

Request for Letter of Exemption for Small Practice Clinic under the Private Healthcare Facilities Ordinance (Cap. 633)

**Office for Regulation of Private Healthcare Facilities
Department of Health
The Government of the Hong Kong Special Administrative Region
2025**



Background



- Private Healthcare Facilities Ordinance (Cap. 633) (the PHFO) regulates private healthcare facilities (PHFs) where registered medical practitioners and/or registered dentists practise.
- Operators of PHFs must obtain relevant **licence** in order to continue operation of
- Operators of small practice clinics (SPCs) must ask for a letter of **exemption** to operate the clinic without a licence

Private hospitals

Day procedure centres

Clinics

Health services establishments

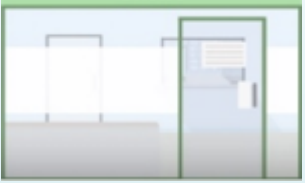


Exempted clinics

i.e. SPCs with letter of exemption in force



Small Practice Clinic



Letter of
exemption



Exemption of Small Practice Clinic



Overview

1. Meaning of Small Practice Clinics

2. Requirements for an exemption

- Facility
- Operators
- Operation

3. Making a request for Letter of Exemption



Meaning of clinic

Also apply to Small Practice Clinic



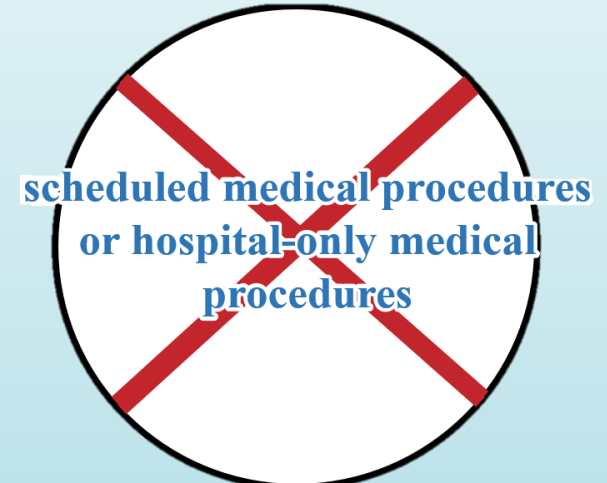
Premises where registered medical practitioners or registered dentists provide medical services **without lodging**



NOT to provide services to pregnant women for childbirth or women immediately after childbirth



Continuous confinement of patients within the clinic **should not exceed 12 hours**



Cannot provide the **scheduled medical procedures** specified in the PHFO or the **hospital-only medical procedures** stipulated in the Code of Practice for Day Procedure Centres



Meaning of Small Practice Clinic (SPC)



SPC is a **clinic** operated **only by registered medical practitioner(s) and/or registered dentist(s)**.

- Can be operated under a sole proprietorship, a partnership or a company
- Except for the sole proprietor, partners or directors, no other medical practitioners or dentists should serve the clinic

The requirement of an SPC is further stipulated in section 41 of the PHFO. The following 3 conditions must be met.

No. of medical
practitioners or
dentists

Right to use the
premises





Locum arrangement

Registered medical practitioner: a person whose name is included in Part I of the General Register kept under section 6(1) of the Medical Registration Ordinance (Cap. 161).



Meaning of SPC (con't)

For company, the name of the directors should be the same as the directors in the record of Company Registry

	Clinic operated under a sole proprietorship	Clinic operated under a partnership / company
Number of medical practitioners or dentists	<p>Operated by a registered medical practitioner or registered dentist</p> 	<p>The partnership / company having not more than 5 partners / directors</p> <p>All partners / directors must be registered medical practitioners or registered dentists</p> 
	No medical practitioners or dentists other than the operator(s) serve the clinic	
Right to use the premises	The sole proprietor has the exclusive right to use the premises	<p>For partnership: at least one partner; OR</p> <p>For company: the company, or at least one of the directors has the exclusive right to use the premises</p>
Locum arrangement		<p>Not exceeding 60 days in a calendar year per operator</p> 
	/	<p>The aggregate number of days not exceeding 180 days for all the partners or directors in a calendar year</p> 

Operator(s): The sole proprietor, all partners in the partnership or all director(s) in the company operating the clinic.

