

立法會
Legislative Council

LC Paper No. CB(2) 1832/01-02

Ref : CB2/H/5

House Committee of the Legislative Council

**Minutes of the 21st meeting
held in the Legislative Council Chamber
at 2:32 pm on Friday, 3 May 2002**

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
Dr Hon David CHU Yu-lin, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Cheuk-yan
Hon Eric LI Ka-cheung, JP
Dr Hon David LI Kwok-po, GBS, JP
Dr Hon LUI Ming-wah, JP
Hon NG Leung-sing, JP
Hon Margaret NG
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching, JP
Hon CHAN Kwok-keung
Hon CHAN Kam-lam
Hon SIN Chung-kai
Hon Andrew WONG Wang-fat, JP
Dr Hon Philip WONG Yu-hong
Hon Jasper TSANG Yok-sing, JP
Hon Howard YOUNG, JP
Hon YEUNG Yiu-chung, BBS
Hon LAU Chin-shek, JP
Hon LAU Kong-wah
Hon Ambrose LAU Hon-chuen, GBS, 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
Dr Hon LO Wing-lok
Hon IP Kwok-him, JP
Hon MA Fung-kwok

Members absent :

Hon James TIEN Pei-chun, GBS, JP
Hon Cyd HO Sau-lan
Hon Martin LEE Chu-ming, SC, JP
Hon CHAN Yuen-han, JP
Hon Bernard CHAN
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LEUNG Yiu-chung
Hon WONG Yung-kan
Dr Hon YEUNG Sum
Hon LAU Wong-fat, GBS, JP
Hon Miriam LAU Kin-yee, JP
Hon Emily LAU Wai-hing, JP
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi
Hon Frederick FUNG Kin-kee
Hon LAU Ping-cheung
Hon Audrey EU Yuet-mee, SC, 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 1
Ms Pauline NG	Assistant Secretary General 1
Mr Ray CHAN	Assistant Secretary General 3
Miss Kitty CHENG	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
Mrs Betty LEUNG	Chief Assistant Secretary (3)1
Miss Betty MA	Senior Assistant Secretary (2)1

Action

I. Confirmation of the minutes of the 20th meeting held on 26 April 2002
(LC Paper No. CB(2) 1754/01-02)

The minutes were confirmed.

II. Matters arising

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

Proposed accountability system for principal officials

2. The Chairman said that she had informed CS that a subcommittee had been formed to study the proposed accountability system and related issues, and the subcommittee would meet twice a week. The Chairman further said that CS hoped that the proposed accountability system could be implemented as scheduled.

III. Business for the Council meeting on 15 May 2002

(a) Questions
(LC Paper No. CB(3) 580/01-02)

3. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 15 May 2002.

(b) Bills - First and Second Readings

(i) Adaptation of Laws (Miscellaneous Provisions) Bill 2002

(ii) Telecommunications (Amendment) Bill 2002

4. The Chairman said that the two Bills would be introduced into the Council on 15 May 2002 and considered by the House Committee on 17 May 2002.

(c) **Government motion**

Proposed resolution to be moved by the Secretary for Security under the Immigration Ordinance

(Wording of the proposed resolution vide LC Paper No. CB(3) 571/01-02 dated 24 April 2002.)

(*LC Paper No. LS 86/01-02*)

5. The Legal Adviser said that the proposed resolution sought the Legislative Council's approval to amend Schedule 1 to the Immigration Ordinance (Cap. 115) pursuant to section 59A of the Ordinance.
6. The Legal Adviser explained that the proposed amendment sought to reflect the judicial decision of the Court of Final Appeal in *Chong Fung-yuen's case* in legislative terms by amending the definition of "permanent resident of the Hong Kong Special Administrative Region" (HKSAR) in paragraph 2(a) of Schedule 1 to a Chinese citizen born in Hong Kong before or after the establishment of the HKSAR.
7. The Legal Adviser pointed out that according to the Administration, all relevant cases had in fact been handled by the Immigration Department in accordance with the Court of Final Appeal's decision in *Chong Fung-yuen's case* since the delivery of the judgment on 21 July 2001.
8. The Legal Adviser said that the proposed resolution was in order from the legal point of view.
9. Members did not raise any query on the proposed resolution.
10. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the proposed resolution was 8 May 2002.

(d) **Members' motions**

(i) **Motion on "Promoting the employment of people with disabilities"**

(Wording of the motion issued vide LC Paper No. CB(3) 587/01-02 dated 2 May 2002.)

11. The Chairman said that the above motion would be moved by Mr LAW Chi-kwong and the wording of the motion had been issued to Members.

Action

(ii) **Motion on "Family problems"**

(Wording of the motion issued vide LC Paper No. CB(3) 588/01-02 dated 2 May 2002.)

12. The Chairman said that the above motion would be moved by Dr David CHU Yu-lin and the wording of the motion had been issued to Members.

13. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was 8 May 2002.

IV. Report of Bills Committee and subcommittee on subsidiary legislation

Position report on Bills Committees/subcommittees

(LC Paper No. CB(2) 1763/01-02)

14. The Chairman said that there were 15 Bills Committees and five Subcommittees in action as well as 14 Bills Committees on the waiting list.

V. Any other business

15. There being no further business, the meeting ended at 2:36 pm.