

PHYSIOTHERAPISTS BOARD
物 理 治 療 師 管 理 委 員 會

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20 May 2022

Mrs Eleanor CHAN WONG Yee
President
Hong Kong Physiotherapists' Union
PO Box 889, General Post Office
Central
Hong Kong

Dear Mrs Chan,

Companies Carrying on the Business of the Profession of Physiotherapy

I write to seek your assistance in advising members of your association of the statutory requirement on the captioned subject.

Section 20(3) of the Supplementary Medical Professions Ordinance, Chapter 359, Laws of Hong Kong, provides that a company carrying on the business of practising the profession of physiotherapy shall transmit a statement to the Secretary of the Physiotherapists Board in the prescribed form containing particulars of their directors and staff **within 14 days after 1 July** in each year. Extracts of section 20 of the Ordinance is enclosed for your reference.

The prescribed form for submission to the Secretary can be downloaded from the Board's website at https://www.smp-council.org.hk/pt/file/pdf/pt_statement_e.pdf.

I should be grateful if you would disseminate this information to your members. Thank you for your assistance in this matter.

Yours sincerely,


(Sam SHUM)

for Secretary, Physiotherapists Board

20. Companies may carry on professions by way of trade or business
- (1) Except as provided by subsection (2) no corporation may carry on the business of practising a profession.
 - (2) A company registered under the Companies Ordinance (Cap. 622) or under the Companies Ordinance (Cap. 32) as in force at the time of the registration may carry on the business of practising a profession if— (*Amended 28 of 2012 ss. 912 & 920*)
 - (a) at least one director thereof (in this section called “professionally qualified director”) is a person who—
 - (i) is registered in respect of that profession; and
 - (ii) satisfies any requirements imposed by any regulations made under this Ordinance as to qualifications, experience or training necessary for a person registered in respect of that profession to practise without supervision; and (*Amended 70 of 1989 s. 12*)
 - (b) all persons practising the profession who are employed by the company are registered in respect of that profession.
 - (3) Within 14 days after 1 July in each year, a company carrying on the business of practising a profession shall transmit to the secretary of the relevant board a statement in the prescribed form containing—
 - (a) the names and addresses of all persons who are professionally qualified directors, directors other than professionally qualified directors, and of all managers of the company;
 - (b) the names, addresses, occupations and qualifications of all persons employed by the company who are practising the profession and the duties performed by such persons; and
 - (c) such other particulars as may be prescribed.
 - (4) A corporation which carries on the business of practising a profession other than in compliance with subsection (2) commits an offence and—
 - (a) every—
 - (i) director thereof other than a professionally qualified director; and
 - (ii) manager thereof,
unless he proves that the offence was committed without his knowledge; and
 - (b) every professionally qualified director,
commits a like offence.
 - (5) A company which fails to comply with subsection (3) commits an offence and every professionally qualified director commits a like offence.

(Replaced 67 of 1985 s. 6)