

## **LEGISLATIVE COUNCIL BRIEF**

### **Nurses Registration Ordinance (Chapter 164)**

### **Nurses Registration (Amendment) Bill 2023**

## **INTRODUCTION**

At the meeting of the Executive Council on 5 December 2023, the Council ADVISED and the Chief Executive ORDERED that the Nurses Registration (Amendment) Bill 2023 (“the Bill”) at **Annex A** should be introduced into the Legislative Council (“LegCo”) to create a new pathway for admission of qualified non-locally trained nurses, regardless of whether they are Hong Kong permanent residents or not; to make continuing nursing education (“CNE”) mandatory requirements for registered nurses (“RN”) and enrolled nurses (“EN”) to enhance the professional competency of nurses; and make other technical amendments to bring the regulatory regime of nurses up-to-date including requiring nurses to provide regular updating of relevant information.

## **JUSTIFICATIONS**

### **Existing Registration Mechanism**

2. At present, in order to be qualified as registered nurse (“RN”) or enrolled nurse (“EN”) in Hong Kong, a person has to satisfy the Nursing Council of Hong Kong (“NCHK”) that he/she has fulfilled the following qualification requirement(s) under section 8 or 14 of the Nurses Registration Ordinance (Cap. 164) (“NRO”) –

- (a) for a locally trained nurse: he/she has completed a pre-registration or pre-enrolment training course that is accredited by the NCHK and provided by a training school declared by NCHK; or

- (b) for a non-locally trained nurse: he/she has completed a pre-registration or pre-enrolment training course, possesses a valid certificate to practise nursing issued by a certifying body recognised by the NCHK and has passed the licensing examination administered by the NCHK.

### **Acute Shortage of Nurses**

3. Over the years, Hong Kong has been facing an increasingly serious shortage of nurses. As at end 2022, there were 50 650 RNs and 15 842 ENs (totaling at 66 492 nurses) in Hong Kong. With 9.1 nurses per 1 000 population, the nurse-to-population of Hong Kong lags behind that of developed countries such as Canada (10.1 nurses per 1 000 population as at 2020), France (11.3 nurses per 1 000 population as at 2020) and Japan (12.1 nurses per 1 000 population as at 2020). According to the Report of the Strategic Review on Healthcare Manpower Planning and Professional Development published in 2017, it was expected that there would be a continuous shortage of general nurses in the short to medium term in the light of the projection of healthcare needs having regard to demographic changes. In 2022-23, the Hospital Authority (“HA”) and the Department of Health (“DH”) recorded respectively 2 940 and 163 cases of nurse attrition, with the attrition rate standing at 10.9% and 11.4%, of which 2 455 and 89 cases were non-retirement attrition. Also, upon the enactment of the Residential Care Homes Legislation (Miscellaneous Amendments) Ordinance 2023, which enhances the minimum staffing requirements of nurses at residential care homes (“RCHs”), it is estimated that existing RCHs would need to hire around 200 additional nurses starting from 2028, and another 280 starting from a date to be appointed by the Secretary for Labour and Welfare.

4. Locally trained healthcare professionals are the bedrock of our healthcare workforce. In light of the shortage of nurses, the Government had introduced a number of measures to enhance the local training capacity for nurses. These include –

- (a) increasing the number of University Grants Committee-funded first-year-first-degree nursing training places, from 590 in the 2009-2010 academic year to 690 in the 2022-2023 academic year;

- (b) increasing the number of Government-subsidised self-financing nursing training places from 420 in the 2015-2016 academic year to 1 380 in the 2022-2023 academic year; and
- (c) providing more than 1 700 additional fully-subsidised EN (General) training places under the Social Welfare Department's "Enrolled Nurse Training Programme for the Welfare Sector" for five years starting from the 2023-24 academic year.

Despite these measures, the Healthcare Manpower Projection 2020 showed that the manpower gap for general nursing will continue to widen in the short to medium term, albeit narrowing in the long term. Given the lead time required for training local nurses and the practical constraints in enhancing our training capacity, we cannot rely solely on increasing the number of local training places to address the imminent manpower problem. We need to tap on non-local sources and channel them to the public healthcare and social welfare sectors as far as possible.

5. At present, non-locally trained nurses may be admitted to practise in Hong Kong upon passing the licensing examination, which are held twice a year since 2016. The number of applicants applying to sit the licensing examination for RN and EN has decreased substantially after 2020. For the RN licensing examination, the numbers of overseas applicants for written examination and practical examination had dropped from 152 and 39 in 2019 to 57 and 10 respectively in 2022; and the numbers for EN licensing examination had likewise dropped from 52 and 30 in 2019 to 18 and 17 in 2022 for written examination and practical examination respectively. From 2018 to 2022, the number of non-local nurses admitted to practise in Hong Kong remained on the low side, ranging from two to 25 each year for RN and one to 12 each year for EN, far from being sufficient to meet the manpower need of the public healthcare system. There is no other arrangement available to admit non-locally trained nurses at present except through the licensing examination.

## **Proposed New Pathways for Admission of Non-Locally Trained Nurses**

### *Limited Registration / Enrolment and Special Registration / Enrolment*

6. Given the situation we face, there is a genuine need to introduce new pathways for admitting qualified non-locally trained nurses to address the shortage of nurses. With reference to our experience of introducing new pathways for admitting non-locally trained medical practitioners under the Medical Registration Ordinance (Cap. 161), we propose to create new pathways under the NRO to admit non-locally trained nurses to practise in Hong Kong, namely limited registration / enrolment (“LR/E”) and special registration / enrolment (“SR/E”). Non-locally trained nurses are not required to take any examination to be admitted under the new pathways of LR/E and SR/E.

7. While the new pathways of LR/E and SR/E are both intended to alleviate the shortage of nurses, there are differences between the purposes of the two pathways. LR/E is intended to attract non-locally trained nurses capable of serving in specified settings in the public healthcare sector (i.e. DH and HA) and social welfare sector (e.g. residential care homes for elderly and persons with disability) to help tide over manpower needs and to meet sudden surges in demand. On the other hand, SR/E is intended to attract nurses capable of serving in various clinical settings in clinics and hospitals in the public healthcare sector, and with the potential to join the local nursing profession on a permanent basis.

8. Premised on different purposes served by the new pathways of LR/E and SR/E, their proposed admission criteria and conditions on the practice of nursing are set out below –



	<b>LR/E</b>	<b>SR/E</b>
<b>Qualification</b>	<ul style="list-style-type: none"> <li>• Qualification outside Hong Kong that is broadly comparable in terms of curriculum of the programmes to any training course recognised by NCHK for full registration / enrolment<sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Qualification outside Hong Kong that is broadly comparable in terms of curriculum of the programmes to any training course recognised by NCHK for full registration / enrolment; and</li> <li>• Post-qualification training programme relevant to the practice of nursing</li> </ul>
<b>Clinical experience</b>	<ul style="list-style-type: none"> <li>• At least 1 year of full-time post-qualification clinical experience that is relevant to the employment offered</li> </ul>	<ul style="list-style-type: none"> <li>• At least 3 years of full-time post-qualification clinical experience in a clinic or hospital</li> </ul>
<b>Restriction on practice area</b>	<ul style="list-style-type: none"> <li>• NCHK may impose condition on the person's practice of nursing in the employment based on their previous clinical experience</li> </ul>	<ul style="list-style-type: none"> <li>• No restriction on practice area, i.e. same as the case of full registration / enrolment</li> </ul>

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<sup>1</sup> We have considered whether Secretary for Health or an independent committee should be empowered to promulgate a list of recognised non-local nursing qualifications to serve as a qualification threshold for processing application for LR/E and SR/E. We do not propose to pursue such a course given the sizeable quantum of nursing programmes around the world, and the time and cost involved in vetting individual qualifications. Requiring applicants to possess qualifications that are broadly comparable in terms of curriculum to local training course recognised by NCHK for the purpose of registration / enrolment is consistent with the current benchmark adopted by NCHK to demonstrate the basic competency of applicants with non-local qualifications seeking to sit for licensing examination.

	LR/E	SR/E
<b>Employing institutions</b>	<ul style="list-style-type: none"> <li>• DH and HA</li> <li>• Training schools for nurses</li> <li>• RCHs for elderly and RCH for persons with disabilities with valid licences</li> <li>• Scheduled nursing homes within the meaning of the Private Healthcare Facilities Ordinance (Cap. 633)</li> <li>• Social welfare service units/organisations as may be specified by the Director of Social Welfare by gazette notice</li> <li>• Establishments providing the types of employment appropriate for LR/E as determined and promulgated by NCHK</li> <li>• Other healthcare service providers as may be designated by the Secretary for Health by gazette notice</li> </ul> <p>(Collectively, “designated institutions”)</p>	<ul style="list-style-type: none"> <li>• DH and HA</li> <li>• Other healthcare service providers as may be specified by the Secretary for Health by subsidiary legislation</li> </ul> <p>(Collectively, “specified institutions”)</p>

9. To be eligible for LR/E or SR/E, applicants must first secure employment with one of the designated institutions or specified institutions. The duration for each LR/E and SR/E should be the same as the length of employment with their employing institutions, but in any event not longer than three years. The LR/E and SR/E should be renewable if the nurses concerned continue to work in the same employing institutions.

10. LR/E nurses cannot migrate to full registration / enrolment. SR/E nurses who have worked in one or more specified institutions for a total of at least five years and who are assessed by the institution(s) to have performed satisfactorily and competently based on the criteria specified by NCHK will be eligible for full registration / enrolment. We consider the assessment of performance by specified institutions over a period of five years and according to the criteria determined by NCHK should be sufficiently robust to ensure the professional quality of the nurses concerned for full registration without the need for licensing examination.

#### *Temporary Registration / Enrolment*

11. Apart from the two pathways detailed above, we propose to introduce temporary registration / enrolment to enable nurses from other jurisdictions to perform academic exchanges or clinical demonstrations in Hong Kong for up to 14 days to facilitate short-term academic or professional exchanges. While institutions in both the public and private sectors are eligible to apply, NCHK will be vested with the authority to promulgate the list of eligible institutions and determine whether the nature of work involved constitute academic exchanges or clinical demonstrations.

#### **Mandatory Continuing Nursing Education (“CNE”)**

12. Continuous professional development is an integral element of professionalism for various healthcare professionals. Maintaining and developing skills, expertise and professional practice are the core aspects of good healthcare practice. This requires participation in professional development, practice improvement and any other activities that would help ensure professional capabilities.

13. We propose to make the fulfilment of the CNE requirement a pre-requisite for all nurses under full registration / enrolment, LR/E and SR/E upon renewal of their practising certificates, as well as for nurses under SR/E having completed at least five years of employment with specified institution(s) and seeking full registration / enrolment. Non-compliance with the requirement will result in non-issuance of practising certificate, in which case the nurse would not be allowed to practise nursing. The administration and the key components of the mandatory CNE programme will be decided by NCHK.

## **Other Technical Amendments**

14. Under existing practice, nurses who seek to renew their practising certificate are only required to pay the requisite fee without having to provide any information about their employment and practice, which is not in line with the cases of other healthcare professions including doctors. Regular updating of nurses' information about their employment and practice would facilitate NCHK's regulation of nurses in tandem with the actual needs and development of the profession in Hong Kong. We propose that as a requirement, all nurses must provide updated particulars, documents and information on employment and practice of nursing when applying for a new practising certificate every three years.

15. Reliable information on the general situation of the employment and practice of healthcare professionals are necessary for the formulation of policies on manpower planning, training and development of healthcare professions. However, over the years, there is no formal mechanism to require healthcare professions to provide such information, thereby posing substantial practical difficulties to the Government in appraising the manpower situation of individual healthcare professions and planning the manpower supply in the professions<sup>2</sup>. We propose to empower the Secretary for Health to, in the public interest, give directions to NCHK regarding, among others, the collection of information on nurses, such as their status of employment (working full-time, part-time or self-employed). To facilitate NCHK's sharing of information with the Health Bureau, we propose to expressly authorise NCHK to provide information in NCHK's possession on the Secretary for Health's request for the purpose of formulating healthcare policies.

16. We also propose to take the opportunity to amend certain provisions of the NRO to bring the regulatory regime up-to-date. The amendments include repealing the provision that exempts full-time nurses employed by the Government from registration or enrolment, and removing the minimum age requirement for registration or enrollment as well as the minimum age requirement for commencement of training to become RN or EN.

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<sup>2</sup> Currently, the DH administers the Health Manpower Survey at regular intervals with a view to grasping the latest manpower situation in various healthcare professions. The data so collated will form part of the inputs to the triennial Healthcare Manpower Projections commissioned by the Health Bureau. The response rates of the Health Manpower Survey are far from satisfactory, undermining the credibility of the results of the manpower projections and their value in facilitating healthcare manpower planning.

## OTHER OPTIONS

17. The proposed new pathways for admission of qualified non-locally trained nurses and the implementation of the mandatory CNE requirements for nurses could only be implemented through legislative means. There are no other options.

## THE BILL

18. The main provisions are –

- (a) **Clauses 3 and 4** provide for the definitions of “specified institutions” and “designated institutions” by reference to the new Schedules 1 and 2 added by clause 37;
- (b) **Clauses 12 and 23** amend section 8 and section 14 of the NRO respectively to enable a person with SR/E to apply for full registration / enrolment if –
  - (i) the person has, within a period of time specified by the NCHK, served as a person with special registration / enrolment in one or more specified institution(s) for at least 5 years in aggregate; and
  - (ii) the specified institution(s) certify that they are satisfied with the person’s performance based on the assessment criteria specified by NCHK;
- (c) **Clauses 14 and 25** provide for matters including –
  - (i) the requirements for granting SR/E, being that –
    - (A) the applicant has obtained a qualification outside Hong Kong that is broadly comparable in terms of curriculum of the programmes to any training course recognised by NCHK for full registration or enrolment;
    - (B) the applicant possesses a valid certificate to practise nursing issued by any certifying body

recognised by the NCHK from time to time as constituting sufficient evidence of the applicant's competency to practise nursing;

- (C) the applicant has completed a post-qualification training programme that is relevant to the practice of nursing;
  - (D) the applicant has had at least 3 years of full-time post-qualification clinical experience in a clinic or hospital;
  - (E) the applicant has been selected for full-time employment as a person with SR/E in a Specified Institution; and
  - (F) NCHK is satisfied that the applicant is of good character and has good professional conduct;
- (ii) the requirements for granting LR/E, being that –
- (A) the applicant has obtained a qualification outside Hong Kong that is broadly comparable in terms of curriculum of the programmes to any training course recognised by NCHK for full registration or enrolment;
  - (B) the applicant possesses a valid certificate to practise nursing issued by any certifying body recognised by the NCHK from time to time as constituting sufficient evidence of the applicant's competency to practise nursing;
  - (C) the applicant has been selected for full-time employment as a person with LR/E in a designated institution;
  - (D) the applicant has had at least 1 year of full-time post-qualification clinical experience that is relevant to the employment; and

- (E) NCHK is satisfied that the applicant is of good character and has good professional conduct;
  - (iii) NCHK may impose conditions on a person's LR/E that NCHK considers appropriate based on the person's clinical experience; and
  - (iv) the requirement for granting temporary registration or enrolment is that NCHK is satisfied that it is appropriate and necessary for a person who is the subject of an application to be registered / enrolled to enable him / her to conduct the clinical demonstration for, or academic exchanges with, the applying institution;
- (d) **Clauses 16 and 27** amend sections 10A and 16A of the NRO respectively to require nurses under full registration / enrolment, SR/E or LR/E to (i) fulfil the CNE requirement as determined by NCHK and (ii) apply for new practising certificates in the specified form and provide the required information and particulars; and
- (e) **Clause 36** provides for matters including –
- (i) adding a new section 28 to empower NCHK to specify the form for making applications and the certificate required or authorised to be issued under the NRO;
  - (ii) adding a new section 29 to empower the Secretary for Health to give directions to NCHK if the Secretary considers it is in the public interest, with which NCHK must comply; and
  - (iii) adding a new section 30 to provide that the Secretary for Health may amend Schedule 1 or 2 by notice published in the Gazette.

19. The existing provisions being amended are at **Annex B**.

## LEGISLATIVE TIMETABLE

20. The legislative timetable will be –

Publication in the Gazette	8 December 2023
First Reading and commencement of Second Reading debate	13 December 2023
Resumption of Second Reading debate, committee stage and Third Reading	To be notified

## IMPLICATIONS OF THE PROPOSAL

21. The Bill is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the binding effect of the existing provisions of NRO and its subsidiary legislation. The proposal has civil service, financial, economic, family and sustainability implications set out at **Annex C**. It has no environmental or gender implications.

## PUBLIC CONSULTATION

22. The LegCo Panel on Health Services was consulted on 10 March 2023. Since then, we have extensively engaged stakeholders on the proposed legislative amendments, with a total of 13 engagement sessions held for NCHK, other advisory and statutory bodies, the nursing profession, social welfare sector, private hospitals, tertiary education institutions with nursing programmes, as well as patients' groups. The approach proposed in the legislative amendment exercise was generally agreeable.

## PUBLICITY

23. A press release will be issued, and a spokesperson will be available to handle media and public enquiries.



## **ENQUIRIES**

24. Any enquiries on this brief can be addressed to Mr Derek Lee, Principal Assistant Secretary for Health 3 (Tel: 3509 8917).

**Health Bureau**  
**6 December 2023**

**Nurses Registration (Amendment) Bill 2023**

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# A BILL

## To

Amend the Nurses Registration Ordinance and its subsidiary legislation to provide for new types of registration known as special registration, limited registration and temporary registration, as well as new types of enrolment known as special enrolment, limited enrolment and temporary enrolment; to authorize the Nursing Council of Hong Kong to provide information to the Secretary for Health; to empower the Secretary for Health to give directions to the Nursing Council of Hong Kong; and to provide for transitional and related matters.

Enacted by the Legislative Council.

### Part 1

#### Preliminary

##### 1. Short title and commencement

- (1) This Ordinance may be cited as the Nurses Registration (Amendment) Ordinance 2023.
- (2) Subject to subsection (3), this Ordinance comes into operation on the day on which it is published in the Gazette.
- (3) The following provisions come into operation on a day to be appointed by the Secretary for Health by notice published in the Gazette—
  - (a) sections 16, 17, 27 and 28;
  - (b) section 31 (in so far as it relates to the new section 22(1)(d));

- (c) section 37 (in so far as it relates to sections 12, 13 and 14 of the new Schedule 3).

##### 2. Enactments amended

The enactments specified in Parts 2 to 5 are amended as set out in those Parts.

