

立法會
Legislative Council

LC Paper No. CB(2)500/01-02

(These minutes have been
seen by the Administration)

Ref : CB2/SS/13/00

**Subcommittee on Public Health (Animals and Birds) (Chemical Residues) Regulation
& Harmful Substances in Food (Amendment) Regulation 2001**

**Minutes of the 5th meeting
held on Monday, 15 October 2001 at 10:45 am
in Conference Room A of the Legislative Council Building**

Members Present : Dr Hon LO Wing-lok (Chairman)
Hon Fred LI Wah-ming, JP
Hon WONG Yung-kan
Hon TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung

Member Absent : Hon Cyd HO Sau-lan

Public Officers Attending : Dr Les SIMS
Assistant Director (Agriculture, Quarantine and Inspection)
Agriculture, Fisheries and Conservation Department

Mrs Ingrid YEUNG
Principal Assistant Secretary for the Environment and Food (A) 1

Dr Mabel YEUNG
Acting Assistant Director (Food Surveillance & Control)
Food and Environmental Hygiene Department

Mr Simon TAM
Senior Government Counsel
Prosecution Division
Department of Justice

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Clerk in Attendance : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in Attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Ms Dora WAI
Senior Assistant Secretary (2) 4

The Subcommittee deliberated (Index of proceedings attached at **Annex**).

2. The Administration was requested to provide the following information to facilitate the work of the Subcommittee -

- (a) numbers of different types of fresh provision shops and market stalls which sold fresh and chilled meat;
- (b) circumstances where strict liability was imposed in other ordinances under the purview of the Environment and Food Bureau; and
- (c) prosecution procedure for an offence committed by a body corporate, in particular the liability of the directors of a body corporate.

3. The Subcommittee agreed to complete clause by clause examination of the Regulations and to discuss any outstanding issues at the next meeting on 20 October 2001 at 9:00 am.

4. There being no other business, the meeting ended at 1:10 pm.

Legislative Council Secretariat

26 November 2001

**Proceedings of the meeting of the Subcommittee on
Public Health (Animals and Birds) (Chemical Residues) Regulation
& Harmful Substances in Food (Amendment) Regulation 2001
on Monday, 15 October 2001 at 10:45 am
in Conference Room A of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
0001-0135	Chairman	Inviting Admin to introduce its proposed amendments to the Regulations	
0136-0347	Admin	Admin's proposed amendments to - a) section 17(4) and (5) of the Regulation; and b) section 4 of the Amendment Regulation (Regulation 3A of Cap. 132 sub. leg.)	
0348-0407	Chairman	Food surveillance results on testing of pork	
0408-0554	Mr WONG Yung-kan	Food surveillance results on testing of pork	
0555-0611	Chairman	Food surveillance results on testing of pork	
0612-0636	Admin	Food surveillance results on testing of pork	
0637-0642	Chairman	Food surveillance results on testing of pork	
0643-0732	Mr WONG Yung-kan	Food surveillance results on testing of pork	
0733-0740	Chairman	Enforcement actions taken after the implementation of control on sale of chilled pork	
0741-0819	Admin	Food surveillance results on testing of pork	
0820-0823	Chairman	Enforcement actions taken after the implementation of control on sale of chilled pork	
0824-0913	Admin	Enforcement actions taken after the implementation of control on sale of chilled pork	
0914-0921	Chairman	Enforcement actions taken after the implementation of control on sale of chilled pork	
0922-0938	Mr TAM Yiu-chung	Enforcement actions taken after the implementation of control on sale of chilled pork	
0939-0944	Admin	Enforcement actions taken after the implementation of control on sale of chilled pork	✓
0945-1151	Mr Tommy CHEUNG	Enforcement actions taken after the implementation of control on sale of chilled pork	
1152-1158	Chairman	Enforcement actions taken after the implementation of control on sale of chilled pork	
1159-1306	Mr TAM Yiu-chung	Food surveillance results on testing of pork	
1307-1408	Admin	Food surveillance results on testing of pork	