Locum: Another registered medical practitioner taking up the duties of an operator (who is registered medical practitioner in the clinic) because of the operator's absence from the clinic.



Meaning of SPC (con't)

Exclusive Rights to Use the Premises

- The sole proprietor has the exclusive right to use the premises;
- At least one partner of the partnership has the exclusive right to use the premises; OR
- The company has, or at least one director of the company has the exclusive right to use the premises

Operator(s) of an SPC should **remain responsible for all services provided or activities** carried out on that premises

- **Must not lease** any part of the premises to other person
- **Cannot employ** other medical practitioners or dentists (except for locum arrangements)



Requirements on operators for an exemption

➤ **Not inappropriate** to carry on the practice in the clinic without a licence

- Refer to *Guidance Notes for Considering Inappropriateness for a Person to be Issued with a Letter of Exemption for Small Practice Clinic to Carry on Practice in a Clinic Without a Licence*.
- The criteria of the assessment include, but not limited to, contravention of or conviction of offences under the Private Healthcare Facilities Ordinance, professional competence, and business arrangement or financial status

➤ Each operator may request exemption for **up to 3 SPCs** at the same time

- If the operator (the sole proprietor / any partner(s) in the partnership / any director(s) in the company) is already operating 3 exempted clinics, then he / she is required to apply for a licence for the 4th and each of the subsequent clinics



Examples of Operation

Excellent Company



SPC operated by a company with **no more than 5 directors**.

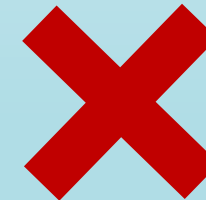
All directors of the company (as registered in the Companies Registry) are registered medical practitioner or registered dentists.

Only the directors practise in the SPC.

Diligent Company



Dr. LAM is employed by the company



The clinic can only be operated by a sole proprietor, a partnership, or a company.

Dr. Lam, who is not a director of the company, cannot practise in the SPC (except for locum arrangement).



Examples of Operation (con't)

Fortune Company



The company must not have more than 5 directors, no matter he/she practises in the clinic or not.

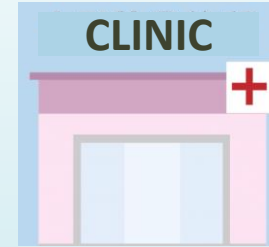
Hope Company



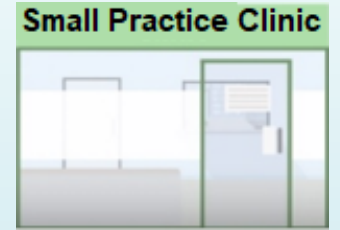
All directors must be registered medical practitioner or registered dentist.



Determine whether you can make a request for Letter of Exemption for your private healthcare facility



or



Is your private healthcare facility a clinic?

Does your clinic meet the definition of an SPC and fulfill all the requirements on facility, operators and operation?

Are the operators **appropriate to carry on the practice in the clinic without a licence**?

Are any of the operators **operating other exempted clinic(s)**?
How many?

- Operators of any clinic that does not meet the definition of an SPC or do not fulfil the requirements for an exemption should apply for a clinic licence

- Check "Guidance Notes for Considering Inappropriateness for a Person to be Issued with a Letter of Exemption for Small Practice Clinic to Carry on Practice in a Clinic Without a Licence"

