

立法會
Legislative Council

LC Paper No. CB(2) 98/00-01

Ref : CB2/H/5

House Committee of the Legislative Council

**Minutes of the 3rd meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 20 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 LUI Ming-wah, JP
Hon NG Leung-sing
Prof Hon NG Ching-fai
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching
Hon CHAN Kwok-keung
Hon CHAN Yuen-han
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

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 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
Mr Andy LAU	Chief Assistant Secretary (1)2
Miss Salumi CHAN	Chief Assistant Secretary (1)5
Mrs Constance LI	Chief Assistant Secretary (2)5
Mrs Florence LAM	Chief Assistant Secretary (3)2
Mr FU Ping-hong	Senior Assistant Secretary (1)7
Miss Betty MA	Senior Assistant Secretary (2)1

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I. Confirmation of the minutes of the 2nd meeting held on 13 October 2000

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

The minutes were confirmed.

II. Matters arising

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

2. The Chairman said that Members' request for the Chief Executive (CE), CS, Financial Secretary, Secretary for Justice to brief the Council after official visits to Beijing and abroad had been conveyed to CS. CS had responded that the Administration would consider the request and reply in writing.

(Post-meeting note : CS's reply was issued to Members vide LC Paper No. CB(2) 104/00-01 dated 23 October 2000.)

III. Business arising from previous Council meetings

(a) Legal Service Division's reports on bills referred to the House Committee in accordance with Rule 54(4)

(i) Inland Revenue (Amendment) Bill 2000
(LC Paper No. LS 8/00-01)

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3. Referring to the paper, the Legal Adviser explained that the Bill proposed a number of amendments relating to royalty income, deduction of interest expenses, computation of annual allowances in respect of commercial and industrial buildings, home loan interest, etc. The Legal Adviser said that the Legal Service Division was seeking clarification from the Administration on some legal points and would provide a further report. He added that it was a matter for Members to consider whether a Bills Committee should be formed.

4. Mrs Miriam LAU said that certain areas in the Bill required detailed study. Mr SIN Chung-kai concurred and suggested that a Bills Committee be formed right away. The Chairman proposed that a Bills Committee be formed. Members agreed. The following Members agreed to join : Ms Cyd HO, Mr Eric LI, Mr SIN Chung-kai and Mrs Miriam LAU.

(ii) Stamp Duty (Amendment) Bill 2000
(LC Paper No. LS 4/00-01)

5. The Legal Adviser said that the Bill sought to exempt the stamp duty chargeable on a transfer of units when the units were issued or redeemed, if a constituent fund of a mandatory provident fund was a party to the transfer. The Legal Adviser added that according to the LegCo Brief, the proposed amendments had the support of the Hong Kong Investment Funds Association.

6. Members did not raise objection to the resumption of the Second Reading debate on the Bill.

(iii) Immigration (Amendment) Bill 2000
(LC Paper No. LS 3/00-01)

7. Introducing the paper, the Legal Adviser said that the Bill was to empower the Director of Immigration to require persons applying for a certificate of entitlement to establish their status as permanent residents of the Hong Kong Special Administrative Region (HKSAR) to undergo a genetic test in order to establish parentage relationship. He added that Members might wish to form a Bills Committee to study the Bill in detail, given that the Bill touched on a subject which had attracted much public concern.

8. Ms Cyd HO and Mr James TO suggested that a Bills Committee be formed. Members agreed. The following Members agreed to join : Ms Cyd HO, Mr James TO and Mr Howard YOUNG.

(iv) Rehabilitation Centres Bill
(LC Paper No. LS 2/00-01)

9. The Legal Adviser explained that the Bill proposed a short term residential programme to provide an additional sentencing option in dealing with young offenders of age between 14 years and 21 years. He added that as the Bill introduced a new step in tackling juvenile delinquency, Members might wish to form a Bills Committee to study the Bill in detail.

10. Mr LAW Chi-kwong suggested that a Bills Committee be formed. Members agreed. The following Members agreed to join : Mr Eric LI, Mr Andrew WONG, Mr YEUNG Yiu-chung, Mrs Miriam LAU, Mr Henry WU and Mr WONG Sing-chi.

