enforcement notice by the relevant specified healthcare providers”, to consider amending the relevant provisions to clarify the arrangements and implications.

Council Business Divisions
Legislative Council Secretariat
30 May 2025