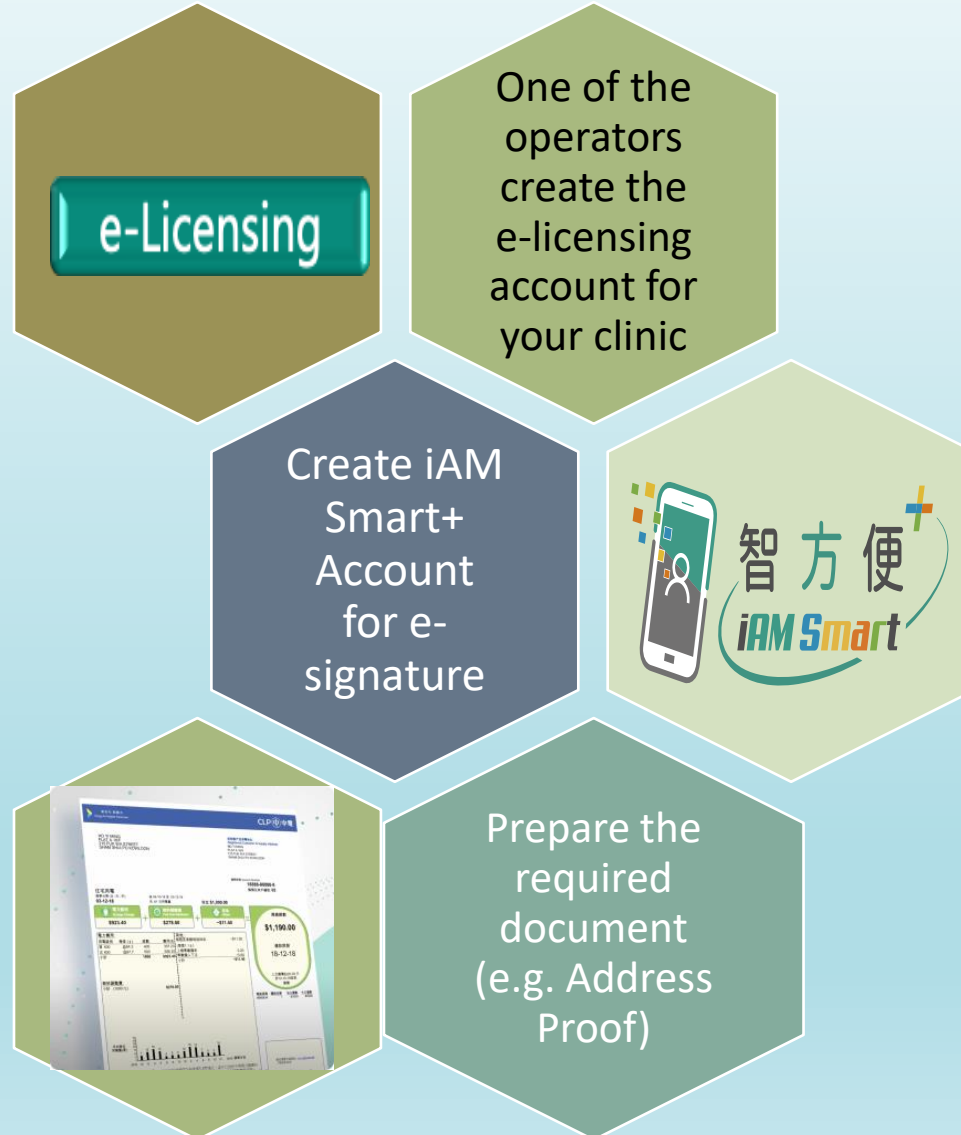
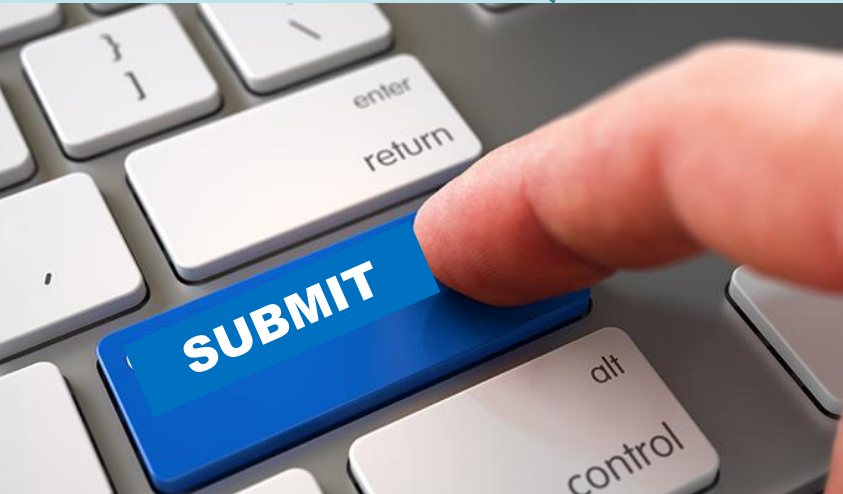
(available at www.orphf.gov.hk)

