

LEGISLATIVE COUNCIL BRIEF

Medical Registration Ordinance (Cap. 161)

**MEDICAL REGISTRATION ORDINANCE
(AMENDMENT OF SCHEDULE 1A) (NO. 3) NOTICE 2022**

INTRODUCTION

The Registrar of Medical Practitioners (i.e. the Director of Health) made the Medical Registration Ordinance (Amendment of Schedule 1A) (No. 3) Notice 2022 (“the Notice”) at Annex under section 14H of the Medical Registration Ordinance (Cap. 161) (“the Ordinance”) to recognize the third batch of medical qualifications recommended by the Special Registration Committee (“SRC”).

JUSTIFICATIONS

2. After the Medical Registration (Amendment) Ordinance 2021 came into effect upon gazettal on 29 October 2021, non-locally trained doctors who possess the recognized medical qualifications, subject to their fulfilment of certain criteria, may apply for special registration to practise in the public healthcare institutions (i.e. the Hospital Authority, the Department of Health, The University of Hong Kong and The Chinese University of Hong Kong) in Hong Kong. After serving for a certain period, obtaining recognized specialist qualifications and passing the assessment, they will be granted full registration to practise in Hong Kong. For non-locally trained medical graduates who possess the recognized medical qualifications but have yet to undergo internship outside Hong Kong, subject to their fulfilment of relevant criteria, they may take the Licensing Examination of the Medical Council of Hong Kong (“MCHK”) in order to apply for special registration to practise in the public healthcare institutions in Hong Kong. They may also obtain full registration after meeting the requirements applicable to all special registration doctors. In November 2021, the SRC was established under the MCHK in accordance with the amended Ordinance to determine the list of recognized medical qualifications after reviewing programmes offered by non-local medical schools with quality comparable to those provided by the two medical schools in Hong Kong. The SRC will submit the list to the Registrar of Medical Practitioners for promulgation by legal notice.

3. Under section 14F of the Ordinance, when determining the list of recognized medical qualifications, the SRC will consider and recommend a medical qualification -

- (a) that is at the level of degree or higher;
- (b) that is awarded by a body broadly comparable to any local university awarding medical qualifications in terms of international rankings; and
- (c) that is broadly comparable to the medical qualifications awarded by any local university in terms of -
 - (i) curriculum of the programmes leading to the medical qualifications;
 - (ii) medium of instruction of the programmes; and
 - (iii) any other aspects the SRC considers appropriate.

As for other considerations, the SRC opines that the medical qualifications should be recognized by the medical regulatory authorities in respective places and the duration of the programmes leading to the medical qualifications should be on par with that for the medical qualifications awarded in Hong Kong.

4. In order that the list of recognized medical qualifications could be determined early, the SRC has engaged the Hong Kong Council for Accreditation of Academic and Vocational Qualifications to support the relevant work. After detailed examination, the first two batches of medical qualifications recognized by the SRC were announced in end April 2022 and early June 2022 respectively. The SRC has earlier submitted to the Registrar of Medical Practitioners the third batch of 25 medical qualifications recommended for recognition. In other words, the SRC has so far recognized a total of 75 medical qualifications. The SRC is pressing ahead with the assessment of other non-local medical programmes that fulfill the stipulated criteria in order to determine the next batch of recognized medical qualifications.

THE NOTICE

5. The Notice is made by the Registrar of Medical Practitioners under section 14H of the Ordinance to amend Schedule 1A to the Ordinance to recognize in both its Part 1 and Part 2 a total of 25 medical qualifications recommended by the SRC. Part 1 applies to persons who have not yet enrolled on a recognized medical programme when the Notice comes into effect, while Part 2 applies to persons who have enrolled on or completed a recognized medical programme when the Notice comes into effect. Insofar as Part 2 is concerned, the SRC has not specified the effective year of the

recognized medical qualifications. In other words, these medical qualifications are recognized irrespective of the year of conferment.

LEGISLATIVE TIMETABLE

6. The Notice will come into effect upon gazettal on 30 December 2022. The Notice will be tabled at the Legislative Council for negative vetting on 11 January 2023.

IMPLICATIONS OF THE PROPOSAL

7. The Notice is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance and its subsidiary legislation.

PUBLIC CONSULTATION

8. Under section 14F of the Ordinance, the SRC is responsible for making recommendations independently to the Registrar of Medical Practitioners direct with respect to the list of recognized medical qualifications. Therefore, no public consultation is conducted in this regard.

PUBLICITY

9. A press release will be issued on 28 December 2022, and a spokesperson will be available to answer enquiries.

ENQUIRIES

10. For enquiries on this brief, please contact Mr Chris FUNG, Principal Assistant Secretary for Health, at 35098917.

Health Bureau
28 December 2022