

Reminder

Reporting of offence punishable by imprisonment

A doctor convicted of any offence punishable by imprisonment is liable to disciplinary proceedings of the Medical Council, regardless of whether he / she is sentenced to imprisonment. Some offences, though appear to be trivial, e.g. careless driving, failing to comply with Buildings Ordinance order, riding as passengers in rear seat not securely fastened with seat belt, driving bicycle in country park without consent of the Authority, etc. are in fact offences punishable by imprisonment.

Members of the profession are reminded that upon conviction of an offence punishable by imprisonment they should report to the Medical Council within 28 days as required under section 29 of the Code of Professional Conduct as follows:

“A doctor who has been convicted in or outside Hong Kong of an offence punishable by imprisonment or has been the subject of adverse findings in disciplinary proceedings by other professional regulatory bodies is required to report the matter to the Council within 28 days from the conviction or the adverse disciplinary finding, even if the matter is under appeal. Failure to report within the specified time will in itself be ground for disciplinary action. In case of doubt the matter should be reported.”

In reporting conviction cases to the Medical Council, the doctor should provide all relevant document(s) such as certificate of trial as far as possible. Provision of sufficient information saves time in making clarification with the doctor and liaising with the adjudicating court for retrieval of the related court document(s), materials of which facilitate the deliberation of the Medical Council in deciding whether a disciplinary inquiry on the conviction by the doctor should be held in the first instance.

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