

立法會
Legislative Council

LC Paper No. CB(2) 67/00-01

Ref : CB2/H/5

House Committee of the Legislative Council

**Minutes of the 2nd meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 13 October 2000**

Members present :

Hon Mrs Selina CHOW LIANG Shuk-ye, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
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 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

Members absent :

Hon Kenneth TING Woo-shou, JP
Hon James TIEN Pei-chun, JP
Dr Hon David LI Kwok-po, JP

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
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
Mr KAU Kin-wah	Assistant Legal Adviser 6
Mrs Vivian KAM	Chief Assistant Secretary (Complaints)
Miss Kathleen LAU	Chief Public Information Officer
Miss Salumi CHAN	Chief Assistant Secretary (1)5
Mrs Constance LI	Chief Assistant Secretary (2)5
Mrs Betty LEUNG	Chief Assistant Secretary (3)1
Miss Betty MA	Senior Assistant Secretary (2)1

Action

I. Confirmation of the minutes of the 1st meeting held on 4 October 2000

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

The minutes were confirmed.

II. Matters arising

Subsidiary legislation tabled in Council on 4 October 2000 (gazetted from 30 June to 29 September 2000)

(LC Paper No. LS 1/00-01 issued vide LC Paper No. CB(2) 1/00-01 dated 3 October 2000.)

2. Members did not raise any queries on the subsidiary legislation tabled on 4 October 2000.

3. The Chairman reminded Members that the deadline for amending the subsidiary legislation was 1 November 2000, or 8 November 2000 if extended by resolution.

III. Legal Service Division's report on subsidiary legislation tabled in Council on 11 October 2000 (gazetted on 5 October 2000)

(LC Paper No. LS 5/00-01)

4. The Legal Adviser said that the report covered seven items of subsidiary legislation gazetted on 5 October 2000, including three commencement notices. On the Banking Ordinance (Amendment of Third Schedule) Notice 2000, the Legal Adviser explained that the

Action

Notice amended the Schedule which provided for the calculation of an authorized institution's capital adequacy ratio. The Administration had consulted the Hong Kong Association of Banks and the industry participants on the amendments.

5. The Legal Adviser said that the Prison (Amendment) Rules 2000, the Immigration (Vietnamese Migrants) (Detention Centres) (Amendment) Rules 2000 and the Probation of Offenders (Amendment) Rules 2000 sought to remove the restriction that the two Justices of Peace (JP) visiting prisons, hostels and detention centres must be of the combination of one Official JP and one Non-official JP.

6. In reply to Miss Emily LAU, the Legal Adviser said that the respective deadlines for notices to amend the subsidiary legislation or to extend the scrutiny period at the Council meeting on 8 November 2000 were 1 November 2000 and 3 November 2000.

7. Miss Emily LAU said that some organizations had expressed concern about the three items of subsidiary legislation relating to JP visits. Dr YEUNG Sum said that Mr James TO who was not present at the time wished to suggest that a subcommittee be formed to study the Prison (Amendment) Rules 2000, the Immigration (Vietnamese Migrants) (Detention Centres) (Amendment) Rules 2000 and the Probation of Offenders (Amendment) Rules 2000. Members agreed. Miss Emily LAU, Ms Cyd HO and Mr James TO (as advised by Mr YEUNG Sum) agreed to join the subcommittee.

IV. Business for the Council meeting on 18 October 2000

(a) Questions
(LC Paper No. CB(3) 43/00-01)

8. The Chairman said that 16 questions (six oral and 10 written) had been scheduled.

(b) Statement

Chief Secretary for Administration's recent visit to Beijing

9. The Chairman informed Members that the Chief Secretary for Administration (CS) would make a statement on her recent visit to Beijing at the Council meeting on 18 October 2000.

10. Miss Emily LAU asked whether Members could raise questions after CS had made her statement. The Chairman advised that in

Action

accordance with Rule 28 of the Rules of Procedure, no debate would be allowed on such a statement, but the President could at her discretion allow short questions to be put for the purpose of elucidation.

11. Miss Margaret NG suggested that CS be invited to provide further information on her visit at a separate meeting with Members, if necessary.