(b) Legal Service Division's report on subsidiary legislation tabled in Council on 18 October 2000 (gazetted on 13 October 2000)

(LC Paper No. LS 7/00-01)

11. The Legal Adviser said that the report covered five items of subsidiary legislation, including one commencement notice and three items on fee increase proposals which would come into operation on 24 November 2000.

12. As regards the Insurance Companies (Actuaries' Standards) Regulation, the Legal Adviser explained that it sought to prescribe the standards for compliance by an actuary appointed under the Insurance Companies Ordinance.

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

14. The Chairman informed members that the respective deadlines for giving notice to amend the subsidiary legislation or to extend the scrutiny period at the Council meeting on 15 November 2000 were 8 November 2000 and 10 November 2000.

IV. Further business for the Council meeting on 25 and 26 October 2000

15. The Chairman said that Mr LEE Cheuk-yan had given notice to amend the motion and that his proposed amendment had been issued to Members vide LC Paper No. CB(3) 74/00-01 dated 19 October 2000.

V. Business for the Council meeting on 1 November 2000

(a) Questions

(LC Paper No. CB(3) 62/00-01 dated 20 October 2000 tabled at the meeting)

16. The Chairman said that ten written questions had been tentatively scheduled. She reminded Members that the deadline for giving notice of questions for the Council meeting on 1 November 2000 was 23 October 2000.

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

(i) Drug Trafficking and Organized Crimes (Amendment) Bill 2000

(ii) Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Bill

(iii) Dangerous Goods (Amendment) Bill 2000

17. The Chairman said that the above three Bills would be introduced into the Council on 1 November 2000 and considered by the House Committee on 3 November 2000.

(c) Government motion

Resolution under section 29 of the Pharmacy and Poisons Ordinance (Cap. 138) - to be moved by the Secretary for Health and Welfare

(LC Paper No. LS 6/00-01)

18. The Legal Adviser said that the purpose of the motion was to seek the Council's approval of the Pharmacy and Poisons (Amendment) (No.4) Regulation 2000 and the Poisons List (Amendment) (No.4) Regulation 2000 which required certain pharmaceutical products to be sold under the supervision of registered pharmacists. The Legal Service Division considered that the legal and drafting aspects of the motion and the two Amendment Regulations were in order.

19. Members did not raise objection to the Secretary for Health and Welfare moving the proposed resolution at the Council meeting on 1 November 2000.

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VI. Advance information on business for the Council meeting on 8 November 2000

(a) Bills - First Reading and moving of Second Reading

Adaptation of Laws Bill 2000

20. The Chairman said that the above Bill would be introduced into the Council on 8 November 2000 and considered by the House Committee on 10 November 2000.

(b) Members' motions

(i) Motion to be moved by Hon YEUNG Yiu-chung

21. The Chairman said that Mr YEUNG Yiu-chung would move a motion on "Enhancing the welfare for the elderly".

(ii) Motion to be moved by Hon Margaret NG

22. The Chairman said that Miss Margaret NG would move a motion on "Terminating the appointment of the Senior Special Assistant to the Chief Executive".

23. The Chairman reminded Members that the respective deadlines for giving notice of the motions and amendments, if any, to the motions were 24 October 2000 and 1 November 2000. The speaking time limits stipulated in rule 17(c) of the House rules would apply.

VII. 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 issued vide LC Paper No. CB(2) 34/00-01 dated 11 October 2000)

(a) Election of seven Members to the Public Accounts Committee

(b) Election of seven Members to the Committee on Members' Interests

(c) Election of 12 Members to the Committee on Rules of Procedure

24. The Chairman said that at the House Committee meeting on 13 October 2000, Members endorsed the nomination and election

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procedure. She then invited Members to make nominations of Members to the three committees for appointment by the President. The following members were nominated -

(a) Public Accounts Committee

Mr David CHU Yu-lin
Mr Eric LI Ka-cheung
Mr Fred LI Wah-ming
Mr LAU Kong-wah
Miss Emily LAU Wai-hing
Mr Abraham SHEK Lai-him
Mr Tommy CHEUNG Yu-yan

(b) Committee on Members' Interests

Mr David CHU Yu-lin
Ms Cyd HO Sau-lan
Mr NG Leung-sing
Mr Bernard CHAN
Mrs Sophie LEUNG
Mr SIN Chung-kai
Mr YEUNG Yiu-chung

