

Chapter:	359H	RADIOGRAPHERS (REGISTRATION AND DISCIPLINARY PROCEDURE) REGULATION	Gazette Number	Version Date
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		Empowering section		30/06/1997
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(Cap 359 section 29)

[Sections 1 to 12, 14, 18 and 48, Schedule 1, Forms 1, 2A and 2B in Schedule 2 and Schedule 3 }  
1 July 1995

Parts III and IV, sections 15, 16, 17, 47, 49 and 50, Forms 4 and 5 in Schedule 2 and Schedules 4, 5 and 6 }  
1 November 1996

Section 13 and Form 3 in Schedule 2 }  
1 January 1997 *L.N. 114 of 1995]*

(Originally L.N. 75 of 1995)

Part:	I	PRELIMINARY		30/06/1997
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Section:	1	(Omitted as spent)		30/06/1997
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(Omitted as spent)

(Enacted 1995)

Section:	2	Interpretation		30/06/1997
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In this Regulation, unless the context otherwise requires-

"Board" (委員會) means the Radiographers Board established under section 5 of the Ordinance;

"Chairman of the Board" (委員會主席) means the Chairman of the Board appointed under section 5(1)(a) of the Ordinance;

"Chairman of the Committee" (小組主席) means the Chairman of the Committee appointed under section 20;

"chiropractor" (脊醫) means a person who is trained and professionally qualified in the practice of chiropractic including the practice of the prevention, diagnosis and treatment of functional disorders of the human body through manipulation of the joints, particularly of the vertebral column and peripheral joints, including the pelvis;

"Committee" (小組) means the Preliminary Investigation Committee constituted under section 20;

"complainant" (申訴人) means any person from whom a complaint against or information in respect of-

(a) a registered radiographer; or

(b) an applicant for registration as a radiographer,

has been received by the Secretary;

"diagnostic radiographer" (放射診斷技師) means a radiographer categorized as such in accordance with section 7(2);

"irradiating apparatus" (輻照儀器) has the meaning assigned to it by section 2 of the Radiation Ordinance (Cap 303);

"Legal Adviser" (法律顧問) means the legal adviser to the Board appointed under section 5(4)(b) of the Ordinance;

"medical exposure" (醫療照射) means exposure of a person to ionizing radiation as defined in section 2 of the Radiation Ordinance (Cap 303) for a diagnostic or therapeutic purpose;

"notice of inquiry" (研訊通知書) means a notice served in accordance with section 26;

"Part I diagnostic radiographer" (第I部分放射診斷技師) means a radiographer registered in Part I (Category D) of the register and "Part II diagnostic radiographer" (第II部分放射診斷技師), "Part III diagnostic radiographer" (第III部分放射診斷技師) and "Part IV diagnostic radiographer" (第IV部分放射診斷技師) shall be similarly construed;

"Part I therapeutic radiographer" (第I部分放射診斷技師) means a radiographer registered in Part I (Category T) of the register and "Part II therapeutic radiographer" (第II部分放射診斷技師) and "Part IV therapeutic radiographer" (第IV部分放射診斷技師) shall be similarly construed;

"radiographer" (放射技師) means a person of the description referred to in item 2 of the Schedule to the Ordinance;

"register" (註冊名冊) means the register, kept in pursuance of section 10 of the Ordinance, for the profession of radiographers;

"registered dentist" (註冊牙醫) has the meaning assigned to it by section 2(1) of the Dentists Registration Ordinance (Cap 156);

"respondent" (答辯人) means a registered radiographer or an applicant for registration as a radiographer against or in respect of whom a complaint has been received by the Secretary under section 21;

"Secretary" (秘書) means the Secretary of the Board appointed under section 5(4)(a) of the Ordinance;

"therapeutic radiographer" (放射治療技師) means a radiographer categorized as such in accordance with section 7(3).

(Enacted 1995)

Part:	II	REGISTER AND CERTIFICATES		30/06/1997
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Section:	3	Form of register		30/06/1997
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- (1) The register shall be in the form specified in Schedule 1.
- (2) Without affecting the generality of subsection (1)-
  - (a) the register shall be divided into 4 parts, namely, Part I, Part II, Part III and Part IV respectively;
  - (b) each of the parts referred to in paragraph (a) shall be subdivided so that the following may be entered as separate categories-
    - (i) the names of diagnostic radiographers, if any, admitted to registration in that part (Category D); and
    - (ii) the names of therapeutic radiographers, if any, admitted to registration in that part (Category T).

(Enacted 1995)

Section:	4	Application for registration or provisional registration		30/06/1997
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(1) An application for registration as a radiographer under section 13 of the Ordinance or for provisional registration as a radiographer under section 15 of the Ordinance, as the case may be, shall be in accordance with Form 1 in Schedule 2.

(2) A form of application for registration or provisional registration shall be signed in the presence of a barrister, solicitor, commissioner for oaths, radiographer registered in Part I of the register or registered medical practitioner and shall be delivered to the Secretary together with 4 photographs of the applicant of such size as shall be specified by the Secretary. (47 of 1997 s. 10)

- (3) The Secretary shall refer the application of a person claiming to be qualified to be registered-
  - (a) under section 12(1)(a) or 15 of the Ordinance to the Board; and
  - (b) under section 12(1)(b) or (c) of the Ordinance to the Council,

as soon as practicable after receiving the application.

(Enacted 1995)

Section:	5	Consideration of an application by Council	30/06/1997
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On receipt of an application under section 4(3)(b), the Council shall, as soon as practicable, consider it and-

- (a) if satisfied that the applicant is qualified to be registered under section 12(1)(b) or (c) of the Ordinance, inform the Board accordingly; or
- (b) if not so satisfied, inform the Board accordingly.

(Enacted 1995)

Section:	6	Qualifications for registration	30/06/1997
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For the purposes of section 12(1)(a) of the Ordinance, a person shall be qualified for registration as a radiographer if he holds-

- (a) a Bachelor of Science degree in Radiography awarded by the Hong Kong Polytechnic or The Hong Kong Polytechnic University;
- (b) a Professional Diploma in Diagnostic Radiography issued by the Hong Kong Polytechnic or The Hong Kong Polytechnic University before 1 January 1997;
- (c) a Higher Certificate in Diagnostic Radiography issued by the Hong Kong Polytechnic or The Hong Kong Polytechnic University before 1 January 1996;
- (d) a Certificate in Diagnostic Radiography issued by the Hong Kong Polytechnic before 1 January 1991;
- (e) a Diploma issued by the Hong Kong Radiological Technicians Association before 1 January 1982; or
- (f) a certificate from the Board that he has passed an examination conducted by it under section 15A of the Ordinance for the purposes of section 12(1)(a) of the ordinance and relating to the profession of radiographers.

(Enacted 1995)

Section:	7	Categorization of radiographers	30/06/1997
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(1) For the purposes of this Regulation registered radiographers shall be categorized as provided for by subsections (2) and (3).

(2) A radiographer-

- (a) who has been trained to operate the equipment referred to in paragraphs (a) and (c) of item 2 of the Schedule to the Ordinance-
  - (i) in the course of obtaining one or more of the qualifications referred to in section 6; or
  - (ii) in the course of the experience acquired in his practice as a radiographer prior to his registration to whom a certificate of provisional registration is issued under section 15 of the Ordinance; or
- (b) who-
  - (i) has been trained to operate the equipment referred to in paragraphs (a) and (c) of item 2 of the Schedule to the Ordinance; and
  - (ii) is registered by virtue of section 12(1)(b) or (c) of the Ordinance,

shall be categorized as a diagnostic radiographer.