12. The Chairman said that the proposed arrangement for CS and other principal officials to brief Members on their official visits to Beijing or abroad would be discussed under agenda item XII.

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

(i) **Inland Revenue (Amendment) Bill 2000**

(ii) **Stamp Duty (Amendment) Bill 2000**

(iii) **Immigration (Amendment) Bill 2000**

(iv) **Rehabilitation Centres Bill**

13. Members noted that the above Bills would be introduced into the Council on 18 October 2000 and considered by the House Committee on 20 October 2000.

(d) **Government motions**

14. Members noted that no notice had been received.

(e) **Members' motions**

(i) **Motion on "Impoverishment of marginal workers"**

15. The Chairman said that Mr WONG Sing-chi had given notice to move an amendment to the motion. The proposed amendment had been issued to Members and also tabled at the meeting.

(ii) **Motion on "Creating employment opportunities"**

16. The Chairman said that Mr Howard YOUNG had given notice to move an amendment to the motion. The proposed amendment had been issued to Members and also tabled at the meeting.

V. Business for the Council meeting on 25 and 26 October 2000

(a) Questions

(LC Paper No. CB(3) 44/00-01)

17. The Chairman informed Members that 11 written question had been scheduled and the deadline for giving notice of questions was 16 October 2000.

(b) Debate on the motion “That this Council thanks the Chief Executive for his address”

18. The Chairman said that in accordance with past practice, the Chairman of the House Committee would move the motion. She added that the deadline for notice of amendments, if any, to the motion was 18 October 2000.

VI. Procedure for election of Members for appointment to the Public Accounts Committee, Committee on Members’ Interests and Committee on Rules of Procedure

(LC Paper No. CB(3) 38/00-01)

19. The Chairman introduced the paper and briefly explained the proposed election procedure. She said that in making nominations, Members should have regard to the need to ensure that the committee membership was broadly balanced and representative of the membership of the Legislative Council (LegCo). If there were more nominations than places available for any one committee, an election by a show of hands would be conducted.

20. Dr YEUNG Sum expressed support for the proposed procedure. He said that the procedure had proven to be efficient in past elections of these committees.

21. Members endorsed the election procedure and the date of the elections proposed in paragraphs 3 and 5 of the paper.

VII. Election of Members of The Legislative Council Commission

(LC Paper No. AS 37/00-01)

22. Referring to paragraph 4 of the paper, the Chairman said that the election was now proposed to be held on 27 October 2000 and not 20 October 2000.

Action

23. The Secretary General explained that in accordance with the election procedure specified in a resolution made by the Council under The Legislative Council Commission Ordinance, the Secretariat would issue a circular to invite nominations from Members at least seven clear days before the election day. However, as the House Committee had yet to determine an election date, it was not in order for the Secretariat to have issued a circular on 4 October 2000 inviting nominations. He apologized for the oversight and said that the Secretariat would re-issue a circular to invite nominations subject to the House Committee's agreement to hold the election on 27 October 2000.

24. Members agreed to hold the election of members of the Commission on 27 October 2000.

VIII. Nomination and election of Members of the Legislative Council to advisory bodies

(LC Paper No. CB(2) 3/00-01)

25. The Chairman referred Members to paragraph 11 of the paper which sought Members' agreement to the nomination and election procedure. She said that the proposed date of election was 20 October 2000.

26. The Chairman said that nominations were required for the following five governing and advisory bodies -

- (a) two Members to serve on the Disaster Relief Fund Advisory Committee;
- (b) one Member to serve on the Po Leung Kuk Advisory Board;
- (c) one Member to serve on the Tung Wah Group of Hospitals Advisory Board;
- (d) three Members to serve on the Council of the Chinese University of Hong Kong; and
- (e) five Members to serve on the Court of the University of Hong Kong.

27. As for the English School Foundation (ESF), the Chairman advised that Mr TSANG Yok-sing and Mr Ronald ARCULLI had been elected in the last term to serve on ESF and their terms of office would not expire until 22 October 2001. She added that at the House Committee meeting on 23 October 1998, Mr TSANG and Mr

Action

ARCULLI had been asked to request ESF to review its Regulations to specify that elected members should be deemed to have resigned if they ceased to be members of the body which had elected them.

