

香港醫務委員會

The Medical Council of Hong Kong

DISCIPLINARY INQUIRY
MEDICAL REGISTRATION ORDINANCE, CAP. 161

Defendant: Dr TANG Pui Yee (鄧佩儀醫生) (Reg. No.: M12036)

Date of hearing: 23 December 2025 (Tuesday)

Present at the hearing

Council Members/Assessors: Prof. FOK Tai-fai, SBS, JP
(Chairperson of the Inquiry Panel)
Dr CHOW Wing-sun
Dr CHAN Tat-ming, Danny
Ms LEE Yin-han, Yvonne
Mr Yeung Chi-wai, Edwin, MH

Legal Adviser: Mr Edward SHUM

Defence Solicitor representing the Defendant: Mr Simon FUNG of
Messrs. Howse Williams

Legal Officer representing the Secretary: Miss Phoebe YEUNG, Government Counsel

The Charges

1. The charges against the Defendant, Dr TANG Pui Yee, are:

“The particulars of the information are that she, being a registered medical practitioner:

- (a) was convicted at the Tuen Mun Magistrates’ Courts on 17 March 2023 of the offence of theft, which is an offence punishable with imprisonment, contrary to Section 9 of the Theft Ordinance, Cap. 210,*

Laws of Hong Kong; and

(b) has been guilty of misconduct in a professional respect in that she failed to report to the Medical Council the conviction mentioned in paragraph (a) above within 28 days of the conviction, contrary to section 29.1 of the Code of Professional Conduct published in October 2022.”

Facts of the case

2. The name of the Defendant has been included in the General Register from 16 July 1998 to the present. Her name has never been included in the Specialist Register.
3. On 17 March 2023, the Defendant was convicted after trial of the offence of theft by a Magistrate of the Tuen Mun Magistrates' Court and was fined \$8,000.
4. On 9 February 2024, the Defendant's appeal against the conviction was dismissed by Deputy High Court Judge Woodcock (as she then was).
5. The offence of theft was and still is punishable with imprisonment. But the Defendant failed to report the conviction to the Medical Council (the "Council") within 28 days of the conviction, contrary to section 29.1 of the Code of Professional Conduct published in October 2022 (the "Code"). By an email of 24 April 2023, the Defendant then reported the conviction to the Council.

Findings of the Inquiry Panel

6. Section 21(3) of the Medical Registration Ordinance provides that:-

“Nothing in this section shall be deemed to require an inquiry panel to inquire into the question whether the registered medical practitioner was properly convicted but the panel may consider any record of the case in which such conviction was recorded and any other evidence which may be available and is relevant as showing the nature and gravity of the offence.

7. Briefly stated, the prosecution case, which the trial Magistrate accepted, was that

the Defendant entered the Tuen Mun AEON Supermarket at about 8:15 p.m. on 29 May 2022 and was there for 50 minutes before she left. The Defendant picked up a total of 37 items with a total value of \$1,651.70 and put them in a shopping trolley. The Defendant paid for 4 items with a total value of \$40.60 with Alipay on the app and collected a receipt for \$40.60 from the self-checkout kiosk. The Defendant pushed the shopping trolley to the customer packing goods area and put the 37 items into 4 separate bags. Whilst doing so, the Defendant put one of each of the paid items in one of the 4 bags; spreading them out amongst the 4 bags. After she left the supermarket, the Defendant was intercepted by a security guard, who had been following her for some time. The Police later arrived and arrested the Defendant.

8. When the Defendant was arrested at the scene and cautioned, she replied to the Police that *“if I had omitted to scan the QR codes of some of the goods, I will pay back the money by Octopus card”*. Later in the video recorded interview when cautioned again, the Defendant added that she had taken some medication because she had started to feel unwell that afternoon. Whilst in the supermarket, she felt so unwell that she wanted to leave immediately but there were many people queueing up to pay. She decided to use the Alipay app to pay but became very confused during the payment process. She had no idea what went wrong in the process and did not intend to steal anything.
9. In convicting the Defendant, the trial Magistrate found the security guard to be an honest and reliable witness. On the other hand, the trial Magistrate found the evidence of the Defendant to be unreliable, untruthful and rejected it. The trial Magistrate did not accept the evidence of the Defendant that she was shopping for essentials when she chose so many items. Items that included 2 packets of durian worth \$518 and 2 packets of canned abalone worth \$270. The trial Magistrate also found the Defendant’s decision to continue to shop or even to shop when she was feeling so unwell hard to believe.
10. In upholding the conviction of the Defendant, Deputy High Court Judge Woodcock acknowledged that the appeal was a rehearing on the material before the trial Magistrate. In her view, the trial Magistrate was justified and entitled to infer that there was dishonest intent on the part of the Defendant; and she would arrive at the same conclusion.
11. Given the concurrent findings of guilt by the trial Magistrate and the appeal Judge, we are entitled to take the conviction as conclusively proven against the

Defendant.

12. Accordingly, we find the Defendant guilty of the disciplinary charge (a).
13. Section 29.1 of the Code stipulates that “*A doctor who has been convicted in or outside Hong Kong of an offence punishable by imprisonment... is required to report the matter to the Council within 28 days from the conviction... Failure to report within the specified time will in itself be ground for disciplinary action...*”
14. There is no dispute that the Defendant failed to report the conviction of theft, which was and still is an offence punishable with imprisonment, to the Council within 28 days of the conviction.
15. We also find the Defendant guilty of the disciplinary charge (b).

Sentencing

16. The Defendant has a clear disciplinary record.
17. In line with our published policy, we shall give the Defendant credit in not contesting the disciplinary proceedings today. However, given that there is hardly any room for dispute in a disciplinary case involving criminal conviction, the credit to be given to the Defendant must necessarily be of a lesser extent than in other cases.
18. We bear in mind that the primary purpose of a disciplinary order is not to punish the Defendant for the offence for a second time but to protect the public from persons who are unfit to practise medicine and to maintain public confidence in the medical profession by upholding its high standards and good reputation.
19. It is clearly stated in the Code that a particularly serious view will likely to be taken in respect of offences involving dishonesty.
20. We appreciate that the Defendant committed the offence out of greed and she deeply regretted what she did. In our view, the Defendant has learned her lesson and the chance of committing the same or similar offence in the future would be low.

21. Taking into consideration the nature and gravity of the disciplinary charges for which we find the Defendant guilty and what we have heard and read in mitigation, we make a global order in respect of disciplinary charges (a) and (b) that the name of the Defendant be removed from the General Register for a period of 4 months and we further order that the operation of the removal order be suspended for 24 months.

Prof. FOK Tai-fai, SBS, JP
Chairperson of the Inquiry Panel
The Medical Council of Hong Kong