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1409-1421	Chairman	Food surveillance results on testing of pork	
1422-1452	Mr Tommy CHEUNG	Food surveillance results on testing of pork	
1453-1500	Admin	Food surveillance results on testing of pork	
1501-1634	Mr Tommy CHEUNG	Food surveillance results on testing of pork	
1635-1638	Chairman	Food surveillance results on testing of pork	
1639-1814	Admin	Food surveillance results on testing of pork	
1815-1826	Chairman	Food surveillance results on testing of pork	
1827-1835	Mr Tommy CHEUNG	Food surveillance results on testing of pork	
1836-1849	Admin	Food surveillance results on testing of pork	
1850-1918	Chairman	Inviting Admin to brief members on its proposed amendments to section 17(4) and (5) of the Regulation	
1919-2336	Admin	Conceptual framework of a strict liability offence	
2337-2340	Mr Tommy CHEUNG	Conceptual framework of a strict liability offence	
2341-2351	Chairman	Conceptual framework of a strict liability offence	
2352-2818	Admin	Conceptual framework of a strict liability offence	
2819-2821	Chairman	Conceptual framework of a strict liability offence	
2822-3016	Admin	Conceptual framework of a strict liability offence	
3017-3022	Chairman	Conceptual framework of a strict liability offence	
3023-3517	Mr Tommy CHEUNG	Strict liability offences under the Regulation (Sections 3(1), 5(1), 6, 11(1) and (2))	
3518-3559	Chairman	Strict liability offences under the Regulation	
3600-4059	Admin	Strict liability offences under the Regulation	
4100-4130	Mr Tommy CHEUNG	Strict liability offences under the Regulation	
4131-4151	Chairman	Strict liability offences under the Regulation	
4152-4422	Admin	Strict liability offences under the Regulation	
4423-4502	Mr TAM Yiu-chung	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
4503-4626	ALA1	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
4627-4631	Chairman	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
4632-4940	Admin	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
4941-5001	Chairman	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
5002-5202	ALA1	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
5203-5225	Chairman	Admin's proposed amendments to section 17(4) and (5) of the Regulation	

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5226-5250	ALA1	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
5251-5333	Mr TAM Yiu-chung	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
5334-5649	Admin	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
5650-5751	ALA1	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
5752-5951	Admin	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
5952-010030	Mr TAM Yiu-chung	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
010031-010117	Admin	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
010118-010133	Mr TAM Yiu-chung	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
010134-010324	Admin	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
010325-010356	Chairman	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
010357-010757	Mr Tommy CHEUNG	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
010758-010835	Chairman	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
010836-011232	Admin	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
011233-011248	Mr Tommy CHEUNG	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
011249-011309	ALA1	Admin's proposed amendments to section 17(4) and (5) of the Regulation	
011310-011351	Chairman	Summing up of members' views on Admin's proposed amendments to section 17(4) and (5) of the Regulation	
011352-011653	Mr WONG Yung-kan	Training and support for the trade	
011654-011659	Chairman	Training and support for the trade	
011700-011746	Admin	Training and support for the trade	
011747-011858	Mr Fred LI	Circumstances where strict liability was imposed in other ordinances under the purview of the Environment and Food Bureau	✓