28. Mr TSANG Yok-sing said that he had conveyed the House Committee's request to ESF. The Chairman suggested that Mr TSANG be invited to continue to pursue the matter with ESF. Mr IP Kwok-him, Mr SIN Chung-kai and Mrs Sophie LEUNG expressed support for the Chairman's suggestion. Mr TSANG agreed to follow up the matter.

29. Referring to paragraph 10 of the paper, Miss Emily LAU requested the LegCo Secretariat to remind the Members concerned to report their work to the relevant Panels.

30. Miss Margaret NG commented that the duties of the Members elected to serve on these organizations were prescribed in the relevant legislation. Her understanding was that some Members served on these organizations in their personal capacity rather than as LegCo's representatives, but they nevertheless provided a link between the respective organizations and the legislature.

31. Mr CHEUNG Man-kwong said that there were practical difficulties in complying with the reporting requirement. He explained that matters discussed at meetings of these governing bodies and advisory bodies were often related to the internal affairs of the organizations concerned. He added that sometimes the meetings had a long agenda and there was little deliberation on each individual item. He suggested that there should be clearer guidelines on what should be reported to LegCo Panels by the Members concerned. Mr IP Kwok-him expressed support for the reporting requirement to be made clearer.

32. Mr TSANG Yok-sing said that almost all the items discussed by ESF were not of interest to the public. He reckoned that the purpose of having LegCo Members serving on ESF was to help facilitate the organization's communication with Government. He added that these organizations might not expect matters discussed at their meetings to be reported to the Panels. Mr NG Leung-sing and Mrs Sophie LEUNG concurred and opined that the relevant organizations should be consulted before the Members concerned made reports to Panels. Dr TANG Siu-tong and Mr NG Leung-sing asked whether the Members concerned should also reflect to the relevant organizations the views of individual Members on issues discussed by the Panels.

33. Mr Ambrose LAU said that the Members concerned would be able to judge as to what should be reported to LegCo Panels. Mr Eric LI said that according to paragraph 10 of the paper, Members concerned

Action

were only required to give a factual report on their work on the committee and not every detail of each meeting they had attended.

34. Mr Andrew WONG was of the view that Members were elected to serve on the organizations in their personal capacity and not as representatives of LegCo. He strongly objected to requiring Members serving on these organizations to have to make reports to the Panels. He said that Members should be given a free hand to do their work. He added that the reporting arrangement would also undermine the autonomy of the universities. Prof NG Ching-fai concurred with Mr WONG.

35. The Chairman advised that the nomination of Members to these organizations was governed by the respective legislation which did not stipulate that the elected Members were appointed as LegCo's representatives. It was also not stated in law that these Members served in their personal capacity. There was no doubt, however, that having Members elected to serve on these organizations would facilitate communication between the respective organizations and the legislature. She said that the reporting requirement in paragraph 10 of the paper was agreed to by the House Committee at the meeting on 24 September 1999 in the last term. As some Members had expressed concern about the reporting arrangement, she suggested deferring a decision on the election procedure, pending further consideration of the reporting requirement. Members agreed. The Chairman instructed the Secretariat to prepare a paper to facilitate Members' discussion.

IX. Formation of Parliamentary Liaison Subcommittee
(*LC Paper No. CB(3) 37/00-01*)

36. The Chairman sought Members' views on paragraph 5 of the paper regarding the size of membership and the proposed election date.

37. Miss Emily LAU questioned the need for restricting the size of the subcommittee to nine members.

38. The Chairman said that it was for Members to determine the membership size but it would be necessary to set a limit on the number of members in order that the subcommittee could operate effectively. In response to the Chairman, Deputy Secretary General said that the programmes and visits organized by the subcommittee were open to all Members.

39. Mr IP Kwok-him and Mr Eric LI considered the current size of nine members appropriate. Mr Fred LI suggested that the

Action

subcommittee could have a maximum of 12 members and it was not necessary to fill up all 12 seats if less than 12 nominations were received at the time when the election took place. Members agreed. The Chairman added that if more than 12 nominations were received, an election should be held by a show of hands at a House Committee meeting. Members also agreed that the election should be held at the next House Committee meeting on 20 October 2000.