(c) Committee on Rules of Procedure

Mr Kenneth TING Woo-shou
Mr Martin LEE Chu-ming
Mr Fred LI Wah-ming
Mr NG Leung-sing
Miss Margaret NG
Mr Andrew WONG Wang-fat
Mr TSANG Yok-sing
Mrs Miriam LAU Kin-yee
Mr Ambrose LAU Hon-chuen
Miss Emily LAU Wai-hing
Mr Henry WU King-cheong
Mr IP Kwok-him

25. The Chairman suspended the meeting for 10 minutes to allow the Members elected to nominate from among themselves the Chairmen and Deputy Chairmen of the committees concerned. Members noted that -

- (a) Mr Eric LI Ka-cheung and Miss Emily LAU were nominated to be the Chairman and Deputy Chairman of the Public Accounts Committee respectively;

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- (b) Mr David CHU Yu-lin and Mr SIN Chung-kai were nominated to be the Chairman and Deputy Chairman of the Committee on Members' Interests respectively; and
- (c) Mr TSANG Yok-sing and Miss Margaret NG were nominated to be the Chairman and Deputy Chairman of the Committee on Rules of Procedure respectively.

VIII. Election of Members to the Parliamentary Liaison Subcommittee

(LC Paper No. CB(3) 37/00-01 issued vide LC Paper No. CB(2) 34/00-01 dated 11 October 2000)

26. The Chairman said that Members agreed at the House Committee meeting on 13 October 2000 that the subcommittee could have a maximum of 12 members, and that it was not necessary to fill all 12 seats if less than 12 nominations were received at the time of election. She then invited nominations from Members.

27. The following nine Members were elected to the Parliamentary Liaison Subcommittee -

Mr David CHU Yu-lin
Mr Fred LI Wah-ming
Dr LUI Ming-wah
Prof NG Ching-fai
Mr James TO Kun-sun
Mr CHAN Kwok-keung
Mr Howard YOUNG
Miss Emily LAU Wai-hing
Miss CHOY So-yuk

28. The Chairman said that the subcommittee would elect its Chairman and Deputy Chairman at its first meeting.

IX. Review of LegCo Panels

(LC Paper No. CB(1) 34/00-01 issued vide LC Paper No. CB(2) 47/00-01 dated 12 October 2000)

(Hon Fred LI Wah-ming's letter of 9 October 2000 to Chairman of House Committee issued vide LC Paper No. CB(2) 34/00-01 dated 11 October 2000)

(LC Paper No. CB(1) 66/00-01)

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29. The Chairman said that consideration of the proposals in paragraph 18 (a)-(c) of LC Paper No. CB(1) 34/00-01 had been deferred to this meeting. She then invited Members' views on the following -

- (a) whether a new Panel to deal with policies and issues relating to leisure, culture and sport should be set up;
- (b) whether a new Panel to deal with policies and issues relating to food safety and environmental hygiene should be set up; and
- (c) in what manner the outstanding capital works projects of the former municipal councils should be followed up.

30. On paragraph 29(a) above, Mr Fred LI said that there was no need to set up a new Panel to deal with policies and issues relating to leisure, culture and sport, and that these issues should continue to be monitored by the Panel on Home Affairs. Mr Andrew WONG concurred with Mr LI. The Chairman proposed that a new "Panel on Leisure, Culture and Sport" would not be formed. Members agreed.

31. The Chairman suggested that the meeting should proceed to take a vote on paragraph 29(b), as the proposal of setting up a new "Panel on Food Safety and Environmental Hygiene" had been deliberated at the last meeting. The Chairman ordered that a vote be taken on the proposal. The result was 28 Members voted for the proposal, one Member voted against the proposal, and nine Members abstained from voting.

32. On the monitoring of the outstanding capital works projects of the former municipal councils, the Chairman referred Members to the three options proposed in paragraph 15 of LC Paper No. CB(1) 34/00-01, viz. whether these projects should be followed up by the respective Panels or a subcommittee dedicated for the purpose under the House Committee, or by way of periodic reports to the Public Works Subcommittee (PWSC) of the Finance Committee.