(3) A radiographer-

- (a) who has been trained to operate the equipment referred to in paragraphs (b) and (c) of item 2 of the Schedule to the Ordinance-
  - (i) in the course of obtaining the qualification referred to in section 6(a); or
  - (ii) in the course of the experience acquired in his practice as a radiographer prior to his registration to whom a certificate of provisional registration is issued under section 15 of the Ordinance; or
- (b) who-
  - (i) has been trained to operate the equipment referred to in paragraphs (b) and (c) of item 2 of the Schedule to the Ordinance; and
  - (ii) is registered by virtue of section 12(1)(b) or (c) of the Ordinance,

shall be categorized as a therapeutic radiographer.

(Enacted 1995)

Section:	8	Entry in the register	30/06/1997
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- (1) The name of a diagnostic radiographer who holds-
- (a) the qualification referred to in section 6(a) or (b) and, subject to subsection (2), has experience-
    - (i) of not less than 2 years;
    - (ii) acquired after obtaining the qualification referred to in section 6(a) or (b) as may be applicable; and
    - (iii) recognized by the Board for the purposes of this section; or
  - (b) the qualification referred to in section 6(c) and, subject to subsection (2), has experience-
    - (i) of not less than 10 years;
    - (ii) acquired after obtaining the qualification referred to in section 6(c), (d) or (e) and at least 3 years of which shall have been acquired after obtaining the Higher Certificate in Diagnostic Radiography issued by the Hong Kong Polytechnic or The Hong Kong Polytechnic University referred to in section 6(c); and
    - (iii) which is recognized by the Board for the purposes of this section,

and whose application for registration has been approved by the Board under section 13(2) of the Ordinance shall be entered by the Secretary in Part I (Category D) of the register.

(2) In any particular case the Board may, subject to such conditions relating to acquisition of post-qualification experience as it may impose, accept as satisfying the requirement of experience in subsection (1)(a) or (b) experience of such duration as it may determine acquired before the person becomes qualified for registration.

(3) The name of a diagnostic radiographer who holds a qualification referred to in section 6(a) or (b) but does not have the experience referred to in subsection (1)(a) and whose application for registration has been approved by the Board under section 13(2) of the Ordinance shall be entered by the Secretary in Part II (Category D) of the register.

- (4) The name of a diagnostic radiographer who holds-
- (a) the qualification referred to in section 6(c) but does not have the experience referred to in subsection (1)(b);
  - (b) a Certificate in Diagnostic Radiography issued by the Hong Kong Polytechnic referred to in section 6(d);
  - (c) a Diploma issued by the Hong Kong Radiological Technicians Association referred to in section 6(e); or
  - (d) the qualification referred to in section 6(f),

and whose application for registration has been approved by the Board under section 13(2) of the Ordinance shall be entered by the Secretary in Part III (Category D) of the register.

(5) The Secretary shall enter the names of radiographers, to whom certificates of provisional registration have been issued under section 15 of the Ordinance, and who have the experience for categorization as a diagnostic radiographer in accordance with section 7(2)(a)(ii), in Part IV (Category D) of the register.

- (6) The name of a therapeutic radiographer who-
- (a) holds the qualification referred to in section 6(a); and
  - (b) has experience-
    - (i) of not less than 2 years;
    - (ii) acquired after obtaining the qualification referred to in section 6(a); and
    - (iii) recognized by the Board for the purposes of this section,

shall be entered by the Secretary in Part I (Category T) of the register.

(7) The name of a therapeutic radiographer who holds a qualification referred to in subsection 6(a) but does not have the experience referred to in subsection (6)(b) shall be entered by the Secretary in Part II (Category T) of the register. (80 of 1997 s. 102)

(8) The Secretary shall enter the names of radiographers, to whom certificates of provisional registration have been issued under section 15 of the Ordinance, and who have the experience for categorization as a therapeutic radiographer in accordance with section 7(3)(a)(ii), in Part IV (Category T) of the register.

(9) The Secretary shall enter the name of a radiographer who is qualified to be registered by virtue of section 12(1)(b) or (c) of the Ordinance in such category and part of register as determined by the Council under section 12(1A) of the Ordinance.

(Enacted 1995)

Section:	9	Certificates of registration and provisional registration	30/06/1997
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(1) A certificate of registration issued under section 14(1) of the Ordinance shall be in accordance with Form 2A in Schedule 2.

(2) A certificate of provisional registration issued under section 15 of the Ordinance shall be in accordance with Form 2B in Schedule 2.

(Enacted 1995)

Section:	10	Examinations	30/06/1997
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(1) A candidate for an examination shall pay the fee prescribed in Schedule 3 as a condition of entry for the examination.

(2) An examination may be written, oral or practical and shall be based upon such syllabus as the Board may from time to time determine.

(3) The Board shall cause a candidate for an examination to be informed of his results after the completion of the examination.

(4) In this section "examination" (考試) means an examination held in pursuance of section 15A of the Ordinance.

(Enacted 1995)

Section:	11	Appeals	30/06/1997
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Any appeal under section 15B of the Ordinance shall be in writing and shall be made within 14 days of the aggrieved person being notified of the Board's decision.

(Enacted 1995)

Section:	12	Application for, and issue of, practising certificates	30/06/1997
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(1) An application for a practising certificate under section 16 of the Ordinance shall be in writing.

(2) A practising certificate shall be in such form as may be determined by the Secretary.

(Enacted 1995)

Section:	13	Statement by company	30/06/1997
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The statement required to be transmitted by a company carrying on the business of a radiographer to the Secretary under section 20(3) of the Ordinance shall be in accordance with Form 3 in Schedule 2.

(Enacted 1995)

Section:	14	Certificate of standing or examination	30/06/1997
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(a) certificate of standing;

(b) certificate issued by the Board in respect of any examination held in pursuance of section 15A of the Ordinance,

shall be in such form as the Board may specify.

(Enacted 1995)

Section:	15	Restrictions on the practice of radiographers	30/06/1997
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(1) Subject to subsection (2), no diagnostic radiographer may operate any irradiating apparatus.

(2) A diagnostic radiographer specified in column 2 of Part 1 of Schedule 4 may operate an irradiating apparatus-

(a) for the purpose specified in column 3 of that Part opposite to the reference to him; and

(b) where the condition specified in column 4 of that Part opposite to the reference to him is fulfilled in

relation to the operation.

(3) A therapeutic radiographer specified in column 2 of Part 2 of Schedule 4 shall not, in relation to the procedure in therapeutic radiography specified in column 3 of that Part opposite to the reference to him, practise unless the condition specified in column 4 of that Part opposite to the reference to him is fulfilled.

(Enacted 1995)

Section:	16	Exemptions		30/06/1997
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(1) Any person described in column 2 of Part 1 of Schedule 5 is exempt from the section of the Ordinance specified in column 3 of that Schedule opposite to the description of the person in each case.

(2) Any person described in column 2 of Part 2 of Schedule 5 is, subject to the conditions specified in subsection (3) as may be applicable in that particular case, exempt from the section of the Ordinance specified in column 3 of that Schedule opposite to the description of the person in each case.

