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基層醫療統籌處
香港灣仔愛群道 32 號
愛群商業大廈 10 樓 1008 室
網址: <http://www.pco.gov.hk>



PRIMARY CARE OFFICE
THE GOVERNMENT OF THE HONG KONG
SPECIAL ADMINISTRATIVE REGION
ROOM 1008, 10/F, GUARDIAN HOUSE,
32 OI KWAN ROAD, WAN CHAI, HONG KONG
Website: <http://www.pco.gov.hk>

本署檔號 OUR REF.: (37) in DH/PC/14/5/1 Pt.5
來函檔號 YOUR REF.:
電 話 TEL.: 3576 3658
圖文傳真 FAX.: 3583 4549

12 September 2019

Dear Doctor,

**Variation of the Terms and Conditions and Notes on Use of Personal Data of the
Primary Care Directory**

Thank you for your continual support in primary care and enrolment in the Primary Care Directory (“the Directory”).

We refer to your enrolment as an enrolled healthcare provider in the Directory, and the Terms and Conditions and the Notes on Use of Personal Data of the Directory. Unless otherwise stated, words and expressions used in this letter shall have the same meaning ascribed to them in the Terms and Conditions and the Notes on Use of Personal Data of the Directory.

We write to inform you that the Directory will be overseen by the Primary Healthcare Office (“the PHO”) under the Food and Health Bureau of the Government of the Hong Kong Special Administrative Region, with effect from 1 October 2019. Notice is hereby given to you that with effect from 1 October 2019, the Terms and Conditions and the Notes on Use of Personal Data of the Directory will be varied as follows –

Variations in the Terms and Conditions of the Directory

- The first paragraph of “Part 1. Eligibility criteria for enrolment”:
“In order for an application for enrolment in the Primary Care Directory (“Directory”) to be eligible for consideration by the Government of the Hong Kong Special Administrative Region (“Government”), the applicant: ………”

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- Clause 3(i) under “Part 3. Undertaking and Declaration”:
“the Government, any of its agents or officers and any other persons authorised by the Government shall have full access to, and may transfer or use, the applicant’s personal data provided in relation to the Directory for the purpose set out in the Notes on Use of Personal Data below, and the word “use” shall have the meaning given to it under the Personal Data (Privacy) Ordinance (Cap. 486);”
- Clause 3(j) under “Part 3. Undertaking and Declaration”:
“the applicant shall consent to, authorise and procure each of the following professional regulatory board and council (as applicable) to release at any time and from time to time the applicant’s personal data held by any of them to the Government, any of its agents or officers and any other person authorised by the Government for the purpose of processing this application and, where necessary, for verification of this application:
(i) MCHK;
(ii) DCHK; and
(iii) CMCHK;”
- Clause 3(k) under “Part 3. Undertaking and Declaration”:
“the Government has the right to review and revise the arrangements and requirements regarding the Directory at any time and from time to time as the Government may deem necessary in order to ensure that the objectives of the Directory as specified in “About the Primary Care Directory” at the homepage of the Directory will be properly achieved and the applicant shall comply with such other requirements or directives as may be issued by the Government from time to time;”
- Clause 3(l) will be inserted after Clause 3(k) under “Part 3. Undertaking and Declaration”:
“the Government may vary any of these Terms and Conditions from time to time by reasonable notice, including without limitation by posting the varied Terms and Conditions on the website of the Directory at <https://apps.pcdirectory.gov.hk/SP/Main/Main.aspx>. The varied Terms and Conditions shall be binding on the applicant;”
- Original Clauses 3(l) to 3(q) under “Part 3. Undertaking and Declaration” shall be re-numbered as Clauses 3(m) to 3(r) respectively.
- Part 4. Obligation to report change of information:
“The enrolled healthcare provider shall inform the Primary Healthcare Office of the Government immediately of any changes in any information or document submitted by or on behalf of the enrolled healthcare provider to the Government in relation to the Directory.”