33. Mr Fred LI said that it was not possible for PWSC to follow up the outstanding projects, because the majority of these projects were not yet included in Category C of the Public Works Programme (PWP). He considered it more appropriate for a dedicated subcommittee, and not Panels, to monitor these projects as some of them fell within the ambit of more than one Panel. He pointed out that several District Councils had approached the former subcommittee set up in the last term to monitor these projects to express concern about the prospect of those projects in their districts.

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34. Mr Andrew WONG, Dr YEUNG Sum, Ms Cyd HO, Mr WONG Yung-kan and Mr WONG Sing-chi expressed support for setting up a subcommittee under the House Committee to follow up the outstanding capital works projects of the former municipal councils.

35. Mr Andrew WONG also pointed out that it was not within the terms of reference of PWSC to monitor projects which had not yet been included in the PWP. He added that PWSC was only tasked to consider Government proposals on the upgrading to and downgrading from Category A of the PWP and changes of scope or project estimates in relation to these projects.

36. Dr YEUNG Sum said that LegCo Members, particularly those who were former members of the two Provisional Municipal Councils (PMCs), had the responsibility to follow up the outstanding projects of the former PMCs.

37. Mrs Sophie LEUNG said that the subcommittee set up in the last term had helped solve many problems in relation to the PMC projects such as the proposed Hammer Hill Road District Park. She considered that the District Councils concerned could continue to follow up the projects with the Administration.

38. Mr James TIEN objected to the setting up of a subcommittee for monitoring the former PMC projects. He said that it was beyond Members' capacity to follow up each and every project of the former PMCs in the districts. As District Councils were more familiar with the development and needs of their respective districts, he considered it more appropriate for the District Councils to follow up the projects with the Administration. He added that the Central and Western District Council, for instance, had achieved satisfactory progress in pursuing the proposed Sun Yat Sen Memorial Park with the Administration.

39. Dr Philip WONG suggested that the Administration be asked to provide periodic progress reports on these projects to Members.

40. Mr NG Leung-sing and Mr IP Kwok-him said that the proposed subcommittee should operate for a specific period of time within which it should report its work and recommendations to the House Committee.

41. The Chairman advised that the proposed subcommittee would be required to report its work to the House Committee and that the subcommittee would be dissolved upon completion of its work or as directed by the House Committee.

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42. The Chairman put the proposal of forming a subcommittee under the House Committee to follow up the outstanding projects of the former municipal councils to vote. The result was 19 Members voted for the proposal, seven voted against the proposal, and three Members abstained from voting.

43. Referring Members to paragraphs 4 and 5 of LC Paper No. CB(1) 66/00-01, the Chairman explained that the following changes were proposed -

- (a) the Administration Wing of the Chief Secretary for Administration's office to be included as one of the corresponding bureaux/bodies of the Panel on Administration of Justice and Legal Services, to reflect the practice of the Director of Administration being invited to attend meetings of the Panel to discuss matters under the Director's responsibilities; and
- (b) technical amendments to the terms of reference of each Panel to reflect the provision in Rule 77(3) and 77(14) of the Rules of Procedure.

44. The Chairman suggested that each Panel be invited to take another look at the proposed terms of reference set out in the Appendix to the paper before they were recommended by the House Committee for the Council's approval. Members agreed.

45. As regards "women matters", the Chairman referred Members to paragraph 5 of LC Paper No. CB(1) 66/00-01 and the Director of Administration's letter of 20 October 2000 tabled at the meeting. Mr LAW Chi-kwong said that the Administration's letter had reflected the concern of women's groups that pursuing women affairs in the Panel on Welfare Services might give the wrong impression that women affairs related primarily to welfare. Mr LAW proposed that "women matters" should continue to come under the ambit of the Panel on Home Affairs. Members agreed.

X. 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 issued vide LC Papers No. CB(2) 34 and 47/00-01 dated 11 and 12 October 2000 respectively)

46. The Chairman said that discussion of the item was deferred to this meeting at the request of Mr Martin LEE. She then invited Mr LEE to brief Members on his proposal.

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47. Mr Martin LEE referred Members to his letter of 10 October 2000 which set out the background to and reasons for his proposal to set up a select committee to inquire into the "opinion poll incident" and the non-reappointment of Mr Tony FUNG to the Council of the Chinese University of Hong Kong (CUHK).