- A person can operate up to 3 exempted clinics at the same time
- The operator is required to apply for a licence for the 4th and each of the subsequent clinics



Prepare for Making Request for Letter of Exemption

Get prepared!



Making a request for Letter of Exemption

Electronic submission

On 13 October 2025

Using



- Fast
- Identity verified by “iAM Smart+”
- No need to attend DH’s designated office in person for identity verification
- Decrease transcription errors
- Can check the request progress on e-Licensing
- Can retrieve the letter of exemption from e-Licensing anytime after its issuance



Making a request for Letter of Exemption

Preparation for electronic submission

Clinic address proof

Electronic copy in pdf or .jpg format with the name of the clinic or the operator(s)

For examples:

- copy of a valid Business Registration Certificate
- bills or invoices issued by utility companies (i.e. water, electricity or town gas suppliers) within the last 3 months

E-mail address(es)

Prepare e-mail addresses to fill in the request form:

- Correspondence information of the sole proprietor / partnership / company
- Contact information of the clinic, if available

Appoint authorized partner / director

Partnership / company only

- For representing the partnership / company to communicate with the DH on matters related to the SPC
- For holding the e-Licensing account

e-Licensing account

e-Licensing



- *For filling form, signature, submission of request and future management of clinic profile*
- Use the e-mail address of the sole proprietorship / partnership / company to register an account
- If the SPC is operated by a partnership / company, the authorized partner / director should maintain the account. All operators should have access to information related to the clinic

“iAM Smart+”



- All operators need to have an “iAM Smart+” account in order to sign the form digitally





e-Licensing

Department of Health
The Government of the Hong Kong Special Administrative Region

UAT

EN 繁

SIGN IN

User ID

LOGIN

[Forgot Password?](#)

Continue with iAM Smart

[More Info](#)

REGISTER

1. Register an e-Licensing account

[USER GUIDE](#)

[FAQS](#)



e-Licensing



e-Licensing

Department of Health
The Government of the Hong Kong Special Administrative Region

Licence Application

2. Request for a letter of exemption for SPC

Exemption for Small Practice Clinic

Request for a letter of exemption

I would like to request a letter of exemption for

☐ Small Practice Clinic



Request for Letter of Exemption for Small Practice Clinic - New Request

Reference No.	C2500371E
Request Type	Letter of Exemption for Small Practice Clinic - New Request
Request Status	Pending Submission

Your request has **NOT** been submitted yet. Please upload the proof of address now.

Checklist of Documents	
1 PHF 51 Request for Letter of Exemption for Small Practice Clinics completely signed by all operators	Sign and Submit via "iAM Smart+"
2 Proof of address of the clinic with the name of the clinic or the operator (sole proprietor, one of the partners / directors or company) e.g. bills or invoices issued by utility companies (i.e. water, electricity or town gas suppliers) or record of procurement / maintenance of drugs / medical equipment within the last three months from the request date , copy of a valid Business Registration Certificate, etc. <i>Provide upon submission of the request form</i>	Upload

or enquiries, please contact the Department of Health by phone or email as indicated below.