(3) The conditions referred to in subsection (2) are that where the exempt person's practice is that of-

- (a) a diagnostic radiographer, he shall employ a Part I diagnostic radiographer and carry on his practice under such radiographer's supervision;
- (b) a therapeutic radiographer, he shall employ a Part I therapeutic radiographer and carry on his practice under such radiographer's supervision;
- (c) a diagnostic radiographer and a therapeutic radiographer both, he shall-
  - (i) employ a radiographer referred to in paragraph (a) and carry on his practice as a diagnostic radiographer under such radiographer's supervision; and
  - (ii) employ a radiographer referred to in paragraph (b) and carry on his practice as a therapeutic radiographer under such radiographer's supervision.

(4) A radiographer employed under subsection (3)(c)(i) and (ii) may be the same person.

(Enacted 1995)

Section:	17	Exemptions for companies		30/06/1997
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A company registered under the Companies Ordinance (Cap 32) which carries on the business of practising diagnostic radiography is exempt from the provisions of section 20(2)(a) of the Ordinance to the extent that its directors do not have to fulfil the condition prescribed in subparagraph (ii) of that section.

(Enacted 1995)

Section:	18	Fees		30/06/1997
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The fees payable under the Ordinance and this Regulation shall be those specified in Schedule 3.

(Enacted 1995)

Part:	III	PROCEEDINGS PREPARATORY TO HEARING BY THE BOARD		30/06/1997
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Section:	19	Interpretation (Part III)		30/06/1997
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In this Part and Schedule 6-

"complaint" (申訴) means-

- (a) a complaint in respect of a registered radiographer; or
  - (b) an information in respect of an application for registration as a radiographer,
- as to any of the matters referred to in section 22(1)(a), (b), (c), (d) or (e) of the Ordinance.

(Enacted 1995)

Section:	20	Preliminary Investigation Committee		30/06/1997
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(1) For the purposes of performing the functions conferred upon it by the Ordinance and this Regulation, there

shall be a Preliminary Investigation Committee which shall consist of-

- (a) a chairman who shall be-
  - (i) a member of the Board; and
  - (ii) nominated by the Board and appointed by the Chairman of the Board;
- (b) a Part I diagnostic radiographer ordinarily resident in Hong Kong, not being a member of the Board, nominated by the Hong Kong Radiographers' Association and appointed by the Chairman of the Board;
- (c) a Part I diagnostic radiographer ordinarily resident in Hong Kong, not being a member of the Board, nominated by the Hong Kong Radiological Technicians Association and appointed by the Chairman of the Board;
- (d) 2 Part I therapeutic radiographers, not being members of the Board, nominated by the Association of Therapeutic Radiographers and appointed by the Chairman of the Board.

(2) Save as provided in Schedule 6 the members of the Committee shall hold office for 12 months but at the end of such period they may be renominated and reappointed.

(3) Schedule 6 shall apply in relation to the Committee.

(4) In discharging its functions in relation to a complaint in respect of-

- (a) a diagnostic radiographer or application for registration as a diagnostic radiographer, the Committee shall be constituted by-
  - (i) the Chairman of the Committee; and
  - (ii) the members appointed under subsection (1)(b) and (c);
- (b) a therapeutic radiographer or application for registration as a therapeutic radiographer, the Committee shall be constituted by-
  - (i) the Chairman of the Committee; and
  - (ii) the members appointed under subsection (1)(d).

(Enacted 1995)

Section:	21	Submission of complaint	30/06/1997
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Where a complaint is received by the Secretary, he shall submit it to the Chairman of the Committee.

(Enacted 1995)

Section:	22	Complaint touching conduct	30/06/1997
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(1) Where, in a complaint submitted by the Secretary to the Chairman of the Committee under section 21, any allegation is made which in the opinion of the Chairman of the Committee gives rise to a question whether a registered radiographer or an applicant for registration-

- (a) has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;
- (b) has been guilty in Hong Kong or elsewhere of unprofessional conduct; or
- (c) is guilty of any of the matters referred to in section 22(1)(c), (d) or (e) of the Ordinance,

the Chairman of the Committee may require that the complaint be formulated in writing setting out the grounds thereof and, except where the complaint is in writing under the hand of a public officer, supported by one or more statutory declarations as to the facts of the case.

(2) Each statutory declaration referred to in subsection (1) shall-

- (a) state the address and description of the declarant; and
- (b) if any fact declared is not within the personal knowledge of the declarant, state the source of the declarant's information and the ground for his belief in the truth of the fact.

(Enacted 1995)

Section:	23	Reference of complaint to Committee	30/06/1997
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(1) On receiving a complaint submitted under section 21, the Chairman of the Committee shall, if satisfied that the complaint is frivolous or groundless and should not proceed further, dismiss it, and in any other case-

- (a) direct the Secretary that the complaint be referred to the Committee to consider whether it should be referred to the Board for inquiry; and
- (b) fix a date for the meeting of the Committee to consider the complaint.

- (2) Where the Secretary is directed to refer a complaint to the Committee under subsection (1)(a), he shall-
- (a) refer the complaint to the Committee;
  - (b) notify the respondent of the receipt of the complaint;
  - (c) inform him of the substance thereof;
  - (d) forward to him a copy of any statutory declaration furnished under section 22(1);
  - (e) inform him of the date fixed for the meeting of the Committee to consider the complaint; and
  - (f) invite him to submit to the Committee any explanation he wishes to offer for his conduct or any other matter alleged in the complaint.

(Enacted 1995)

Section:	24	Consideration of complaint by Committee	30/06/1997
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- (1) The Secretary shall, at the meeting at which a complaint is considered, put before the Committee-
- (a) the complaint;
  - (b) any statutory declaration;
  - (c) any explanation submitted by the respondent; and
  - (d) any other available document or matter in the nature of evidence relevant to the complaint.
- (2) The Committee shall consider any documents or matter put before it under subsection (1) and, subject to subsection (3), shall determine either-
- (a) that no inquiry shall be held; or
  - (b) that the complaint or any part of it shall be referred to the Board for inquiry.
- (3) Before coming to a determination under subsection (2), the Committee may cause to be made such further investigation and may obtain such additional advice or assistance as it considers necessary.

(Enacted 1995)

Section:	25	Determination of Committee that no inquiry be held	30/06/1997
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If the Committee determines that no inquiry shall be held, it shall direct that the complaint be dismissed and the Secretary shall inform the complainant, if any, and the respondent accordingly.

(Enacted 1995)

Section:	26	Determination of Committee that inquiry be held	30/06/1997
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- (1) If the Committee determines that an inquiry shall be held it shall refer the case to the Board and the Chairman of the Committee shall notify the Chairman of the Board of the matters into which inquiry is to be made.
- (2) Where a matter is referred to the Board under subsection (1), the Chairman of the Board shall fix a date upon which it is proposed that the inquiry shall be held and the Secretary shall, within 1 month of the determination of the Committee to refer the complaint to the Board, serve on the respondent-
- (a) a notice of inquiry which shall be in accordance with Form 4 in Schedule 2; and
  - (b) a copy of this Regulation.
- (3) An inquiry shall not be held until 28 days after the date of service of the notice of inquiry unless the respondent consents in writing to holding it earlier.
- (4) Service of a notice of inquiry on the respondent shall be by registered post addressed to him at his address last known to the Secretary.
- (5) Within the time stipulated for service of the notice of inquiry, the Secretary shall send a copy of the notice of inquiry to any complainant.

