

立法會  
*Legislative Council*

LC Paper No. CB(2) 9/00-01

Ref : CB2/H/5

**House Committee of the Legislative Council**

**Minutes of the 1<sup>st</sup> meeting  
held in the Legislative Council Chamber  
at 3:40 pm on Wednesday, 4 October 2000**

**Members present :**

Hon Mrs Selina CHOW LIANG Shuk-ye, JP (Chairman)  
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  
Hon Albert HO Chun-yan  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon LEE Cheuk-yan  
Hon Martin LEE Chu-ming, SC, JP  
Hon Eric LI Ka-cheung, JP  
Dr Hon David LI Kwok-po, JP  
Dr Hon LUI Ming-wah, JP  
Hon NG Leung-sing  
Prof Hon NG Ching-fai  
Hon Margaret NG  
Hon James TO Kun-sun  
Hon CHEUNG Man-kwong  
Hon HUI Cheung-ching  
Hon CHAN Kwok-keung  
Hon CHAN Yuen-han  
Hon Bernard CHAN  
Hon CHAN Kam-lam  
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP  
Hon LEUNG Yiu-chung  
Hon SIN Chung-kai  
Hon Andrew WONG Wang-fat, JP  
Dr Hon Philip WONG Yu-hong  
Hon WONG Yung-kan  
Hon Jasper TSANG Yok-sing, JP

Hon Howard YOUNG, JP  
Dr Hon YEUNG Sum  
Hon YEUNG Yiu-chung  
Hon LAU Chin-shek, JP  
Hon LAU Kong-wah  
Hon LAU Wong-fat, GBS, JP  
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 Timothy FOK Tsun-ting, SBS, JP  
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  
Dr Hon LO Wing-lok  
Hon WONG Sing-chi  
Hon Frederick FUNG Kin-kee  
Hon IP Kwok-him, JP  
Hon LAU Ping-cheung

**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 LEE Yu-sung

Senior Assistant Legal Adviser

Ms Pauline NG

Assistant Secretary General 1

Mr Ray CHAN

Assistant Secretary General 3

Ms Bernice WONG

Assistant Legal Adviser 1

Miss Anita HO

Assistant Legal Adviser 2

Miss Connie FUNG

Assistant Legal Adviser 3

Mr Stephen LAM

Assistant Legal Adviser 4

Mr Arthur CHEUNG	Assistant Legal Adviser 5
Mrs Vivian KAM	Chief Assistant Secretary (Complaints)
Miss Kathleen LAU	Chief Public Information Officer
Mrs Constance LI	Chief Assistant Secretary (2)5
Miss Betty MA	Senior Assistant Secretary (2)1
Miss Mary SO	Senior Assistant Secretary (2)8

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Action

**I. Election of Chairman and Deputy Chairman of the House Committee for the 2000-2001 session**

Election of Chairman

Mr Kenneth TING Woo-shou, Member of the highest precedence in the Council, presided over the election of Chairman of the House Committee. Mr TING called for nominations for chairmanship of the House Committee, in accordance with the election procedures set out in rule 20(d) and Appendix IV of the House Rules.

2. Mrs Selina CHOW was nominated by Mr Andrew WONG and the nomination was seconded by Mr Martin LEE, Mr CHAN Kam-lam and Miss Margaret NG. Mrs Selina CHOW accepted the nomination. There being no other nomination, Mr Kenneth TING declared Mrs Selina CHOW elected as Chairman of the House Committee. Mrs Selina CHOW then took the chair.

Election of Deputy Chairman

3. The Chairman called for nominations for the deputy chairmanship of the House Committee.

4. Mr Fred LI was nominated by Dr YEUNG Sum and the nomination was seconded by Mr SZETO Wah, Mr SIN Chung-kai and Mr LAW Chi-kwong. Mr Fred LI accepted the nomination.

5. Mr IP Kwok-him was nominated by Mr David CHU and the nomination was seconded by Dr Philip WONG and Mr YEUNG Yiu-chung. Mr IP Kwok-him accepted the nomination.

6. As there were two nominations, the Chairman ordered a vote to be taken by secret ballot. The result was Mr Fred LI received 34 votes and Mr IP Kwok-him 24 votes. The Chairman declared Mr Fred LI elected as Deputy Chairman of the House Committee.