4. Upload clinic address proof and digitally sign the request form using "iAM Smart+"



Request for Letter of Exemption (For Small Practice Clinics)

3. Fill in request form

Reference No. C2500444E

Section I

Particulars of the Small Practice Clinic

Section II

Declaration of the Small Practice Clinic

Section III

Particulars of the Operator
(Part 1)

Particulars of the Operator
(Part 2)

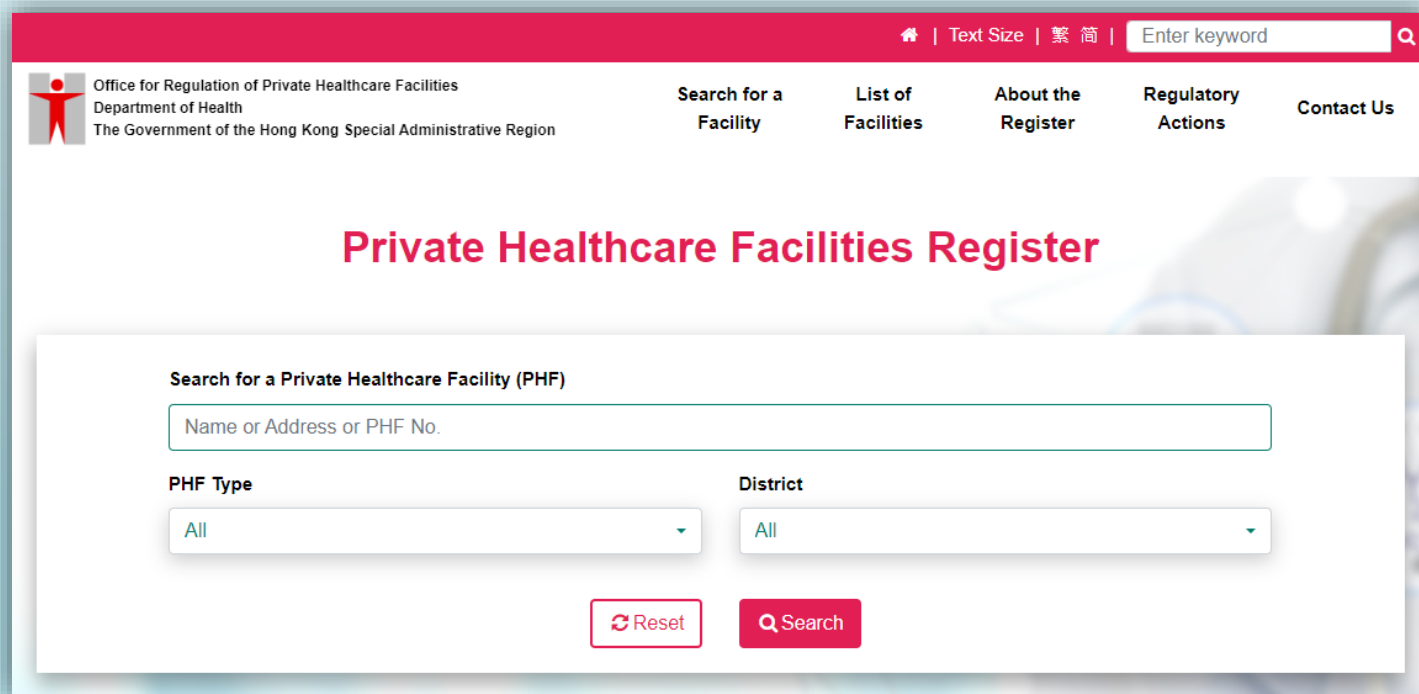
Confirmation

Confirm Information

PHF Register

Relevant information (e.g. clinic name, address, contact information, type of practice, operator names) of exempted clinics will be uploaded to the Register.

The Register will be uploaded to the **ORPHF website** and will be available in **DH's designated office** for public inspection.