**Part 2****Amendments to Nurses Registration Ordinance (Cap. 164)****3. Section 2 amended (interpretation)**

- (1) Section 2(1), definition of
- enrolled nurse*
- 

**Repeal**

“nurse whose name appears in any part of the roll”

**Substitute**

“person with full enrolment, special enrolment, limited enrolment or temporary enrolment”.

- (2) Section 2(1), definition of
- practising certificate*
- 

**Repeal**

everything after “證明書”

**Substitute**

“—

- (a) in relation to a registered nurse—means a certificate issued under section 10A; and
- (b) in relation to an enrolled nurse—means a certificate issued under section 16A;”.

- (3) Section 2(1), definition of
- registered nurse*
- 

**Repeal**

“nurse whose name appears in any part of the register”

**Substitute**

“person with full registration, special registration, limited registration or temporary registration”.

- (4) Section 2(1), definition of
- secretary*
- 

**Repeal the full stop****Substitute**

“appointed under section 3(6);”.

- (5) Section 2(1), Chinese text, definition of 管理局—

**Repeal**

“管理局。”

**Substitute**

“管理局；”.

- (6) Section 2(1)—

**Add in alphabetical order**“*designated institution* (指定機構)—see section 2C(1);*full enrolment* (正式登記)—see section 2B;*full registration* (正式註冊)—see section 2A;*Hospital Authority* (醫院管理局) means the body corporate established by section 3 of the Hospital Authority Ordinance (Cap. 113);*limited enrolment* (有限度登記)—see section 2B;*limited registration* (有限度註冊)—see section 2A;*prescribed fee* (訂明費用), in relation to a matter, means the fee prescribed for the matter in regulations made under section 27;*recognized training course* (認可訓練課程)—

- (a) in relation to a qualification obtained by an applicant for special registration or limited registration—means a course of training carried out in Hong Kong that is recognized by the Council for full registration; and

- (b) in relation to a qualification obtained by an applicant for special enrolment or limited enrolment—means a course of training carried out in Hong Kong that is recognized by the Council for full enrolment;

*Secretary* (局長) means the Secretary for Health;

*special enrolment* (特別登記)—see section 2B;

*special registration* (特別註冊)—see section 2A;

*specified form* (指明格式) means a form specified by the Council under section 28;

*specified institution* (指明機構) means an institution specified in Schedule 1;

*temporary enrolment* (暫時登記)—see section 2B;

*temporary registration* (暫時註冊)—see section 2A;

*unprofessional conduct* (不專業行為), in relation to a person, means an act or omission of the person that would reasonably be regarded as disgraceful or dishonourable—

- (a) if the person were a registered nurse—by registered nurses of good repute and competency; or  
(b) if the person were an enrolled nurse—by enrolled nurses of good repute and competency.”

#### 4. Sections 2A, 2B and 2C added

Part I, after section 2—

Add

##### “2A. References relating to registration of nurses

For the purposes of this Ordinance—

- (a) a person with full registration is a person whose name is contained in Division 1 of the register;

- (b) a person with special registration is a person whose name is contained in Division 2 of the register;  
(c) a person with limited registration is a person whose name is contained in Division 3 of the register; and  
(d) a person with temporary registration is a person whose name is contained in Division 4 of the register,

and references to full registration, special registration, limited registration and temporary registration are to be construed accordingly.

##### 2B. References relating to enrolment of nurses

For the purposes of this Ordinance—

- (a) a person with full enrolment is a person whose name is contained in Division 1 of the roll;  
(b) a person with special enrolment is a person whose name is contained in Division 2 of the roll;  
(c) a person with limited enrolment is a person whose name is contained in Division 3 of the roll; and  
(d) a person with temporary enrolment is a person whose name is contained in Division 4 of the roll,

and references to full enrolment, special enrolment, limited enrolment and temporary enrolment are to be construed accordingly.

##### 2C. Meaning of *designated institution*

- (1) For the purposes of this Ordinance, an institution is a designated institution if—  
(a) it is specified in Part 1 of Schedule 2;



- (b) it falls within any of the categories of institution specified in Part 2 of Schedule 2;
  - (c) it is designated as such by the Secretary by notice published in the Gazette; or
  - (d) it is designated as such by the Director of Social Welfare by notice published in the Gazette.
- (2) A notice published under subsection (1)(c) or (d) is not subsidiary legislation.”.

**5. Section 3 amended (establishment and composition of the Council)**

- (1) Section 3(2)(db)—

**Repeal**

“within the meaning of the Hospital Authority Ordinance (Cap. 113)”.

- (2) Section 3(2)(e)—

**Repeal**

“diseases or in the nursing and care of the mentally subnormal”

**Substitute**

“illnesses or in the nursing and care of mentally incapacitated persons”.

**6. Section 4B added**

At the end of Part II—

**Add**

**“4B. Council may provide information to Secretary**

The Council may provide any information to the Secretary if the Secretary requests the information for the formulation of health care policies.”.

**7. Part III, Division 1 heading added**

Before section 5—

**Add**

**“Division 1—Register”.**

**8. Section 5 amended (register of nurses)**

- (1) Section 5(1)—

**Repeal**

“from time to time be prescribed”

**Substitute**

“be specified by the Council”.

- (2) Section 5(2), after “number of”—

**Add**

“divisions and”.

**9. Section 6 amended (information with respect to nurses)**

- (1) Section 6(1)—

**Repeal**

“thereof shall be kept at the offices of the Council and shall”

**Substitute**

“of the register must be kept at the offices of the Council and must, except for Division 4 of the register,”.

- (2) Section 6(2), English text—

**Repeal**

“shall”

**Substitute**

“must”.

- (3) Section 6(2), after “restored to”—

**Add**

“Division 1, 2 or 3 of”.

**10. Section 7 amended (correction of the register)**

Section 7—

**Repeal subsection (3)****Substitute**

- “(3) The Council may order the removal from the register of the name of any person—
- (a) who makes a written request addressed to the secretary that the person’s name be so removed;
  - (b) who is deceased;
  - (c) whose registration is no longer in force;
  - (d) who has failed to obtain a practising certificate within 6 months after the date of the person’s registration or after the expiry date of the last practising certificate issued to the person; or
  - (e) who has not provided to the secretary an address in Hong Kong at which notices from the Council may be served on the person.
- (4) For the purposes of subsection (3)(e), a person is to be regarded as not having provided an address to the secretary if—
- (a) a registered letter is sent to the person at the last address provided by the person to the secretary; and
  - (b) the person fails to acknowledge receipt of the letter within 12 months after the date on which the letter is sent to the person.”.

**11. Part III, Division 2 heading added**

Before section 8—

**Add**

“Division 2—Registration”.

**12. Section 8 amended (qualification for registration)**

- (1) Section 8, heading—

**Repeal**

“Qualification for registration”

**Substitute**

“Eligibility for full registration”.

- (2) Section 8—

**Repeal subsection (1)****Substitute**

- “(1) A person with special registration is eligible for full registration if—
- (a) the person has, within a period of time specified by the Council, served as a person with special registration in one or more specified institutions for at least 5 years in aggregate;
  - (b) the institution, or each of the institutions, certifies that it is satisfied with the person’s performance by reference to the criteria specified by the Council; and
  - (c) the Council is satisfied that the person is of good character and has good professional conduct.
- (1A) Any other person is eligible for full registration if—
- (a) either—

- (i) the person has completed the prescribed training and has passed the examinations as may be required by the Council; or
  - (ii) the person possesses a valid certificate to practise nursing issued by a certifying body recognized by the Council from time to time as constituting sufficient evidence of the person's competency to practise nursing; and
- (b) the Council is satisfied that the person is of good character.”.

## (3) Section 8(2)—

**Repeal**

“Notwithstanding anything contained in subsection (1), the Council may require any applicant for registration in any part of the register to prove his”

**Substitute**

“Despite subsection (1A), the Council may require an applicant for full registration to prove the applicant's”.

**13. Section 9 amended (registration)**

## (1) Section 9, heading—

**Repeal**

“Registration”

**Substitute**

“Full registration”.

## (2) Section 9—

**Repeal subsections (1) and (2)****Substitute**

“(1) A person may apply to the Council for full registration.

## (2) An application must—

- (a) be made in the specified form; and
- (b) be supported by a declaration by the applicant as to—
  - (i) whether the applicant has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;
  - (ii) whether the applicant has been found guilty in Hong Kong or elsewhere of unprofessional conduct; and
  - (iii) whether, at the time of the application, the applicant is the subject of any criminal or disciplinary proceeding in Hong Kong or elsewhere.

(2A) Subject to subsection (3), on receiving an application made in accordance with subsection (2), the Council must approve it if the applicant is eligible for full registration in accordance with section 8.”.

## (3) Section 9(3)—

**Repeal**

“a person applying under subsection (1)”

**Substitute**

“the applicant of an application”.

## (4) Section 9(3)—

**Repeal**

“refuse to enter the name of that person upon the register”

**Substitute**

“reject the application”.

## (5) After section 9(4)—

**Add**

- “(5) In approving an application, the Council must specify in which part or parts of Division 1 of the register the applicant’s name is to be entered.
- (6) The Council must notify an applicant in writing of—
- (a) the Council’s decision; and
  - (b) if the application is rejected, the reason for it.
- (7) If an application is approved, the secretary must, after the prescribed fee has been paid, enter the applicant’s name in the part or parts of Division 1 of the register as specified by the Council.”.

**14. Sections 9A, 9B and 9C and Part III, Division 3 heading added**

After section 9—

**Add**

**“9A. Special registration**

- (1) A person may apply to the Council for special registration.
- (2) An application must—
- (a) be made in the specified form; and
  - (b) be supported by a declaration by the applicant as to—
    - (i) whether the applicant has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;
    - (ii) whether the applicant has been found guilty in Hong Kong or elsewhere of unprofessional conduct; and

- (iii) whether, at the time of the application, the applicant is the subject of any criminal or disciplinary proceeding in Hong Kong or elsewhere.

- (3) On receiving an application made in accordance with subsection (2), the Council must approve it if—
- (a) the applicant has obtained a qualification outside Hong Kong and the curriculum of the programme leading to the award of the qualification is broadly comparable to the curriculum of the programme of a recognized training course;
  - (b) the applicant possesses a valid certificate to practise nursing issued by a certifying body recognized by the Council from time to time as constituting sufficient evidence of the applicant’s competency to practise nursing;
  - (c) the applicant has completed a post-qualification training programme that is relevant to the practice of nursing;
  - (d) the applicant has had at least 3 years of full-time post-qualification clinical experience in a clinic or hospital;
  - (e) the applicant has been selected for full-time employment as a person with special registration in a specified institution; and
  - (f) the Council is satisfied that the applicant is of good character and has good professional conduct.
- (4) In approving an application, the Council must—
- (a) specify in which part or parts of Division 2 of the register the applicant’s name is to be entered; and

- (b) specify a period not exceeding 3 years during which the registration is to be in force.
- (5) The Council must notify an applicant in writing of—
  - (a) the Council's decision; and
  - (b) if the application is rejected, the reason for it.
- (6) If an application is approved, the secretary must, after the prescribed fee has been paid, enter the applicant's name in the part or parts of Division 2 of the register as specified by the Council.
- (7) The registration of a person under this section is in force until the earliest of the following—
  - (a) the expiry of the period during which the registration is in force;
  - (b) the termination of the person's employment as a person with special registration in the specified institution mentioned in subsection (3)(e);
  - (c) the removal of the person's name from Division 2 of the register under an order made under section 7 or 17.

**9B. Limited registration**

- (1) A person may apply to the Council for limited registration.
- (2) An application must—
  - (a) be made in the specified form; and
  - (b) be supported by a declaration by the applicant as to—
    - (i) whether the applicant has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;

- (ii) whether the applicant has been found guilty in Hong Kong or elsewhere of unprofessional conduct; and
- (iii) whether, at the time of the application, the applicant is the subject of any criminal or disciplinary proceeding in Hong Kong or elsewhere.
- (3) On receiving an application made in accordance with subsection (2), the Council must approve it if—
  - (a) the applicant has obtained a qualification outside Hong Kong and the curriculum of the programme leading to the award of the qualification is broadly comparable to the curriculum of the programme of a recognized training course;
  - (b) the applicant possesses a valid certificate to practise nursing issued by a certifying body recognized by the Council from time to time as constituting sufficient evidence of the applicant's competency to practise nursing;
  - (c) the applicant has been selected for full-time employment as a person with limited registration in a designated institution;
  - (d) the applicant has had at least 1 year of full-time post-qualification clinical experience that is relevant to the employment; and
  - (e) the Council is satisfied that the applicant is of good character and has good professional conduct.
- (4) In approving an application, the Council—
  - (a) must specify in which part or parts of Division 3 of the register the applicant's name is to be entered;

- (b) must specify a period not exceeding 3 years during which the registration is to be in force; and
  - (c) may impose any condition that the Council considers appropriate.
- (5) The Council must notify an applicant in writing of—
- (a) the Council's decision; and
  - (b) if the application is rejected, the reason for it.
- (6) If an application is approved, the secretary must, after the prescribed fee has been paid, enter the applicant's name in the part or parts of Division 3 of the register as specified by the Council.
- (7) The registration of a person under this section is in force until the earliest of the following—
- (a) the expiry of the period during which the registration is in force;
  - (b) the termination of the person's employment as a person with limited registration in the designated institution mentioned in subsection (3)(c);
  - (c) the removal of the person's name from Division 3 of the register under an order made under section 7 or 17.

#### 9C. Temporary registration

- (1) A relevant institution (*applicant*) may apply to the Council for temporary registration of a person (*subject person*) exclusively for conducting clinical demonstration for, or academic exchanges with, the applicant.
- (2) An application must—
- (a) be made in the specified form; and

- (b) be supported by a declaration by the subject person as to—
    - (i) whether the subject person has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;
    - (ii) whether the subject person has been found guilty in Hong Kong or elsewhere of unprofessional conduct; and
    - (iii) whether, at the time of the application, the subject person is the subject of any criminal or disciplinary proceeding in Hong Kong or elsewhere.
- (3) On receiving an application made in accordance with subsection (2), the Council may approve or reject it.
- (4) However, the Council must not approve an application unless the Council is satisfied that it is appropriate and necessary for the subject person to be granted temporary registration to enable the person to conduct the clinical demonstration or academic exchanges concerned.
- (5) In approving an application, the Council must—
- (a) specify in which part or parts of Division 4 of the register the subject person's name is to be entered; and
  - (b) specify a period not exceeding 14 days during which the registration is to be in force.
- (6) The Council must notify an applicant in writing of—
- (a) the Council's decision; and
  - (b) if the application is rejected, the reason for it.
- (7) If an application is approved, the secretary must, after the prescribed fee has been paid, enter the subject person's

- name in the part or parts of Division 4 of the register as specified by the Council.
- (8) The registration of a person under this section is in force until the earlier of the following—
- (a) the expiry of the period during which the registration is in force;
  - (b) the removal of the person's name from Division 4 of the register under an order made under section 7 or 17.
- (9) For the purposes of this section, an institution is a relevant institution if it is specified as such by the Council by notice published in the Gazette.
- (10) A notice published under subsection (9) is not subsidiary legislation.

### **Division 3—Certificate of Registration and Practising Certificate”.**

**15. Section 10 amended (certificate of registration)**

Section 10—

**Repeal subsection (1)**

**Substitute**

- “(1) If the name of a person is entered in the register, the secretary must issue to the person a certificate in the specified form.”.

**16. Section 10A amended (person not to practise as registered nurse without practising certificate)**

(1) Section 10A(1)—

**Repeal**

“A person to whom this section applies shall”

**Substitute**

“A registered nurse (other than a person deemed to be a registered nurse under section 26) must”.

(2) Section 10A—

**Repeal subsection (2)**

**Substitute**

- “(2) The Council may issue a practising certificate in the specified form to a registered nurse (*applicant*) if—
- (a) the applicant applies to the Council for a practising certificate;
  - (b) the application is made in the specified form and contains information on the applicant's employment and practice of nursing as required by the specified form;
  - (c) if the applicant is not applying for a practising certificate for the first time—the application is supported by a declaration by the applicant as to whether, since the date of the applicant's last application for a practising certificate, the applicant has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment, and if the applicant has been so convicted, giving details of the conviction; and
  - (d) the prescribed fee has been paid.
- (2A) If an applicant for a practising certificate—
- (a) is a person with full registration, special registration or limited registration; and
  - (b) is not applying for a practising certificate for the first time,

the Council must not issue a practising certificate to the applicant unless the Council is satisfied that the applicant has complied with the requirement regarding continuing nursing education determined by the Council as applicable to the applicant.

- (2B) The Council may specify in a practising certificate any condition that the Council considers appropriate.”
- (3) Section 10A(3)—  
**Repeal**  
everything before “issue a”  
**Substitute**  
“(3) If the Council issues a practising certificate to a person with full registration in respect of a period that is to commence in the year in which the application for the certificate is made, the Council must”.
- (4) Section 10A(4)—  
**Repeal**  
everything before “issue”  
**Substitute**  
“(4) If the Council issues a practising certificate to a person with full registration in respect of a period that is to commence in the year following the year in which the application for the certificate is made, the Council must”.
- (5) After section 10A(4)—  
**Add**  
“(4A) A practising certificate issued to a person with special registration or limited registration is, subject to subsection (5), in force for a period not exceeding 3 years, as specified in the certificate, beginning on the date of issue of the certificate.

- (4B) A practising certificate issued to a person with temporary registration is, subject to subsection (5), in force for a period not exceeding 14 days, as specified in the certificate, beginning on the date of issue of the certificate.”.
- (6) Section 10A—  
**Repeal subsections (6) and (7).**
17. **Section 10B repealed (recovery of practising fees)**  
Section 10B—  
**Repeal the section.**
18. **Part IV, Division 1 heading added**  
Before section 11—  
**Add**  
**“Division 1—Roll”.**
19. **Section 11 amended (roll of enrolled nurses)**  
(1) Section 11(1)—  
**Repeal**  
“from time to time be prescribed”  
**Substitute**  
“be specified by the Council”.
- (2) Section 11(2), after “number of”—  
**Add**  
“divisions and”.



**20. Section 12 amended (information with respect to enrolled nurses)****(1) Section 12(1)—****Repeal**

“thereof shall be kept at the offices of the Council and shall”

**Substitute**

“of the roll must be kept at the offices of the Council and must, except for Division 4 of the roll,”.

**(2) Section 12(2), English text—****Repeal**

“shall”

**Substitute**

“must”.

**(3) Section 12(2), after “restored to”—****Add**

“Division 1, 2 or 3 of”.