(Enacted 1995)

Section:	27	Adjournment of inquiry	30/06/1997
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- (1) The Chairman of the Board may, at any time, on his own accord or upon an application in writing by the respondent, adjourn any inquiry to such date as he thinks fit.
- (2) Notice of any such adjournment shall be given to the respondent and to any complainant.

(Enacted 1995)

Section:	28	Documents to be furnished to Board		30/06/1997
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The respondent and any complainant shall furnish to the Secretary, not less than 10 days before the date of an inquiry or such lesser period as the Board may determine, 2 copies of all documents upon which he intends to rely at the hearing of the inquiry.

(Enacted 1995)

Section:	29	Documents to be available to each party		30/06/1997
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The Secretary on the request of the respondent or a complainant and on the payment of reasonable charges (if any) shall send to the respondent or to the complainant, as the case may be, copies of any document sent to the Secretary by the other party for the purposes of an inquiry.

(Enacted 1995)

Section:	30	Notice to produce		30/06/1997
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Any party may at any time give to any other party notice to produce any document alleged to be in the possession of that party and, on failure to produce such document, may prove the contents thereof by any alternative method.

(Enacted 1995)

Section:	31	Amendment of notice		30/06/1997
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(1) Where before the hearing or at any stage of the hearing it appears to the Board that a notice of inquiry is defective, the Chairman of the Board may give such directions for the amendment of the notice as may be thought necessary to meet the circumstances of the case unless, having regard to the merits of the case, he is of the opinion that the required amendments cannot be made without prejudice to the respondent.

(2) The Secretary shall, as soon as is practicable, after the amendment of a notice of inquiry, give notice in writing thereof to the respondent and to any complainant.

(Enacted 1995)

Part:	IV	PROCEEDINGS AT HEARING OF THE BOARD	L.N. 90 of 2004	01/08/2004
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Section:	32	Interpretation (Part IV)	L.N. 90 of 2004	01/08/2004
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In this Part-

"order" (命令) means an order made by the Board in the exercise of its powers under section 22 of the Ordinance;

"Secretary" (秘書) includes a counsel, a solicitor or a legal officer appointed in pursuance of section 34. (L.N. 90 of 2004)

(Enacted 1995.)

Section:	33	Record of proceedings		30/06/1997
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(1) A shorthand writer may be appointed by the Board to prepare a verbatim record of the proceedings.

(2) If a verbatim record of any proceedings or any part of any proceedings has been prepared the Chairman of the Board, on application to him by any party and on the payment of reasonable charges (if any), shall furnish such party with a copy of such record.

(Enacted 1995)

Section:	34	Appointment of counsel, solicitor or legal officer as Secretary	L.N. 90 of 2004	01/08/2004
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On the application of the Secretary of the Board appointed under section 5(4)(a) of the Ordinance, the Secretary for Justice may appoint a counsel, a solicitor or a legal officer within the meaning of the Legal Officers Ordinance (Cap 87) to carry out the duties which a secretary has to perform in an inquiry where the complainant is not present and is not represented by counsel or solicitor.

(Enacted 1995. L.N. 362 of 1997; L.N. 90 of 2004)

Section:	35	Opening of inquiry		30/06/1997
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(1) At the opening of an inquiry the Secretary shall read the notice of inquiry.

(2) If the respondent is not present and is not represented by a counsel or solicitor at the opening of the inquiry, the Secretary shall furnish to the Board such evidence as the Board may require that the notice of inquiry was served on the respondent in accordance with section 26(4) and, on being satisfied as to such evidence, the Board may proceed with the inquiry in the absence of the respondent.

(3) If the respondent is present at the inquiry the Chairman of the Board, immediately after the notice of inquiry has been read, shall inform him of his right to cross-examine witnesses, to give evidence and to call witnesses on his behalf.

(Enacted 1995)

Section:	36	Objections on point of law		30/06/1997
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(1) After the reading of the notice of inquiry the respondent, or his counsel or solicitor, may object to any charge or allegation as the case may be, on a point of law and the Secretary and any other party to the inquiry may reply thereto and, if the Secretary or any party replies to that objection, the respondent, or his counsel or solicitor, shall be permitted to answer such reply.

(2) If such objection is upheld by the Board the charge to which such objection relates shall be considered only subject to such objection.

(Enacted 1995)

Section:	37	Order of procedure before Board		30/06/1997
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(1) After the reading of the notice of inquiry the order of procedure set out in subsections (2) to (8) shall be observed.

(2) The complainant, or his counsel or solicitor, or in their absence, or if there is no complainant, the Secretary, shall present the case against the respondent and adduce the evidence in support thereof and then close the case against the respondent.

(3) At the close of the case against the respondent, he or his counsel or solicitor may make either or both of the following submissions in relation to any charge or allegation in respect of which evidence has been adduced-

- (a) that sufficient evidence has not been adduced upon which the Board can find that the facts alleged in the complaint have been proved;
- (b) that the facts alleged in the complaint are not such as to constitute the offence charged or the allegation made against the respondent.

(4) Where a submission under subsection (3) is made, a reply thereto may be made by the complainant, or by his counsel or solicitor, or in their absence by the Secretary, and the respondent may answer such reply.

(5) The Board shall determine whether the submission made under subsection (3) shall be upheld and the Chairman of the Board shall announce the determination of the Board.

(6) If the Board-

- (a) upholds the submission in respect of any charge or allegation, the finding shall be recorded that the respondent is not guilty on that charge or allegation;
- (b) rejects the submission, the Chairman of the Board shall call upon the respondent to state his case.

(7) When called upon to state the case, the respondent, or his counsel or solicitor, may then adduce evidence in support of the respondent's case and may address the Board once, either before or after adducing evidence.

(8) At the conclusion of the case of the respondent, the complainant, or his counsel or solicitor, or in their

absence the Secretary, may address the Board in reply-

- (a) if evidence other than the respondent's own evidence was adduced on his behalf; or
- (b) with the special leave of the Board.

(Enacted 1995)

Section:	38	Determination by Board or postponement to future meeting	30/06/1997
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At the conclusion of the proceedings the Board shall either-

- (a) determine whether the facts alleged in any charge or allegation have been proved to its satisfaction and whether the respondent is guilty as alleged or charged; or
- (b) postpone its determination to a future meeting to be held on a date to be decided by the Board,

and the Chairman of the Board shall announce the decision of the Board.

(Enacted 1995)

Section:	39	Notification of meeting for determination	30/06/1997
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(1) Where the Board decides to postpone its determination to a future meeting, the Secretary shall, not less than 1 week before the date fixed for such future meeting, serve on the respondent a notice specifying the date, time and place fixed for the meeting of the Board and invite the respondent to appear at such meeting.

(2) A notice under subsection (1) shall be served by registered post addressed to the respondent at his address last known to the Secretary, and a copy of the notice shall be sent to the complainant, if any.

(Enacted 1995)

Section:	40	Determination by Board at future meeting	30/06/1997
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At any future meeting of the Board referred to in section 38(b), the Board shall determine whether the facts alleged in any charge or allegation have been proved to its satisfaction and whether the Board finds the respondent guilty as alleged or charged and the Chairman of the Board shall announce the Board's determination.

