

**Tripartite Platform on
Amendments to the Medical Registration Ordinance
Follow-up Actions Arising from the Third Meeting**

Supplementary Information

This note aims to provide supplementary information on the follow-up actions arising from the third meeting for Members' reference -

- (a) Statistics on cases considered by a lay Council Member during the Pre-Preliminary Investigation Committee stage (Annex A); and
- (b) Duties of the Legal Adviser of the Medical Council of Hong Kong and information on hours worked (Annex B)

**Food and Health Bureau (Health Branch)
Tripartite Platform Secretariat
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**Statistics on cases considered by a lay council member during the
Pre-Preliminary Investigation Committee Stage**

	2013	2014	2015
Number of cases considered by a lay Council Member during the Pre-Preliminary Investigation Committee stage ^{Note 1}	146	130	149

^{Note 1} including cases received in the respective year only

Duties of the legal adviser of the Medical Council of Hong Kong and figures on hours worked

As stipulated under section 3B of the Medical Registration Ordinance, only one Legal Adviser can be appointed to the Medical Council of Hong Kong (MCHK). The duties of the Legal Adviser are to facilitate MCHK and its committees or working groups to discharge their statutory functions, including -

- (a) attending and providing legal advice on matters relating to disciplinary inquiries / appeal hearings / restoration hearings of MCHK, and drafting the judgments on the basis of the Council's decision, findings and reasoning for its consideration; and advising on court appeal and judicial review cases where necessary;
- (b) attending meetings of MCHK and its committees or working groups on regular and/or ad hoc basis, advising on the legal implications of the policies and issues raised at the meetings, and providing comments on the relevant discussion papers, minutes of meeting and follow-up actions as necessary; and
- (c) providing legal advice on other matters as necessary such as registration of doctors, legislative amendment, election of MCHK, publications of the Council, and correspondence received and/or issued by MCHK.

2. As stipulated under section 6 of the Medical Registration (Miscellaneous Provisions) Regulation, the Legal Adviser shall be present at every inquiry and appeal hearing held by the Council, Council meeting held for the purpose of making an order upon recommendation of the Education and Accreditation Committee and the Health Committee or for the purpose of reviewing an order of the Council, and Council meeting held pursuant to an election petition. The Legal Adviser will provide legal advice to the Council for other meetings mentioned above so as to facilitate the Council to make informed decisions and discharge its statutory functions.

3. From 2013/14 to 2015/16, the number of hours that the Legal Adviser had spent in the work as mentioned in paragraph 1 above are as follows -

No. of hours	(a)	(b)	(c)	Total
2013/14*	1 209 (65.6%)	599 (32.5%)	35 (1.9%)	1 843 (100%)
2014/15	917 (55.2%)	645 (38.9%)	97 (5.9%)	1 659 (100%)
2015/16	968 (58.5%)	552 (33.4%)	133 (8.1%)	1 653 (100%)

*The current Legal Adviser came on board in mid-November 2013