**II. Legal Service Division Reports on subsidiary legislation tabled from 7 June to 26 June and on 4 October 2000**

*(LC Paper No. LS 1/00-01)*

7. The Chairman invited the Legal Adviser to brief Members on the Legal Service Division reports. The Legal Adviser explained that the reports covered two batches of subsidiary legislation tabled in the Legislative Council (LegCo), viz. -

- (a) 10 items of subsidiary legislation tabled between 7 June and 26 June 2000 (Appendix I to the paper); and
- (b) 33 items of subsidiary legislation tabled on 4 October 2000 (Appendix II to the paper).

8. The Legal Adviser said that the main principles and approaches for the scrutiny of subsidiary legislation were set out in paragraphs 4 and 5 of the paper. He further advised that with the exception of L.N. No. 230, all subsidiary legislation tabled between 7 June and 26 June 2000 had been considered by the House Committee in the last term. As for L.N. No. 230, it appointed the commencement date for the Legal Aid (Amendment) Ordinance 2000 (26 of 2000) as 3 July 2000 to tie in with two related regulations which came into operation on the same date.

9. As regards the 33 items of subsidiary legislation tabled on 4 October 2000, the Legal Adviser said that the deadline for amendment was 1 November 2000, or 8 November 2000 if extended by resolution. These items of subsidiary legislation included 14 commencement notices, four notices on the revision of interest rates on tax reserve certificates and four sets of Amendment Rules made under the Legal Practitioners Ordinance. The Legal Adviser said that it would be a matter for Members to decide on the manner these items of subsidiary legislation should be considered including the setting up of a subcommittee to scrutinize them.

10. The Chairman advised that the deadline for giving notice to move a motion at the Council meeting on 11 October 2000 to extend the scrutiny period of the 10 items of subsidiary legislation tabled between 7 June and 26 June 2000 was 5 October 2000.

11. Miss Margaret NG said that as nine out of these 10 items had been scrutinized by the House Committee in the last term and since the remaining item (L.N. No 230) was only a commencement notice, she did not consider further scrutiny of the subsidiary legislation necessary. Members agreed. As regards the subsidiary legislation tabled on 4 October 2000, Miss Margaret NG said that Members should be given more time to study these items.

Action

12. The Chairman proposed that a decision on whether a subcommittee should be formed to scrutinize any of the subsidiary legislation tabled on 4 October 2000 be deferred to the next House Committee meeting on 13 October 2000. Members agreed.

**III. Legislative Council Panels**  
(*LC Paper No. CB(1) 4/00-01*)

13. The Chairman drew Members' attention to paragraph 5 of the paper which set out the proposals on the manner and timing for signification of Panel membership. She reminded Members that the deadline for signifying Panel membership for the current term was noon, Saturday, 7 October 2000.

14. Assistant Secretary General 1 explained that the paper sought to introduce a standing arrangement for the deadline for signification of membership in the first and subsequent sessions of a term. This would enable Panels to start work early and to receive briefings from the Policy Secretaries shortly after the Chief Executive delivered his Policy Address at the beginning of a session.

15. In response to Miss Margaret NG, Assistant Secretary General 1 said that Members could re-signify membership for Panels at the beginning of each of the subsequent sessions of a term. In accordance with rule 23(b) of the House Rules, a Panel could decide whether to accept late membership on grounds other than indisposition or absence from Hong Kong. Any Member whose application was turned down by a Panel could put the case to the House Committee for a decision.

16. In response to Miss Emily LAU, Assistant Secretary General 1 confirmed that Members could withdraw from a Panel any time during a session and that there would be re-election of the Chairman and Deputy Chairman at the beginning of each session.

17. Mr Fred LI informed members that he had proposed in the last LegCo term that a new "Panel on Food Safety and Environmental Hygiene" should be formed following the establishment of a new administrative structure for the provision of municipal services on 1 January 2000. He wished to put forward the proposal again and hoped that Members would support the setting up of a separate Panel to monitor policies and issues relating to food safety and environmental hygiene.

18. Miss Emily LAU and Dr YEUNG Sum said that Members should be given notice to consider Mr LI's proposal. They requested the LegCo Secretariat to provide Members with the necessary background information.

Action

Miss Emily LAU also suggested that Mr Fred LI should provide a paper on his proposal to facilitate discussion at a future House Committee meeting.

19. The Chairman proposed and Members agreed that Mr Fred LI's proposal to set up a new "Panel on Food Safety and Environmental Hygiene" be discussed at the next House Committee meeting.

**IV. Date of next meeting**

20. The Chairman reminded Members that the next House Committee meeting would be held on 13 October 2000.

21. There being no further business, the meeting ended at 4:15 pm.

Legislative Council Secretariat

11 October 2000