

**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

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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                                   |                 |

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|-------------|-------------------|-------------------------------------------------|---|
| 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 |   |

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|-------------|--------------|---------------------------------------------------|------------------------|
| (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                                   | √<br>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                                        |                        |

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|-------------|-------------------|---------------------------------------------------------------------------|--------------------------------|
| 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                                                        | √<br>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)                                                 | √<br>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                                         |                                |

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|-------------|--------------|-----------------------------------|---------------------------|
| 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 | √<br>SALA to<br>follow up |

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

Legislative Council Secretariat  
15 November 2001