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- The first paragraph of “Part 5. Delisting from the Directory”:
“The enrolled healthcare provider shall inform the Primary Healthcare Office of the Government immediately of the occurrence of any of the following events, and upon such occurrence, the Government may at any time delist the enrolled healthcare provider without incurring any liabilities whatsoever to the healthcare provider or any associated organisations or bodies which engage or employ the healthcare provider or any other third parties:”

Variations in the Notes on Use of Personal Data of the Directory

“Purpose of Collection

1. *Any information including the personal data provided by the applicant in or in connection with this application for enrolment and from time to time in relation to the Directory will be used by the Government, any of its agents or officers and any other persons authorised by the Government for the following purposes:*
 - (a) *for processing the application for enrolment in the Directory;*
 - (b) *for administration and monitoring of the Directory;*
 - (c) *for disclosing relevant information in the Directory to the public and healthcare providers;*
 - (d) *for promotion of primary care;*
 - (e) *for report, statistical, evaluation and research purposes;*
 - (f) *for any other legitimate purposes as may be required, authorized or permitted by law.*
2. *The provision of any information including the personal data is voluntary. If you do not provide sufficient information, we may not be able to consider your eligibility for enrolment in the Directory and may not process your application.*

Classes of Transferees

3. *The information including the personal data provided by the applicant may be disclosed to other Government bureaux/departments and parties outside the Government including but not limited to respective professional regulatory boards and councils for the purposes stated in paragraph 1 above, if required.*

Access to Personal Data

4. *The applicant has the right to request access to or correction of the personal data provided in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486). Such requests and enquiries concerning the personal data provided should be addressed to :*

*Executive Officer (District Health Centre Team)A
Primary Healthcare Office
Food and Health Bureau
The Government of the Hong Kong Special Administrative Region
11/F, THE HUB, 23 Yip Kan Street
Wong Chuk Hang
Hong Kong*

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Telephone: 2205 2491
Fax number: 2556 2638
Email Address: pho@fhb.gov.hk

For further details, please refer to the enclosed full version of the varied Terms and Conditions and the Notes on Use of Personal Data of the Directory which will also be uploaded to the website of the Directory on 1 October 2019:

<https://apps.pcdirectory.gov.hk/SP/Main/Main.aspx>

Please complete and return the enclosed reply slip to the Primary Care Office by 23 September 2019 by fax (3583 4549), email (pco@dh.gov.hk) or post to Primary Care Office, Department of Health, Room 1008, 10/F, Guardian House, 32 Oi Kwan Road, Wan Chai, Hong Kong. Otherwise, your account in the Directory will be inactivated and your information will not be displayed in the Directory.

Should you have any enquiry, please feel free to contact us at 3576 3658. Thank you.

Yours sincerely,



(Dr April Li)
for Director of Health

Reply Slip

Variation of the Terms and Conditions and Notes on Use of Personal Data of the Primary Care Directory

[Reference: (37) in DH/PC/14/5/1 Pt. 5]

- I have read and **agree** to the varied Terms and Conditions and Notes on Use of Personal Data of the Primary Care Directory.
- I have read and **do not agree** to the varied Terms and Conditions and Notes on Use of Personal Data of the Primary Care Directory.

Name (as on HKIC): _____ Registration No.: _____
Daytime telephone No.: _____ Email address: _____
Signature: _____ Date : _____

Please return the completed reply slip to the Primary Care Office on or before 23 September 2019 by fax (3583 4549), email (pco@dh.gov.hk) or post to Primary Care Office, Department of Health, Room 1008, 10/F, Guardian House, 32 Oi Kwan Road, Wan Chai, Hong Kong.

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PRIMARY CARE DIRECTORY TERMS AND CONDITIONS

1. Eligibility criteria for enrolment

In order for an application for enrolment in the Primary Care Directory (“Directory”) to be eligible for consideration by the Government of the Hong Kong Special Administrative Region (“Government”), the applicant:

- (a) must either be a registered medical practitioner within the meaning of the Medical Registration Ordinance (Cap. 161) (“MRO”) who holds a valid practising certificate issued under that Ordinance; or a registered dentist within the meaning of the Dentists Registration Ordinance (Cap. 156) (“DRO”) who holds a valid practising certificate issued under that Ordinance; or a registered Chinese medicine practitioner within the meaning of the Chinese Medicine Ordinance (Cap. 549) (“CMO”) who holds a valid practising certificate issued under that Ordinance; or a Chinese medicine practitioner with limited registration within the meaning of the CMO; or a listed Chinese medicine practitioner within the meaning of the CMO whose name is entered on the list of Chinese medicine practitioners maintained by the Chinese Medicine Practitioners Board established under the CMO and
- (b) must commit to the provision of directly accessible, comprehensive, continuing and co-ordinated person-centred primary care services.

The Government shall have the sole discretion of determining whether or not to approve an application notwithstanding anything provided herein.