**21. Section 13 amended (correction of the roll)****Section 13—****Repeal subsection (3)****Substitute**

“(3) The Council may order the removal from the roll of the name of any person—

- (a) who makes a written request addressed to the secretary that the person’s name be so removed;
- (b) who is deceased;
- (c) whose enrolment is no longer in force;

(d) who has failed to obtain a practising certificate within 6 months after the date of the person’s enrolment or after the expiry date of the last practising certificate issued to the person; or

(e) who has not provided to the secretary an address in Hong Kong at which notices from the Council may be served on the person.

(4) For the purposes of subsection (3)(e), a person is to be regarded as not having provided an address to the secretary if—

(a) a registered letter is sent to the person at the last address provided by the person to the secretary; and

(b) the person fails to acknowledge receipt of the letter within 12 months after the date on which the letter is sent to the person.”.

**22. Part IV, Division 2 heading added**

Before section 14—

**Add**

**“Division 2—Enrolment”.**

**23. Section 14 amended (qualification for enrolment)****(1) Section 14, heading—****Repeal**

**“Qualification for enrolment”**

**Substitute**

**“Eligibility for full enrolment”.**

**(2) Section 14—****Repeal subsection (1)**

**Substitute**

- “(1) A person with special enrolment is eligible for full enrolment if—
- (a) the person has, within a period of time specified by the Council, served as a person with special enrolment in one or more specified institutions for at least 5 years in aggregate;
  - (b) the institution, or each of the institutions, certifies that it is satisfied with the person’s performance by reference to the criteria specified by the Council; and
  - (c) the Council is satisfied that the person is of good character and has good professional conduct.
- (1A) Any other person is eligible for full enrolment if—
- (a) either—
    - (i) the person has completed the prescribed training and has passed the examinations as may be required by the Council; or
    - (ii) the person possesses a valid certificate to practise nursing issued by a certifying body recognized by the Council from time to time as constituting sufficient evidence of the person’s competency to practise nursing; and
  - (b) the Council is satisfied that the person is of good character.”
- (3) Section 14(2)—
- Repeal**
- “Notwithstanding the provisions of subsection (1), the Council may require any applicant for enrolment in any part of the roll to prove his”

**Substitute**

- “Despite subsection (1A), the Council may require an applicant for full enrolment to prove the applicant’s”.
- (4) Section 14—
- Repeal subsection (3).**
- 24. Section 15 amended (enrolment)**
- (1) Section 15, heading—
- Repeal**
- “Enrolment”
- Substitute**
- “Full enrolment”.
- (2) Section 15—
- Repeal subsections (1) and (2)**
- Substitute**
- “(1) A person may apply to the Council for full enrolment.
- (2) An application must—
- (a) be made in the specified form; and
  - (b) be supported by a declaration by the applicant as to—
    - (i) whether the applicant has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;
    - (ii) whether the applicant has been found guilty in Hong Kong or elsewhere of unprofessional conduct; and
    - (iii) whether, at the time of the application, the applicant is the subject of any criminal or

disciplinary proceeding in Hong Kong or elsewhere.

(2A) Subject to subsection (3), on receiving an application made in accordance with subsection (2), the Council must approve it if the applicant is eligible for full enrolment in accordance with section 14.”.

(3) Section 15(3)—

**Repeal**

“a person applying under subsection (1)”

**Substitute**

“the applicant of an application”.

(4) Section 15(3)—

**Repeal**

“refuse to enter the name of that person upon the roll”

**Substitute**

“reject the application”.

(5) After section 15(4)—

**Add**

“(5) In approving an application, the Council must specify in which part or parts of Division 1 of the roll the applicant’s name is to be entered.

(6) The Council must notify an applicant in writing of—

(a) the Council’s decision; and

(b) if the application is rejected, the reason for it.

(7) If an application is approved, the secretary must, after the prescribed fee has been paid, enter the applicant’s name in the part or parts of Division 1 of the roll as specified by the Council.”.

**25. Sections 15A, 15B and 15C and Part IV, Division 3 heading added**

After section 15—

**Add**

**“15A. Special enrolment**

(1) A person may apply to the Council for special enrolment.

(2) An application must—

(a) be made in the specified form; and

(b) be supported by a declaration by the applicant as to—

(i) whether the applicant has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;

(ii) whether the applicant has been found guilty in Hong Kong or elsewhere of unprofessional conduct; and

(iii) whether, at the time of the application, the applicant is the subject of any criminal or disciplinary proceeding in Hong Kong or elsewhere.

(3) On receiving an application made in accordance with subsection (2), the Council must approve it if—

(a) the applicant has obtained a qualification outside Hong Kong and the curriculum of the programme leading to the award of the qualification is broadly comparable to the curriculum of the programme of a recognized training course;

(b) the applicant possesses a valid certificate to practise nursing issued by a certifying body recognized by

- the Council from time to time as constituting sufficient evidence of the applicant's competency to practise nursing;
- (c) the applicant has completed a post-qualification training programme that is relevant to the practice of nursing;
  - (d) the applicant has had at least 3 years of full-time post-qualification clinical experience in a clinic or hospital;
  - (e) the applicant has been selected for full-time employment as a person with special enrolment in a specified institution; and
  - (f) the Council is satisfied that the applicant is of good character and has good professional conduct.
- (4) In approving an application, the Council must—
- (a) specify in which part or parts of Division 2 of the roll the applicant's name is to be entered; and
  - (b) specify a period not exceeding 3 years during which the enrolment is to be in force.
- (5) The Council must notify an applicant in writing of—
- (a) the Council's decision; and
  - (b) if the application is rejected, the reason for it.
- (6) If an application is approved, the secretary must, after the prescribed fee has been paid, enter the applicant's name in the part or parts of Division 2 of the roll as specified by the Council.
- (7) The enrolment of a person under this section is in force until the earliest of the following—
- (a) the expiry of the period during which the enrolment is in force;

- (b) the termination of the person's employment as a person with special enrolment in the specified institution mentioned in subsection (3)(e);
- (c) the removal of the person's name from Division 2 of the roll under an order made under section 13 or 17.

**15B. Limited enrolment**

- (1) A person may apply to the Council for limited enrolment.
- (2) An application must—
- (a) be made in the specified form; and
  - (b) be supported by a declaration by the applicant as to—
    - (i) whether the applicant has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;
    - (ii) whether the applicant has been found guilty in Hong Kong or elsewhere of unprofessional conduct; and
    - (iii) whether, at the time of the application, the applicant is the subject of any criminal or disciplinary proceeding in Hong Kong or elsewhere.
- (3) On receiving an application made in accordance with subsection (2), the Council must approve it if—
- (a) the applicant has obtained a qualification outside Hong Kong and the curriculum of the programme leading to the award of the qualification is broadly comparable to the curriculum of the programme of a recognized training course;
  - (b) the applicant possesses a valid certificate to practise nursing issued by a certifying body recognized by

- the Council from time to time as constituting sufficient evidence of the applicant's competency to practise nursing;
- (c) the applicant has been selected for full-time employment as a person with limited enrolment in a designated institution;
  - (d) the applicant has had at least 1 year of full-time post-qualification clinical experience that is relevant to the employment; and
  - (e) the Council is satisfied that the applicant is of good character and has good professional conduct.
- (4) In approving an application, the Council—
- (a) must specify in which part or parts of Division 3 of the roll the applicant's name is to be entered;
  - (b) must specify a period not exceeding 3 years during which the enrolment is to be in force; and
  - (c) may impose any condition that the Council considers appropriate.
- (5) The Council must notify an applicant in writing of—
- (a) the Council's decision; and
  - (b) if the application is rejected, the reason for it.
- (6) If an application is approved, the secretary must, after the prescribed fee has been paid, enter the applicant's name in the part or parts of Division 3 of the roll as specified by the Council.
- (7) The enrolment of a person under this section is in force until the earliest of the following—
- (a) the expiry of the period during which the enrolment is in force;

- (b) the termination of the person's employment as a person with limited enrolment in the designated institution mentioned in subsection (3)(c);
- (c) the removal of the person's name from Division 3 of the roll under an order made under section 13 or 17.

### 15C. Temporary enrolment

- (1) A relevant institution (*applicant*) may apply to the Council for temporary enrolment of a person (*subject person*) exclusively for conducting clinical demonstration for, or academic exchanges with, the applicant.
- (2) An application must—
- (a) be made in the specified form; and
  - (b) be supported by a declaration by the subject person as to—
    - (i) whether the subject person has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;
    - (ii) whether the subject person has been found guilty in Hong Kong or elsewhere of unprofessional conduct; and
    - (iii) whether, at the time of the application, the subject person is the subject of any criminal or disciplinary proceeding in Hong Kong or elsewhere.
- (3) On receiving an application made in accordance with subsection (2), the Council may approve or reject it.
- (4) However, the Council must not approve an application unless the Council is satisfied that it is appropriate and necessary for the subject person to be granted temporary

- enrolment to enable the person to conduct the clinical demonstration or academic exchanges concerned.
- (5) In approving an application, the Council must—
- (a) specify in which part or parts of Division 4 of the roll the subject person's name is to be entered; and
  - (b) specify a period not exceeding 14 days during which the enrolment is to be in force.
- (6) The Council must notify an applicant in writing of—
- (a) the Council's decision; and
  - (b) if the application is rejected, the reason for it.
- (7) If an application is approved, the secretary must, after the prescribed fee has been paid, enter the subject person's name in the part or parts of Division 4 of the roll as specified by the Council.
- (8) The enrolment of a person under this section is in force until the earlier of the following—
- (a) the expiry of the period during which the enrolment is in force;
  - (b) the removal of the person's name from Division 4 of the roll under an order made under section 13 or 17.
- (9) For the purposes of this section, an institution is a relevant institution if it is specified as such by the Council by notice published in the Gazette.
- (10) A notice published under subsection (9) is not subsidiary legislation.

### Division 3—Certificate of Enrolment and Practising Certificate”.

#### 26. Section 16 amended (certificate of enrolment)

##### Section 16—

##### Repeal subsection (1)

##### Substitute

- “(1) If the name of a person is entered in the roll, the secretary must issue to the person a certificate in the specified form.”.

#### 27. Section 16A amended (person not to practise as enrolled nurse without practising certificate)

##### (1) Section 16A(1)—

##### Repeal

“A person to whom this section applies shall”

##### Substitute

“An enrolled nurse (other than a person deemed to be an enrolled nurse under section 26) must”.

##### (2) Section 16A—

##### Repeal subsection (2)

##### Substitute

- “(2) The Council may issue a practising certificate in the specified form to an enrolled nurse (*applicant*) if—
- (a) the applicant applies to the Council for a practising certificate;
  - (b) the application is made in the specified form and contains information on the applicant's employment

and practice of nursing as required by the specified form;

- (c) if the applicant is not applying for a practising certificate for the first time—the application is supported by a declaration by the applicant as to whether, since the date of the applicant's last application for a practising certificate, the applicant has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment, and if the applicant has been so convicted, giving details of the conviction; and
- (d) the prescribed fee has been paid.

(2A) If an applicant for a practising certificate—

- (a) is a person with full enrolment, special enrolment or limited enrolment; and
- (b) is not applying for a practising certificate for the first time,

the Council must not issue a practising certificate to the applicant unless the Council is satisfied that the applicant has complied with the requirement regarding continuing nursing education determined by the Council as applicable to the applicant.

(2B) The Council may specify in a practising certificate any condition that the Council considers appropriate.”.

(3) Section 16A(3)—

**Repeal**

everything before “issue a”

**Substitute**

“(3) If the Council issues a practising certificate to a person with full enrolment in respect of a period that is to

commence in the year in which the application for the certificate is made, the Council must”.

(4) Section 16A(4)—

**Repeal**

everything before “issue”

**Substitute**

“(4) If the Council issues a practising certificate to a person with full enrolment in respect of a period that is to commence in the year following the year in which the application for the certificate is made, the Council must”.

(5) After section 16A(4)—

**Add**

“(4A) A practising certificate issued to a person with special enrolment or limited enrolment is, subject to subsection (5), in force for a period not exceeding 3 years, as specified in the certificate, beginning on the date of issue of the certificate.

(4B) A practising certificate issued to a person with temporary enrolment is, subject to subsection (5), in force for a period not exceeding 14 days, as specified in the certificate, beginning on the date of issue of the certificate.”.

(6) Section 16A—

**Repeal subsections (6) and (7).**

28. **Section 16B repealed (recovery of practising fees)**

Section 16B—

**Repeal the section.**

**29. Section 17 amended (disciplinary powers of the Council)**

- (1) Section 17(1)(d)—

**Repeal**

“qualified to be registered or enrolled; or”

**Substitute**

“eligible to be registered or enrolled (as the case may be);”.

- (2) After section 17(1)(d)—

**Add**

“(da) has contravened any condition imposed under section 9B or 15B, or specified under section 10A or 16A; or”.

- (3) Section 17—

**Repeal subsections (3) and (5).****30. Section 21 amended (provisions relating to orders of the Council)**

- (1) Section 21(1)—

**Repeal**

everything after “The secretary” and before “served”

**Substitute**

“must cause a copy of an order made under section 17(1) to be”.

- (2) Section 21(3)—

**Repeal**

“Any”

**Substitute**

“If”.

- (3) Section 21(3)—

**Repeal paragraph (a)****Substitute**

“(a) a person’s name is removed from any part of Division 1 of the register in accordance with the provisions of this Ordinance; or”.

- (4) Section 21(3)(b)—

**Repeal**

“enrolled nurse whose name is removed from the roll or any part thereof”

**Substitute**

“a person’s name is removed from any part of Division 1 of the roll”.

- (5) Section 21(3)—

**Repeal everything after paragraph (b)****Substitute**

“the person may apply to the Council for the restoration of the person’s name to that part of the register or to that part of the roll (as the case may be).”.

- (6) Section 21(4)—

**Repeal**

everything after “allows the application,”

**Substitute**

“must direct the secretary to restore the applicant’s name to the part of the register or to the part of the roll (as the case may be), and the secretary must, after the prescribed fee has been paid, restore the name accordingly.”.

**31. Section 22 amended (appeals)**

- Section 22(1)—

**Repeal**

everything before “to the Court”



**Substitute**

- “(1) A person who is aggrieved by—
- (a) the Council’s decision to reject the person’s application for registration under section 9, 9A, 9B or 9C;
  - (b) the Council’s decision to reject the person’s application for enrolment under section 15, 15A, 15B or 15C;
  - (c) the Council’s decision to impose a condition under section 9B or 15B, or to specify a condition under section 10A or 16A;
  - (d) the Council’s decision to reject the person’s application for a practising certificate under section 10A or 16A; or
  - (e) an order made under section 17(1), may appeal”.

**32. Section 24 amended (penalties for assumption of title of nurses, etc.)**

Section 24(1)(a), (b) and (c)—

**Repeal**

“; or”

**Substitute a semicolon.**

**33. Part VII heading amended (exemptions and regulations)**

Part VII, heading—

**Repeal**

**“Exemptions and Regulations”**

**Substitute**

**“Miscellaneous Provisions”.**

**34. Section 26 amended (exemptions from registration)**

- (1) Section 26(a)—

**Repeal**

“; and”

**Substitute a full stop.**

- (2) Section 26—

**Repeal paragraph (b).**

**35. Section 27 amended (regulations)**

Section 27(2) and (3)—

**Repeal**

“for Health”.

**36. Sections 28 to 31 added**

After section 27—

**Add**

**“28. Council may specify forms**

- (1) The Council may specify—

(a) the form for making an application under this Ordinance; and

(b) the form of a certificate or any other document required or authorized to be issued under this Ordinance.

- (2) The Council’s power under subsection (1)(a) may be exercised in a way as to include (whether by way of attachment or otherwise) in the specified form a statutory declaration—

- (a) to be made by a person completing the form; and
  - (b) as to whether the particulars contained in the form are true and correct to the best of the person's knowledge and belief.
- (3) A form specified under subsection (1)(a) must be—
- (a) completed in accordance with the directions and instructions as specified in the form; and
  - (b) accompanied by the statements, certificates or any other documents as specified in the form.

**29. Secretary may give directions**

- (1) The Secretary may, if the Secretary considers it is in the public interest, give written directions of a general or specific character to the Council in relation to the performance of its functions or the exercise of its powers.
- (2) The Council must comply with any direction given under subsection (1).

**30. Amendment of Schedules 1 and 2**

The Secretary may, by notice published in the Gazette, amend Schedule 1 or 2.

**31. Savings and transitional provisions relating to Nurses Registration (Amendment) Ordinance 2023 ( of 2023)**

The savings and transitional provisions as set out in Schedule 3 have effect.”

**37. Schedules 1, 2 and 3 added**

At the end of the Ordinance—

**Add**

**“Schedule 1**

[ss. 2 & 30]

**Specified Institutions**

- 1. Department of Health
- 2. Hospital Authority

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**Schedule 2**

[ss. 2C & 30]

**Designated Institutions**

**Part 1**

**Institutions Specified for Section 2C(1)(a)**

- 1. Department of Health
- 2. Hospital Authority

## Part 2

### Categories of Institution Specified for Section 2C(1)(b)

1. A training school as defined by regulation 2 of the Nurses (Registration and Disciplinary Procedure) Regulations (Cap. 164 sub. leg. A) or regulation 2 of the Enrolled Nurses (Enrolment and Disciplinary Procedure) Regulations (Cap. 164 sub. leg. B)
2. A residential care home in respect of which a licence as defined by section 2 of the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) is in force
3. A residential care home for PWDs in respect of which a licence, or a certificate of exemption, as defined by section 2 of the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) is in force
4. A scheduled nursing home within the meaning of the Private Healthcare Facilities Ordinance (Cap. 633)
5. An institution providing the type of employment in respect of which limited registration or limited enrolment is appropriate or necessary as determined and promulgated by the Council by notice published in the Gazette

## Part 3

### Supplementary Provision

1. A notice published for the purposes of item 5 of Part 2 of this Schedule is not subsidiary legislation.

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### Schedule 3

[s. 31]

### Savings and Transitional Provisions relating to Nurses Registration (Amendment) Ordinance 2023

#### 1. Interpretation

In this Schedule—

*amended Ordinance* (《經修訂條例》) means this Ordinance as amended by the Amendment Ordinance;

*Amendment Ordinance* (《修訂條例》) means the Nurses Registration (Amendment) Ordinance 2023 ( of 2023);

*appointed date* (指定日期) means the date on which section 16 of the Amendment Ordinance comes into operation;

*commencement date* (生效日期) means the date on which section 3 of the Amendment Ordinance comes into operation;

*existing enrolled nurse* (原有登記護士) means a person whose name appeared in the existing roll immediately before the commencement date;

*existing register* (原有註冊護士名冊) means the register kept under section 5(1) of the pre-amended Ordinance;

*existing registered nurse* (原有註冊護士) means a person whose name appeared in the existing register immediately before the commencement date;

*existing roll* (原有登記護士名冊) means the roll kept under section 11(1) of the pre-amended Ordinance;

*new register* (新註冊護士名冊) means the register kept under section 5(1) of the amended Ordinance;

*new roll* (新登記護士名冊) means the roll kept under section 11(1) of the amended Ordinance;

*pre-amended Ordinance* (《原有條例》) means this Ordinance as in force immediately before the commencement date.