48. Mr Martin LEE considered that the truth about the "opinion poll incident" had not been fully revealed as CE had declined to testify before the Independent Investigation Panel (IIP) appointed by the University of Hong Kong (HKU). Mr LEE said that the Council of HKU had given no judgment or comment on the report of the IIP. He further said the IIP had found Mr LO Cheung-on, CE's personal assistant, to be "a poor and untruthful witness". The IIP had also considered that Mr LO had not recounted what had actually happened at his meeting with the Vice-Chancellor of HKU.

49. Mr Martin LEE further said that according to the statements of Professor CHENG Kai-ming and Professor Felice LIEH-MAK at a hearing of the IIP, the Vice-Chancellor of HKU had told them that CE had expressed concern about the negative findings of the surveys conducted by Dr Robert CHUNG on the popularity of the Government and CE. This was however denied by a press statement issued by CE's Office. Mr LEE pointed out that it was not known whether it was CE who had actually criticized Dr Robert CHUNG's work, or whether CE had instructed Mr LO to make such criticisms on his behalf. Mr LEE said that LegCo should investigate this aspect of the incident to ascertain whether the HKSAR Government had interfered with the academic freedom of HKU. He stressed that it was not necessary for LegCo to investigate those matters which IIP had inquired into and on which conclusions had been drawn.

50. Mr Martin LEE also said that an article in the Asian Wall Street Journal reported that Mr Andrew LO had voiced objection to the proposed re-appointment of Mr Tony FUNG to the Council of CUHK. Mr LEE pointed out that Mr FUNG's reappointment was subsequently shortened to one year, instead of the normal term of three years, and that Mr FUNG would not be reappointed on expiry of his term in October 2000. He considered that the matter also involved the question of whether Mr Andrew LO or CE had interfered with university affairs for political reasons, and that the matter should also be inquired into by the proposed select committee.

51. Mr Martin LEE requested Members to support his proposal of setting up a select committee to investigate into the four issues as detailed in his letter, in order that the persons concerned could be

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summoned to give evidence under the powers conferred by the Legislative Council (Powers and Privileges) Ordinance. He suggested that the motion to set up the proposed select committee be moved by the Chairman of the House Committee.

52. Mr TSANG Yok-sing said that Members belonging to the Democratic Alliance for the Betterment of Hong Kong were opposed to the setting up of a select committee. He found it conflicting in principle for Mr LEE to request LegCo to conduct another inquiry into the "opinion poll incident" on one hand, and accepting that the IIP had "fulfilled its obligations conscientiously" by inquiring into the circumstances surrounding the incident on the other. On the "opinion poll incident", Mr TSANG held the view that the parties concerned had already given evidence to the IIP and CE's Office had issued a press statement on the incident. Another inquiry would not be necessary unless it was considered that the witnesses would be telling LegCo something different from their earlier evidence. As regards the article on the non-reappointment of Mr Tony FUNG to the Council of CUHK, Mr TSANG considered it inappropriate for LegCo to set up a select committee to investigate into allegations made in a press report.

53. Mr CHEUNG Man-kwong and Dr YEUNG Sum said that CE had not testified before the IIP. The crux of the matter was whether CE had instructed Mr Andrew LO, or communicated with the Vice-Chancellor of HKU, to interfere with the academic freedom of HKU. Mr CHEUNG and Dr YEUNG considered that setting up a select committee would enable LegCo to summon CE to answer Members' questions using the powers conferred by the Legislative Council (Powers and Privileges) Ordinance. Mr CHEUNG added that the non-reappointment of Mr Tony FUNG had aroused public concern as to whether CE had also interfered with the affairs of CUHK.

54. Mr Albert HO commented that the "opinion poll incident" was not an internal affair of HKU but a matter of wide public concern. He was of the view that as CE had not given evidence to the IIP and since the IIP report was not endorsed by the Court of HKU, the public could not fully understand the circumstances surrounding the incident, particularly the role of CE and his relationship with Mr Andrew LO.

55. Miss Emily LAU said that Members belonging to the Frontier fully supported Mr Martin LEE's proposal. She said that the IIP was limited by its remit in conducting the inquiry and the public had expectations that LegCo would conduct an independent inquiry to clear up doubts relating to the role of CE in the incident.

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56. Professor NG Ching-fai held the view that LegCo should respect the autonomy of a university and should not interfere with its affairs unless requested by or with the consent of the university.