2. Conditions for maintenance of listing

To maintain listing in the Directory, an enrolled healthcare provider shall comply with the following throughout the period that his/her name is being listed in the Directory:

- (a) an enrolled healthcare provider shall continuously provide the primary care services provided in paragraph 1(b) above; and
- (b) applicable to enrolled registered medical practitioners only –
 - (i) an enrolled registered medical practitioner who is not taking Continuing Medical Education (“CME”) Programme for specialists shall participate in the “Continuing Medical Education Programme for Practising Doctors who are not taking CME Programme for Specialists” approved by the Medical Council of Hong Kong (“MCHK”) and shall accumulate the required points for obtaining a yearly CME Certificate issued by the MCHK or for becoming qualified to quote the title “CME-Certified” as approved by MCHK after the end of each CME-cycle.
 - (ii) an enrolled registered medical practitioner who is a specialist included in the Specialist Register of the MCHK shall participate in and comply with the CME requirements relevant to his/her specialty as may be determined by the Hong Kong Academy of Medicine (“HKAM”).

- (c) applicable to enrolled registered dentists only –
 - (i) an enrolled registered dentist who is not taking Continuing Professional Development (“CPD”) Programme for specialists shall participate in the “CPD Programme for Practising Dentists” approved by the Dental Council of Hong Kong (“DCHK”) and shall accumulate the required points for becoming eligible for the issue of a CPD Certificate by DCHK after the end of each CPD-cycle.
 - (ii) an enrolled registered dentist who is a specialist included in the Specialist Register of the DCHK shall participate in and comply with the CPD requirements relevant to his/her specialty as may be determined by the HKAM.
- (d) applicable to enrolled registered Chinese medicine practitioners, Chinese medicine practitioners with limited registration or listed Chinese medicine practitioners only –
 - (i) an enrolled registered Chinese medicine practitioner shall participate in the Continuing Education in Chinese Medicine (“CME”) approved by the Chinese Medicine Council of Hong Kong (“CMCHK”) and shall accumulate the required points for becoming eligible for the renewal of the practising certificate.
 - (ii) an enrolled Chinese medicine practitioner with limited registration or listed Chinese medicine practitioner shall have records of participating in continuing education in Chinese medicine.

3. Undertaking and Declaration

In consideration of the Government considering and/or approving this application for enrolment in the Directory, the applicant hereby acknowledges, confirms, undertakes, warrants, declares and agrees and with continuing effect as follows:

- (a) the applicant has carefully read and fully understood these Terms and Conditions and all other relevant documents with respect to the Directory;
- (b) the applicant is eligible to apply for enrolment in the Directory according to the eligibility criteria prescribed by the Government in these Terms and Conditions;
- (c) all information and documents provided to the Government in or in connection with this application for enrolment and from time to time in relation to the Directory are up-to-date, true, accurate and complete in all respects;
- (d) the applicant has not withheld, and the applicant is not aware of, any material facts or circumstances that have not been disclosed to the Government which may influence the assessment of this application or the decision of the Government in considering whether or not to approve this application;
- (e) this application may not be processed by the Government if the applicant fails to provide any information or documents required by the Government;
- (f) the applicant shall submit to the Government such other information and documents as the Government may require from time to time in relation to this application;
- (g) the applicant is not prohibited from practising in the profession indicated by the applicant in the Directory;
- (h) until this application is rejected by the Government or (if this application is successful) until the applicant ceases to be an enrolled healthcare provider, the

applicant shall comply at all times with these Terms and Conditions, the Disclaimer, the Copyright and Privacy Policy for the Directory and all other relevant documents with respect to the Directory as may be specified by the Government in writing from time to time;

- (i) the Government, any of its agents or officers and any other persons authorised by the Government shall have full access to, and may transfer or use, the applicant's personal data provided in relation to the Directory for the purpose set out in the Notes on Use of Personal Data below, and the word "use" shall have the meaning given to it under the Personal Data (Privacy) Ordinance (Cap. 486);
- (j) the applicant shall consent to, authorise and procure each of the following professional regulatory board and council (as applicable) to release at any time and from time to time the applicant's personal data held by any of them to the Government, any of its agents or officers and any other person authorised by the Government for the purpose of processing this application and, where necessary, for verification of this application:
 - (i) MCHK;
 - (ii) DCHK; and
 - (iii) CMCHK;
- (k) the Government has the right to review and revise the arrangements and requirements regarding the Directory at any time and from time to time as the Government may deem necessary in order to ensure that the objectives of the Directory as specified in "About the Primary Care Directory" at the homepage of the Directory will be properly achieved and the applicant shall comply with such other requirements or directives as may be issued by the Government from time to time;
- (l) the Government may vary any of these Terms and Conditions from time to time by reasonable notice, including without limitation by posting the varied Terms and Conditions on the website of the Directory at <https://apps.pcdirectory.gov.hk/SP/Main/Main.aspx>. The varied Terms and Conditions shall be binding on the applicant;
- (m) until the application is approved by the Government, the applicant shall obtain the Government's prior written approval for any changes to the information and any other information and documents provided to the Government under these Terms and Conditions or otherwise;
- (n) the applicant undertakes to inform the Government immediately if any information provided in or in connection with this application is no longer applicable, true, accurate or complete;
- (o) if any undertaking, warranty or declaration given by the applicant in this Undertaking and Declaration is not up-to-date, true, accurate or complete or if the applicant fails to comply with any provisions of this Undertaking and Declaration, without prejudice to any powers, rights, remedies and claims that the Government may have under this Undertaking and Declaration or in law, the Government shall be entitled to reject immediately this application or, as the case may be, delist the successful applicant from the Directory;
- (p) the applicant fully understands that non-disclosure or misrepresentation of any information required or provided in connection with this application shall entitle the

