

立法會
Legislative Council

LC Paper No. CB(2) 404/01-02
(These minutes have been seen by the
Administration)

Ref : CB2/BC/17/00

**Bills Committee on
The Ombudsman (Amendment) Bill 2001**

**Minutes of meeting
held on Wednesday, 26 September 2001 at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members Present : Hon Margaret NG (Chairman)
Hon Jasper TSANG Yok-sing, JP
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon Audrey EU Yuet-mee, SC, JP

Member Absent : Hon Andrew CHENG Kar-foo

Public Officers Attending : Ms Alice TAI
The Ombudsman

Mr MOK Yun-chuen
Chief Executive Officer
Office of The Ombudsman

Ms CHANG King-yiu
Acting Director of Administration

Ms Maggie WONG
Assistant Director of Administration

Mr Michael LAM
Senior Government Counsel
Department of Justice

Clerk in Attendance : Mrs Constance LI
Chief Assistant Secretary (2)5

Staff in Attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser

Miss Irene MAN
Senior Assistant Secretary (2)9

Action

The Bills Committee deliberated (Index of proceedings attached at **Annex**).

2. The Administration was requested to further amend clauses 5 and 10 and provide members with the revised Committee Stage amendments (CSAs) -

- (a) Clause 5 - to improve the drafting of section 5(2);
- (b) Clause 10 - to specify that only those complaints which involved no or only minor maladministration might be dealt with by mediation.

3. The Committee also decided that the Chairman of the Bills Committee should move CSAs to clause 3 to limit the re-appointment of the Ombudsman to not more than one further period of five years.

4. As the Committee had completed scrutiny of the Bill and supported resumption of Second Reading debate on the Bill, the Committee agreed that no further meeting would need to be held if Members were satisfied with the revised CSAs to be provided by the Administration.

5. There being no other business, the meeting ended at 4:12 p.m..

**Proceedings of the meeting of the Bills Committee on
The Ombudsman (Amendment) Bill 2001
on Wednesday, 26 September 2001, at 2:30 pm
in Conference Room A of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
0000 - 0255	Chairman	Administration's response at LC Paper Nos. CB(2)2332/00-01(02) and 2334/00-01(01)	
0256 - 0307	Ms Emily LAU	Mediation vs investigation	
0308 - 0339	Chairman	Mediation vs investigation	
0340 - 0437	SALA	Mediation vs investigation	
0438 - 0448	Ms Emily LAU	Mediation vs investigation	
0449 - 0535	Admin	Mediation vs investigation	
0536 - 0614	Ms Emily LAU	Definition of serious irregularity or injustice	
0615 - 0736	Admin	Definition of serious irregularity or injustice	
0737 - 0745	Ms Emily LAU	Definition of serious irregularity or injustice	
0746 - 0759	Admin	Definition of serious irregularity or injustice	
0800 - 0855	Chairman	Definition of serious irregularity or injustice	
0856 - 1100	Ms Audrey EU	Definition of serious irregularity or injustice	
1101 - 1112	Chairman	Definition of serious irregularity or injustice	
1113 - 1118	Admin	Definition of serious irregularity or injustice	
1119 - 1144	Chairman	Definition of serious irregularity or injustice	
1145 - 1202	Admin	Definition of serious irregularity or injustice	
1203 - 1218	Chairman	Definition of serious irregularity or injustice	
1219 - 1306	Admin	Definition of serious irregularity or injustice	
1307 - 1355	Chairman	Definition of serious irregularity or injustice	
1356 - 1431	SALA	Definition of serious irregularity or injustice	
1432 - 1458	Admin	Definition of serious irregularity or injustice	
1459 - 1538	Chairman	Definition of serious irregularity or injustice	
1539 - 1625	Ms Audrey EU	Definition of serious irregularity or injustice	
1626 - 1659	Chairman	Definition of serious irregularity or injustice	
1700 - 1713	Ms Audrey EU	Definition of serious irregularity or injustice	
1714 - 1914	Admin	Definition of serious irregularity or injustice	
1915 - 1932	Chairman	Definition of serious irregularity or injustice	
1933 - 2018	Admin	Definition of serious irregularity or injustice	
2019 - 2027	Chairman	Definition of serious irregularity or injustice	
2028 - 2211	Admin	Definition of serious irregularity or injustice	
2212 - 2252	Ms Audrey EU	Definition of serious irregularity or injustice	