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011859-011903	Chairman	Circumstances where strict liability was imposed in other ordinances under the purview of the Environment and Food Bureau	
011904-012147	Mr Tommy CHEUNG	Circumstances where strict liability was imposed in other ordinances under the purview of the Environment and Food Bureau	
012148-012228	Chairman	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
012229-012520	Admin	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
012521-012639	Mr Tommy CHEUNG	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
012640-012850	Admin	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
012851-013055	Mr Tommy CHEUNG	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
013056-013512	Admin	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
013513-013519	Chairman	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
013520-013644	Mr Tommy CHEUNG	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
013645-013758	ALA1	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
013759-014221	Admin	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
014222-014506	Mr Tommy CHEUNG	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	
014507-014525	Chairman	Prosecution procedure for an offence committed by a corporate food animal trader	
014526-014718	Admin	Prosecution procedure for an offence committed by a corporate food animal trader	
014719-014913	Mr Tommy CHEUNG	Prosecution procedure for an offence committed by a corporate food animal farmer	
014914-014928	Mr Fred LI	Policy objective of imposing strict liability on a body corporate under the Regulation	
014929-015432	Admin	Policy objective of imposing strict liability on a body corporate under the Regulation	
015433-015446	Mr Fred LI	Other ordinances with strict liability imposed on a body corporate	

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015447-015502	Admin	Other ordinances with strict liability imposed on a body corporate	
015503-015510	Chairman	Other ordinances with strict liability imposed on a body corporate	
015511-015557	Mr Tommy CHEUNG	Other ordinances with strict liability imposed on a body corporate	
015558-015606	Chairman	Other ordinances with strict liability imposed on a body corporate	
015607-015623	Mr Tommy CHEUNG	Other ordinances with strict liability imposed on a body corporate	
015624-015738	Admin	Liability of the directors of a body corporate for a strict liability offence	
015739-015907	ALA1	Liability of the directors of a body corporate for a strict liability offence	
015908-020010	Mr Tommy CHEUNG	Liability of the directors of a body corporate for a strict liability offence	
020011-020022	Chairman	Liability of the directors of a body corporate for a strict liability offence	
020023-020053	Mr Tommy CHEUNG	Liability of the directors of a body corporate for a strict liability offence	
020054-020101	Chairman	Liability of the directors of a body corporate for a strict liability offence	
020102-020235	Admin	Liability of the directors of a body corporate for a strict liability offence	
020236-020338	Mr Tommy CHEUNG	Liability of the directors of a body corporate for a strict liability offence	
020339-020433	ALA1	Liability of the directors of a body corporate for a strict liability offence	
020434-020439	Chairman	Liability of the directors of a body corporate for a strict liability offence	
020440-020902	Admin	Liability of the directors of a body corporate for a strict liability offence	
020903-020920	Chairman	Liability of the directors of a body corporate for a strict liability offence	
020921-020939	Mr Tommy CHEUNG	Liability of the directors of a body corporate for a strict liability offence	
020940-021007	Chairman	Admin's proposed amendments to section 4 of the Amendment Regulation (Regulation 3A of Cap. 132 sub. leg.)	
021008-021148	Mr WONG Yung-kan	Control on imported chilled food	
021149-021402	Admin	Control on imported chilled food	

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021403-021501	Mr WONG Yung-kan	Control on imported chilled food	
021502-021511	Chairman	Control on imported chilled food	
021512-021827	Admin	Control on imported chilled food	
021828-021953	Mr WONG Yung-kan	Control on imported chilled food	
021954-022120	Chairman	- Control on imported chilled food - Outstanding issues to be discussed at the next meeting	
022121-022156	Mr WONG Yung-kan	Outstanding issues to be discussed at the next meeting	
022157-022225	Chairman	Outstanding issues to be discussed at the next meeting	
022226-022259	Admin	Outstanding issues to be discussed at the next meeting	
022300-022302	Chairman	Outstanding issues to be discussed at the next meeting	
022303-022308	Admin	Outstanding issues to be discussed at the next meeting	
022309-022312	Chairman	Outstanding issues to be discussed at the next meeting	
022313-022318	Admin	Outstanding issues to be discussed at the next meeting	
022319-022344	Chairman	Outstanding issues to be discussed at the next meeting	
022345-022357	Admin	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	✓
022358-022402	Chairman	Prosecution procedure for an offence committed by a body corporate (section 21 of the Regulation)	

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

Legislative Council Secretariat
26 November 2001