57. Mrs Miriam LAU said that Members belonging to the Liberal Party did not support setting up a select committee. She said that the public already had a clear understanding of what happened in the "opinion poll incident" given the transparency and publicity of the inquiry conducted by the IIP. She added that there were different bodies of opinion in the community about the incident and there were people who considered that CE had not interfered with the academic freedom of HKU. In her view, as the persons involved had already given testimony to the IIP and that CE's Office had also made a press statement, there was no need for LegCo to conduct an inquiry into the incident. She added that it would not be proper use of public funds to set up a select committee to investigate issues which the IIP had already inquired into.

58. Mr Ambrose LAU was not in favour of setting up a select committee. He pointed out that substantial resources were required to service a select committee. Moreover, since Mr Andrew LO had given testimony to the IIP and CE's Office had already issued a press statement, further inquiry by LegCo would not be justified as the inquiry might give the same results.

59. Mr Martin LEE disagreed with the argument put forward by some Members that it would not be necessary to investigate when the person concerned had already denied the allegations. Mr LEE said that if such reasoning was to be followed, then there would not be the need to put a case to trial before a court of law. Mr LEE also disagreed that inquiring into the incident was tantamount to interfering with university affairs.

60. The Chairman advised that as the proposal had been thoroughly discussed, she would put the matter to vote. The Chairman said that Members should vote on the question that the Chairman of the House Committee should move a motion in Council to set up a select committee as proposed in Mr LEE's letter. Members agreed. The result was 20 Members voted for the proposal, 32 Members voted against the proposal, and one Member abstained from voting.

XI. Nomination and election of Members to the governing bodies of education institutes and other advisory bodies and reporting of work by the Members nominated to serve on these bodies
(*LC Paper No. CB(2) 74/00-01*)

61. Referring Members to paragraphs 13 to 15 of the paper, the Chairman invited Members' views on the two options on the reporting arrangement. The Chairman said that a modified approach was proposed in paragraph 14 to give the Members concerned the discretion to decide when to report and what to report.

62. Mr CHEUNG Man-kwong said that Members belonging to the Democratic Party were of the view that the reporting requirement was impractical. He said that most issues discussed at meetings of the governing bodies of education institutes were related to their internal affairs which were of no interest to the public or LegCo. He pointed out that even if Members were given the discretion on what to report, the Members concerned would still have difficulties in deciding what should be reported. He suggested that the reporting requirement be dispensed with. He added that if the Member concerned considered that a certain issue would be of interest to LegCo or the public, the Member could raise it with the relevant committee.

63. The Chairman said that the fundamental question was whether the Members elected to the governing bodies or advisory bodies were there as LegCo's representatives. If this was the case, the Members concerned had the responsibility to report their work to the relevant committees of LegCo. However, if this was not the case, the Members should be given a free hand to do their work.

64. Mr CHAN Kam-lam, Mr James TIEN and Prof NG Ching-fai shared Mr CHEUNG's views that there were practical difficulties for Members concerned to report to LegCo Panels or other committees. Mr James TIEN added that it was also difficult for the Members concerned to make reports collectively because they might have different views or political inclinations. Mr James TIEN and Prof NG Ching-fai considered it more important for the Members nominated to serve on the governing bodies or advisory bodies to conscientiously attend meetings of the respective bodies.

65. In view of Members' comments, the Chairman proposed that Members nominated to the governing bodies of education institutes and other advisory bodies would not be required to report their work on these bodies to the Council or its committees. Members agreed.

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66. Members endorsed the nomination and election procedure proposed in paragraph 16 of the paper and agreed to hold the election at the House Committee meeting on 27 October 2000.

XII. Proposed subcommittee on Members' remuneration and operating expenses reimbursement

(LC Paper No. AS 50/00-01)

67. The Chairman referred Members to the paper which presented information on the previous Subcommittee on Review of Operating Expenses for Members of the Legislative Council. The Chairman suggested that the proposed subcommittee on Members' remuneration and operating expenses reimbursement should adopt a broad scope of work similar to that of the previous Subcommittee, and that no limit on the membership size should be set. She further suggested that the proposed subcommittee should make report(s) to the House committee on its work and recommendations. Members agreed to the Chairman's suggestions.