2253 - 2320	Admin	Definition of serious irregularity or injustice	
2321 - 2350	Ms Audrey EU	Definition of serious irregularity or injustice	
2351 - 2530	SALA	Definition of serious irregularity or injustice	
2531 - 2609	Chairman	Definition of serious irregularity or injustice	
2610 - 2645	SALA	Definition of serious irregularity or injustice	
2646 - 2742	Chairman	Definition of serious irregularity or injustice	
2743 - 2818	Admin	Definition of serious irregularity or injustice	
2819 - 2823	Chairman	Definition of serious irregularity or injustice	
2824 - 2834	Ms Emily LAU	Definition of serious irregularity or injustice	
2835 - 3005	Chairman	Definition of serious irregularity or injustice	
3006 - 3026	Admin	Definition of serious irregularity or injustice	
3027 - 3213	Chairman	Definition of serious irregularity or injustice	
3214 - 3246	Admin	Definition of serious irregularity or injustice	
3247 - 3305	Chairman	Definition of serious irregularity or injustice	
3306 - 3324	Ms Audrey EU	Definition of serious irregularity or injustice	
3325 - 3333	Chairman	Definition of serious irregularity or injustice	
3334 - 3413	Ms Audrey EU	Definition of serious irregularity or injustice	
3414 - 3457	Chairman	Definition of serious irregularity or injustice	
3458 - 3531	Admin	Definition of serious irregularity or injustice	
3532 - 3543	Chairman	Definition of serious irregularity or injustice	
3544 - 3613	Admin	Definition of serious irregularity or injustice	
3614 - 3643	Chairman	Definition of serious irregularity or injustice	
3644 - 3657	Mr TSANG Yok-sing	Mediation vs investigation	
3658 - 3717	Admin	Mediation vs investigation	
3718 - 3730	Mr TSANG Yok-sing	Mediation vs investigation	
3731 - 3744	Admin	Mediation vs investigation	
3745 - 3833	Chairman	Mediation vs investigation	
3834 - 3854	Mr TSANG Yok-sing	Mediation vs investigation	
3855 - 4040	Admin	Mediation vs investigation	
4041 - 4102	Chairman	Definition of serious irregularity or injustice	
4103 - 4132	Clerk	Definition of serious irregularity or injustice	
4133 - 4151	Chairman	Definition of serious irregularity or injustice	
4152 - 4249	SALA	Definition of serious irregularity or injustice	
4250 - 4255	Chairman	Definition of serious irregularity or injustice	
4256 - 4335	Admin	Definition of serious irregularity or injustice	√
4336 - 4432	Chairman	Definition of serious irregularity or injustice	
4433 - 4445	SALA	Definition of serious irregularity or injustice	
4446 - 4516	Chairman	Definition of serious irregularity or injustice	

