

The Chinese Medicine Hospital of Hong Kong Ordinance takes effect upon gazettal

The Government published in the Gazette today (May 23) The Chinese Medicine Hospital of Hong Kong Ordinance (Ordinance), which takes effect on the same day. The Ordinance aims to protect the exclusive right to use the titles of The Chinese Medicine Hospital of Hong Kong (CMHHK) and make technical amendments to other relevant enactments that are generally applicable to public hospitals or private healthcare facilities (PHFs), enabling these relevant provisions to apply equally to CMHHK under the same circumstances, thereby ensuring the smooth operation of CMHHK.

CMHHK is scheduled to commence services in phases starting from the end of this year, marking an important milestone in the development of Chinese medicine (CM) in Hong Kong. As a flagship CM institution in Hong Kong, CMHHK will undertake five key missions of development, namely the provision of government-subsidised and market-oriented healthcare services, training and education, research, collaboration, and creation of health values. CMHHK will also serve as a change-driver in close collaboration with the CM sector and stakeholders to drive the overall development of CM in Hong Kong, the Guangdong-Hong Kong-Macao Greater Bay Area, and the international community.

As a hospital controlled by the Health Bureau, CMHHK is neither a public hospital managed by the Hospital Authority under the Hospital Authority Ordinance (Cap. 113) nor a PHF specified under the Private Healthcare Facilities Ordinance (Cap. 633). References to "hospitals" in the existing legal provisions generally only include public hospitals or PHFs and therefore may not be applicable to CMHHK. In this connection, a number of technical amendments have been made to the Ordinance to ensure that other relevant enactments generally applicable to public hospitals or PHFs are also equally applicable to CMHHK under the same circumstances, meeting the practical operational needs of CMHHK.

The Ordinance also specifies and offers protection for the Chinese title 香港中環醫院 and the English title "The Chinese Medicine Hospital of Hong Kong" of CMHHK, located at 1 Pak Shing Kok Road, Tseung Kwan O in the New Territories, with the titles intended for exclusive use by CMHHK. Any person who is involved in the unauthorised use of or unauthorised association with these titles commits an offence and is liable to a fine at level 3 (\$10,000) upon conviction.

To complement the implementation of the Ordinance, the Government and the operator of CMHHK will implement a series of support measures, including establishing a notification mechanism between the Health Bureau and the Companies Registry to refuse registration of company names with unauthorised association with CMHHK; conducting a series of promotional activities by the Health Bureau and the operator before CMHHK commences services in phases;

uploading information about its partner organisations, among others, by CMHHK to its official website for public access; and the Health Bureau and CMHHK will immediately issue public announcements for clarification in case of suspicious cases of misleading or misappropriation of titles and will consider if enforcement action is required on a case-by-case basis; as well as reviewing the relevant penalties in a timely manner.