## 2. Registration and register

- (1) On the commencement date, an existing registered nurse is to be regarded as a person with full registration.
- (2) Accordingly, the secretary must, on the commencement date, transfer the name and particulars of each person whose name and particulars are contained in a part of the existing register to the corresponding part of Division 1 of the new register.

## 3. Enrolment and roll

- (1) On the commencement date, an existing enrolled nurse is to be regarded as a person with full enrolment.

- (2) Accordingly, the secretary must, on the commencement date, transfer the name and particulars of each person whose name and particulars are contained in a part of the existing roll to the corresponding part of Division 1 of the new roll.

## 4. Existing certificate of registration

- (1) On and after the commencement date, a certificate of registration issued under section 10(1) of the pre-amended Ordinance that was in force immediately before the commencement date continues to be in force as if it were issued under section 10(1) of the amended Ordinance to a person with full registration.
- (2) Accordingly, a replacement copy of such a certificate is to be regarded as a replacement copy of a certificate of registration issued under section 10(1) of the amended Ordinance to a person with full registration.

## 5. Existing certificate of enrolment

- (1) On and after the commencement date, a certificate of enrolment issued under section 16(1) of the pre-amended Ordinance that was in force immediately before the commencement date continues to be in force as if it were issued under section 16(1) of the amended Ordinance to a person with full enrolment.
- (2) Accordingly, a replacement copy of such a certificate is to be regarded as a replacement copy of a certificate of enrolment issued under section 16(1) of the amended Ordinance to a person with full enrolment.

## 6. Pending application for registration

- (1) An application made under section 9 of the pre-amended Ordinance that was pending immediately before the

commencement date is, subject to subsection (2), to continue to be processed under that section.

- (2) If an application referred to in subsection (1) is approved on or after the commencement date, the secretary must, after the prescribed fee has been paid, enter the applicant's name in Division 1 of the new register and issue to the applicant a certificate of registration under section 10(1) of the amended Ordinance.

#### 7. Pending application for enrolment

- (1) An application made under section 15 of the pre-amended Ordinance that was pending immediately before the commencement date is, subject to subsection (2), to continue to be processed under that section.
- (2) If an application referred to in subsection (1) is approved on or after the commencement date, the secretary must, after the prescribed fee has been paid, enter the applicant's name in Division 1 of the new roll and issue to the applicant a certificate of enrolment under section 16(1) of the amended Ordinance.

#### 8. Restoration of name to register on application

- (1) This section applies if—
  - (a) before the commencement date, a person's name was removed from a part of the existing register (*original part*);
  - (b) the person has, before the commencement date, applied to the Council for the restoration of the person's name to the original part under section 21(3) of the pre-amended Ordinance; and
  - (c) on or after the commencement date, the Council allows the application.

- (2) The Council must direct the secretary to restore the person's name to the part of Division 1 of the new register that corresponds to the original part.
- (3) The secretary must, after the prescribed fee has been paid, restore the person's name accordingly.
- (4) On the restoration of the person's name, the certificate of registration issued to the person under section 10(1) of the pre-amended Ordinance that was in force immediately before the removal is to be regarded as being in force as if it were issued under section 10(1) of the amended Ordinance to a person with full registration.

#### 9. Restoration of name to register on expiry of specified period

- (1) This section applies if—
  - (a) before the commencement date, the Council has ordered that a person's name be removed from a part of the existing register (*original part*) for a specified period under section 17(1)(ii) of the pre-amended Ordinance;
  - (b) the period ends on or after the commencement date; and
  - (c) the prescribed fee has been paid.
- (2) The secretary must restore the person's name to the part of Division 1 of the new register that corresponds to the original part.
- (3) On the restoration of the person's name, the certificate of registration issued to the person under section 10(1) of the pre-amended Ordinance that was in force immediately before the removal is to be regarded as being in force as if it were issued under section 10(1) of the amended Ordinance to a person with full registration.

**10. Restoration of name to roll on application**

- (1) This section applies if—
  - (a) before the commencement date, a person's name was removed from a part of the existing roll (*original part*);
  - (b) the person has, before the commencement date, applied to the Council for the restoration of the person's name to the original part under section 21(3) of the pre-amended Ordinance; and
  - (c) on or after the commencement date, the Council allows the application.
- (2) The Council must direct the secretary to restore the person's name to the part of Division 1 of the new roll that corresponds to the original part.
- (3) The secretary must, after the prescribed fee has been paid, restore the person's name accordingly.
- (4) On the restoration of the person's name, the certificate of enrolment issued to the person under section 16(1) of the pre-amended Ordinance that was in force immediately before the removal is to be regarded as being in force as if it were issued under section 16(1) of the amended Ordinance to a person with full enrolment.

**11. Restoration of name to roll on expiry of specified period**

- (1) This section applies if—
  - (a) before the commencement date, the Council has ordered that a person's name be removed from a part of the existing roll (*original part*) for a specified period under section 17(1)(ii) of the pre-amended Ordinance;

- (b) the period ends on or after the commencement date; and
- (c) the prescribed fee has been paid.
- (2) The secretary must restore the person's name to the part of Division 1 of the new roll that corresponds to the original part.
- (3) On the restoration of the person's name, the certificate of enrolment issued to the person under section 16(1) of the pre-amended Ordinance that was in force immediately before the removal is to be regarded as being in force as if it were issued under section 16(1) of the amended Ordinance to a person with full enrolment.

**12. Existing practising certificate issued to registered nurse**

- (1) On and after the appointed date, a practising certificate issued to a registered nurse that was in force immediately before the appointed date continues to be in force for the unexpired period as if it were issued under section 10A(2) of the amended Ordinance.
- (2) Accordingly, a replacement copy of such a certificate is to be regarded as a replacement copy of a practising certificate issued under section 10A(2) of the amended Ordinance.

**13. Existing practising certificate issued to enrolled nurse**

- (1) On and after the appointed date, a practising certificate issued to an enrolled nurse that was in force immediately before the appointed date continues to be in force for the unexpired period as if it were issued under section 16A(2) of the amended Ordinance.
- (2) Accordingly, a replacement copy of such a certificate is to be regarded as a replacement copy of a practising

certificate issued under section 16A(2) of the amended Ordinance.

#### 14. Pending application for practising certificate

- (1) An application made by a registered nurse for a practising certificate that was pending immediately before the appointed date is to continue to be processed under section 10A of this Ordinance as in force immediately before the appointed date, and that section continues to apply in relation to the application.
- (2) An application made by an enrolled nurse for a practising certificate that was pending immediately before the appointed date is to continue to be processed under section 16A of this Ordinance as in force immediately before the appointed date, and that section continues to apply in relation to the application.”

### Part 3

#### Amendments to Nurses (Registration and Disciplinary Procedure) Regulations (Cap. 164 sub. leg. A)

#### 38. Regulation 3 amended (contents of register)

- (1) Regulation 3(1)—

**Repeal**

everything after “register”

**Substitute**

“must contain the particulars as specified by the Council of each person whose name is contained in the register.”

- (2) After regulation 3(1)—

**Add**

“(1A) The register is divided into the following divisions—

- (a) Division 1, which contains the names of all persons with full registration;
- (b) Division 2, which contains the names of all persons with special registration;
- (c) Division 3, which contains the names of all persons with limited registration;
- (d) Division 4, which contains the names of all persons with temporary registration.”

- (3) Regulation 3—

**Repeal paragraph (2)**

**Substitute**

“(2) Each division of the register is divided into the following parts—

- (a) Part I, which contains the names of all persons who are qualified to practise general nursing;
- (b) Part II, which contains the names of all persons who are specially qualified in the nursing and care of persons suffering from mental illnesses;
- (c) Part III, which contains the names of all persons who are specially qualified in the nursing and care of mentally incapacitated persons;
- (d) Part IV, which contains the names of all persons who are specially qualified in the nursing and care of sick children.”.

**39. Regulations 4, 5 and 5A repealed**

Regulations 4, 5 and 5A—

**Repeal the regulations.****40. Regulation 5B added**

Before regulation 6—

**Add****“5B. Fees for registration and practising certificate**

- (1) The fee specified in item 1(a) of the Second Schedule is the prescribed fee for a registration under the Ordinance of a person with a qualification obtained in Hong Kong.
- (2) The fee specified in item 1(b) of the Second Schedule is the prescribed fee for a registration under the Ordinance of a person with a qualification obtained elsewhere.
- (3) The fee specified in item 1A of the Second Schedule is the prescribed fee for the issue of a practising certificate under section 10A of the Ordinance.”.

**41. Regulation 7 substituted**

Regulation 7—

**Repeal the regulation****Substitute****“7. Fee for restoration of name to register**

The fee specified in item 3 of the Second Schedule is the prescribed fee for the restoration of a person’s name to the register.”.

**42. Regulation 8 repealed (notification of removal from or restoration of names to the register)**

Regulation 8—

**Repeal the regulation.****43. Regulation 9 amended (training schools for nurses)**

Regulation 9(2)—

**Repeal**

“the registration of any nurse”

**Substitute**

“full registration”.

**44. Regulation 10 repealed (minimum age for commencement of training)**

Regulation 10—

**Repeal the regulation.****45. Regulation 12 amended (minimum training qualifications for examination)**

Regulation 12(b)—

**Repeal**



everything after “held,”

**Substitute**

“a course of training in a training school or any other training institution accepted by the Council.”.

**46. Regulation 16 amended (submission of complaint or information)**

Regulation 16—

**Repeal paragraphs (b), (c) and (d)**

**Substitute**

“(b). has been, in Hong Kong or elsewhere, guilty of unprofessional conduct;

(c) has obtained registration by fraud or misrepresentation;

(d) was not at the time of registration eligible to be registered;

(e) has contravened any condition imposed under section 9B, or specified under section 10A, of the Ordinance; or

(f) has contravened any prohibition imposed under section 25(1) of the Ordinance,”.

**47. First Schedule repealed (particulars to be entered in the register)**

First Schedule—

**Repeal the Schedule.**

**48. Second Schedule amended (fees)**

(1) Second Schedule—

**Repeal**

“[regs. 4”

**Substitute**

“[regs. 5B”.

(2) Second Schedule, item 1(a)—

**Repeal**

“qualified”

**Substitute**

“with a qualification obtained”.

(3) Second Schedule, item 1(b)—

**Repeal**

“qualified”

**Substitute**

“with a qualification obtained”.

**49. Third Schedule amended**

(1) Third Schedule—

**Repeal Form 1.**

(2) Third Schedule, Form 2—

**Repeal**

“on the ..... day of ....., 19”

**Substitute**

“on the ..... day of .....,”.

(3) Third Schedule, Form 2—

**Repeal**

“That you <sup>(4)</sup> ..... and that in relation to the facts alleged you were not at the time of your registration qualified to be registered.

(if the charge alleges that the registered nurse was not qualified, at the time of his

registration, to be registered).”

**Substitute**

“That you <sup>(4)</sup> ..... and that in relation to the facts alleged, you were not at the time of your registration eligible to be registered.

(if the charge alleges that the registered nurse was not eligible, at the time of registration, to be registered)

*or*

That you <sup>(4)</sup> ..... and that in relation to the facts alleged, you have contravened a condition imposed or specified under the Nurses Registration Ordinance.

(if the charge alleges contravention of condition)

*or*

That you <sup>(4)</sup> ..... and that in relation to the facts alleged, you have contravened a prohibition imposed under the Nurses Registration Ordinance.

(if the charge alleges contravention of prohibition)”.

(4) Third Schedule, Form 2—

**Repeal**

“(day of the week) the ..... day of ....., 19”

**Substitute**

“(day of the week) the ..... day of .....,”.

(5) Third Schedule, Form 3—

**Repeal**

“19”.

**Part 4**

**Amendments to Enrolled Nurses (Enrolment and Disciplinary Procedure) Regulations (Cap. 164 sub. leg. B)**

50. Regulation 3 amended (contents of roll)

(1) Regulation 3(1)—

**Repeal**

everything after “roll”

**Substitute**

“must contain the particulars as specified by the Council of each person whose name is contained in the roll.”.

(2) After regulation 3(1)—

**Add**

“(1A) The roll is divided into the following divisions—

- (a) Division 1, which contains the names of all persons with full enrolment;
- (b) Division 2, which contains the names of all persons with special enrolment;
- (c) Division 3, which contains the names of all persons with limited enrolment;
- (d) Division 4, which contains the names of all persons with temporary enrolment.”.

(3) Regulation 3—

**Repeal paragraph (2)**

**Substitute**

- “(2) Each division of the register is divided into the following parts—
- (a) Part I, which contains the names of all persons who are qualified to practise as an enrolled nurse in general nursing;
  - (b) Part II, which contains the names of all persons who are specially qualified to practise as an enrolled nurse in the nursing and care of persons suffering from mental illnesses.”.

**51. Regulations 4, 5 and 5A repealed**

Regulations 4, 5 and 5A—

**Repeal the regulations.****52. Regulation 5B added**

Before regulation 6—

**Add****“5B. Fees for enrolment and practising certificate**

- (1) The fee specified in item 1(a) of the Second Schedule is the prescribed fee for an enrolment under the Ordinance of a person with a qualification obtained in Hong Kong.
- (2) The fee specified in item 1(b) of the Second Schedule is the prescribed fee for an enrolment under the Ordinance of a person with a qualification obtained elsewhere.
- (3) The fee specified in item 1A of the Second Schedule is the prescribed fee for the issue of a practising certificate under section 16A of the Ordinance.”.

**53. Regulation 7 substituted**

Regulation 7—

**Repeal the regulation****Substitute****“7. Fee for restoration of name to roll**

The fee specified in item 3 of the Second Schedule is the prescribed fee for the restoration of a person’s name to the roll.”.

**54. Regulation 8 repealed (notification of removal from or restoration of names to the roll)**

Regulation 8—

**Repeal the regulation.****55. Regulation 9 amended (training schools for enrolled nurses)**

Regulation 9(2)—

**Repeal**

“the enrolment of any enrolled nurse”

**Substitute**

“full enrolment”.

**56. Regulation 10 repealed (minimum age for commencement of training)**

Regulation 10—

**Repeal the regulation.****57. Regulation 12 amended (minimum training qualifications for candidates for examinations)**

Regulation 12—

**Repeal**

everything after “held,”

**Substitute**

“a course of training in one or more training schools or any other training institution accepted by the Council.”.

**58. Regulation 16 amended (submission or receipt of complaint or information)**

Regulation 16—

**Repeal paragraphs (b), (c) and (d)**

**Substitute**

- “(b) has been, in Hong Kong or elsewhere, guilty of unprofessional conduct;
- (c) has obtained enrolment by fraud or misrepresentation;
- (d) was not at the time of enrolment eligible to be enrolled;
- (e) has contravened any condition imposed under section 15B, or specified under section 16A, of the Ordinance; or
- (f) has contravened any prohibition imposed under section 25(1) of the Ordinance.”.

**59. First Schedule repealed (particulars to be entered in the roll)**

First Schedule—

**Repeal the Schedule.**

**60. Second Schedule amended (fees)**

(1) Second Schedule—

**Repeal**

“[regs. 4”

**Substitute**

“[regs. 5B”.

(2) Second Schedule, item 1(a)—

**Repeal**

“qualified”

**Substitute**

“with a qualification obtained”.

(3) Second Schedule, item 1(b)—

**Repeal**

“qualified”

**Substitute**

“with a qualification obtained”.

**61. Third Schedule amended**

(1) Third Schedule—

**Repeal Form 1.**

(2) Third Schedule, Form 2—

**Repeal**

“on the ..... day of ....., 19”

**Substitute**

“on the ..... day of .....,”.

(3) Third Schedule, Form 2—

**Repeal**

“That you<sup>(4)</sup> ..... and that in relation to the facts alleged you were not at the time of your enrolment qualified to be enrolled.

(if the charge alleges that the enrolled nurse was not qualified at the time of his enrolment, to be enrolled).”

**Substitute**

“That you<sup>(4)</sup> .....

(if the charge alleges that the

and that in relation to the facts alleged, you were not at the time of your enrolment eligible to be enrolled.

*or*

That you<sup>(4)</sup> ..... and that in relation to the facts alleged, you have contravened a condition imposed or specified under the Nurses Registration Ordinance.

*or*

That you<sup>(4)</sup> ..... and that in relation to the facts alleged, you have contravened a prohibition imposed under the Nurses Registration Ordinance.

enrolled nurse was not eligible, at the time of enrolment, to be enrolled)

(if the charge alleges contravention of condition)

(if the charge alleges contravention of prohibition)".

(4) Third Schedule, Form 2—

**Repeal**

“(day of the week) the ..... day of ....., 19”

**Substitute**

“(day of the week) the ..... day of .....,”.

(5) Third Schedule, Form 3—

**Repeal**

“19”

**Substitute a comma.**

**Part 5**

**Consequential Amendments**

**Division 1—Amendment to Employment Ordinance (Cap. 57)**

62. Section 33A amended (requirements for certificate of attendance for medical examination in relation to pregnancy)

Section 33A(7), definition of *medical professional*—

**Repeal paragraph (d)**

**Substitute**

“(d) a person with full registration, special registration or limited registration within the meaning of the Nurses Registration Ordinance (Cap. 164).”.

**Division 2—Amendment to Residential Care Homes (Elderly Persons) Ordinance (Cap. 459)**

63. Section 17 amended (appointment of inspectors)

Section 17(d)—

**Repeal**

“whose name appears on the register of nurses maintained under section 5”

**Substitute**

“with full registration within the meaning”.

**Division 3—Amendments to Residential Care Homes  
(Elderly Persons) Regulation (Cap. 459 sub. leg. A)**

**64. Section 2 amended (interpretation)**

(1) Section 2, definition of *enrolled nurse*—

**Repeal**

“any person whose name appears on the roll of enrolled nurses maintained under section 11”

**Substitute**

“a person with full enrolment or limited enrolment within the meaning”.

(2) Section 2, definition of *registered nurse*—

**Repeal**

“any person whose name appears on the register of nurses maintained under section 5”

**Substitute**

“a person with full registration or limited registration within the meaning”.

**Division 4—Amendment to Residential Care Homes  
(Persons with Disabilities) Ordinance (Cap. 613)**

**65. Section 15 amended (appointment of inspectors)**

Section 15(d)—

**Repeal**

“whose name appears on the register of nurses maintained under section 5”

**Substitute**

“with full registration within the meaning”.