(Tape 2)			
0048 - 0328	Chairman	Mediation arrangement and publication of reports	
0329 - 0341	Ms Audrey EU	Publication of reports	
0342 - 0438	Admin	Publication of reports	
0439 - 0441	Ms Emily LAU	Publication of reports	
0442 - 0529	Admin	Publication of reports	
0530 - 0616	Ms Audrey EU	Publication of reports	
0617 - 0651	Admin	Publication of reports	
0652 - 0704	Ms Audrey EU	Publication of reports	
0705 - 0729	Admin	Publication of reports	
0730 - 1122	Chairman	Clauses 1 to 8 at LC Paper No.CB(2)2334/00-01(01)	
1123 - 1235	Ms Audrey EU	Clause 5	
1236 - 1301	Chairman	Clause 5	
1302 - 1353	Admin	Clause 5	
1354 - 1438	Ms Audrey EU	Clause 5	
1439 - 1525	Admin	Clause 5	
1526 - 1616	Ms Audrey EU	Clause 5	
1617 - 1645	Admin	Clause 5	√
1646 - 1719	Ms Audrey EU	Clause 5	
1720 - 1754	Chairman	Clause 5	
1755 - 1848	Admin	Clause 5	
1849 - 2014	Chairman	Clause 5	
2015 - 2048	Ms Audrey EU	Clause 6B	
2049 - 2113	Admin	Clause 6B	
2114 - 2119	Chairman	Clause 6B	
2120 - 2136	Admin	Clause 6B	
2137 - 2142	Chairman	Clause 6B	
2143 - 2227	Admin	Clause 6B	
2228 - 2500	Chairman	Clauses 7 to 10	√ Admin to consider
2501 - 2527	SALA	Clause 10	
2528 - 2637	Chairman	Clauses 11 to 15	
2638 - 2649	Admin	Clause 15	
2650 - 2823	Chairman	Clauses 16 to 20	
2824 - 2849	Admin	Clause 20B	
2850 - 2903	Ms Emily LAU	Clause 20B	
2904 - 3006	Admin	Clause 20B	
3007 - 3027	Ms Emily LAU	Clause 20B	

3028 - 3121	Admin	Clause 20B	
3122 - 3157	Ms Emily LAU	Clause 20B	
3158 - 3233	Admin	Clause 20B	
3234 - 3244	Chairman	Clause 20B	
3245 - 3306	Admin	Clause 20B	
3307 - 3325	Ms Emily LAU	Clause 20B	
3326 - 3345	Admin	Clause 20B	
3346 - 3408	Chairman	Clause 20B	
3409 - 3434	Admin	Clause 20B	
3435 - 3445	Ms Emily LAU	Clause 20B	
3446 - 3511	Admin	Clause 20B	
3512 - 3538	Ms Emily LAU	Clause 20B	
3539 - 3623	Chairman	Clauses 20B and 21	√ Clerk to follow up
3624 - 3631	Ms Emily LAU	Clause 21	
3632 - 3649	Admin	Clause 21	
3650 - 3815	Chairman	Clause 10 and clauses 1 to 5 (Chinese)	
3816 - 3847	Ms Audrey EU	Clause 5 (Chinese)	
3848 - 3933	Chairman	Clause 5 (Chinese)	
3934 - 4029	Admin	Clause 5 (Chinese)	
4030 - 4057	SALA	Clause 5 (Chinese)	
4058 - 4137	Ms Audrey EU	Clause 5 (Chinese)	
4138 - 4249	Chairman	Clause 5 (Chinese)	
4250 - 4307	Mr TSANG Yok-sing	Clause 5 (Chinese)	
4308 - 4438	Chairman	Clauses 5 to 15 (Chinese)	
(Tape 3)			
0000 - 0517	Chairman	Clauses 8 to 21 (Chinese)	√ Admin to provide response
0518 - 0534	Clerk	Resumption of Second Reading debate	
0535 - 0634	Chairman	Resumption of Second Reading debate and tenure of office of the Ombudsman	
0635 - 0720	Ms Emily LAU	Tenure of office of the Ombudsman	
0721 - 0910	Chairman	Tenure of office of the Ombudsman	
0911 - 0918	Mr TSANG Yok-sing	Tenure of office of the Ombudsman	
0919 - 0936	Admin	Tenure of office of the Ombudsman	
0937 - 0950	Chairman	Tenure of office of the Ombudsman	
0951 - 1032	Ms Audrey EU	Tenure of office of the Ombudsman	

1033 - 1053	Chairman	Tenure of office of the Ombudsman	
1054 - 1059	Ms Emily LAU	Tenure of office of the Ombudsman	
1100 - 1205	Chairman	Tenure of office of the Ombudsman	√ SALA to follow up

Note : The audio records of the above proceedings are kept at the LegCo Library

Legislative Council Secretariat
15 November 2001