(Enacted 1995)

Section:	41	Making of an order or postponement to future meeting	30/06/1997
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Where the Board makes a finding of guilt or that any allegation against the respondent has been proved under section 38(a) or 40, it shall-

- (a) if the respondent is a registered person, subject to section 44, make an order; and
- (b) if the respondent is an applicant for registration, subject to section 44, decide whether to reject his application for registration; or
- (c) postpone to a future meeting to be held on a date to be decided by the Board, the making of an order under paragraph (a) or a decision under paragraph (b),

and the Chairman of the Board shall announce the decision of the Board.

(Enacted 1995)

Section:	42	Notification of meeting for an order	30/06/1997
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(1) Where the Board postpones to a future meeting the making of an order or a decision under section 41, the Secretary shall, not less than 1 week before the date fixed for such meeting, serve on the respondent a notice specifying the date, time and place fixed for the meeting and inviting him to appear at the meeting.

(2) A notice under subsection (1) shall be served by registered post addressed to the respondent at his address last known to the Secretary, and a copy of the notice shall be sent to the complainant, if any.

(Enacted 1995)

Section:	43	Making of order at future meeting	30/06/1997
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At any future meeting referred to in section 41(c), the Board shall, subject to section 44-

- (a) if the respondent is a registered person, determine the order to be made; and
- (b) if the respondent is an applicant for registration, decide whether to reject his application for registration,

and the Chairman of the Board shall announce the determination or decision of the Board.

(Enacted 1995)

Section:	44	Opportunity for mitigation		30/06/1997
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(1) At any meeting of the Board at which the Board makes in respect of a respondent an order or a decision to decline his application for registration, before the order or decision is made, an opportunity shall be given to the respondent or his counsel or solicitor to make a statement in mitigation and to adduce evidence as to the circumstances leading to the commission of the offence or the conduct complained of and as to the character and antecedents of the respondent.

(2) At any meeting referred to in subsection (1), before the order or decision of the Board is made-

- (a) the Secretary or any other person presenting the case against the respondent may, if the respondent has been the subject of a previous order, produce to the Board the records of the meeting at which that order was made; and
- (b) the respondent, in person or by his counsel or solicitor, may make a statement by way of mitigation and adduce evidence as to the circumstances leading to the previous order.

(Enacted 1995)

Section:	45	Evidence		30/06/1997
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(1) Evidence may be taken by the Board by oral statement on oath or by written deposition or statement.

(2) A summons under section 23(1)(b) of the Ordinance to any person requiring him to attend an inquiry to give evidence or produce any document or other thing in his possession shall be in accordance with Form 5 in Schedule 2.

(3) Every witness shall be examined by the party producing him and may then be cross-examined by the other party and may be re-examined by the party calling the witness only upon matters arising out of the cross-examination.

(4) The Board may decline to admit the evidence of any deponent to a document who is not present for, or who declines to submit to, cross-examination.

(5) The Chairman of the Board, and members of the Board through the Chairman of the Board, may put such questions to the parties or to any witness as they may think desirable, and the other parties may then re-examine such party or witness on matters arising out of such questioning.

(Enacted 1995)

Section:	46	Voting		30/06/1997
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(1) Every question before the Board shall be determined by the opinion of the majority of the members of the Board.

(2) In the taking of the votes of the Board on any question to be determined by it, the Chairman of the Board shall call upon the members to signify their votes and shall thereupon declare the determination of the Board in respect of such question.

(3) Where the determination of the Board so declared by the Chairman of the Board is challenged by any member of the Board, the Chairman of the Board shall call upon each member severally to declare his vote, announce his own vote and announce the number of members of the Board who have voted each way, and the result of the vote.

(4) No person other than members of the Board and the Legal Adviser shall be present when the Board votes on any matter.

(Enacted 1995)

Part:	V	DUTIES OF LEGAL ADVISER		30/06/1997
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Section:	47	Inquiry by Board		30/06/1997
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The Legal Adviser shall be present at every inquiry held by the Board in accordance with section 13 or 22 of the Ordinance and no such inquiry shall commence if the Legal Adviser is not present.

(Enacted 1995)

Section:	48	Ordinary meetings of Board		30/06/1997
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The Chairman of the Board may give to the Legal Adviser prior notice that his advice may be required at any meeting of the Board, other than an inquiry under section 13 or 22 of the Ordinance, or at any meeting of the Committee and, if such notice is given, the Legal Adviser shall be present at such meeting.

(Enacted 1995)

Section:	49	Advice by Legal Adviser		30/06/1997
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(1) When the Legal Adviser advises the Board on any question of law as to evidence, procedure or any other matter in any inquiry under section 13 or 22 of the Ordinance he shall do so in the presence of every party to the proceedings or the person representing each party or, if the advice is tendered after the Board has commenced to deliberate as to its findings, every such party or person as aforesaid shall be informed of the advice that the Legal Adviser has tendered.

(2) In any case where the Board does not accept the advice of the Legal Adviser on any such question as aforesaid, every such party or person shall be informed of this fact.

(Enacted 1995)

Part:	VI	MISCELLANEOUS		30/06/1997
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Section:	50	Application to section 13(3) inquiry		30/06/1997
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Where specific provision has not been made in this Regulation in respect of an inquiry held for the purposes of section 13(3) of the Ordinance, any provision applicable to an inquiry held for the purposes of section 22 of the Ordinance shall apply and may be construed with such modifications not affecting substance as may be necessary to render it conveniently applicable.

(Enacted 1995)

Schedule:	1	Register of Radiographers		30/06/1997
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[section 3]

FORM OF REGISTER

SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE

(Chapter 359)

RADIOGRAPHERS (REGISTRATION AND DISCIPLINARY PROCEDURE) REGULATION

PART I

(Category D)

REGISTRATION NO. : .....

NAME : ..... ( )

ADDRESS : .....

BUSINESS ADDRESS : .....

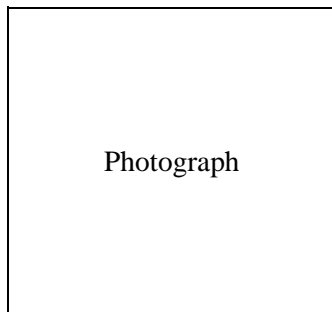
QUALIFICATIONS AND DATE OBTAINED : .....  
.....

DETAILS OF WORKING EXPERIENCE : .....  
.....

CERTIFICATE OF REGISTRATION SERIAL NO. : .....

DATE OF REGISTRATION : .....

REMARKS : .....  
.....



.....  
Secretary,  
Radiographers Board.

PART I  
(Category T)

REGISTRATION NO. : .....

NAME : ..... ( )

ADDRESS : .....

BUSINESS ADDRESS : .....

QUALIFICATIONS AND DATE OBTAINED : .....

DETAILS OF  
WORKING  
EXPERIENCE

: .....  
.....

CERTIFICATE OF  
REGISTRATION  
SERIAL NO.

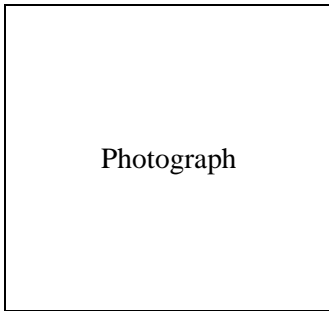
: .....

DATE OF  
REGISTRATION

: .....

REMARKS

: .....  
.....