**Division 5—Amendment to Residential Care Homes  
(Persons with Disabilities) Regulation (Cap. 613 sub. leg. A)**

**66. Section 11 amended (employment of staff by operators)**

Section 11(2)(e)(i)—

**Repeal**

everything after “person”

**Substitute**

“is a person with full registration, limited registration, full enrolment or limited enrolment within the meaning of the Nurses Registration Ordinance (Cap. 164); and”.

**Division 6—Amendments to Nurses Registration  
(Amendment) Ordinance 1997 (82 of 1997)**

**67. Sections repealed**

Sections 6, 7, 8, 10, 11, 12 and 14—

**Repeal the sections.**

**68. Section 15 amended (penalty for failure to give evidence)**

Section 15(a)—

**Repeal**

“of \$1,000”

**Substitute**

“at level 1”.

**69. Section 16 amended (provisions relating to orders of the Council)**

(1) Section 16—

**Repeal paragraph (a).**

- (2) Section 16(b), new section 21(5)—

**Repeal**

“shall, on expiry of the period and on payment of the prescribed fee”

**Substitute**

“must, on expiry of the period and after the prescribed fee has been paid”.

70. Section 17 amended (falsification of register or roll)

Section 17—

**Repeal**

“of \$1,000”

**Substitute**

“at level 1”.

71. Section 18 amended (penalties for assumption of title of registered nurses or enrolled nurses)

Section 18(a)—

**Repeal**

“of \$1,000” (wherever appearing)

**Substitute**

“at level 1”.

72. Sections 19 and 24 repealed

Sections 19 and 24—

**Repeal the sections.**

**Division 7—Amendment to Residential Care Homes  
Legislation (Miscellaneous Amendments) Ordinance 2023  
(12 of 2023)**

73. Section 87 amended (section 11 amended (employment of staff by operators))

Section 87—

**Repeal subsection (5).**

### Explanatory Memorandum

The main object of this Bill is to amend the Nurses Registration Ordinance (Cap. 164) (*principal Ordinance*) and its subsidiary legislation to provide for new types of registration known as special registration, limited registration and temporary registration, as well as new types of enrolment known as special enrolment, limited enrolment and temporary enrolment.

2. The Bill contains 5 Parts.

#### Part 1—Preliminary

3. Clause 1 sets out the short title and provides for commencement.

#### Part 2—Amendments to Principal Ordinance

4. Clause 3 mainly adds new definitions relating to the new types of registration and enrolment to section 2 of the principal Ordinance.
5. Clause 4 adds new sections 2A, 2B and 2C to the principal Ordinance to provide for the references relating to the different types of registration and enrolment, and the meaning of *designated institution*.
6. Clause 6 adds a new section 4B to the principal Ordinance to authorize the Nursing Council of Hong Kong (*Council*) to provide information to the Secretary for Health (*Secretary*) on request for the formulation of health care policies.
7. Clauses 7 to 17 concern registered nurses. Clauses 7 to 9 make technical amendments. Clause 10 amends section 7 of the principal Ordinance to provide for the reasons for which the name of a person may be removed from the register of nurses.
8. Clauses 12 and 13 amend sections 8 and 9 of the principal Ordinance respectively to provide that—

- (a) the existing registration of nurses is reclassified as full registration; and
  - (b) persons with special registration may apply for full registration if the specified requirements are met.
9. Clause 14 adds new sections 9A, 9B and 9C to the principal Ordinance to provide for the application criteria and procedures for, and the validity of, special registration, limited registration and temporary registration respectively.
  10. Clause 16 amends section 10A of the principal Ordinance to—
    - (a) provide that applications for practising certificates for registered nurses must be made in the specified form;
    - (b) provide that, for persons with full registration, special registration or limited registration, compliance with the continuing nursing education requirements is a prerequisite for the issue of the second and subsequent practising certificates to those persons; and
    - (c) provide for the validity of practising certificates issued to persons with special registration, limited registration or temporary registration.
  11. Clause 17 repeals section 10B of the principal Ordinance on the recovery of practising fees from registered nurses.
  12. Clauses 18 to 28 concern enrolled nurses. Clauses 18 to 20 make technical amendments. Clause 21 amends section 13 of the principal Ordinance to provide for the reasons for which the name of a person may be removed from the roll of nurses.
  13. Clauses 23 and 24 amend sections 14 and 15 of the principal Ordinance respectively to provide that—
    - (a) the existing enrolment of nurses is reclassified as full enrolment; and



- (b) persons with special enrolment may apply for full enrolment if the specified requirements are met.
14. Clause 25 adds new sections 15A, 15B and 15C to the principal Ordinance to provide for the application criteria and procedures for, and the validity of, special enrolment, limited enrolment and temporary enrolment respectively.
15. Clause 27 amends section 16A of the principal Ordinance to—
- (a) provide that applications for practising certificates for enrolled nurses must be made in the specified form;
  - (b) provide that, for persons with full enrolment, special enrolment or limited enrolment, compliance with the continuing nursing education requirements is a prerequisite for the issue of the second and subsequent practising certificates to those persons; and
  - (c) provide for the validity of practising certificates issued to persons with special enrolment, limited enrolment or temporary enrolment.
16. Clause 28 repeals section 16B of the principal Ordinance on the recovery of practising fees from enrolled nurses.
17. Clauses 29 and 30 make technical and consequential amendments to sections 17 and 21 of the principal Ordinance respectively.
18. Clause 31 amends section 22 of the principal Ordinance to add the Council's rejection of applications for any type of registration or enrolment or for practising certificates, and imposition of conditions, as matters in relation to which appeals may be made to the Court of Appeal.
19. Clause 34 amends section 26 of the principal Ordinance such that a person in full time employment by the Government as a nurse is no longer exempted from registration or enrolment.

20. Clause 36 adds new sections 28 to 31 to the principal Ordinance. The new section 28 empowers the Council to specify forms. The new section 29 empowers the Secretary to give directions to the Council. The new section 31 together with the new Schedule 3 provide for the savings and transitional provisions.
21. Clause 37 adds the new Schedules 1, 2 and 3 to the principal Ordinance. The new Schedule 1 sets out the specified institutions at which persons with special registration or special enrolment may work. The new Schedule 2 sets out the scope of designated institutions at which persons with limited registration or limited enrolment may work.
- Part 3—Amendments to Nurses (Registration and Disciplinary Procedure) Regulations (Cap. 164 sub. leg. A) (Cap. 164A)**
22. Clauses 38, 43, 45 and 48 make amendments to Cap. 164A that are consequential to the introduction of the new types of registration.
23. Clauses 39, 47 and 49 make amendments to Cap. 164A such that certain matters are now to be specified by the Council.
24. Clause 42 repeals regulation 8 of Cap. 164A to remove the requirement of sending notifications to nursing authorities outside Hong Kong.
25. Clause 44 repeals regulation 10 of Cap. 164A to remove the minimum age requirement for nursing training.
- Part 4—Amendments to Enrolled Nurses (Enrolment and Disciplinary Procedure) Regulations (Cap. 164 sub. leg. B) (Cap. 164B)**
26. Clauses 50, 55, 57 and 60 make amendments to Cap. 164B that are consequential to the introduction of the new types of enrolment.
27. Clauses 51, 59 and 61 make amendments to Cap. 164B such that certain matters are now to be specified by the Council.

28. Clause 54 repeals regulation 8 of Cap. 164B to remove the requirement of sending notifications to nursing authorities outside Hong Kong.
29. Clause 56 repeals regulation 10 of Cap. 164B to remove the minimum age requirement for nursing training.

**Part 5—Consequential Amendments**

30. Clauses 62 to 66 contain amendments to other enactments consequential to the introduction of the new types of registration and enrolment.
31. There are certain provisions in the Nurses Registration (Amendment) Ordinance 1997 (82 of 1997) (*1997 Ordinance*) that are yet to come into operation. Clause 67 repeals those provisions that are overtaken by the Bill. In view of the editorial amendments made by E.R. 7 of 2020 to sections 19, 23 and 24 of the principal Ordinance, clauses 68, 70 and 71 amend sections 15, 17 and 18 of the 1997 Ordinance consequentially so that these sections may come into operation.

## 2. Interpretation

(1) In this Ordinance, unless the context otherwise requires — (*Amended 10 of 2005 s. 71*)

**certificate of enrolment** (登記證明書) means a certificate issued under section 16; (*Added 82 of 1997 s. 2*)

**certificate of registration** (註冊證明書) means a certificate issued under section 10; (*Added 82 of 1997 s. 2*)

**chairman** (主席) means the chairman of the Council and includes any person elected to act as chairman under section 3(5C); (*Amended 5 of 1988 s. 2; 82 of 1997 s. 2*)

**Council** (管理局) means the Nursing Council of Hong Kong established in accordance with section 3; (*Added 82 of 1997 s. 2*)

**Director** (署長) means the head of the nursing service in the Department of Health; (*Amended 5 of 1988 s. 2; L.N. 76 of 1989; 68 of 1990 s. 24*)

**enrolled nurse** (登記護士) means a nurse whose name appears in any part of the roll; (*Added 38 of 1970 s. 3. Amended 45 of 1972 s. 3*)

**legal adviser** (法律顧問) means the legal adviser to the Council; (*Amended 82 of 1997 s. 2*)

**member** (成員) means a member of the Council; (*Amended 82 of 1997 s. 2*)

**practising certificate** (執業證明書) means a certificate issued under section 10A or 16A, as the case may be; (*Added 34 of 1995 s. 25*)

**prescribed** (訂明) means prescribed by regulations made pursuant to section 27;

**register** (註冊護士名冊) means the register of nurses maintained in accordance with section 5;

**registered nurse** (註冊護士) means a nurse whose name appears in any part of the register;

**roll** (登記護士名冊) means the roll of enrolled nurses maintained in accordance with section 11; (*Added 38 of 1970 s. 3. Amended 45 of 1972 s. 3*)

**secretary** (秘書) means the secretary to the Council. (*Amended 82 of 1997 s. 2*)

(Amended 47 of 1996 s. 2; 82 of 1997 s. 2)

- (2) For the purposes of sections 17(6) and 21(2), an appeal to the Court of Appeal shall be deemed to be finally determined when the earliest of the following events occurs, whichever is applicable in the circumstances—
- (a) when the appeal to the Court of Appeal is withdrawn or abandoned;
  - (b) when the specified period expires without an application for leave to appeal having been made to the Court of Appeal;
  - (c) if, before the expiry of the specified period, an application for leave to appeal is made to the Court of Appeal—
    - (i) when the application is withdrawn or abandoned;
    - (ii) if the application is refused, when the specified period expires without an application for leave to appeal having been made to the Court of Final Appeal; or
    - (iii) if the application is granted, when the appeal to the Court of Final Appeal is withdrawn, abandoned or disposed of; or
  - (d) if, before the expiry of the specified period, an application for leave to appeal is made to the Court of Final Appeal—
    - (i) when the application is withdrawn, abandoned or refused; or
    - (ii) if the application is granted, when the appeal to the Court of Final Appeal is withdrawn, abandoned or disposed of. (*Added 10 of 2005 s. 71*)

(3) In subsection (2)—

***application for leave to appeal*** (上訴許可申請) means an application made to the Court of Appeal or the Court of Final Appeal under section 24 of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) for leave to appeal to the Court of Final Appeal from a judgment of the Court of Appeal;

***specified period*** (指明限期)—

- (a) in the case of an application for leave to appeal made to the Court of Appeal, means—

- (i) subject to subparagraph (ii), the period of 28 days within which the notice of motion referred to in section 24(2) of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) is required to be filed; or
  - (ii) if, on an application made within the 28-day period referred to in subparagraph (i), the Court of Appeal extends that period, the period as so extended; or
- (b) in the case of an application for leave to appeal made to the Court of Final Appeal, means—
- (i) subject to subparagraph (ii), the period of 28 days within which the notice of motion referred to in section 24(4) of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) is required to be filed; or
  - (ii) if, on an application made within the 28-day period referred to in subparagraph (i), the Court of Final Appeal extends that period, the period as so extended. (*Added 10 of 2005 s. 71*)

### **3. Establishment and composition of the Council**

*(Amended 82 of 1997 s. 21)*

- (1) For the purposes of this Ordinance, there shall be established a Council to be known as the “Nursing Council of Hong Kong”.  
*(Amended E.R. 7 of 2020)*
- (2) The Council shall consist of— *(Amended 82 of 1997 s. 21)*
  - (a) the Director;
  - (b) one registered nurse in the public service of Hong Kong who shall be nominated by the Director of Health and appointed by the Chief Executive; *(Replaced 5 of 1988 s. 3. Amended L.N. 76 of 1989)*
  - (c) 6 members, who shall be nurses registered in accordance with the provisions of this Ordinance and who shall be appointed by the Chief Executive; *(Amended 82 of 1997 s. 4)*
  - (ca) 6 members who are registered nurses or enrolled nurses and who are elected for a term and in a manner provided for by regulations; *(Added 82 of 1997 s. 4)*
  - (d) 2 members, selected by the Chief Executive from a pool of persons consisting of one person nominated by each of the tertiary institutions which have a nursing programme, and appointed by the Chief Executive; *(Replaced 82 of 1997 s. 4)*

- (da) *(Repealed 82 of 1997 s. 4)*
  - (db) one member to be nominated by the Hospital Authority within the meaning of the Hospital Authority Ordinance (Cap. 113) and appointed by the Chief Executive; *(Added 68 of 1990 s. 24)*
  - (e) one member who shall be a registered nurse specially qualified in the nursing and care of persons suffering from mental diseases or in the nursing and care of the mentally subnormal and who shall be appointed by the Chief Executive; *(Replaced 28 of 1974 s. 3)*
  - (f) 3 lay members who shall be appointed by the Chief Executive. *(Added 5 of 1988 s. 3. Amended 82 of 1997 s. 4; 37 of 2000 s. 3)*
- (3) Any member appointed by the Chief Executive shall hold office for a period of 3 years, or such lesser period as the Chief Executive may appoint, and shall be eligible for re-appointment from time to time. *(Amended 37 of 2000 s. 3)*
- (4) If any member appointed by the Chief Executive is temporarily absent from Hong Kong or is for any other reason unable to attend to the business of the Council, the Chief Executive may appoint an additional member during the absence or disability of that member. *(Amended 67 of 1985 s. 16; 37 of 2000 s. 3; Amended 82 of 1997 s. 21)*
- (4A) Any appointed member may at any time resign by giving notice in writing to the chairman. *(Added 82 of 1997 s. 4)*
- (4B) If any appointed member—
- (a) is sentenced to a term of imprisonment for any offence;
  - (b) is the subject of an order made under section 17;
  - (c) becomes bankrupt or makes a voluntary arrangement with his creditors;
  - (d) is, in the opinion of the Chief Executive, incapacitated from carrying out the duties of his office by reason of physical or mental illness;
  - (e) is no longer ordinarily resident in Hong Kong; or
  - (f) is, in the opinion of the Chief Executive, unable or unfit to perform his duties and exercise his powers as a member of the Council,
- the Chief Executive may revoke the member's appointment to the Council. *(Added 82 of 1997 s. 4. Amended 37 of 2000 s. 3)*
- (5) The chairman of the Council shall— *(Amended 82 of 1997 s. 21)*

- (a) be elected by the members from amongst themselves;
  - (b) subject to subsection (5D), hold office for 3 years or until he ceases to hold office as a member, whichever is the earlier; and
  - (c) be eligible for re-election. *(Replaced 5 of 1988 s. 3)*
- (5A) If the office of chairman becomes vacant due to effluxion of time, or as a result of resignation or otherwise, the secretary shall convene a meeting of the Council within 3 months of the occurrence of such vacancy for the purpose of electing a chairman. *(Added 5 of 1988 s. 3. Amended 82 of 1997 s. 21)*
- (5B) The secretary shall preside at a meeting held under subsection (5A) until the chairman is elected and assumes office, but he shall not have an original or a casting vote. *(Added 5 of 1988 s. 3)*
- (5C) If the chairman is unable to perform the functions of his office for any period due to absence from Hong Kong or any other reason, the members of the Council shall at a meeting of the Council elect one of themselves to act in his place for the duration of that period and notwithstanding any provision in this Ordinance, the secretary may, where necessary, convene a meeting for the purpose of such election. *(Added 5 of 1988 s. 3)*
- (5D) The chairman may at any time resign his office by giving notice in writing to the secretary. *(Added 5 of 1988 s. 3)*
- (6) There shall be a secretary to the Council and the following advisers to the Council—
- (a) a legal adviser, *(Amended E.R. 7 of 2020)*
  - (b) *(Repealed 82 of 1997 s. 4)*
  - (c) *(Repealed 5 of 1988 s. 3)*
- who shall be appointed by the Chief Executive. *(Replaced 28 of 1974 s. 3. Amended 37 of 2000 s. 3)*

## **5. Register of nurses**

- (1) The Council shall cause a register to be kept which shall contain such particulars as may from time to time be prescribed. *(Amended 82 of 1997 s. 21)*
- (2) The register shall be divided into such number of parts as may be prescribed.
- (3) Where a person satisfies the conditions of admission to more than one part of the register, his name may be included in each such part.

- (4) A certificate purporting to be under the seal of the Council and signed by the chairman or secretary of the Council stating that a person is or was at any date or is not or was not at any date duly registered shall be evidence in all courts of law of the fact stated in such certificate until the contrary is proved. *(Amended 82 of 1997 s. 21)*
- (5) The register of nurses kept in accordance with the provisions of the Nurses Registration Ordinance 1931\*, shall be deemed to be the register required to be maintained, and to have been maintained, in accordance with the provisions of this Ordinance; and every nurse whose name appears therein at the commencement<sup>#</sup> of this Ordinance shall be deemed to have been registered as a nurse in accordance with the provisions of this Ordinance.

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Editorial Note:

\* See Cap. 164, 1950 Ed.

<sup>#</sup> Commencement date: 7 July 1961.

## **6. Information with respect to nurses**

- (1) The register or a copy thereof shall be kept at the offices of the Council and shall be open to inspection by any person free of charge during usual business hours upon application being made in writing addressed to the secretary. *(Amended 5 of 1988 s. 4)*
- (2) The Council shall cause to be published in the Gazette in relation to successive periods, in such manner as the Council may think fit and at intervals of not more than 12 months, lists of all persons whose names have been entered in, removed from or restored to the register during these periods.