X. Review of LegCo Panels

(LC Paper No. CB(1) 34/00-01)

(Hon Fred LI Wah-ming's letter of 9 October 2000 to Chairman of the House Committee)

40. The Chairman introduced the paper and sought Members' views on the issues set out in paragraph 18 of LC Paper No. CB(1) 34/00-01.

41. On paragraph 18(d) and (e) of the paper, Members noted that the Panel on Trade and Industry (TI) and the Panel on Economic Services supported the proposed changes to their terms of reference and the proposed re-naming of the TI Panel in view of the reorganization of the Trade and Industry Bureau. Members agreed to the proposed changes. The Chairman said that she would move a motion on behalf of the House Committee to seek the Council's approval for the changes.

42. The Chairman said that paragraph 18(b) was related to Mr LI's proposal of setting up a new "Panel on Food Safety and Environment Hygiene". Mr Fred LI said that the issue of how matters relating to municipal services should be monitored by LegCo had been discussed in the last session upon the abolition of the two former municipal councils. He said that at the Council meeting on 26 January 2000, his amendments proposing the formation of a new Panel on "Food Safety and Environmental Hygiene" was supported by a majority of Members returned by geographical constituencies and the Election Committee, but among Members returned by functional constituencies, 13 were in favour and 13 against. Failing to obtain a majority vote in both groups of Members, his amendment was rejected by a margin of only one vote. Mr Fred LI remained of the view that there should be a separate Panel to provide dedicated attention to matters relating to food safety and environmental hygiene. He hoped that Members would support his proposal. He further suggested deferring the discussion of the subject matter to the next House Committee meeting, so as to allow more time for Members to consider his proposal. Members agreed.

43. Referring to paragraph 18(c) of LC Paper No. CB(1) 34/00-01, Mr Fred LI briefed Members on the background to the setting up of a

Action

subcommittee to follow up the outstanding capital works projects of the two former municipal councils. He said that there were worries that Government might not pursue these projects after the abolition of the municipal councils, and a number of District Councils had expressed concern about the projects in their districts. Mr Fred LI also referred Members to the options on how these outstanding projects should be followed up by LegCo as proposed in paragraph 15 of LC Paper No. CB(1) 34/00-01.

44. As regards paragraph 18(a) of the paper, Mr Fred LI said that there was general agreement among Members that a separate Panel on leisure, culture and sport was not necessary when the matter was discussed at the House Committee meeting on 7 January 2000.

45. Assistant Secretary General 1 (ASG1) said that when the House Committee discussed in December 1999 and January 2000 the options for LegCo Panels to monitor the provision of municipal services upon the abolition of the two former municipal councils, some Members were of the view that as there were only six months remaining in the then legislative term, it was not necessary to set up a new Panel to deal with leisure and culture matters. Such matters had therefore continued to be dealt with by the Panel on Home Affairs (HA). ASG1 added that from January to June 2000, no special meeting was held by the HA Panel to discuss leisure and culture matters.

46. Ms Cyd HO said that the terms of reference of the HA Panel covered a wide range of policy areas and it was not possible for the Panel to include too many items on leisure and culture for discussion at its monthly meetings. She held the view that as District Councils could not participate in formulating cultural policies, she was in favour of setting up a specific Panel to discuss policies on leisure, culture and sport subject to sufficient Members joining the Panel.

47. The Chairman pointed out that prior to July 1998, there was a Panel on Recreation, Culture and Sport. However, because of the low attendance of members at the meetings of this Panel, it was decided in the first LegCo term that there was no need to have a separate panel to deal with leisure and culture matters.

48. The Chairman asked whether Members would like to set up a subcommittee to study the various issues raised. Mr Andrew WONG and Mr Henry WU considered that as the options for dealing with these issues had already been set out in LC Paper No. CB(1) 34/00-01, there was no need to set up a subcommittee.