The screenshot shows the homepage of the Private Healthcare Facilities Register. At the top, there is a red navigation bar with a home icon, 'Text Size', language options '繁' (Traditional Chinese) and '簡' (Simplified Chinese), and a search bar with the placeholder 'Enter keyword'. Below this, the header includes the logo of the Office for Regulation of Private Healthcare Facilities, Department of Health, The Government of the Hong Kong Special Administrative Region, and a menu with links: 'Search for a Facility', 'List of Facilities', 'About the Register', 'Regulatory Actions', and 'Contact Us'. The main heading is 'Private Healthcare Facilities Register'. Below this is a search section titled 'Search for a Private Healthcare Facility (PHF)' containing a text input field for 'Name or Address or PHF No.', two dropdown menus for 'PHF Type' and 'District' (both currently set to 'All'), and two buttons: 'Reset' and 'Search'.



www.directory.orphf.gov.hk



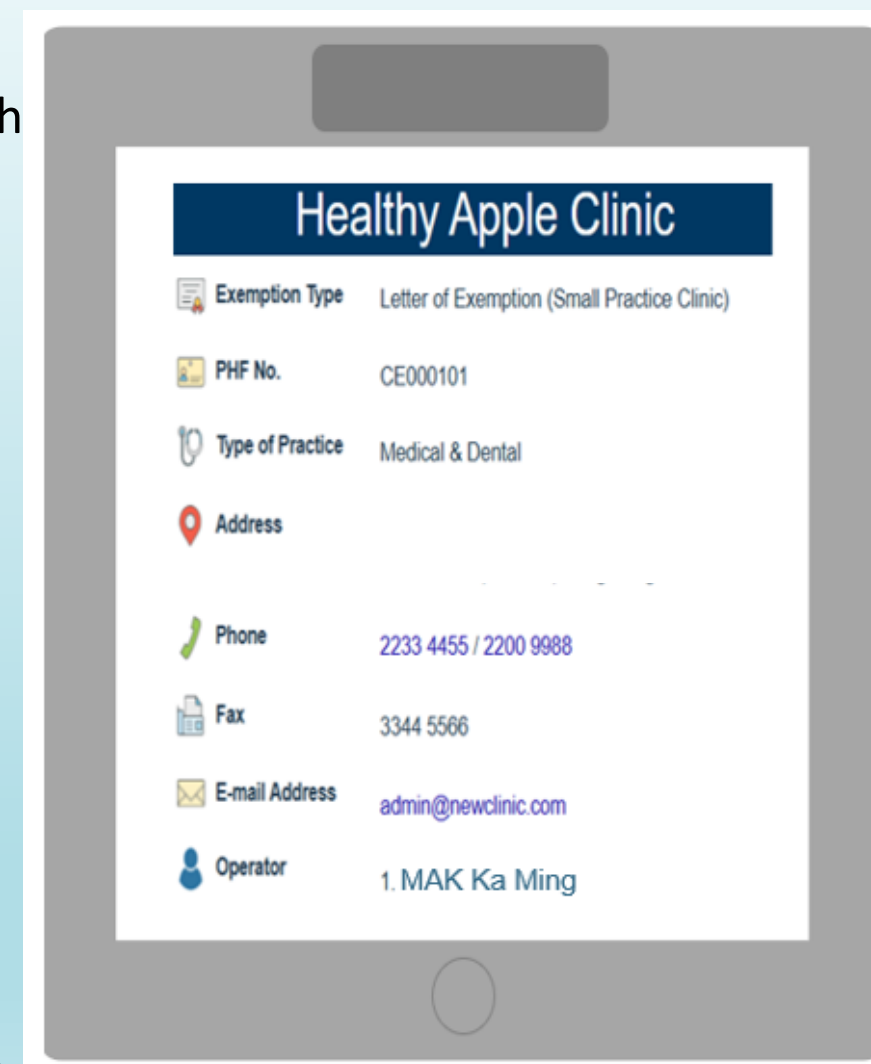
PHF Register (con't)

On the letter of exemption, you will receive a QR code, which links to the page of your exempted clinic on PHF Register.

You are recommended to **display the QR code** at your clinic to facilitate public to access information in the Register.



QR code



PHF Register



Responsibility of operators



Operators must check before submission and ensure all the **information provided to be true and correct** to the best of their knowledge.

Persons making a false or misleading statement or representation may commit an offence.



All partners / directors should maintain good communication among themselves and **share responsibilities** on operating the exempted clinic.



Operators must **comply with all relevant requirements** for SPC and its operation under the Private Healthcare Facilities Ordinance, such as **section 66, 67 and 70**.