*(Amended 82 of 1997 s. 21)*

## **7. Correction of the register**

- (1) The secretary may from time to time amend the register as to the address or other relevant particulars relating to any nurse whose name appears therein upon his being satisfied that such amendment is necessary for the purpose of preserving the accuracy of the register.
- (2) Subject to the provisions of section 21, the secretary shall add to or delete from the register the name of any nurse whose name the Council directs shall be added thereto or deleted therefrom, as the case may be. *(Amended 82 of 1997 s. 21)*



- (3) Without prejudice to anything contained in Part V, the Council may direct that the name of any nurse be removed from the register who— (*Amended 82 of 1997 s. 21*)
- (a) requests in writing addressed to the secretary that his name be so removed;
  - (b) dies;
  - (c) has left Hong Kong without giving to the secretary notice of intention to return;
  - (d) has not kept the secretary supplied with an address in Hong Kong at which notices from the Council may be served upon him: (*Amended 82 of 1997 s. 21*)  
Provided that—
    - (i) this paragraph shall not apply to any registered nurse in the service of the Government; and
    - (ii) any nurse who fails to acknowledge within 12 months after the date of dispatch the receipt of a registered letter or telegram addressed to him at his last address as recorded in the register shall be deemed not to have kept the secretary supplied with an address under this paragraph; (*Amended 67 of 1985 s. 16*)
  - (e) has failed to obtain a practising certificate issued under section 10A within 6 months of his registration under section 9 or of the expiry of such a certificate. (*Added 34 of 1995 s. 26*)

## **8. Qualification for registration**

- (1) Subject to the provisions of this Ordinance, no person shall be qualified to be registered under this Ordinance unless he has satisfied the Council that— (*Amended 82 of 1997 s. 21*)
- (a) he has attained the minimum age of 21 years;
  - (b) he is of good character,  
and in addition thereto—
  - (c) he has completed such training as may be prescribed and has passed such examinations as may be required by the Council; or
  - (d)-(f) (*Repealed 68 of 1995 s. 2*)
  - (g) he possesses a valid certificate to practise nursing issued by such certifying body as may be recognized by the Council from time to time as constituting sufficient evidence of his competency to practise nursing. (*Amended 38 of 1970 s. 5; 68 of 1995 s. 2*)

- (2) Notwithstanding anything contained in subsection (1), the Council may require any applicant for registration in any part of the register to prove his competency in nursing by examination conducted by examiners appointed by the Council and, if required, to undergo such further training as the Council may specify.

*(Amended 82 of 1997 s. 21)*

## **9. Registration**

- (1) Any person who considers himself qualified to be registered in any part of the register may apply in the manner prescribed to the secretary for registration.
- (2) The name of a person qualified to be registered in accordance with section 8 who has complied with subsection (1) and with any regulations relating thereto shall, subject to payment of any prescribed fee and to subsection (3), be entered upon the register by the Council. *(Replaced 67 of 1985 s. 16. Amended 82 of 1997 s. 21)*
- (3) If, after due inquiry into any case referred to it by the Preliminary Investigation Committee in accordance with regulations made under section 27, the Council is satisfied that a person applying under subsection (1) has in Hong Kong or elsewhere— *(Amended 82 of 1997 s. 21)*
  - (a) been convicted of an offence punishable with imprisonment; or
  - (b) been guilty of unprofessional conduct,the Council may, in its discretion, refuse to enter the name of that person upon the register. *(Added 67 of 1985 s. 16. Amended 82 of 1997 s. 21)*
- (4) Such provisions of Part V as are capable of application to an inquiry held for the purposes of this section shall apply to any such inquiry, and any such provision may be construed with such modifications not affecting the substance as may be necessary to render it applicable.

## **10. Certificate of registration**

- (1) When the name of any person is registered under section 9 the secretary shall issue to him a certificate in the form prescribed.
- (2) *(Repealed 9 of 2002 s. 4)*
- (3) Any certificate issued under the provisions of the Nurses Registration Ordinance 1931\*, shall be deemed to have been validly issued under the provisions of this Ordinance.

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Editorial Note:

\* See Cap. 164, 1950 Ed.

**10A. Person not to practise as registered nurse without practising certificate**

- (1) A person to whom this section applies shall not practise as a registered nurse in Hong Kong unless he is the holder of a practising certificate which is then in force issued under this section.
- (2) Subject to the payment of the prescribed fee for the issue of a practising certificate under this section, the secretary, on application made to him for that purpose by a person to whom this section applies, shall issue to the person a certificate to the effect that the person is, subject to any conditions and restrictions specified in the certificate, entitled to practise as a registered nurse in Hong Kong.
- (3) Where the secretary issues a practising certificate in respect of a period which is to commence in the year in which the application for the certificate is made, he shall issue a certificate that, subject to subsection (5), is in force from the date of its issue until the end of the third year commencing on 1 January of the year of issue.
- (4) Where the secretary issues a practising certificate in respect of a period that is to commence in the year following the year in which the application for the certificate is made, he shall issue a certificate that, subject to subsection (5), is in force for a period of 3 years commencing on 1 January of the first year of the relevant period.
- (5) If at any time during the currency of a practising certificate issued under this section, the name of the holder of the certificate is removed from the register, the certificate shall thereupon be deemed to be cancelled.
- (6) Any person who is required under this section to be the holder of a practising certificate issued under this section shall be deemed to have obtained the certificate when he has duly applied to the secretary and paid the prescribed fee for the issue of the practising certificate.
- (7) This section applies to—
  - (a) a person registered under section 9; and
  - (b) a person deemed to be a registered nurse by virtue of section 26(b).

**10B. Recovery of practising fees**

- (1) If a person to whom section 10A applies contravenes subsection (1) of that section, the amount of the prescribed fee payable by him under subsection (2) of that section shall be recoverable as a civil debt.
- (2) In any proceedings under this section a certificate purporting to be under the hand of the secretary to the effect that the person concerned had not paid the prescribed fee for the issue of a practising certificate issued under section 10A is admissible as evidence of the non-payment of the fee.
- (3) On recovery of a prescribed fee payable under section 10A the secretary shall, if the name of the person concerned appears on the register, issue to him an appropriate practising certificate.

*(Added 34 of 1995 s. 27)*

**11. Roll of enrolled nurses**

- (1) The Council shall cause to be kept a roll of enrolled nurses which shall contain such particulars as may from time to time be prescribed. *(Amended 45 of 1972 s. 3; 82 of 1997 s. 21)*
- (2) The roll shall be divided into such number of parts as may be prescribed.
- (3) Where a person satisfies the conditions of admission to more than one part of the roll, his name may be included in each such part.
- (4) A certificate purporting to be under the seal of the Council and signed by the chairman or secretary stating that a person is or was at any date or is not or was not at any date an enrolled nurse shall be evidence in all courts of law of the fact stated in such certificate until the contrary is proved. *(Amended 45 of 1972 s. 3; 82 of 1997 s. 21)*

**12. Information with respect to enrolled nurses**

- (1) The roll or a copy thereof shall be kept at the offices of the Council and shall be open to inspection by any person free of charge during usual business hours upon application being made in writing addressed to the secretary. *(Amended 5 of 1988 s. 5)*

- (2) The Council shall cause to be published in the Gazette in relation to successive periods, in such manner as the Council may think fit and at intervals of not more than 12 months, lists of all persons whose names have been entered in, removed from or restored to the roll during these periods.

*(Amended 82 of 1997 s. 21)*

### **13. Correction of the roll**

- (1) The secretary may from time to time amend the roll as to the address or other relevant particulars relating to any nurse whose name appears therein upon his being satisfied that such amendment is necessary for the purpose of preserving the accuracy of the roll.
- (2) Subject to the provisions of section 21, the secretary shall add to or delete from the roll the name of any nurse whose name the Council directs shall be added thereto or deleted therefrom, as the case may be. *(Amended 82 of 1997 s. 21)*
- (3) Without prejudice to anything contained in Part V, the Council may direct that the name of any nurse be removed from the roll who— *(Amended 82 of 1997 s. 21)*
- (a) requests in writing addressed to the secretary that his name be so removed;
  - (b) dies;
  - (c) has left Hong Kong without giving to the secretary notice of intention to return;
  - (d) has not kept the secretary supplied with an address in Hong Kong at which notices from the Council may be served upon him: *(Amended 82 of 1997 s. 21)*  
Provided that—
    - (i) this paragraph shall not apply to any enrolled nurse in the service of the Government; and
    - (ii) any enrolled nurse who fails to acknowledge within 12 months after the date of dispatch the receipt of a registered letter or telegram addressed to him at his last address as recorded in the roll shall be deemed not to have kept the secretary supplied with an address under this paragraph; *(Amended 67 of 1985 s. 16)*
  - (e) has failed to obtain a practising certificate issued under section 16A within 6 months of his enrolment under section 15 or of the expiry of such a certificate. *(Added 34 of 1995 s. 28)*

*(Amended 45 of 1972 s. 3)*

#### 14. Qualification for enrolment

- (1) Subject to the provisions of this Ordinance, no person shall be qualified to be enrolled under this Part unless he has satisfied the Council that— *(Amended 82 of 1997 s. 21)*
  - (a) he has attained the age of 20 years;
  - (b) he is of good character; and
  - (c) either—
    - (i) he has completed such training as may be prescribed and has passed such examinations as may be required by the Council; or
    - (ii)-(iv) *(Repealed 68 of 1995 s. 2)*
    - (v) he possesses a valid certificate to practise nursing issued by such certifying body as may be recognized by the Council as constituting sufficient evidence of his competency to practise nursing. *(Added 28 of 1974 s. 4. Amended 68 of 1995 s. 2)*
- (2) Notwithstanding the provisions of subsection (1), the Council may require any applicant for enrolment in any part of the roll to prove his competency in nursing by examination conducted by examiners appointed by the Council and, if required, to undergo such further training as the Council may specify.
- (3) Notwithstanding the provisions of subsection (1), any person who, before 31 December 1972, satisfies the Council that he — *(Amended 45 of 1972 s. 4; 82 of 1997 s. 21)*
  - (a) has attained the age of 20 years;
  - (b) is of good character;
  - (c) has completed a course of training which is acceptable to the Council; and
  - (d) has, within the period of 3 years immediately preceding the date of application for enrolment, been bona fide engaged on nursing duties so as to fit him for enrolment as an enrolled nurse,shall be qualified to be enrolled as an enrolled nurse. *(Amended 45 of 1972 s. 3)*

*(Amended 82 of 1997 s. 21)*

#### 15. Enrolment

- (1) Any person who considers himself qualified to be enrolled in any part of the roll may apply in the manner prescribed to the secretary for enrolment.
- (2) The name of a person qualified to be enrolled in accordance with section 14 who has complied with subsection (1) and with any regulations relating thereto shall, subject to payment of any prescribed fee and to subsection (3), be entered upon the roll by the Council. *(Replaced 67 of 1985 s. 16. Amended 82 of 1997 s. 21)*
- (3) If, after due inquiry, the Council is satisfied that a person applying under subsection (1) has in Hong Kong or elsewhere — *(Amended 82 of 1997 s. 21)*
  - (a) been convicted of an offence punishable with imprisonment; or
  - (b) been guilty of unprofessional conduct,

the Council may, in its discretion, refuse to enter the name of that person upon the roll. *(Added 67 of 1985 s. 16. Amended 82 of 1997 s. 21)*
- (4) Such provisions of Part V as are capable of application to an inquiry held for the purposes of this section shall apply to any such inquiry, and any such provision may be construed with such modifications not affecting the substance thereof as may be necessary to render it applicable.

**16. Certificate of enrolment**

- (1) When the name of any person is enrolled under section 15, the secretary shall issue to him a certificate of enrolment in the form prescribed.
- (2) *(Repealed 9 of 2002 s. 4)*
- (3)-(4) *(Repealed 82 of 1997 s. 13)*

**16A. Person not to practise as enrolled nurse without practising certificate**

- (1) A person to whom this section applies shall not practise as an enrolled nurse in Hong Kong unless he is the holder of a practising certificate which is then in force issued under this section.

- (2) Subject to the payment of the prescribed fee for the issue of a practising certificate under this section, the secretary, on application made to him for that purpose by a person to whom this section applies, shall issue to the person a certificate to the effect that the person is, subject to any conditions and restrictions specified in the certificate, entitled to practise as an enrolled nurse in Hong Kong.
- (3) Where the secretary issues a practising certificate in respect of a period which is to commence in the year in which the application for the certificate is made, he shall issue a certificate that, subject to subsection (5), is in force from the date of its issue until the end of the third year commencing on 1 January of the year of issue.
- (4) Where the secretary issues a practising certificate in respect of a period that is to commence in the year following the year in which the application for the certificate is made, he shall issue a certificate that, subject to subsection (5), is in force for a period of 3 years commencing on 1 January of the first year of the relevant period.
- (5) If at any time during the currency of a practising certificate issued under this section, the name of the holder of the certificate is removed from the roll, the certificate shall thereupon be deemed to be cancelled.
- (6) Any person who is required under this section to be the holder of a practising certificate issued under this section shall be deemed to have obtained the certificate when he has duly applied to the secretary and paid the prescribed fee for the issue of the practising certificate.
- (7) This section applies to—
  - (a) a person enrolled under section 15; and
  - (b) a person deemed to be an enrolled nurse by virtue of section 26(b).

*(Added 34 of 1995 s. 29)*

#### **16B. Recovery of practising fees**

- (1) If a person to whom section 16A applies contravenes subsection (1) of that section, the amount of the prescribed fee payable by him under subsection (2) of that section shall be recoverable as a civil debt.



- (2) In any proceedings under this section a certificate purporting to be under the hand of the secretary to the effect that the person concerned had not paid the prescribed fee for the issue of a practising certificate issued under section 16A is admissible as evidence of the non-payment of the fee.
- (3) On recovery of a prescribed fee payable under section 16A the secretary shall, if the name of the person concerned appears on the roll, issue to him an appropriate practising certificate.

*(Added 34 of 1995 s. 29)*

## **17. Disciplinary powers of the Council**

*(Amended 82 of 1997 s. 21)*

- (1) If, after due inquiry into any case referred to it by the Preliminary Investigation Committee in accordance with regulations made under section 27, the Council is satisfied that any registered nurse or any enrolled nurse, as the case may be — *(Amended 82 of 1997 s. 21)*

- (a) has been, in Hong Kong or elsewhere, convicted of any offence punishable with imprisonment;
- (b) has been, in Hong Kong or elsewhere, guilty of unprofessional conduct;
- (c) has obtained registration or enrolment by fraud or misrepresentation;
- (d) was not at the time of registration or enrolment qualified to be registered or enrolled; or
- (e) has contravened any prohibition imposed under section 25(1),

the Council, in its discretion, may— *(Amended 82 of 1997 s. 21)*

- (i) order that the name of the registered nurse or enrolled nurse be removed from the register or roll or any part thereof;
- (ii) order that the name of the registered nurse or enrolled nurse be removed from the register or the roll or any part thereof, for such specified period as it may think fit;
- (iii) order that such registered nurse or enrolled nurse be reprimanded; or
- (iv) postpone judgment on the case for any period not exceeding 2 years,

and may, in any event, make such order as the Council thinks fit with regard to the payment of costs of the chairman or of the secretary or other person presenting the case to the Council

or of any complainant or of such registered nurse, or such enrolled nurse. (*Replaced 38 of 1970 s. 7. Amended 67 of 1985 s. 16; 82 of 1997 s. 21; E.R. 7 of 2020*)

- (2) Any costs awarded in pursuance of subsection (1) may be recovered as a civil debt. (*Amended 38 of 1970 s. 7*)
- (3) For the purposes of sections 9 and 15 and this section, ***unprofessional conduct*** (不專業行為) means an act or omission by a registered nurse or an enrolled nurse which could be reasonably regarded as disgraceful or dishonourable by registered nurses or enrolled nurses of good repute and competency. (*Amended 38 of 1970 s. 7; 67 of 1985 s. 16*)
- (4) Nothing in this section shall be construed to require the Council to inquire into the question whether a registered nurse or an enrolled nurse was properly convicted but the Council may consider any record of the case in which such conviction was recorded and any other evidence which may be available and is relevant as showing the nature and gravity of the offence. (*Amended 38 of 1970 s. 7; 82 of 1997 s. 21*)
- (5) In any inquiry under this section as to whether a registered nurse or an enrolled nurse has been guilty of unprofessional conduct, any finding of fact which is shown to have been made in any matrimonial proceedings in a Court of the Commonwealth having unlimited jurisdiction in civil matters, or on appeal from a decision in such proceedings, shall be conclusive evidence of the fact found. (*Amended 38 of 1970 s. 7*)
- (6) Within 30 days after the expiration of the time within which an appeal against an order made by the Council may be made to the Court of Appeal in accordance with the provisions of section 22, or if such an appeal has been made, within 30 days after the appeal is finally determined, the Council shall cause the order or, if the order is varied on appeal, the order as so varied to be published in the Gazette, and may cause an account of the proceedings at the inquiry at which such order was made to be so published together with sufficient particulars to acquaint the public with the nature of the offence to which the order relates. (*Amended 92 of 1975 s. 59; 82 of 1997 s. 21; 10 of 2005 s. 72*)

*(Amended 45 of 1972 s. 3)*

## **21. Provisions relating to orders of the Council**

*(Amended 82 of 1997 s. 21)*

- (1) The secretary shall cause a copy of—

- (a) any decision of the Council made under subsection (3) to refuse to enter the name of an applicant in the register of section 9; or
- (b) any decision of the Council made under subsection (3) to refuse to enter the name of an applicant upon the roll of section 15; or
- (c) any order made under section 17(1), (*Amended 82 of 1997 s. 21*)

to be served, as soon as may be after the making of the order, upon the registered nurse or the enrolled nurse concerned, as the case may be, either personally or by registered post addressed to him at the last address known to the secretary. (*Replaced 38 of 1970 s. 10. Amended 67 of 1985 s. 16*)

- (2) The secretary shall not remove the name of any registered nurse from the register or of any enrolled nurse from the roll, before the expiration of 30 days after the service upon such nurse of the copy of the order referred to in subsection (1), or, in the case of an appeal made to the Court of Appeal against the order under section 22, before the appeal is finally determined. (*Amended 38 of 1970 s. 10; 10 of 2005 s. 73*)

- (3) Any—

- (a) registered nurse whose name is removed from the register or any part thereof in accordance with the provisions of this Ordinance, or whose name, prior to the commencement<sup>#</sup> of this Ordinance, was so removed in accordance with the provisions of the Nurses Registration Ordinance 1931\*, from the register or from any part thereof, maintained in accordance with the provisions of that Ordinance;

- (b) enrolled nurse whose name is removed from the roll or any part thereof in accordance with the provisions of this Ordinance,

may apply to the Council for the restoration of his name—  
(*Amended 82 of 1997 s. 21*)

- (i) to the register or to such part thereof; or
- (ii) to the roll or to such part thereof. (*Replaced 38 of 1970 s. 10*)

- (4) The Council may, in its absolute discretion, and after such inquiry and subject to such conditions as it may consider expedient, either allow or reject the application, and, if it allows the application, shall direct the secretary upon payment of the prescribed fee, if any, to restore the name of the applicant to the register or to such part thereof, or to the roll or to such part thereof, as the case may be, and thereupon the secretary shall restore the name accordingly: *(Amended 82 of 1997 s. 21)*

Provided that where the name of—

- (a) a registered nurse was removed from the register or any part thereof; or
- (b) an enrolled nurse was removed from the roll or any part thereof,

by order of the Council for a specified period only, no fee shall be payable upon the restoration of the name upon the expiration of such period. *(Added 38 of 1970 s. 10; 82 of 1997 s. 21)*

*(Amended 45 of 1972 s. 3)*

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Editorial Note:

# Commencement date: 7 July 1961.

\* See Cap. 164, 1950 Ed.

