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Ensuring Justice

香港醫務委員會 The Medical Council of Hong Kong

守專業
Maintaining Professionalism

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Protecting the Public

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Your Ref.
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27 January 2026

Dear Doctors,

Suspected Illegal Importation of Blood Samples for Fetal Gender Testing

The Department of Health (“DH”) has recently received intelligence concerning the suspected illegal importation of blood samples for fetal gender testing in Hong Kong from Chinese Mainland, as highlighted in the DH’s press release dated 21 January 2026 (<https://www.info.gov.hk/gia/general/202601/21/P2026012100415.htm>).

According to the intelligence, certain individuals have been promoting services in the Mainland where blood is drawn from pregnant women in the Mainland and subsequently smuggled into Hong Kong for fetal gender testing, which is forbidden in the Mainland unless medically indicated. This arrangement involves laboratories and medical clinics in Hong Kong, which have misleadingly claimed to be accredited or registered by the DH. While these cases have been referred by the DH to the Hong Kong Customs and Excise Department as well as the Mainland authorities for follow-up, the Medical Council wishes to remind you of the following legal provisions and clauses in the Code of Professional Conduct for the Guidance of Registered Medical Practitioners (Revised in October 2022) (“the Code”).

Under section 14 of the Prevention and Control of Disease Regulation, Cap. 599A, Laws of Hong Kong, a person shall not, without a permit in writing from the Director of Health, knowingly import into Hong Kong an infectious agent; any human or animal tissue, or tissue fluid, or any part of a human or animal body, that the person has the reason to suspect contains an infectious agent; or any excreta, secretion, blood, or blood component, that the person has reason to suspect contains an infectious agent.

Besides, sections 17.1 and 36.6 of the Code stipulate that –

Section 17.1

“A doctor may refer a patient for diagnostic or therapeutic services to another doctor, a practitioner with limited registration, or any other provider of health care services permitted by law to furnish such services, if in his clinical judgment this may benefit the patient. Referrals to medical specialists should be based on their individual competence and ability to

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perform the services needed by the patient. A doctor should not so refer a patient unless he is confident that the services provided on referral will be performed competently and in accordance with accepted scientific standards and legal requirements".

Section 36.6

"Sex selection for social, cultural or other non-medical reasons should not be performed".

As a registered medical practitioner, who must comply with the law and observe the Code, you are urged to refrain from engaging in unlawful cross-boundary transfer of blood specimens into Hong Kong for fetal gender testing.

Yours sincerely,



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Chairman
The Medical Council of Hong Kong