

Chapter 1

Structure of the Chinese Medicine Council of Hong Kong

The structure of the Chinese Medicine Council of Hong Kong (the Council) is specified in the Chinese Medicine Ordinance. The Council is responsible mainly for ensuring adequate standards of professional practice and professional conduct in the profession of Chinese medicine practitioners; the adequate standards of practice and conduct in the trade of Chinese medicines; the proper use of Chinese herbal medicines; and the safety, quality and efficacy of proprietary Chinese medicines. To implement the regulatory system effectively, the Council is supported by the Chinese Medicine Practitioners Board (the Practitioners Board) and the Chinese Medicines Board (the Medicines Board), and eight committees have been established under these two boards.

The Chinese Medicine Ordinance and the policies formulated by the Council empower the Practitioners Board and the Medicines Board to carry out regulatory measures of Chinese medicine practitioners and Chinese medicines. These measures include the examination, registration and discipline of Chinese medicine practitioners; the licensing and conduct of Chinese medicines trades; and the registration of proprietary Chinese medicines. The Council also co-ordinates and supervises the activities of the boards by examining the proposals, recommendations and reports from the boards; directing the boards to implement such policies and activities as it thinks fit; and handling appeals against decisions of the boards, as provided for under the Chinese Medicine Ordinance.

Under the Practitioners Board, the Registration Committee, Examination Committee, Committee on Assessment of Chinese Medicine Degree Courses, Disciplinary Committee of Chinese Medicine Practitioners and the Ethics Committee have been established. The Registration Committee makes recommendations to the Practitioners Board on applications for registration as Chinese medicine practitioners, and on the implementation of their continuing education in Chinese medicine. The Examination Committee is responsible for assisting the Practitioners Board on the vetting of applications

and on the arrangement of Chinese Medicine Practitioners Licensing Examination. The Committee on Assessment of Chinese Medicine Degree Courses is responsible for making recommendations to the Practitioners Board on the assessment of local degree courses in Chinese medicine, and on the approved courses for undertaking the Licensing Examination. The Disciplinary Committee of Chinese Medicine Practitioners handles disciplinary matters of Chinese medicine practitioners, in accordance with the prescribed procedures. These include making recommendations to the Practitioners Board for holding inquiries into the conduct of individual Chinese medicine practitioners. The Ethics Committee is responsible for reviewing the codes of practice of Chinese medicine practitioners in respect of practice promotion, and making recommendations to the Practitioners Board in respect of codes of practice of Chinese medicine practitioners and conduct. The Practitioners Board will set up specific working groups where appropriate – such as the liaison group for formulating a reference guide on the issuance of sick leave certificates by registered Chinese medicine practitioners and the medical referral working group (whose members include members of the Practitioners Board and representatives from major local Chinese medicine associations).

Under the Medicines Board, the Chinese Medicines Committee, Chinese Medicines Traders Committee and the Regulatory Committee of Chinese Medicines Traders have been established. The Chinese Medicines Committee is responsible for handling the registration of proprietary Chinese medicines. The Chinese Medicines Traders Committee implements the licensing of Chinese medicines traders. The Regulatory Committee of Chinese Medicines Traders conducts investigations into the conduct of individual Chinese medicines traders when required, and makes recommendations to the Medicines Board. As the work of licensing of proprietary Chinese medicines requires a lot of legal advice, with effect from November 2010, a legal advisor was appointed to the Chinese Medicines Committee to support its work.

The functions of the Council, the Practitioners Board, the Medicines Board and the various committees are set out in Appendix 4, page 105.

The Council, the Practitioners Board, the Medicines Board and each of the committees are established under the principle of "professional self-regulation". The membership consists principally of members of the Chinese medicine profession, as well as representatives of the government and members of the general public. Besides, having regard to the different functions,

the committees also include members from other organisations and institutions, such as educational and scientific research institutions, to give professional advice on the work of the committees. Apart from the Chinese Medicines Committee which appointed a legal advisor to support its work with effect from November 2010, the Council, the Practitioners Board, the Medicines Board, the Disciplinary Committee of Chinese Medicine Practitioners, and the Regulatory Committee of Chinese Medicines Traders have also appointed legal advisors, to tender legal advice on their work.