## **22. Appeals**

- (1) Any person who considers himself aggrieved by a decision or an order of the Council made in accordance with the provisions of— *(Amended 82 of 1997 s. 21; 10 of 2005 s. 74)*
- (a) section 9(3) refusing to enter his name upon the register;
- (b) section 15(3) refusing to enter his name upon the roll; or
- (c) section 17, *(Amended 68 of 1995 s. 2)*

may appeal therefrom to the Court of Appeal and the Court of Appeal may affirm, vary or reverse the decision or the order, as the case may be, and may exercise any power which the Council might have exercised. *(Replaced 38 of 1970 s. 11. Amended 92 of 1975 s. 59; 67 of 1985 s. 16; 82 of 1997 s. 21; 10 of 2005 ss. 70 & 74)*

- (2) The procedure in relation to appeals made under this section shall be subject to any rules of court made under the provisions of the High Court Ordinance (Cap. 4): (*Amended 25 of 1998 s. 2*)

Provided that no such appeal shall be heard unless notice thereof has been given to the court within 30 days after the service upon the appellant in accordance with section 21 of a copy of the order to which the appeal relates.

**24. Penalties for assumption of title of nurses, etc.**

- (1) Any person who—
- (a) not being a duly registered nurse in accordance with the provisions of this Ordinance, wilfully pretends to be or takes or uses the name or title of registered nurse, either alone or in combination with any other words or letters, or any name, title, addition, description, uniform, or badge, implying that he is registered or recognized by law as registered; or
  - (b) being a person whose name is included in any part of the register, takes or uses any name, title, addition, description, uniform or badge, or otherwise does any act of any kind, implying that his name is included in some other part of the register; or
  - (c) not being an enrolled nurse wilfully pretends to be or takes or uses the name or title of an enrolled nurse, either alone or in combination with any other words or letters, or any name, title, addition, description, uniform, or badge, implying that he is enrolled or recognized by law as an enrolled nurse; or
  - (d) being a person whose name is included in any part of the roll, takes or uses any name, title, addition, description, uniform or badge, or otherwise does any act of any kind, implying that his name is included in some other part of the roll;
  - (e) at any time, with intent to deceive—
    - (i) in the case of a registered nurse, makes use of any certificate of registration issued to him or to any other person; or
    - (ii) in the case of an enrolled nurse, makes use of any certificate of enrolment issued to him or to any other person; or

- (f) not being a person whose name is included in any part of the register, or a person whose name is included in any part of the roll, takes or uses the name or title of nurse, either alone or in combination with any other words or letters, or any name, title, addition, description, uniform, or badge, implying that he is a nurse, (*Added 47 of 1996 s. 3*)

shall be guilty of an offence and shall be liable on summary conviction to a fine at level 1 and imprisonment for 3 months. (*Amended 38 of 1970 s. 13; 45 of 1972 s. 3; 47 of 1996 s. 3; E.R. 7 of 2020*)

- (2) Any person who—

- (a) knowing that some other person is not registered as a nurse under this Ordinance, makes any statement or does any act which suggests that such other person is so registered; or
- (b) knowing that some other person is not an enrolled nurse makes any statement or does any act which suggests that such other person is so enrolled, (*Amended 45 of 1972 s. 3*)

shall be guilty of an offence and shall be liable on conviction to a fine at level 1 and to imprisonment for 3 months. (*Replaced 38 of 1970 s. 13. Amended E.R. 7 of 2020*)

- (3) (*Repealed 47 of 1996 s. 3*)

- (4) Proceedings for an offence against this section shall not be instituted except with the consent of the Director.

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## Part VII

### Exemptions and Regulations

#### 26. Exemptions from registration

The following persons shall be exempted from registration or enrolment but shall be deemed to be registered nurses or enrolled nurses— (*Amended 38 of 1970 s. 15; 45 of 1972 s. 3*)

- (a) persons serving in the Chinese People's Liberation Army in the capacity of nurse while acting in the discharge of their duty; and (*Amended 2 of 2012 s. 3*)

- (b) persons in full time employment by the Government in the capacity of nurse while acting in the discharge of their duty.

## 27. Regulations

- (1) The Chief Executive in Council may by regulation prescribe the fees payable under this Ordinance, and different fees may be prescribed for cases of different classes or description. *(Replaced 9 of 2002 s. 4)*
- (2) The Secretary for Health may by regulation provide for — *(Amended L.N. 106 of 2002; L.N. 130 of 2007; L.N. 144 of 2022)*
  - (a) the duties of the legal adviser;
  - (b) additional duties to be performed by the secretary. *(Added 82 of 1997 s. 20)*
- (3) Subject to the approval of the Secretary for Health, the Council may by regulation provide for— *(Amended L.N. 106 of 2002; L.N. 130 of 2007; L.N. 144 of 2022)*
  - (a) the nature of the particulars to be entered in the register and on the roll and the manner in which they are to be kept;
  - (b) the procedure to be followed at meetings of the Council;
  - (c) the manner in which applications for registration, enrolment and restoration of the name of a person to the register or roll shall be made; *(Amended 9 of 2002 s. 4)*
  - (d) examinations and courses of training in nursing;
  - (e) the receipt of complaints or information regarding any matter that may be inquired into by the Council under section 17 and the establishment of a committee to be known as the Preliminary Investigation Committee to make such preliminary investigation as it considers appropriate regarding such complaint or information and to determine whether or not there shall be an inquiry under section 17;
  - (f) the prohibition of a member of the Preliminary Investigation Committee who is also a member of the Council from attending any meeting of the Council, while it is inquiring under section 17 into a complaint or information, in the preliminary investigation of which he took part;
  - (g) the procedure to be followed in relation to—

- (i) the submission of complaints and information to the Preliminary Investigation Committee;
  - (ii) the preliminary investigation of any complaint or information by the Preliminary Investigation Committee;
  - (iii) the formulation of charges arising out of complaints and information;
  - (iv) the reference to the Council by the Preliminary Investigation Committee of cases arising out of complaints and information;
  - (v) the procedure as regards inquiries held by the Council under section 17;
- (h) matters relating to the conduct of nursing practice;
- (i) the term of office of and manner of electing members to the Council under section 3(2)(ca) and any other related matters, including— (*Amended 9 of 2002 s. 4*)
- (i) the qualifications of candidates, electors and subscribers to a nomination paper;
  - (ii) the particulars of any system of voting and counting;
  - (iii) the determination of election results; and
  - (iv) other matters relating to the election; (*Amended 9 of 2002 s. 4*)
- (ia) the procedure and other matters relating to an election petition under section 3A, including—
- (i) the person who may present a petition;
  - (ii) the person who may be the respondent to a petition;
  - (iii) the grounds for questioning the result of an election by a petition;
  - (iv) the person who may regulate the procedure of a petition; and
  - (v) the power to validate acts done pending the determination of the result of a petition; and (*Added 9 of 2002 s. 4*)
- (j) generally giving effect to the provisions of this Ordinance. (*Added 82 of 1997 s. 20*)



- (4) For the purposes of subsection (3), regulations made under that subsection may require that documents submitted for the purpose of those regulations be in such a form as is specified by, and be verified by statutory declaration or such declaration as is acceptable to, the Council. *(Added 82 of 1997 s. 20)*

*(Amended 38 of 1970 s. 16)*

**3. Contents of register**

- (1) The register shall contain in respect of each nurse whose name is registered therein the particulars specified in the First Schedule.
- (2) The register shall be divided into the following parts—
  - (a) Part I, which shall contain the names of all such nurses as are authorized by the provisions of the Ordinance and these regulations to practise general nursing;
  - (b) Part II, which shall contain the names of all such nurses as are specially qualified in the nursing and care of persons suffering from mental diseases;
  - (c) Part III, which shall contain the names of all such nurses as are specially qualified in the nursing and care of the mentally subnormal; and (*L.N. 34 of 1970*)
  - (d) Part IV, which shall contain the names of all such nurses as are specially qualified in the nursing and care of sick children.

**4. Application for registration**

- (1) Every application for registration as a nurse shall be submitted in writing to the secretary and shall—
  - (a) contain the following particulars—
    - (i) name;
    - (ii) age;
    - (iii) address;
    - (iv) whether married or single;
    - (v) hospital or training school where trained;
    - (vi) particulars of training;
    - (vii) dates of previous applications to the Council, if any; and (*L.N. 116 of 1999*)
    - (viii) the part or parts of the register in respect of which the application for registration is submitted; and
  - (b) be accompanied by—

- (i) a testimonial as to character preferably by a resident of standing in Hong Kong; (*67 of 1985 s. 16*)
  - (ii) a certificate or diploma issued by a training school or, in the case of a person claiming qualification for registration under paragraph (d), (e), (f) or (g) of subsection (1) of section 8 of the Ordinance, by the appropriate authorizing body;
  - (iii) passport or identification certificate;
  - (iv) two unmounted copies of a photograph of the applicant taken not more than two years before the date of application for registration; and
  - (v) the certificate of a registered medical practitioner, within the meaning of the Medical Registration Ordinance (Cap. 161), certifying that the applicant is not suffering from any scheduled infectious disease, within the meaning of the Prevention and Control of Disease Ordinance (Cap. 599), such as to render him unfit, in such practitioner's opinion, to attend the sick. (*14 of 2008 s. 18*)
- (2) Payment of the appropriate fee prescribed in the Second Schedule shall be a condition precedent to the registration of any name in the register.

## **5. Form of certificate of registration**

The certificate of registration shall be in accordance with Form 1 in the Third Schedule.

## **5A. Form of practising certificate**

A practising certificate issued under section 10A of the Ordinance shall be in such form as the secretary determines.

*(34 of 1995 s. 31)*

## **7. Fee for restoration of name to the register**

Where the name of any nurse is restored to any part of the register in accordance with the provisions of subsection (3) of section 21 of the Ordinance, there shall be paid to the secretary the appropriate fee prescribed in the Second Schedule as a condition precedent to the restoration to the register of the name of such nurse.

## **8. Notification of removal from or restoration of names to the register**

In the event of the removal or restoration after removal of the name of any nurse from any part of the register in accordance with section 17 of the Ordinance, notification of the fact shall forthwith be sent by the Director to the General Nursing Council for England and Wales, or to the General Nursing Council for Scotland, or to the Joint Nursing and Midwives Council for Northern Ireland, or to the An Bord Altranais, Ireland, as the case may be, if the Council is aware that such nurse is or was registered in England and Wales, Scotland, Northern Ireland or Eire in accordance with any relevant legislation for the time being in force in the country in question.

*(L.N. 116 of 1999)*

**9. Training schools for nurses**

- (1) The Council may from time to time by notification in the Gazette declare any establishment in Hong Kong to be a training school for nurses in respect of all or any part of the training prescribed by these regulations.
- (2) No course of training carried out in Hong Kong shall be recognized by the Council for the purpose of the registration of any nurse unless such course has been carried out in one or more of the training schools.

*(67 of 1985 s. 16; L.N. 116 of 1999)*

**10. Minimum age for commencement of training**

No person shall be eligible to commence any course of training under these regulations unless he has attained the age of eighteen years.

**12. Minimum training qualifications for examination**

No person shall be entitled to enter for any examination under these regulations unless he satisfies the Council— *(L.N. 116 of 1999)*

- (a) that he has undergone systematic instruction in each of the subjects prescribed for such examination; and

- (b) that he has completed, or is due to complete by the last day of the month in which such examination is to be held, a period of three years in the appropriate training school:

Provided that this period may be reduced—

- (i) by at least one year in the case of a person whose name is already registered in some other part of the register; and
- (ii) by six months in the case of a person whose name is entered in the roll of enrolled nurses maintained in accordance with section 11 of the Ordinance. (*L.N. 144 of 1972*)

(*L.N. 34 of 1970*)

## **16. Submission of complaint or information**

Where a complaint is made to or information is received by the secretary that a registered nurse—

- (a) has been convicted in Hong Kong or elsewhere of any offence punishable with imprisonment;
- (b) has been guilty of unprofessional conduct;
- (c) has obtained registration by fraud or misrepresentation; or
- (d) was not at the time of his registration entitled to be registered,

the secretary shall submit the complaint or information to the chairman of the Committee.

(*L.N. 34 of 1970*)

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## **FIRST SCHEDULE**

[reg. 3]

### **PARTICULARS TO BE ENTERED IN THE REGISTER**

- (a) Registered number in the register.
- (b) Full name including in the case of a married woman her maiden name.
- (c) Address at which notices from the Council may be served. (*L.N. 116 of 1999*)
- (d) Date of registration.

- (e) Particulars of training and qualifications.

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## SECOND SCHEDULE

[regs. 4, 6, 7, 14 & 14A]  
(L.N. 196 of 2002)

### FEES

Item	Particular	Fee \$
1.	For registration in any part of the register—	
	(a) Person qualified in Hong Kong .....	415
	(b) Person qualified elsewhere.....	1,190
1A.	For practising certificate ( <i>34 of 1995 s. 34</i> ).....	230
2.	For replacement copy of certificate of registration or practising certificate .....	200
3.	For restoration of name to any part of register .....	280
4.	Entrance fees for examination—	
	(a) Any examination .....	860
	(b) Any re-examination .....	860
4A.	For request for review of result of examination ( <i>L.N. 196 of 2002</i> ) .....	490
5.	For certificate verifying registration .....	195
	( <i>L.N. 191 of 1989; L.N. 610 of 1994; 34 of 1995 s. 34; L.N. 13 of 1997; L.N. 317 of 2000; 9 of 2002 s. 4; L.N. 85 of 2006; L.N. 135 of 2015</i> )	

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## THIRD SCHEDULE

FORM 1

[reg. 5]

*Certificate of Registration*

NURSING COUNCIL OF HONG KONG

NURSES REGISTRATION ORDINANCE

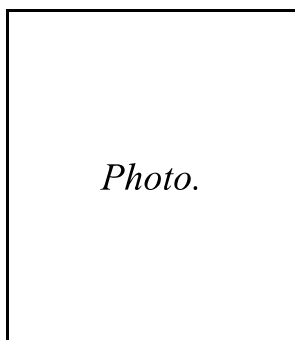
(Chapter 164)

Reg. No. ....

Date .....

I hereby certify that ..... was  
admitted by examination on .....

to the ..... Part of the Register maintained by the Nursing Council of Hong Kong and she/he is entitled in pursuance of the Nurses Registration Ordinance to take and use the title of “Registered Nurse”.



.....  
*Chairman of the Council.*

*(L.N. 116 of 1999)*

FORM 2

[reg. 21]

NURSES REGISTRATION ORDINANCE  
(Chapter 164)

NURSES (REGISTRATION AND DISCIPLINARY PROCEDURE)  
REGULATIONS

*Notice of Inquiry*

Sir/Madam.

On behalf of the Nursing Council of Hong Kong notice is hereby given to you in consequence of <sup>(1)</sup> .....

.....  
that an inquiry is to be held into the following charge(s) against you—

That you were on the ..... day of ..... , (if the charge  
19 ..... at <sup>(2)</sup> ..... relates to  
convicted of <sup>(3)</sup> ..... conviction).

*or*

That you <sup>(4)</sup> ..... (if the charge  
and that in relation to the facts alleged you have been relates to  
guilty of unprofessional conduct. conduct)

*or*

That you <sup>(4)</sup> ..... if the charge  
relates to  
and that in relation to the facts alleged you obtained obtaining  
registration by fraud or misrepresentation. registration by  
fraud or mis-  
representation)

or

That you <sup>(4)</sup> ..... (if the charge alleges that the registered nurse was not qualified, at the time of his registration, to be registered).  
and that in relation to the facts alleged you were not at the time of your registration qualified to be registered.

*(Where there is more than one charge, the charges are to be numbered consecutively).*

Notice is further given to you that *(day of the week)* the ..... day of ....., 19....., a meeting of the Nursing Council of Hong Kong will be held at..... at ..... a.m./p.m. to consider the above-mentioned charge(s) against you, and to determine whether or not the Nursing Council of Hong Kong should take any action against you under subsection ..... of section ..... of the Nurses Registration Ordinance.

You are hereby invited to answer in writing the above-mentioned charge(s) and also to appear before the Council at the place and time specified above, for the purpose of answering it/them. You may appear in person or by counsel or solicitor or you may be represented by a friend. The Council has power, if you do not appear, to hear and decide upon the said charge(s) in your absence.

Any answer, admission or other statement or communication which you may desire to make with respect to the said charge(s) before the hearing of the said charge(s) by the Council should be addressed to the Secretary of the Council.

If you desire to make any application that the inquiry should be postponed, you should send the application to the Secretary as soon as may be, stating the grounds on which you desire a postponement. Any such application will be considered by the Chairman of the Council.

A copy of the Nurses (Registration and Disciplinary Procedure) Regulations is sent herewith for your information.

I have the honour to be,  
Sir/Madam,  
Your obedient servant,

.....  
*Secretary of the Council.*



Note: (1) A complaint made against you to the Council

or

Information received by the Council.

- (2) Specify court recording the conviction.
- (3) Set out particulars of the conviction in sufficient detail to identify the case.
- (4) Set out briefly the facts alleged.

(L.N. 116 of 1999)

FORM 3

[reg. 37]

NURSES REGISTRATION ORDINANCE  
(Chapter 164)

NURSES (REGISTRATION AND DISCIPLINARY PROCEDURE)  
REGULATIONS

*Summons to Witness*

In the matter of an Inquiry under section ..... of the Nurses Registration Ordinance.

And in the matter of <sup>(1)</sup> .....

To <sup>(2)</sup> .....

You are hereby summoned to appear before the Nursing Council of Hong Kong at ..... upon the ..... day of ..... at ..... o'clock in the ..... noon to give evidence touching the matter under inquiry <sup>(3)</sup> and also to bring with you and produce <sup>(4)</sup> .....

Given under my hand this ..... day of....., 19.....

