

Chinese Medicine Council of Hong Kong
Chinese Medicine Ordinance
(Cap. 549)

**Guidance Notes of Application for
Renewal of Chinese Medicines Trader Licences**

Under sections 116 and 136 of the Chinese Medicine Ordinance, licensed retailers or wholesalers of Chinese herbal medicines, and wholesalers or manufacturers of proprietary Chinese medicines may apply to the Chinese Medicines Board for renewal licence not later than 6 months prior to the date of expiry.

I. Application requirements

The applicant must comply with every licensing requirement, practicing condition, or duty of his licence before the application for renewal is approved.

When approving a renewal the Chinese Medicines Board may renew the licence, with or without any modifications to conditions or restrictions, if any, previously imposed. The modification of such conditions and restrictions will be determined on a case by case basis.

II. Application procedures

How to obtain application forms

1. Application forms (Form 11) and Documentation Checklists (Checklist 11R) can be obtained free of charge from:

Chinese Medicine Regulatory Office, Department of Health
16/F., AIA Kowloon Tower, Landmark East,
100 How Ming Street, Kwun Tong, Kowloon

Office hours: Monday to Friday 9:00 a.m. to 5:30 p.m.
Closed on Saturday, Sunday and public holidays

2. Application forms and documentation checklists can also be obtained free of charge via the following method:

- (i) Download from the Chinese Medicine Council of Hong Kong Website (www.cmchk.org.hk/pcm/eng/#main_down01.htm)

Submission of documents or information

Applicants are required to submit the following information to update the licence files:

- (i) A fully completed Application Form for Renewal of Chinese Medicines Traders Licence (Form 11); and
- (ii) The documents listed in the Documentation Checklist – Application for Renewal of Chinese Medicines Traders Licence (Checklist 11R).

How to submit application forms

Applicants may submit application forms, relevant information, and documents via the following methods:

- (i) Mail to the Chinese Medicine Regulatory Office, Department of Health by registered mail (the date shown on the post stamp will be taken as the submission date);
- (ii) Lodge to the office of the Chinese Medicine Regulatory Office, Department of Health in person during office hours; or
- (iii) Submit online application via electronic forms (applicable to holders of recognised organisational digital certificates only).
Website: www.cmchk.org.hk/pcm/eng/#main_down01.htm

III. Application results

The applicant will receive written notification if the application is approved. The new licence will be sent to the applicant by post upon payment of the prescribed fee. If the application is rejected the applicant will be notified in writing.

IV. Prescribed fees and methods of payment

Renewal fees for various licences :

Renewal of retailer licence in Chinese herbal medicines	HK\$935
Renewal of wholesaler licence in Chinese Herbal medicines	HK\$1,050
Renewal of wholesaler licence in proprietary Chinese Medicines	HK\$1,050
Renewal of manufacturer licence in proprietary Chinese medicines	HK\$2,680

Chinese Medicine Regulatory Office will issue a General Demand Note to the applicant. The applicant could make payment according to the payment methods stated in the General Demand Note.

V. Rights of appeal

Review of decisions

Pursuant to section 140 of the Chinese Medicine Ordinance, an applicant aggrieved by the decision of the Chinese Medicines Traders Committee made under delegated authority from the Chinese Medicines Board on matters related to renewal of Chinese medicines trader licences; may request the Chinese Medicines Board to review the decision and state the reasons relied upon within 14 days after the receipt of the notification of decision. Upon receipt of the written request for review, the Chinese Medicines Board shall review the decision and shall serve a notice of its decision together with the reasons for its decision on the person concerned. In reviewing a decision, the Chinese Medicines Board may invite the person concerned to give representations in writing or in person.

Right of appeal to Court of First Instance

Pursuant to section 141 of the Chinese Medicines Ordinance, an applicant aggrieved by the decision of the Chinese Medicines Board related to renewal of Chinese medicines trader licences or the result of review may within 1 month from the date of service of the notice appeal to the Court of First Instance. The Court of First Instance may affirm, reverse, or vary the decision appealed against.

VI. Personal Data

The purpose of collecting personal data

Personal data provided by applicants to the Chinese Medicines Board is used for the purpose of implementing provisions of the Chinese Medicine Ordinance. The provision of personal data is on a voluntary basis. If an applicant fails to provide sufficient personal data, the Chinese Medicines Board will be unable to process the relevant licence application.

Transfer of personal data

Personal data provided by applicants are mainly for use within the Chinese Medicine Council of Hong Kong, but they may also be disclosed to other Government bureaux/departments, agencies, or authorities for the purposes mentioned above. Apart from these, such personal data will only be disclosed when the applicants was given consent to such disclosure or when such disclosure is allowed under the Personal Data (Privacy) Ordinance.

Access to and correction of personal data

Applicants have the right of access and correction with respect to personal data provided in section 18, 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. A fee may be imposed for complying with a data access request. Should there be any necessary amendment to the personal data of an applicant, the applicant should notify the Chinese Medicine Regulatory Office, Department of Health in writing as soon as possible.

VII. Change of information during renewal of licence

In the case when the information on the licence held by the applicant is inconsistent with that in the licence files maintained by the Chinese Medicines Board, e.g. change of company directors or responsible persons (i.e. the nominated person and his deputies), the applicant should notify the Chinese Medicines Board as soon as possible, and should specify the relevant amendments on the documentation checklist for renewal of licence. If the information on the licence held by the applicant is consistent with that in the licence files maintained by the Chinese Medicines Board, the applicant should make a declaration on the documentation checklist.

VIII. Enquiries

Further enquiries regarding the renewal of Chinese medicines trader licences or on the contents of these guidance notes can be made by calling the enquiry hotline, fax or post to the Chinese Medicine Regulatory Office, Department of Health:

Enquiry Phone No. : 2319-5119

Fax No. : 2319-2664

Address : 16/F., AIA Kowloon Tower, Landmark East,
100 How Ming Street, Kwun Tong, Kowloon