Operators are required by law to give the Director of Health **not less than 14 days' advance notice** in writing of any intended change of the clinic or intended cessation of the clinic's operation.

Contravention to the Private Healthcare Facilities Ordinance may result in **revocation of exemption** of the SPC. The person may be considered as **inappropriate** in future request for a letter of exemption. Offenders may also face **legal liability**.



Requirements on Private Healthcare Facility under PHFO

Same requirements as licensed clinics

Distinct and separate premises

(s66)

Physically separated from any premises that serve a purpose not reasonably incidental to the facility

The facility is a distinct and exclusive unit and is able to perform its functions independently

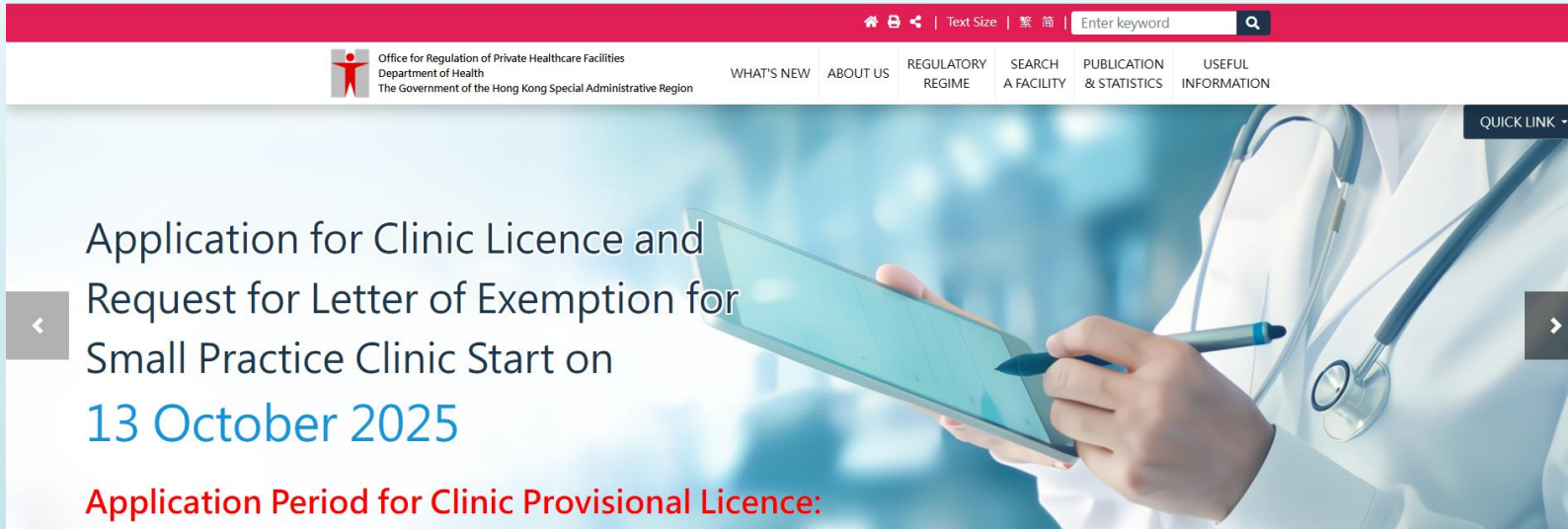
Separate entrance

(s67)