XIII. Payment of honoraria to non-official members of Government boards and committees

(LC Paper No. CB(1) 5/00-01)

68. The Chairman referred to the paper which set out the recommendations of the former subcommittee on payment of honoraria to non-official members of Government boards and committees, and the Administration's response to the recommendations.

69. In response to Mr Andrew WONG, Assistant Secretary General 1 explained that under the current arrangement, the relevant Bureau Secretaries would consult the chairmen of the committees under their purview and discuss with the Finance Bureau the need for and the rate of remuneration for non-official members.

70. Mr Andrew WONG said that it should be for the Government, instead of the committees themselves, to determine the rate of remuneration for non-official members of Government boards and committees.

71. Mr LAW Chi-kwong pointed out that the issue of honoraria to non-official members of boards and committees was previously discussed by the Panel on Home Affairs. He suggested that follow-up work to the recommendations of the subcommittee be undertaken by the Panel. Members agreed.

XIV. Proposed meetings-cum-luncheons with District Council members and the Heung Yee Kuk

(LC Paper No. CB(2) 4/00-01)

(Hon NG Leung-sing's letter of 16 October 2000 to Chairman of the House Committee)

(Hon IP Kwok-him and Hon YEUNG Yiu-chung's letter of 16 October 2000 to Chairman of the House Committee)

72. The Chairman introduced the paper and invited Members' views on the proposed arrangements for holding meetings-cum-luncheons with District Council (DC) members. She also drew Members' attention to the proposal of Mr IP Kwok-him and Mr YEUNG Yiu-chung to increase the frequency of meetings with each DC from one to two in each session.

73. Mr IP Kwok-him said that Members belonging to the Democratic Alliance for the Betterment of Hong Kong had learnt that most DC members would like to have more meetings with LegCo Members because the cases referred to LegCo Members for follow-up work were often dealt with more efficiently and effectively. Mr IP added that increased communication with the DCs would also enable LegCo Members to have a better understanding of the needs of various districts.

74. Mr LAW Chi-kwong and Mrs Miriam LAU said that they had no objection to enhancing communication with DC members, subject to the availability of resources for secretariat support and luncheon expenses. Mrs Miriam LAU also pointed out that many matters or problems brought up for discussion by the DCs at such meetings were rather complicated which required time to follow up. She was of the view that increasing the frequency of Members' meetings with DCs would not help expedite the progress of solving these problems.

75. Mr NG Leung-sing suggested that only the Chairmen and Deputy Chairmen of DCs should be invited to meet with LegCo Members at the second meeting.

76. Dr TANG Siu-tong said that additional resources could be sought if Members agreed to increase the frequency of meetings with DC members. He added that Members might consider holding the second meeting only at the request of the DCs.

77. The Secretary General said that the proposal of increasing the frequency of meetings with DCs from one to two in each session would mean holding a total of 36 meetings in a year. The proposal had resource implications, as additional manpower would be required to

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provide secretariat support and to follow up the various issues discussed at these meetings.

78. Mr James TIEN added that Members should also consider Members' capacity to cope with the additional workload and the fact that increasing the frequency of meetings could not help expedite the progress of following up the issues or problems raised by DC members.

79. The Chairman said that in deciding whether the number of meetings should be doubled, Members should have regard to the Council's work priorities. She suggested that consideration of the item be deferred, and requested the Secretariat to provide a paper detailing the work involved in servicing meetings-cum-luncheons with DC members.

80. With regard to the need for establishing communication between LegCo and the Heung Yee Kuk as proposed by Mr NG Leung-sing, Mr IP Kwok-him and Mr YEUNG Yiu-chung in their respective letters, Mr LAU Wong-fat expressed support for the proposal in his capacity as Chairman of the Heung Yee Kuk. He said that the Heung Yee Kuk was a statutory organization which represented the interests of the people in the New Territories. He hoped that the establishment of a communication mechanism between the Heung Yee Kuk and LegCo Members could help solve problems encountered in the development of the New Territories particularly those relating to land resumption and resettlement.

81. Members agreed in principle that LegCo Members should meet members of the Heung Yee Kuk once a year. In view of the large number of Heung Yee Kuk members, Mr Fred LI suggested that he and the Chairman of the House Committee should discuss the detailed arrangements for the meeting with Mr LAU Wong-fat. Members agreed.

XV. Any other business

82. There being no further business, the meeting ended at 5:20 pm.