

立法會
Legislative Council

LC Paper No. CB(2) 804/00-01

Ref : CB2/H/5

House Committee of the Legislative Council

**Minutes of the 15th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 2 February 2001**

Members present :

Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Hon James TIEN Pei-chun, JP
Hon David CHU Yu-lin
Hon Cyd HO Sau-lan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Martin LEE Chu-ming, SC, JP
Hon Eric LI Ka-cheung, JP
Dr Hon LUI Ming-wah, JP
Hon NG Leung-sing
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching
Hon CHAN Yuen-han
Hon Bernard CHAN
Hon CHAN Kam-lam
Hon SIN Chung-kai
Dr Hon Philip WONG Yu-hong
Hon WONG Yung-kan
Hon Jasper TSANG Yok-sing, JP
Dr Hon YEUNG Sum
Hon YEUNG Yiu-chung
Hon LAU Chin-shek, JP
Hon LAU Kong-wah
Hon Mrs Miriam LAU Kin-yee, JP
Hon Ambrose LAU Hon-chuen, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
Hon LAW Chi-kwong, JP

Hon TAM Yiu-chung, GBS, JP
Dr Hon TANG Siu-tong, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, JP
Hon Henry WU King-cheong, BBS
Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi
Hon Frederick FUNG Kin-kee
Hon IP Kwok-him, JP
Hon LAU Ping-cheung
Hon Audrey EU Yuet-mee, SC, JP

Members absent :

Hon Mrs Selina CHOW LIANG Shuk-ye, JP (Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Dr Hon David LI Kwok-po, JP
Prof Hon NG Ching-fai
Hon Margaret NG
Hon James TO Kun-sun
Hon CHAN Kwok-keung
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LEUNG Yiu-chung
Hon Andrew WONG Wang-fat, JP
Hon Howard YOUNG, JP
Hon LAU Wong-fat, GBS, JP
Hon Timothy FOK Tsun-ting, SBS, JP
Dr Hon LO Wing-lok

Clerk in attendance :

Mrs Justina LAM Clerk to the House Committee

Staff in attendance :

Mr Ricky C C FUNG, JP	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Mr LAW Kam-sang, JP	Deputy Secretary General
Mr LEE Yu-sung	Senior Assistant Legal Adviser

Ms Pauline NG	Assistant Secretary General 1
Mr Ray CHAN	Assistant Secretary General 3
Mr Arthur CHEUNG	Assistant Legal Adviser 5
Mrs Vivian KAM	Chief Assistant Secretary (Complaints)
Mrs Constance LI	Chief Assistant Secretary (2)5
Mrs Betty LEUNG	Chief Assistant Secretary (3)1
Miss Betty MA	Senior Assistant Secretary (2)1
Ms Sharon CHUNG	Senior Public Information Officer 2

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I. Confirmation of the minutes of the 14th meeting held on 19 January 2001

(LC Paper No. CB(2) 753/00-01)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration (CS)

2. The Deputy Chairman said that CS had advised that Government's overseas economic and trade offices would be happy to assist Members in making arrangements for the proposed overseas duty visits of Legislative Council (LegCo) committees.

3. Regarding the motion on "Appointment of a select committee", the Deputy Chairman said that the letter dated 31 January 2001 from Mr Ian Wingfield, Law Officer (Civil Law) had been circulated to Members, and that the Legal Adviser's reply dated 1 February 2001 was tabled at the meeting.

III. Legal Service Division's report on subsidiary legislation to be tabled in Council on 7 February 2001 (gazetted on 23 January 2001)

(LC Paper No. LS 53/00-01)

4. Introducing the paper, the Legal Adviser said that only one item of subsidiary legislation, the Specification of Arrangements (Government of the People's Republic of Bangladesh concerning Air Services) (Double Taxation) Order, was gazetted on 23 January 2001. The Order declared that arrangements concerning scheduled air services had been made between the Government of the Hong Kong Special Administrative Region and the Government of the People's Republic of Bangladesh to

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afford relief from double taxation. He added that similar orders had previously been declared in relation to arrangements made with some other overseas jurisdictions.

5. Members did not raise any query on the subsidiary legislation.

6. The Deputy Chairman reminded Members that the deadline for amendment was 7 March 2001, or 14 March 2001 if extended by resolution.

IV. Further report by the Legal Service Division on outstanding bills

Education (Amendment) Bill 2000

(LC Paper No. LS 54/00-01)

7. The Deputy Chairman said that at the House Committee meeting on 12 January 2001, Members agreed to defer a decision on the Bill pending a further report from the Legal Service Division on some drafting points. Referring to the report, the Legal Adviser said that the Administration proposed to introduce a Committee Stage amendment to address the drafting problem in clause 25(b) of the Bill. It would be for Members to consider whether a Bills Committee was necessary.