Action

49. Mr LAW Chi-kwong requested Members to consider whether "women matters" should continue to come under the ambit of the HA Panel, as the policy responsibility for "women matters" had been taken up by the Health and Welfare Bureau. Miss Margaret NG added that she would like to suggest amendments to the Schedule in Appendix I of the paper in respect of the Panel on Administration of Justice and Legal Services.

50. To allow more time for Members to consider further the various options, the Chairman suggested and Members agreed to defer a decision on paragraph 18(a)-(c) of LC Paper No. CB(1) 34/00-01 to the next House Committee meeting on 20 October 2000. The Chairman further suggested that the matters raised by Mr LAW Chi-kwong and Miss Margaret NG should also be dealt with at the next meeting on 20 October 2000.

XI. Arrangements for Members' declaration of interests

(Hon LAW Chi-kwong's letter of 10 October 2000 to Chairman of the House Committee)

51. The Chairman said that Mr LAW Chi-kwong and Miss Emily LAU had proposed that the arrangements for Members' declaration of interests should be reviewed. At the suggestion of the Chairman, Members agreed that the matter should be referred to the Committee on Members' Interest (CMI) for consideration.

52. In response to Miss Emily LAU, the Secretary General said that the Corruption Prevention Department of the Independent Commission Against Corruption (ICAC) had contacted the LegCo Secretariat two weeks ago to obtain a copy of the guidelines on Members' declaration of interests. The Secretary General added that any recommendations by the ICAC on the arrangements for Members' declaration of interests would be referred to CMI for consideration.

XII. Proposal for the Chief Executive, Chief Secretary for Administration, Financial Secretary and the Secretary for Justice to brief the Council on their official visits to Beijing

(Hon Martin LEE Chu-ming's letter of 10 October 2000 to Chairman of the House Committee)

53. Mr Martin LEE said that it had been a tradition for the former Governor and the former Chief Secretary to attend LegCo meetings on a regular basis and after important overseas visits or trips to report on their work. He noted that the Chief Secretary for Administration (CS)

Action

would give a statement on her recent visit to Beijing at the Council meeting on 18 October 2000. He considered that the Chief Executive (CE), Financial Secretary (FS) and Secretary for Justice (S for J) should also brief the Council after official visits to Beijing and important trips abroad. Subject to Members' agreement, he requested the Chairman of the House Committee to relay his proposal to CS.

54. Miss Emily LAU, Dr YEUNG Sum, Miss Margaret NG and Mr CHEUNG Man-kwong expressed support for putting in place a formal arrangement for CE, CS, FS and S for J to brief the legislature on the important visits they had taken. They considered that such an arrangement would help enhance the accountability of the executive authorities to the legislature.

55. Mr CHAN Kam-lam said that while he agreed that there should be increased communication between the executive authorities and the legislature, he had doubts as to whether the principal officials appointed by the Central People's Government had a constitutional or legal responsibility to report to the legislature on their overseas visits.

56. In response to the Chairman, the Legal Adviser said that Article 64 of the Basic Law provided that the Government should be accountable to the Legislature by means including the answering of questions raised by members of the Council. It would be within the powers of the legislature to ask questions of the Chief Executive and the principal officials mentioned as Article 73 of the Basic Law stipulated that the legislature could raise questions on the "work of the government". As regards the scope of the "work of the government" in Article 73(5) of the Basic Law, the Legal Adviser said that whilst there was no specific definition in the Basic Law, it would not be difficult to decide whether a certain matter was within the scope of the "work of the government". Assistance might be drawn from Article 62 of the Basic Law which stipulated the powers and functions of the government when determining whether a matter was "work of the government".

57. Miss Margaret NG said that while there were no specific legal provisions for CE and the principal officials to brief LegCo on their overseas visits, the Basic Law did not prohibit such briefings to be made to the legislature. She suggested that the format of a question and answer session could be used for principal officials to brief Members on their visits and to answer Members' questions.

58. Mr NG Leung-sing, Prof NG Ching-fai and Mrs Miriam LAU said that increased communication between the executive and the legislature should be encouraged. However, they did not consider it necessary to introduce a formal arrangement for CE and principal

Action

officials to brief Members on their trips to Beijing and important overseas visits.

59. Mr Andrew WONG commented that such briefings could be held in closed sessions to facilitate exchange of views and ideas.

