

立法會
Legislative Council

LC Paper No. CB(1)559/02-03
(These minutes have been seen
by the Administration)

Ref: CB1/BC/10/01

**Bills Committee on
Land (Miscellaneous Provisions) (Amendment) Bill 2002**

**Meeting on
Monday, 9 December 2002, at 4:30 pm
in Conference Room B of the Legislative Council Building**

- Members present** : Hon LAU Ping-cheung (Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Eric LI Ka-cheung, JP
Hon Fred LI Wah-ming, JP
Hon Margaret NG
Hon Miriam LAU Kin-yee, JP
Hon Albert CHAN Wai-yip
Hon IP Kwok-him, JP
Hon Audrey EU Yuet-mee, SC, JP
- Members absent** : Hon Emily LAU Wai-hing, JP
Dr Hon TANG Siu-tong, JP
Hon Abraham SHEK Lai-him, JP
- Public officers attending** : Environment, Transport and Works Bureau

Mr C S WAI
Principal Assistant Secretary (Works)

Highways Department

Mr H C WONG
Assistant Director

Department of Justice

Ms Marie SIU
Senior Government Counsel

Clerk in attendance : Mr Andy LAU
Chief Assistant Secretary (1) 2

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Ms Queenie YU
Senior Assistant Secretary (1)6

Action

I Confirmation of minutes of meeting

- (LC Paper No. CB(1)360/02-03 - Minutes of meeting held on 11.11.2002
LC Paper No. CB(1) 433/02-03 - Minutes of meeting held on 18.11.2002)

The minutes of meeting held on 11 and 18 November 2002 were confirmed.

II Meeting with the Administration

- (LC Paper No. CB(1) 415/02-03(01) - Information paper provided by the Administration in response to issues raised at the meeting on 18.11.2002
LC Paper No. CB(1) 450/02-03(01) - Information paper on liabilities of proprietor/contractors under the Factories and Industrial Undertakings Ordinance (Cap. 59) provided by the Legal Service Division
LC Paper No. CB(3)541/01-02 - The Bill;
Appendix III to LC Paper No. CB(1)2164/01-02 - Marked-up copy of the Bill)

2. The Bills Committee deliberated (index of proceedings attached at **Annex A**).

Admin 3. The Bills Committee requested the Administration to provide further information on an utility works undertaken by CLP Power Hong Kong Limited on South Lantau Road to facilitate their consideration.

III Any other business

4. Referring to the site visit to excavation sites originally scheduled for Friday, 13 December 2002 at 3:30 p.m., the Bills Committee noted that only two members had indicated that they would like to take part in the visit. After deliberation, members agreed that the visit should be cancelled.

5. The Bills Committee agreed that the next two meetings would be held on Tuesday, 7 January 2003, at 10:45am and Monday, 20 January 2003 at 4:30 pm to continue the clause-by-clause examination of the Bill with the Administration.

6. There being no other business, the meeting ended at 5:35 pm.

Council Business Division 1
Legislative Council Secretariat
23 December 2002

**Proceedings of the meeting of the Bills Committee on
Land (Miscellaneous Provisions) (Amendment) Bill 2002
Monday, 9 December 2002, at 4:30 pm
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<i>Agenda Item I - Confirmation of minutes of meeting</i>			
000000-000050	Chairman	- Confirmation of minutes of meetings held on 11 and 18 November 2002	
<i>Agenda Item II - Meeting with the Administration</i>			
000051-001231	Chairman Admin	- Introductory remarks by the Chairman - Introduction on Admin's paper [LC Paper No. CB(1) 415/02-03(01)]	
001232-001450	Chairman Mr IP Kwok-him	- Drawing up of a formula to determine the duration of Excavation Permits (EPs) and their extension - Consultation with utility undertakers (UUs) on the formula	
001451-001812	Chairman Admin	- Subjective assessment by the Authority in determining the EP duration - Transparency of the decision-making process for determining EP duration and availability of appeal mechanism to UUs	
001813-002232	Ms Miriam LAU Chairman Admin	- Street excavations at night - constraints and overseas experience - Incentive scheme for early completion of street excavations	
002233-002604	Miss Margaret NG Chairman Admin	- Improvement likely to be achieved in avoiding slippage of street excavations after enactment of the Bill and disclosure of the results of the improvement to the public	
002605-002926	Chairman Miss Margaret NG ALA5	- Introduction on Legal Service Division's paper [LC Paper No. CB(1) 450/02-03(01)]	
002927-003224	Chairman Ms Miriam LAU Admin	- Defence provision under section 10Q (3) on offences relating to the provision of safety precautions and support, and comparison with similar provision under the Factories and Industrial Undertakings Ordinance (Cap.59) - Proposed committee stage amendment to section 10Q	
003225-004527	Chairman Admin	- Joint submission from UUs on the reliability of statistics provided by the	

Time marker	Speaker	Subject(s)	Action required
	Ms Miriam LAU	Admin on EP-days undertaken by UUs and government departments which was tabled at the meeting - One-stop-shop for EP application and measures implemented by the Admin to streamline the application process - Performance pledge of government departments for the issuing of EPs	
004528-004638	Ms Miriam LAU Admin	- Co-ordination between Transport Department and Environmental Protection Department on the time periods allowed for street excavations	
004639-004758	Chairman Ms Miriam LAU	- Clause-by-clause examination on the Chinese version of the Bill	
004759-011157	Admin Mr Albert CHAN Chairman	- Difference between "Principal excavation permit" and "secondary excavation permit" in clause 2 - Whether works involving slopes maintained by the Highways Department would be classified as street excavation works - Consultation before issuing an EP and the particular case about CLP's cable work at South Lantau Road	Admin to provide information as per paragraph 3 of the letter
<i>Agenda Item III - Any other business</i>			
011158-010412	Chairman Ms Miriam LAU Admin	- Date of next meeting - Cancellation of the visit to street excavation work sites scheduled for 13.12 2002	