8. Dr YEUNG Sum suggested that a Bills Committee be formed as he wished to discuss the control of advertisements about tutorial schools. The Deputy Chairman proposed that a Bills Committee be formed. Members agreed. The following Members agreed to join : Ms Cyd HO, Mr Eric LI, Mr CHEUNG Man-kwong, Dr YEUNG Sum, Mr YEUNG Yiu-chung, Mr Abraham SHEK, Mr Tommy CHEUNG and Ms Audrey EU.

V. Further business for the Council meeting on 7 February 2001

(a) Questions

(LC Paper No. CB(3) 363/00-01)

9. The Deputy Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 7 February 2001.

(b) Members' motions

(i) Resolutions under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) - to be moved by Hon LAU Chin-shek and Hon James TIEN Pei-chun

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(Wording of the motions issued vide LC Papers No. CB(3) 354 and 365/00-01 dated 19 and 30 January 2001 respectively.)

(ii) **Resolution under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) - to be moved by Hon SIN Chung-kai**

(Wording of the motion issued vide LC Paper No. CB(3) 365/00-01 dated 30 January 2001.)

10. The Deputy Chairman said that Mr LAU Chin-shek, Mr James TIEN and Mr SIN Chung-kai had given separate notices to repeal or amend the Waterworks (Amendment) Regulation 2000. He added that the subcommittee formed to study the Regulation had provided a report to the House Committee on 19 January 2001.

(iii) **Motion on "Two-mode teaching"**

(iv) **Motion on "Youth unemployment"**

11. The Deputy Chairman said that the wording of the above two motions to be moved by Mr Tommy CHEUNG and Mr WONG Sing-chi respectively had been circulated to Members. The Deputy Chairman suggested and Members agreed that the speaking time limits in rule 17 (b) of the House Rules should apply.

12. In reply to Miss Emily LAU, the Deputy Chairman advised that a Member could make a speech not exceeding 15 minutes at the debate on the motion on "Appointment of a select committee" to be moved by the House Committee Chairman on 7 February 2001. He added that the Administration had not yet informed the Secretariat which Government official(s) would speak at the debate and the proposed speaking order.

VI. Business for the Council meeting on 14 February 2001

(a) **Questions**

(LC Paper No. CB(3) 364/00-01)

13. The Deputy Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 14 February 2001.

(b) **Bills - First Reading and moving of Second Reading**

Fire Safety (Buildings) Bill

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14. The Deputy Chairman said that the Bill would be introduced into the Council on 14 February 2001 and considered by the House Committee on 16 February 2001.

(c) **Government motion**

15. The Deputy Chairman said that no notice had been received from the Administration.

(d) **Members' motions**

(i) **Motion to be moved by Hon LAU Chin-shek**

(ii) **Motion to be moved by Dr Hon YEUNG Sum**

16. The Deputy Chairman said that Mr LAU Chin-shek and Dr YEUNG Sum had been allocated debate slots for the Council meeting on 14 February 2001. He reminded Members that the deadline for notice of amendments to these motions was 7 February 2001.

VII. Bills Committee and subcommittee reports

(a) **Position report on Bills Committees/subcommittees**
(*LC Paper No. CB(2) 768/00-01*)

17. The Deputy Chairman said that there were 12 Bills Committees and five subcommittees in action.

(b) **Report of the Subcommittee on subsidiary legislation relating to revision of fees gazetted on 5 January 2001**

18. Mr James TIEN, Subcommittee Chairman, said that the Subcommittee met on 1 February 2001 to examine the seven items of subsidiary legislation gazetted on 5 January 2001. To allow time for Members to consider whether to move amendments, he had given notice to move a motion at the Council meeting on 7 February 2001 to extend the scrutiny period of the subsidiary legislation to 14 February 2001.

19. The Deputy Chairman reminded Members that the deadline for notice of amendments was 7 February 2001, if the scrutiny period was extended to 14 February 2001 by resolution of the Council.

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VIII. Any other business

**Report of the Subcommittee on Overseas Duty Visits undertaken by
Panels and other Committees**

(LC Paper No. AS 204/00-01)

20. The Deputy Chairman said that the Subcommittee's report was provided for Members' advance information. The report would be discussed at the House Committee meeting on 9 February 2001 and Members would be invited to decide on the recommendations of the Subcommittee.

21. There being no further business, the meeting ended at 2:42 pm.

Legislative Council Secretariat

7 February 2001