

## **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 :

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