60. Mr Bernard CHAN expressed concern about requiring FS and other senior officials with responsibilities for financial affairs and economic services to give a briefing after each overseas visit, given the high frequency of overseas trips undertaken by these officials.

61. Mr Martin LEE stressed that it was the legislature's responsibility to monitor the work of the government. He further clarified that his proposal was that CE, CS, FS and S for J should attend the Council meetings "at the request of the Council", after their trips to Beijing or important visits abroad, to brief Members and to answer questions from Members on matters discussed during such trips.

62. The Chairman concluded that Members generally agreed that there should be enhanced accountability of the government and increased communication between the executive and the legislature. With Members' agreement, she would raise the following with CS on 16 October 2000 -

- (a) CE, CS, FS and S for J to brief Members after trips to Beijing and important overseas visits abroad and to answer Members' questions; and
- (b) the format of such briefings, e.g. question and answer sessions or statements made at Council meetings.

XIII. Proposal to set up a select committee to inquire into the "opinion poll incident" and related matters

(Hon Martin LEE Chu-ming's letter of 10 October 2000 to Chairman of the House Committee)

63. Mr Martin LEE requested that discussion of his proposal be deferred to the next House Committee meeting given that there was insufficient time for discussion at this meeting. The Chairman acceded to Mr LEE's request as discussion on the item had not yet commenced.

64. Miss Margaret NG informed the meeting that she had given notice to move a motion "that the Chief Executive should terminate the appointment of his Senior Special Assistant Andrew LO for breach of duty in the Robert CHUNG affair", subject to her being allocated a time

Action

slot for a motion debate at the Council meeting on 8 November 2000. She said that if Mr LEE's proposal was supported by Members, she would withdraw the notice to move her motion, if she was allocated a slot.

XIV. Some proposals on the method of work in Panels and Bills Committees

(Paper prepared by Hon Margaret NG)

65. The Chairman suggested and Members agreed that Miss Margaret NG's proposals should be referred to the Committee on Rules of Procedure for detailed consideration.

XV. Problems arising from the reduction of Members' remuneration and operating expenses

(Hon LEUNG Yiu-chung's letter of 11 October 2000)

66. The Chairman referred Members to Mr LEUNG Yiu-chung's letter of 11 October 2000 and suggested that a subcommittee be formed. She said that the subcommittee's membership should be broadly balanced and representative of the membership of LegCo.

67. Mr TSANG Yok-sing asked whether the proposed subcommittee would also need to make recommendations on changes to Members' remuneration and operating expenses reimbursement.

68. Mr IP Kwok-him considered that the subcommittee should only review the mechanism for determining Members' remuneration and operating expenses reimbursement. He said that to avoid conflict of interest, the subcommittee should not make recommendations on the amount of Members' remuneration and operating expenses reimbursement.

69. Ms Cyd HO suggested that reference be made to the terms of reference of a similar subcommittee set up in the last term to review Members' remuneration and operating expenses.

70. The Chairman advised that Members' remuneration and operating expenses reimbursement were determined by the Independent Commission on Remuneration for Members of the Executive Council and the Legislature of the HKSAR chaired by Mr WONG Po-yan. She said that as the levels of Members' remuneration and operating expenses reimbursement were adjusted according to the Consumer Price Index

Action

(C), she suggested that the proposed subcommittee should review whether the current mechanism was appropriate.

71. Mr Fred LI said that there was some urgency in the review because of the implementation of the Mandatory Provident Fund (MPF) Scheme in December 2000. Mr LEUNG Yiu-chung suggested that the proposed subcommittee should also look into the arrangements for MPF payments for Members' personal assistants and the reimbursable ceiling of the operating expenses.

72. To facilitate Members' consideration of the terms of reference of the proposed subcommittee and how Members could join the subcommittee, the Chairman requested the LegCo Secretariat to provide a paper for discussion at the next meeting.

XVI. Any other business

Demonstration of the Electronic Voting System

73. The Chairman urged Members who were not familiar with the electronic voting system to stay behind for the demonstration.

74. There being no further business, the meeting ended at 5:05 pm.

Legislative Council Secretariat
18 October 2000