.....  
Secretary,  
Radiographers Board.

**PART II**  
(Category D)

REGISTRATION NO. : .....

NAME : ..... ( )

ADDRESS : .....

BUSINESS ADDRESS : .....

QUALIFICATIONS  
AND DATE  
OBTAINED

: .....  
.....

DETAILS OF  
WORKING  
EXPERIENCE

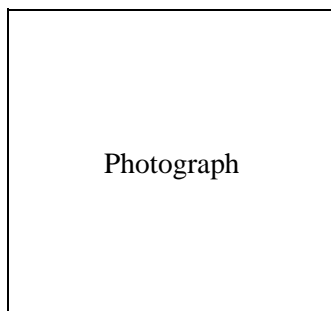
: .....  
.....

CERTIFICATE OF  
REGISTRATION

SERIAL NO. : .....

DATE OF REGISTRATION : .....

REMARKS : .....  
.....



.....  
Secretary,  
Radiographers Board.

PART II  
(Category T)

REGISTRATION NO. : .....

NAME : ..... ( )

ADDRESS : .....

BUSINESS ADDRESS : .....

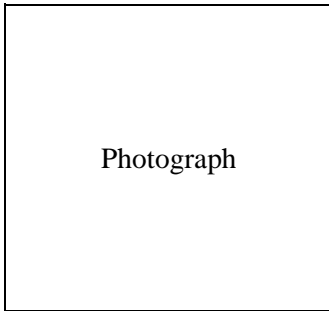
QUALIFICATIONS AND DATE OBTAINED : .....  
.....

DETAILS OF WORKING EXPERIENCE : .....  
.....

CERTIFICATE OF REGISTRATION SERIAL NO. : .....

DATE OF REGISTRATION : .....

REMARKS : .....  
.....



Secretary,  
Radiographers Board.

.....

**PART III**  
**(Category D)**

REGISTRATION NO. : .....

NAME : ..... ( )

ADDRESS : .....

BUSINESS ADDRESS : .....

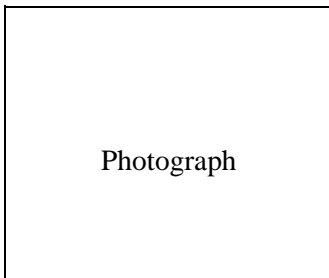
QUALIFICATIONS  
AND DATE  
OBTAINED : .....  
.....

DETAILS OF  
WORKING  
EXPERIENCE : .....  
.....

CERTIFICATE OF  
REGISTRATION  
SERIAL NO. : .....

DATE OF  
REGISTRATION : .....

REMARKS : .....  
.....



Secretary,

.....

[Empty box]

Radiographers Board.

PART IV  
(Category D)

REGISTRATION NO. : .....

NAME : ..... ( )

ADDRESS : .....

BUSINESS ADDRESS : .....

QUALIFICATIONS AND DATE OBTAINED : .....  
.....

DETAILS OF WORKING EXPERIENCE : .....  
.....

CERTIFICATE OF PROVISIONAL REGISTRATION SERIAL NO. : .....

DATE OF REGISTRATION : .....

REMARKS : .....  
.....

Photograph

[Empty box for photograph]

.....  
Secretary,  
Radiographers Board.

PART IV  
(Category T)

REGISTRATION NO. : .....

NAME : ..... ( )

ADDRESS : .....

BUSINESS ADDRESS : .....

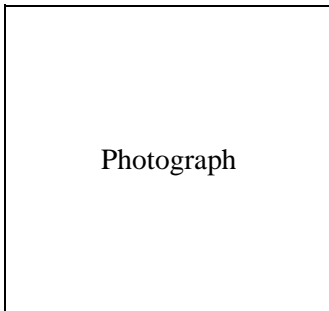
QUALIFICATIONS AND DATE OBTAINED : .....

DETAILS OF WORKING EXPERIENCE : .....

CERTIFICATE OF PROVISIONAL REGISTRATION SERIAL NO. : .....

DATE OF REGISTRATION : .....

REMARKS : .....



.....  
 Secretary,  
 Radiographers Board.

Schedule:	2	FORMS	L.N. 90 of 2004	01/08/2004
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[sections 4(1), 9, 13,  
 26(2) & 45(2)]

FORMS

FORM 1 [section 4(1)]

SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE  
 (Chapter 359)

**RADIOGRAPHERS (REGISTRATION AND DISCIPLINARY  
PROCEDURE) REGULATION**

Application for Registration/Provisional  
Registration as a Radiographer

I ..... of  
(name in both English and Chinese)

..... being  
(correspondence or home address)

qualified for registration under section 12(1)\*(a)/(b)/(c)/section 15 of the Supplementary Medical Professions Ordinance apply for \*registration/provisional registration as a radiographer and request that my name be placed on Part ..... (Category .....) of the Register.

2. I hold the following qualifications (please state qualifications obtained in chronological order):

Qualification	Issuing Authority	Date Issued

3. I have the following professional experience (please state professional experience obtained in chronological order):

Post Title	Name of Organization/Company	Period	
		From	To

4. My business address(es) \*is/are as follows:

(English) .....  
.....  
(Chinese) .....  
.....

5. My telephone numbers are ..... (Home) ..... (Office).

6. I \*+ have/have not been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment. I \*have/have not been found guilty in Hong Kong or elsewhere of unprofessional conduct. I \*am/am not the subject of an existing order under section 22(1)(i) or (ii) of the Supplementary Medical Professions Ordinance.

I declare that the information given in this application is correct to the best of my knowledge and belief.

Signed at .....

}

.....

.....

the ..... day of ..... 19 .....

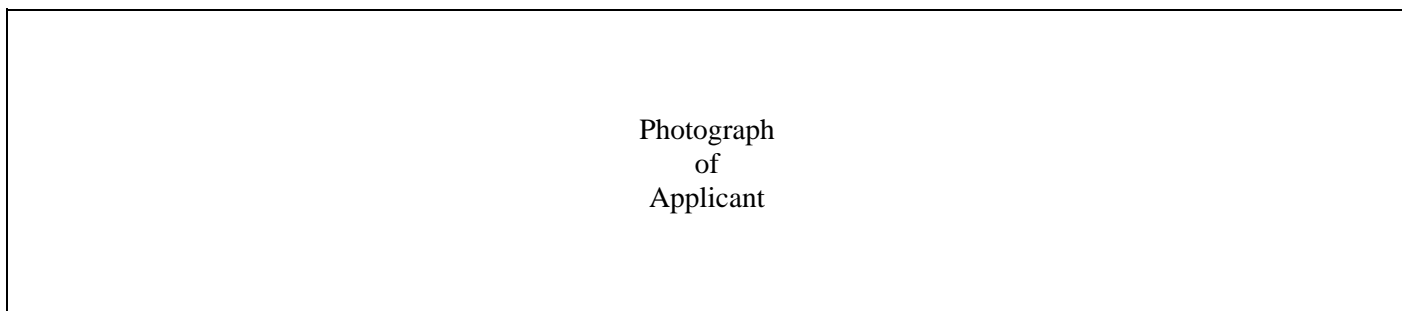
(Signature of Applicant)

Before me,

.....  
(Name in block letters)

.....  
(Signature)

\* Radiographer registered in Part I of the Register/Barrister/Solicitor/Registered Medical Practitioner/Commissioner for Oaths.