.....  
*Secretary of the Council.*

- Note:
- (1) Insert name of registered nurse or other person concerned.
  - (2) Insert name and address of witness.
  - (3) Delete if not required.
  - (4) Specify the books, documents or other things to be produced.

(L.N. 116 of 1999)

**3. Contents of roll**

- (1) The roll shall contain in respect of each enrolled nurse whose name is contained therein the particulars specified in the First Schedule.
- (2) The roll shall be divided into the following parts—
  - (a) Part I, which shall contain the names of all such enrolled nurses authorized by the provisions of the Ordinance and these regulations to practise as an enrolled nurse in general nursing; and
  - (b) Part II, which shall contain the names of all such enrolled nurses authorized by the provisions of the Ordinance and these regulations to practise as an enrolled nurse in the nursing and care of persons suffering from mental diseases.

*(L.N. 145 of 1972)*

**4. Application for enrolment**

- (1) Every application for enrolment as an enrolled nurse shall be submitted in writing to the secretary and shall— *(L.N. 145 of 1972)*
  - (a) contain the following particulars—
    - (i) name;
    - (ii) age;
    - (iii) address;
    - (iv) whether married or single;
    - (v) hospital or training school where trained;
    - (vi) particulars of training;
    - (vii) date of previous application to the Council, if any; and *(L.N. 117 of 1999)*
    - (viii) the part or parts of the roll in respect of which the application for enrolment is submitted; and
  - (b) be accompanied by—

- (i) a testimonial as to character, preferably by a resident of standing in Hong Kong; (*67 of 1985 s. 16*)
  - (ii) a certificate or diploma issued by a training school;
  - (iii) passport or identification certificate;
  - (iv) two unmounted copies of a photograph of the applicant taken not more than two years before the date of application for enrolment; and
  - (v) the certificate of a registered medical practitioner, within the meaning of the Medical Registration Ordinance (Cap. 161), certifying that the applicant is not suffering from any scheduled infectious disease, within the meaning of the Prevention and Control of Disease Ordinance (Cap. 599), such as to render him unfit, in such practitioner's opinion, to attend the sick. (*14 of 2008 s. 18*)
- (2) Payment of the appropriate fee prescribed in the Second Schedule shall be a condition precedent to the enrolment of any name in the roll.

## **5. Form of certificate of enrolment**

The certificate of enrolment shall be in accordance with Form 1 in the Third Schedule.

### **5A. Form of practising certificate**

A practising certificate issued under section 16A of the Ordinance shall be in such form as the secretary determines.

*(34 of 1995 s. 35)*

## **7. Fee for restoration of name to the roll**

Where the name of any enrolled nurse is restored to any part of the roll in accordance with the provisions of subsection (3) of section 21 of the Ordinance, there shall be paid to the secretary the appropriate fee prescribed in the Second Schedule as a condition precedent to the restoration to the roll of the name of such enrolled nurse.

*(L.N. 145 of 1972)*

## **8. Notification of removal from or restoration of names to the roll**

In the event of the removal or restoration after removal of the name of any enrolled nurse from any part of the roll in accordance with section 17 of the Ordinance, notification of the fact shall forthwith be sent by the Director to the General Nursing Council for England

and Wales, or to the General Nursing Council for Scotland, or to the joint Nursing and Midwives Council for Northern Ireland, as the case may be, if the Council is aware that such enrolled nurse is or was enrolled in England and Wales, Scotland or Northern Ireland in accordance with any relevant legislation for the time being in force in the country in question.

*(L.N. 145 of 1972; L.N. 117 of 1999)*

**9. Training schools for enrolled nurses**

- (1) The Council may from time to time by notification in the Gazette declare any establishment in Hong Kong to be a training school for enrolled nurses in respect of all or any part of the training prescribed by these regulations.
- (2) No course of training carried out in Hong Kong shall be recognized by the Council for the purposes of the enrolment of any enrolled nurse unless such course has been carried out in one or more of the training schools.

*(L.N. 145 of 1972; 67 of 1985 s. 16; L.N. 117 of 1999)*

**10. Minimum age for commencement of training**

No person shall be eligible to commence any course of training under these regulations unless he has attained the age of eighteen years.

**12. Minimum training qualifications for candidates for examinations**

No person shall be entitled to enter for any examination required by these regulations unless he satisfies the Council that he has undergone systematic instruction in each of the subject prescribed for such examination and that he has completed or is due to complete by the last day of the month in which such examination is to be held, two years training in one or more appropriate training schools.

*(L.N. 117 of 1999)*

**16. Submission or receipt of complaint or information**

Where a complaint is made to or information is received by the secretary that an enrolled nurse- *(L.N. 145 of 1972)*

- (a) has been convicted in Hong Kong or elsewhere of any offence punishable with imprisonment;
- (b) has been guilty of unprofessional conduct;
- (c) has obtained enrolment by fraud or misrepresentation; or

(d) was not at time of his enrolment entitled to be enrolled, the secretary shall submit the complaint or information to the chairman of the Committee.

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## FIRST SCHEDULE

[reg. 3]

### PARTICULARS TO BE ENTERED IN THE ROLL

- (a) Enrolment number in the roll.
- (b) Full name including in the case of a married woman her maiden name.
- (c) Address at which notices from the Council may be served. (*L.N. 117 of 1999*)
- (d) Date of enrolment.
- (e) Particulars of training and qualifications.

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## SECOND SCHEDULE

[regs. 4, 6, 7, 14 & 14A]  
(*L.N. 197 of 2002*)

### FEES

Item	Particular	Fee \$
1.	For enrolment in any part of the roll—	
	(a) Person qualified in Hong Kong.....	415
	(b) Person qualified elsewhere.....	1,190
1A.	For practising certificate ( <i>34 of 1995 s. 38</i> ).....	230
2.	For replacement copy of certificate of enrolment or practising certificate.....	200
3.	For restoration of name to any part of the roll.....	280
4.	Entrance fees for examination—	
	(a) Any examination.....	920
	(b) Any re-examination.....	920
4A.	For request for review of result of examination ( <i>L.N. 197 of 2002</i> ).....	490
5.	For certificate verifying enrolment.....	195

(L.N. 184 of 1989; L.N. 603 of 1994; 34 of 1995 s. 38; L.N. 14 of 1997; L.N. 318 of 2000; 9 of 2002 s. 4; L.N. 86 of 2006; L.N. 136 of 2015)

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## THIRD SCHEDULE

FORM 1 [reg. 5]

### *Certificate of Enrolment*

NURSING COUNCIL OF HONG KONG

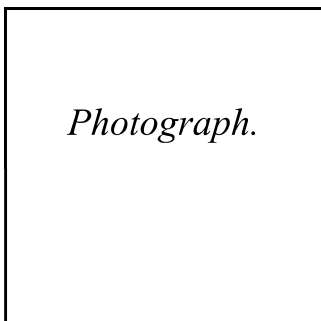
NURSES REGISTRATION ORDINANCE  
(Chapter 164)

Enrolment No.

Date .....

.....

I hereby certify that ..... was admitted by examination on..... to the ..... Part of the Roll maintained by the Nursing Council of Hong Kong and she/he is entitled in pursuance of the Nurses Registration Ordinance to take and use the title of “Enrolled Nurse”.



.....  
*Chairman of the Council.*

(L.N. 145 of 1972; L.N. 117 of 1999)

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FORM 2 [reg. 21]

NURSES REGISTRATION ORDINANCE  
(Chapter 164)

ENROLLED NURSES (ENROLMENT AND DISCIPLINARY  
PROCEDURE) REGULATIONS

### *Notice of Inquiry*

Sir/Madam,

On behalf of the Nursing Council of Hong Kong notice is hereby given to you in consequence of (1) ..... that an inquiry is to be held into the following charge(s) against you—

That you were on the ..... day of ..... , 19..... at (2) ..... (if the charge convicted of (3) ..... relates to conviction).

*or*

That ..... you ..... (4) (if the charge ..... and that in relation to the facts alleged you have been guilty of unprofessional conduct. .... relates to conduct).

*or*

That ..... you ..... (4) (if the charge ..... and that in relation to the facts alleged you obtained enrolment by fraud or misrepresentation. .... obtaining enrolment by fraud or misrepresentation)

*or*

That ..... you ..... (4) (if the charge ..... and that in relation to the facts alleged you were not at the time of your enrolment qualified to be enrolled. .... alleges that the enrolled nurse was not qualified at the time of his enrolment, to be enrolled).

*(Where there is more than one charge, the charges are to be numbered consecutively).*

Notice is further given to you that on *(day of the week)* the..... day of ..... , 19..... meeting of the Nursing Council of Hong Kong will be held at

..... at ..... a.m./p.m. to consider the above-mentioned charge(s) against you, and to determine whether or not the Nursing Council of Hong Kong should take any action against you under subsection ..... of section ..... of the Nurses Registration Ordinance.

You are hereby invited to answer in writing the above-mentioned charge(s) and also to appear before the Council at the place and time specified above, for the purpose of answering it/them. You may appear in person or by counsel or solicitor or you may be represented by a friend. The Council has power, if you do not appear, to hear and decide upon the said charge(s) in your absence.

Any answer, admission or other statement or communication which you may desire to make with respect to the said charge(s) before the hearing of the said charge(s) by the Council should be addressed to the Secretary of the Council.

If you desire to make any application that the inquiry should be postponed, you should send the application to the Secretary as soon as may be, stating the grounds on which you desire a postponement. Any such application will be considered by the Chairman of the Council.

A copy of the Enrolled Nurses (Enrolment and Disciplinary Procedure) Regulations is sent herewith for your information.

I have the honour to be,  
Sir/Madam,  
Your obedient servant,

.....  
*Secretary of the Council.*

*Note:*

- (1) A complaint made against you to the Council  
or  
Information received by the Council.
- (2) Specify court recording the conviction.
- (3) Set out particulars of the conviction in sufficient detail to identify the case.
- (4) Set out briefly the facts alleged.

*(L.N. 145 of 1972; L.N. 117 of 1999)*

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FORM 3 [reg. 37]

NURSES REGISTRATION ORDINANCE  
(Chapter 164)

ENROLLED NURSES (ENROLMENT AND DISCIPLINARY  
PROCEDURE) REGULATIONS

*Summons to Witness*



In the matter of an Inquiry under section  
.....  
of the Nurses Registration Ordinance.

And in the matter of (1)

.....  
To (2)

You are hereby summoned to appear before the Nursing Council of Hong Kong at ..... upon the ..... day of ..... at ..... o'clock in the ..... noon to give evidence touching the matter under inquiry (3) and also to bring with you and produce (4)

Given under my hand this ..... day of..... 19.....

.....  
*Secretary of the Council.*

*Note:*

- (1) Insert name of enrolled nurse or other person concerned.
- (2) Insert name and address of witness.
- (3) Delete if not required.
- (4) Specify the books, documents or other things to be produced.

*(L.N. 145 of 1972; L.N. 117 of 1999)*

**33A. Requirements for certificate of attendance for medical examination in relation to pregnancy**

- (1) For the purposes of section 33(5B), this section sets out the requirements for a certificate of attendance in relation to a female employee's attendance on a particular day at a medical examination in relation to her pregnancy.
- (2) The certificate—
  - (a) must state that the employee attends the examination on that day; and
  - (b) subject to subsections (3), (4) and (5), must be issued by a medical professional.
- (3) If the employee attends the examination as an in-patient in a hospital, the certificate must be issued by a medical professional who conducts the examination.
- (4) If, in relation to the examination—
  - (a) the employee takes paid sickness days entered in category 2 of the record kept for the employee under section 37(1A); and
  - (b) the employer requires the employee to attend the examination in a hospital,the certificate must be issued by a medical professional who conducts the examination for the employee as an out-patient or in-patient in a hospital.
- (5) If the employer operates a recognized scheme of medical treatment, the certificate must be issued by a registered medical practitioner, or a registered Chinese medicine practitioner, engaged by the employer for the purposes of the scheme.
- (6) However, subsection (5) does not apply if—
  - (a) subsection (3) or (4) applies in relation to the employee;
  - (b) the employee chooses to be examined by a registered medical practitioner and no registered medical practitioner is engaged by the employer for the purposes of the scheme;

- (c) the employee chooses to be examined by a registered Chinese medicine practitioner and no registered Chinese medicine practitioner is engaged by the employer for the purposes of the scheme; or
- (d) the employee has a reasonable excuse not to attend the examination under the scheme.

(7) In this section—

**hospital** (醫院) has the meaning given by section 33(6)(a);

**medical professional** (醫療專業人員) means—

- (a) a registered medical practitioner;
- (b) a registered Chinese medicine practitioner;
- (c) a midwife registered under section 8 of the Midwives Registration Ordinance (Cap. 162) or deemed to be registered under section 25 of that Ordinance; or
- (d) a nurse registered under section 9 of the Nurses Registration Ordinance (Cap. 164) or deemed to be registered under section 26 of that Ordinance.

*(Added 13 of 2020 s. 11)*

**17. Appointment of inspectors**

The Director may by notice in writing appoint—

- (a) any officer of the Social Welfare Department;
- (b) any officer of the Buildings Department;
- (c) any person who is registered as a medical practitioner, or who is deemed to be so registered under section 29 of the Medical Registration Ordinance (Cap. 161); and
- (d) any person whose name appears on the register of nurses maintained under section 5 of the Nurses Registration Ordinance (Cap. 164),

to be an inspector of residential care homes.

## 2. Interpretation

In this Regulation—

**ancillary worker** (助理員) means any person, other than a care worker, health worker or nurse, employed by an operator whose duties include those of a cook, domestic servant, driver, gardener, watchman, welfare worker or clerk;

**care staff** (護理人員) includes a care worker, health worker and nurse but does not include a home manager or nurse-in-charge; (34 of 2018 s. 145)

**care worker** (護理員) means any person, other than an ancillary worker, health worker or nurse, employed by an operator to render personal care to residents;

**enrolled nurse** (登記護士) means any person whose name appears on the roll of enrolled nurses maintained under section 11 of the Nurses Registration Ordinance (Cap. 164); (34 of 2018 s. 145)

**health worker** (保健員) means any person whose name appears on the register maintained by the Director under section 5;

**home manager** (主管) means any person responsible for the management of a residential care home;

**nurse** (護士) means—

- (a) a registered nurse; or
- (b) an enrolled nurse; (34 of 2018 s. 145)

**nurse-in-charge** (主管護士), in relation to a nursing home, means any person who is a registered nurse and who is responsible for supervising the nursing care of the residents in the nursing home; (34 of 2018 s. 145)

**operator** (經營者) means a person to whom a certificate of exemption has been issued under section 7 of the Ordinance or a person to whom a licence has been issued under section 8 of the Ordinance;

**particulars of identity** (身分詳情) means the particulars set out on an identity card issued under the Registration of Persons Ordinance (Cap. 177); (14 of 2008 s. 18)

**registered nurse** (註冊護士) means any person whose name appears on the register of nurses maintained under section 5 of

the Nurses Registration Ordinance (Cap. 164); (34 of 2018 s. 145)

***scheduled infectious disease*** (表列傳染病) has the same meaning as in the Prevention and Control of Disease Ordinance (Cap. 599). (14 of 2008 s. 18)

(14 of 2008 s. 18)

**15. Appointment of inspectors**

The Director may by notice in writing appoint the following persons to be an inspector of residential care homes for PWDs—

- (a) an officer of the Social Welfare Department;
- (b) an officer of the Buildings Department;
- (c) a person who is registered as a medical practitioner under the Medical Registration Ordinance (Cap. 161);
- (d) a person whose name appears on the register of nurses maintained under section 5 of the Nurses Registration Ordinance (Cap. 164).

**11. Employment of staff by operators**

- (1) An operator of a residential care home for PWDs must, according to the particular type of the residential care home, employ persons in the manner indicated in the Schedule to occupy the following posts in the residential care home—
  - (a) home manager;
  - (b) ancillary worker;
  - (c) care worker;
  - (d) health worker;
  - (e) nurse.
- (2) An operator of a residential care home for PWDs must not employ any person as—
  - (a) a home manager for any purpose other than employment as a home manager;
  - (b) an ancillary worker for any purpose other than employment as an ancillary worker;
  - (c) a care worker for any purpose other than employment as a care worker;
  - (d) a health worker—
    - (i) unless the person falls within the definition of **health worker** in section 2; and
    - (ii) for any purpose other than employment as a health worker; or
  - (e) a nurse—
    - (i) unless the person falls within the definition of **nurse** in section 2; and
    - (ii) for any purpose other than employment as a nurse.
- (3) An operator of a residential care home for PWDs must inform the Director in writing within 14 days after any change in the employment of a home manager of the residential care home under subsection (1)(a) has occurred.
- (4) An operator who contravenes subsection (1), (2) or (3) commits an offence and is liable to a fine at level 4.



## **Implications of the Proposal**

### **Civil Service and Financial Implications**

Compared with the option of training a nurse through the local University Grants Committee system, the proposal of allowing non-locally trained nurse to be registered in Hong Kong may be considered as a cost-effective and efficient alternative to increase the supply of nurses.

2. Currently, the Boards and Councils Office (“the Office”) of the Department of Health (“DH”) provides secretariat support to the Nursing Council of Hong Kong (“NCHK”). The secretariat staff are mainly civil servants under the establishment of DH. Costs for the day-to-day administration of NCHK are also met from funds provided by DH.

3. Among some 70 posts of the establishment of the Office, there are at present 7 civil service posts which provide secretariat and executive support to Midwives Council of Hong Kong and NCHK in carrying out its statutory functions. With the implementation of the current proposal, the Office is expected to carry out vetting on the overseas nursing qualifications in considering individual applications and implement the mandatory continuing nursing education.

4. The Health Bureau and DH would consider the manpower requirements for the Office in detail after the passage of the relevant legislation and seek additional resources, if required, with justifications in accordance with the established resources allocation mechanism.

### **Economic Implications**

5. The proposal would significantly broaden the pool of non-locally trained nurses eligible for applying to practise in Hong Kong, while continue to accord priority to employing locally trained nurses<sup>1</sup>. This would

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<sup>1</sup> Both the Hospital Authority and DH agreed to accord priority to employing locally trained nurses, and to the extent possible offer non-locally trained nurses similar remuneration packages as locally trained nurses. The Health Bureau will work with corresponding bureaux and departments to encourage designated institutions other than the Hospital Authority and DH to similarly accord priority to employing locally trained nurses.

contribute to the sustainability of the healthcare system as a whole in the long run.

### **Family Implications**

6. The proposal is expected to attract more qualified non-locally trained nurses to serve in Hong Kong, which would help provide better care and healthcare services for those with special needs as well as their family members.

### **Sustainability Implications**

7. The proposal to facilitate admission of non-locally trained nurses would provide additional healthcare manpower which could in turn improve the provision of healthcare services, and be conducive to sustainable development.

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