Government to reject this application;

- (q) this Undertaking and Declaration shall be governed by and construed in accordance with the laws of the Hong Kong Special Administrative Region (“Hong Kong”) and the applicant and the Government shall irrevocably submit to the exclusive jurisdiction of the Courts of Hong Kong; and
- (r) the applicant has read the provisions of this Undertaking and Declaration carefully and fully understood its obligations and liabilities under this Undertaking and Declaration.

4. Obligation to report change of information

The enrolled healthcare provider shall inform the Primary Healthcare Office of the Government immediately of any changes in any information or document submitted by or on behalf of the enrolled healthcare provider to the Government in relation to the Directory.

5. Delisting from the Directory

The enrolled healthcare provider shall inform the Primary Healthcare Office of the Government immediately of the occurrence of any of the following events, and upon such occurrence, the Government may at any time delist the enrolled healthcare provider without incurring any liabilities whatsoever to the healthcare provider or any associated organisations or bodies which engage or employ the healthcare provider or any other third parties:

- (a) where a person is enrolled in the Directory in the capacity of a registered medical practitioner within the meaning of the MRO, that person ceases to be so registered;
- (b) where a person is enrolled in the Directory in the capacity of a registered dentist within the meaning of the DRO, that person ceases to be so registered;
- (c) where a person is enrolled in the Directory in the capacity of a registered Chinese medicine practitioner within the meaning of the CMO, the person ceases to be so registered;
- (d) where a person is enrolled in the Directory in the capacity of a Chinese medicine practitioner with limited registration within the meaning of the CMO, the person ceases to be so registered;
- (e) where a person is enrolled in the Directory in the capacity of a listed Chinese medicine practitioner within the meaning of the CMO, the person ceases to be listed in the list of Chinese medicine Practitioners maintained by the Chinese Medicine Practitioners Board established under the CMO;
- (f) where a person who is enrolled in the Directory in the capacity of a registered medical practitioner, a registered dentist, a registered Chinese medicine practitioner, a Chinese medicine practitioner with limited registration or a listed Chinese medicine practitioner, that person does not meet any maintenance requirements for being listed in the Directory as set out in paragraph 2 of these Terms and Conditions.

NOTES ON USE OF PERSONAL DATA

Purpose of Collection

1. Any information including the personal data provided by the applicant in or in connection with this application for enrolment and from time to time in relation to the Directory will be used by the Government, any of its agents or officers and any other persons authorised by the Government for the following purposes:
 - (a) for processing the application for enrolment in the Directory;
 - (b) for administration and monitoring of the Directory;
 - (c) for disclosing relevant information in the Directory to the public and healthcare providers;
 - (d) for promotion of primary care;
 - (e) for report, statistical, evaluation and research purposes;
 - (f) for any other legitimate purposes as may be required, authorized or permitted by law.
2. The provision of any information including the personal data is voluntary. If you do not provide sufficient information, we may not be able to consider your eligibility for enrolment in the Directory and may not process your application.

Classes of Transferees

3. The information including the personal data provided by the applicant may be disclosed to other Government bureaux/departments and parties outside the Government including but not limited to respective professional regulatory boards and councils for the purposes stated in paragraph 1 above, if required.

Access to Personal Data

4. The applicant has the right to request access to or correction of the personal data provided in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486). Such requests and enquiries concerning the personal data provided should be addressed to :

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The Government of the Hong Kong Special Administrative Region
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Hong Kong
Telephone: 2205 2491
Fax number: 2556 2638
Email Address: pho@fhb.gov.hk