+ Please supply details of conviction.

\* Delete if inappropriate.

(47 of 1997 s. 10)

FORM 2A

[section 9(1)]

RADIOGRAPHERS BOARD

HONG KONG

SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE

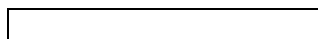
(Chapter 359)

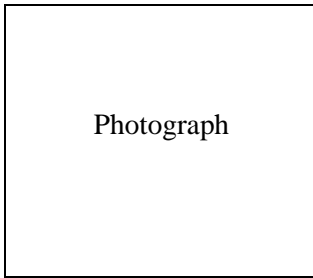
Certificate of Registration

Number of Register: .....

This is to certify that ..... whose address is ..... and whose photograph appears hereon was on the ..... day of ..... 19 ..... admitted to Part ..... (Category .....) of the Register of Radiographers.

Dated this ..... day of ..... 19 .....





.....  
Secretary,  
Radiographers Board.  
(L.N. 90 of 2004)

FORM 2B

[section 9(2)]

RADIOGRAPHERS BOARD

HONG KONG

SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE

(Chapter 359)

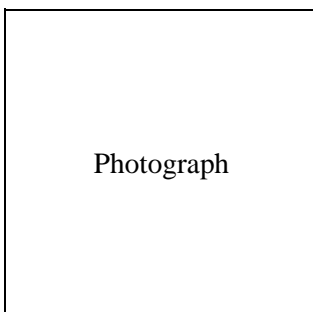
Certificate of Provisional Registration

Number of Register: .....

This is to certify that ..... whose address is ..... and whose photograph appears hereon was on the ..... day of ..... 19 ..... admitted to Part IV (Category .....) of the Register of Radiographers subject to the undermentioned conditions.

Conditions imposed pursuant to section 15(3) of the Supplementary Medical Professions Ordinance-

Dated this ..... day of ..... 19 .....



.....  
Secretary,  
Radiographers Board.  
(L.N. 90 of 2004)

FORM 3

[section 13]

SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE

(Chapter 359)

**RADIOGRAPHERS (REGISTRATION AND DISCIPLINARY  
PROCEDURE) REGULATION**

Particulars of a Company carrying on the  
Business of Practising Radiography

Presented by .....  
(Name of Company)  
of .....  
(Registered Business Address)  
.....  
(Business Registration Certificate No.)

Particulars of the names and addresses of all persons who are professionally qualified directors, other directors or managers of the above company in respect of the business of radiography carried on by it at .....  
..... under the name  
of .....

Name in full	Position	Certificate of Registration No. and Date of Registration where Directors are registered	Part and Category registered in	Residential address

and of persons who practise radiography in connection with the business of the said company in the above.

Name in full	Residential address	Occupation	Qualifications	Certificate of Registration No. and Date of Registration	Part and Category registered in	Duties Performed

Dated this ..... day of ..... 19 .....

(Signature) .....  
(State whether director  
or manager or secretary)

SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE

(Chapter 359)

RADIOGRAPHERS (REGISTRATION AND DISCIPLINARY PROCEDURE) REGULATION

Notice of Inquiry

[Date]

Sir/Madam,

On behalf of the Radiographers Board notice is hereby given to you that, in consequence of a complaint made against you to the Board/information received by the Board, an inquiry is to be held into the following charge(s) against you-

(If the allegation relates to conviction) That you were on the ..... day of ..... 19 ..... at ..... (specify court recording the conviction) convicted of ..... (set out particulars of the conviction in sufficient detail to identify the case).

or

(If the charge relates to conduct) That you ..... (set out briefly the facts alleged); and that in relation to the facts alleged you have been guilty of unprofessional conduct.

or

(If the allegation relates to obtaining registration by fraud or misrepresentation) That you ..... (set out briefly the fact alleged); and that in relation to the facts alleged you obtained registration by fraud or misrepresentation.

or

(If the allegation is that the registered radiographer was not qualified, at the time of his registration, to be registered) That you ..... (set out briefly the facts alleged); and that in relation to the facts alleged you were not at the time of your registration qualified to be registered.

or

(If the allegation is that the registered radiographer has not complied with or is in breach of any condition of his registration or has failed to comply with the Ordinance) That you .....

..... (set out briefly the facts alleged).

or

(If the charge or allegation is that an applicant for registration has been convicted in Hong Kong or elsewhere of any offence punishable with imprisonment, has been guilty of unprofessional conduct, is not qualified to be registered in his application for registration, has been guilty of fraud or misrepresentation or has failed to comply with the Ordinance) That on the ..... day of ..... 19 ..... you made application to the Secretary for registration in accordance with section 13 of the Supplementary Medical Professions Ordinance, whereas ..... (set out briefly the facts alleged); and that in relation to the facts alleged your name should not be approved to be entered upon the Register.

(Where there is more than one charge or allegation they are to be numbered consecutively).

Notice is further given to you that on ..... (day of the week) the ..... day of ..... 19 ....., a meeting of the Board will be held at ..... ,at ..... a.m./p.m. to consider the above-mentioned charge(s)/allegation(s) in a complaint against you, and to determine whether or not the Board should take any action against you under section ..... (state whether section 13 or 22) of the Supplementary Medical Professions Ordinance.

You are hereby invited to answer in writing the above-mentioned charge(s)/allegation(s) and also to appear before the Board at the place and time specified above, for the purpose of answering such charge(s)/allegation(s). You may appear in person or by counsel or solicitor. The Board has power, if you do not appear, to hear and decide upon the said charge(s)/allegation(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)/allegation(s) in a complaint should be addressed to the Secretary.

If you desire to make any application that the inquiry should be postponed, you should send an application in writing 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 Board.

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

.....  
Secretary,  
Radiographers Board.

FORM 5

section 45(2)

SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE

(Chapter 359)

RADIOGRAPHERS (REGISTRATION AND DISCIPLINARY  
PROCEDURE) REGULATION

Summons to Witness

In the matter of a Disciplinary Inquiry under section 13/section 22 of the Ordinance:

And in the matter of <sup>(1)</sup> ..... To  
<sup>(2)</sup> .....

You are hereby summoned to appear before the Radiographers Board at ..... on 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 .....

.....  
 Chairman,  
 Radiographers Board.

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

(Enacted 1995)

Schedule:	3	FEES	L.N. 89 of 2006	01/07/2006
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[sections 10 & 18]

Item	Particular	Fee \$
1.	Registration under section 13 of the Ordinance .....	1155
2.	Provisional registration under section 15 of the Ordinance .....	1085
3.	Practising certificate issued under section 16 of the Ordinance .....	395
4.	Certified copy of a certificate of registration under section 14(3) of the Ordinance	270
5.	Duplicate certificate of registration under section 14(7) of the Ordinance .....	315
6.	Restoration to the register under section 10(5) of the Ordinance .....	510
7.	Certificate of standing under section 14A of the Ordinance .....	625
8.	Examination fee for an examination for the purpose of section 15A of the Ordinance .....	1460
9.	Certificate verifying registration under section 14A of the Ordinance .....	475

(Enacted 1995. L.N. 319 of 1996; L.N. 323 of 2000; L.N. 89 of 2006)