The facility has a direct and separate entrance



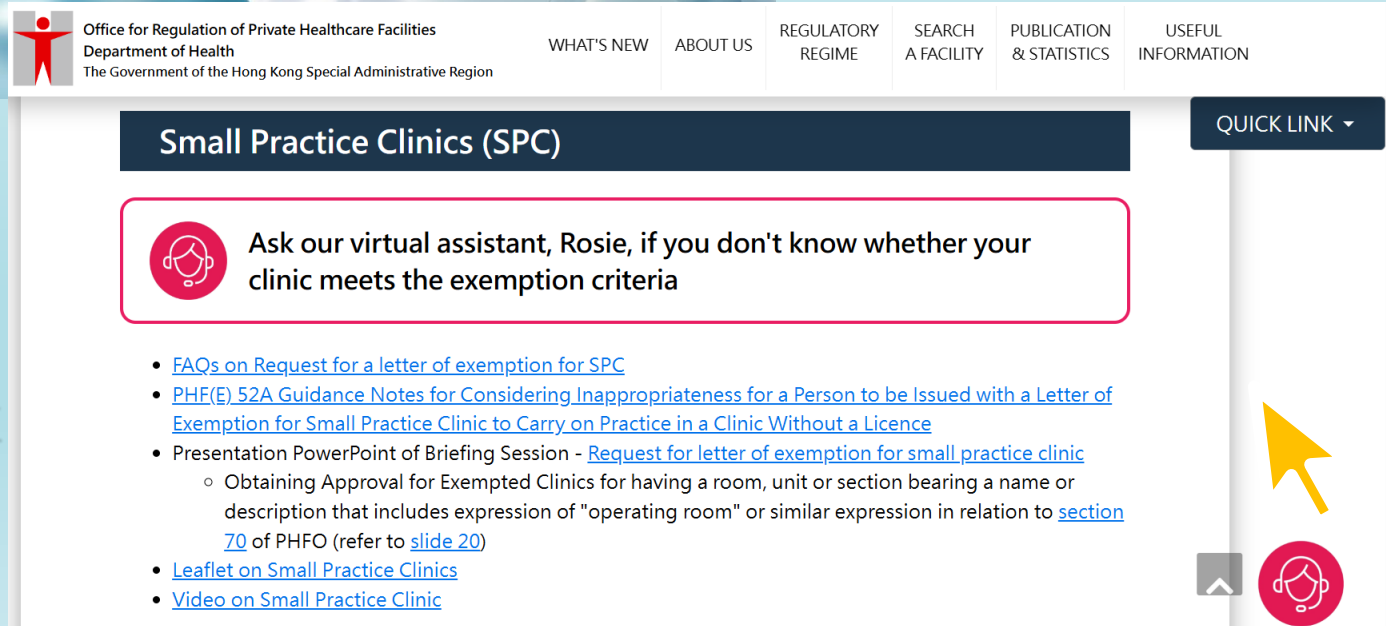
For more information, please visit our website



The screenshot shows the top section of the ORPHF website. The header is red with a white navigation bar containing links: WHAT'S NEW, ABOUT US, REGULATORY REGIME, SEARCH A FACILITY, PUBLICATION & STATISTICS, and USEFUL INFORMATION. Below the header is a large banner image of a doctor in a white coat using a tablet. The text on the banner reads: "Application for Clinic Licence and Request for Letter of Exemption for Small Practice Clinic Start on 13 October 2025".

Application Period for Clinic Provisional Licence:
13 October 2025 – 13 April 2026

LEARN MORE



The screenshot shows the "Small Practice Clinics (SPC)" section of the website. It features a dark blue header with the title "Small Practice Clinics (SPC)". Below the header is a pink-bordered box with a virtual assistant icon and the text: "Ask our virtual assistant, Rosie, if you don't know whether your clinic meets the exemption criteria". Below this box is a list of links:

- [FAQs on Request for a letter of exemption for SPC](#)
- [PHF\(E\) 52A Guidance Notes for Considering Inappropriateness for a Person to be Issued with a Letter of Exemption for Small Practice Clinic to Carry on Practice in a Clinic Without a Licence](#)
- Presentation PowerPoint of Briefing Session - [Request for letter of exemption for small practice clinic](#)
 - Obtaining Approval for Exempted Clinics for having a room, unit or section bearing a name or description that includes expression of "operating room" or similar expression in relation to [section 70](#) of PHFO (refer to [slide 20](#))
- [Leaflet on Small Practice Clinics](#)
- [Video on Small Practice Clinic](#)

At the bottom right of the section, there is a yellow mouse cursor icon pointing at a pink circular icon with a virtual assistant head.



www.orphf.gov.hk