PART 1

Item	Radiographer	Purpose	Condition
1.	Part I diagnostic radiographer Part II diagnostic radiographer Part III diagnostic radiographer	Medical exposure involving the use of a contrast medium or tomography for diagnostic purposes.	Under the personal supervision of a medical practitioner who must be present on the premises in which the examination is taking place at the time it takes place.
2.	Part I diagnostic radiographer	Medical exposure involving localization fluoroscopy for positioning of a patient in radiodiagnostic examinations to be undertaken by a medical practitioner.	Under the personal supervision of a medical practitioner who must be present on the premises in which the examination is taking place at the time it takes place.
3.	Part I diagnostic radiographer	Medical exposure involving the taking of plain radiograph for diagnostic purposes.	On referral by- (a) a medical practitioner; (b) in the case of medical exposure of the teeth or jaw, either a medical practitioner or a registered dentist; or (c) in the case of medical exposure of the vertebral column and peripheral joints, including the pelvis, either a medical practitioner or a chiropractor. (L.N. 90 of 2004)
4.	Part II diagnostic radiographer Part III diagnostic radiographer	Medical exposure involving the taking of plain radiograph for diagnostic purposes.	(a) On referral by- (i) a medical practitioner; (ii) in the case of medical exposure of the teeth or jaw, either a medical practitioner or a registered dentist; or (iii) in the case of medical exposure of the vertebral column and peripheral joints, including the pelvis, either a medical practitioner or a chiropractor; and (L.N. 90 of 2004) (b) under the direction of- (i) a medical practitioner; or (ii) a Part I diagnostic radiographer.
5.	Part IV diagnostic radiographer	Medical exposure involving the taking of plain radiograph for diagnostic purposes.	(a) On referral by- (i) a medical practitioner; (ii) in the case of medical exposure of the teeth or jaw, either a medical practitioner or a registered dentist; or (iii) in the case of medical exposure of the vertebral column and peripheral joints, including the pelvis, either a medical practitioner or a chiropractor; and (L.N. 90 of 2004)

- (b) under the personal supervision of any of the following persons who must be present on the premises in which the examination is taking place at the time it takes place-
  - (i) a medical practitioner;
  - (ii) a Part I diagnostic radiographer; or
  - (iii) a Part II diagnostic radiographer or Part III diagnostic radiographer acting subject to the direction of a medical practitioner or a Part I diagnostic radiographer.

## PART 2

Item	Radiographer	Procedure	Condition
1.	Part I therapeutic radiographer	All procedures in therapeutic radiography.	Under the direction of a medical practitioner.
2.	Part II therapeutic radiographer	(a) All procedures in therapeutic radiography without involving radioactive substances. (b) All procedures in therapeutic radiography involving radioactive substances.	Under the supervision of- (a) a medical practitioner; or (b) a Part I therapeutic radiographer acting subject to the direction of a medical practitioner.  Under the personal supervision of any of the following persons who must be present on the premises in which the treatment is taking place at the time it takes place- (a) a medical practitioner; or (b) a Part I therapeutic radiographer acting subject to the direction of a medical practitioner.
3.	Part IV therapeutic radiographer	All procedures in therapeutic radiography.	Under the personal supervision of any of the following persons who must be present on the premises in which the treatment is taking place at the time it takes place- (a) a medical practitioner; or (b) a Part I therapeutic radiographer acting subject to the direction of a medical practitioner.

(Enacted 1995)

Schedule:	5	EXEMPTION FROM THE ORDINANCE	L.N. 7 of 1999; L.N. 3 of 1999	15/01/1999
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[section 16]

Item	Person Exempt	Exempt Section
PART 1		
1.	A registered medical practitioner while practising medicine	21(1)
2.	A registered dentist while practising dentistry	21(1)

3. A veterinary surgeon registered under the Veterinary Surgeons Registration Ordinance (Cap 529) in relation to any treatment by him of an animal (L.N. 7 of 1999)
4. A student in the course of undergoing any course in medicine or dentistry at the University of Hong Kong or The Chinese University of Hong Kong (except during a period between the end of an academic year of the relevant course and the beginning of the next academic year)
5. A student in the course of undergoing any course in radiography at The Hong Kong Polytechnic University while practising radiography at such institutions as the Board may specify

PART 2

6. A hospital to which the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap 165) applies carried on by an individual and registered under that Ordinance
7. A hospital to which the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap 165) applies carried on by a corporation and registered under that Ordinance
8. A maternity home to which the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap 165) applies carried on by an individual and registered under that Ordinance
9. A maternity home to which the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap 165) applies carried on by a corporation and registered under that Ordinance
10. A medical clinic carried on by an individual and registered under the Medical Clinics Ordinance (Cap 343)
11. A medical clinic carried on by a corporation and registered under the Medical Clinics Ordinance (Cap 343)

(Enacted 1995)

Schedule:	6	PRELIMINARY INVESTIGATION COMMITTEE		30/06/1997
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[sections 19 & 20]

1. Member ceasing to be member on becoming member of Board

A member of the Committee other than the Chairman of the Committee who during the period of his office becomes a member of the Board shall cease to be a member of the Committee.

2. Appointment of acting Chairman

If the Chairman of the Committee is or will be unable temporarily to exercise his functions another member of the Board may be nominated by the Board and appointed by the Chairman of the Board to act during the period of his appointment, as Chairman of the Committee.

3. Appointment of acting member

If a member of the Committee is or will be unable temporarily to exercise his functions as a member of the Committee a person satisfying the same criteria as applied to the appointment of that member may be nominated either by the Hong Kong Radiographers' Association, the Association of Therapeutic Radiographers or the Hong Kong

Radiological Technicians Association as the case may be and appointed by the Chairman of the Board to act during the period of his appointment, for that member.

4. Effect of lapse or termination of appointment

If at the time the Committee is considering any complaint under this Regulation-

- (a) the appointment of any person to be the Chairman or a member of the Committee lapses by virtue of section 20 of this Regulation or terminates by operation of section 1 of this Schedule; or
- (b) the appointment of any person under section 2 or 3 of this Schedule lapses,

then if such person is not thereupon elected or re-elected or appointed or reappointed, as the case may be, to be the Chairman or a member of the Committee, the chairmanship or membership of such person shall continue by virtue of this section for the purposes of the consideration of such complaint by the Committee, but for no other purpose, until the Committee has discharged its functions in respect of such complaint.

5. Resignation by Chairman and member of Committee

(1) The Chairman or a member of the Committee may at any time resign from the Committee by notice in writing addressed to the Secretary, save that, if at the time such notice is given the Committee is considering any complaint the person so resigning shall, if so required by the Chairman of the Board, continue to be Chairman or a member of the Committee for the purposes of the consideration of such complaint but for no other purpose, until the Committee has discharged its functions in respect of the complaint.

(2) Section 20 of this Regulation shall apply to any vacancy arising from any resignation under this section as if the vacancy had occurred by effluxion of time.

6. Chairman or member of Committee attending Board meeting

The Chairman of the Committee shall not and no member of the Committee shall attend any meeting of the Board as a member of the Board during the hearing or determination of any complaint against any person which is referred to the Board by the Committee for determination if such member has attended any meeting of the Committee at which such complaint was considered.

7. Meetings of Committee

(1) The Committee shall meet from time to time as directed by the Chairman of the Committee who may at any time adjourn any meeting of the Committee.

(2) Save as otherwise provided in the Ordinance the Chairman of the Committee shall determine the procedure to be adopted at any meeting.

(Enacted 1995)