

立法會
Legislative Council

LC Paper No. CB(2) 2886/01-02

Ref : CB2/H/5

House Committee of the Legislative Council

**Minutes of the meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 4 October 2002**

Members present :

Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Hon James TIEN Pei-chun, GBS, JP
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
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 Bernard CHAN, JP
Hon CHAN Kam-lam, 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, GBS, JP
Hon Howard YOUNG, JP
Dr Hon YEUNG Sum
Hon YEUNG Yiu-chung, BBS
Hon LAU Chin-shek, JP
Hon LAU Kong-wah
Hon LAU Wong-fat, GBS, JP

Hon Miriam LAU Kin-yee, JP
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon SZETO Wah
Dr Hon LAW Chi-kwong, JP
Hon TAM Yiu-chung, GBS, JP
Dr Hon TANG Siu-tong, JP
Hon LI Fung-ying, JP
Hon Henry WU King-cheong, BBS, JP
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
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Fung-kwok, JP

Members absent :

Dr Hon David CHU Yu-lin, JP
Hon Eric LI Ka-cheung, JP
Dr Hon David LI Kwok-po, GBS, JP
Hon CHAN Yuen-han, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, SBS, JP
Hon Abraham SHEK Lai-him, 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

Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
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 KAU Kin-wah	Assistant Legal Adviser 6
Miss Monna LAI	Assistant Legal Adviser 7
Mrs Vivian KAM	Principal Assistant Secretary (Complaints)
Miss Kathleen LAU	Chief Public Information Officer
Mr Andy LAU	Chief Assistant Secretary (1)2
Mrs Constance LI	Chief Assistant Secretary (2)5
Mrs Betty LEUNG	Chief Assistant Secretary (3)1
Miss Betty MA	Senior Assistant Secretary (2)1

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I. Confirmation of the minutes of meetings

(a) **Regular meeting held on 28 June 2002**
(LC Paper No. CB(2) 2490/01-02)

(b) **Special meeting held on 5 July 2002**
(LC Paper No. CB(2) 2656/01-02)

The two sets of minutes were confirmed.

II. Legal Service Division reports on subsidiary legislation

(a) **Subsidiary legislation tabled in Council on 3, 8 and 10 July 2002**
(LC Paper No. LS 130/01-02)

2. The Legal Adviser said that the report covered a total of 12 items of subsidiary legislation which were tabled in Council on 3, 8 and 10 July 2002, but had not been considered by the House Committee. The Legal Adviser further said that the scrutiny period of these items of subsidiary legislation could be extended by resolution of the Legislative Council (LegCo) to its meeting on 6 November 2002.

3. Referring to the Places of Public Entertainment Ordinance (Amendment of Schedule 1) Regulation 2002, the Legal Adviser explained that it amended Schedule 1 to include "dance party" as one of the events, activities or other things referred to as entertainment for the purpose of the Ordinance. The Legal Adviser further explained that the Places of Public Entertainment (Exemption) Order was made under section 3A of the Ordinance to exempt

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certain places of public entertainment from the application of the Ordinance or any part thereof.

4. The Legal Adviser further said that when the Panel on Security was briefed on the proposals at its meetings on 10 July and 6 December 2001, some Members expressed concerns about the regulation of dance party activities by a statutory licensing regime. The Legal Adviser added that Members might wish to form a subcommittee to examine these two items of subsidiary legislation.

5. Mr James TO proposed that a subcommittee be formed. Members agreed. The following Members agreed to join : Mrs Selina CHOW, Mr James TO and Mr MAK Kwok-fung.

6. Regarding the Solicitors (Group Practice) Rules, the Legal Adviser said that the Rules were made by the Law Society of Hong Kong under section 73 of the Legal Practitioners Ordinance. The Legal Adviser further said that the new Rules provided that two or more solicitors or firms of solicitors conducting their businesses from the same address "separately but in mutual co-operation" were members of a group practice. The new Rules also provided that the members of a group practice must maintain a company incorporated with limited liability, of which only member solicitors or principals of member firms were eligible to be directors or shareholders.

7. The Legal Adviser pointed out that as the new Rules or its background had not been referred to any Panel, the Law Society had been requested to supply background and technical information about the new Rules, and its replies were attached to the report for Members' reference.

8. The Legal Adviser added that in order to better assess the new Rules, including the likely impact on users of legal service that might be brought about by the new Rules, Members might wish to form a subcommittee to study the Rules.

9. Miss Margaret NG said that the new Rules had not been referred to the Panel on Administration of Justice and Legal Services prior to their gazettal. She considered the formation of a subcommittee to study the new Rules appropriate. The Chairman proposed that a subcommittee be formed. Members agreed. The following Members agreed to join : Mr Albert HO, Miss Margaret NG, Mr TSANG Yok-shing, Ms Miriam LAU and Ms Audrey EU.

10. Referring to the Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2002 and the Waste Disposal (Refuse Transfer Station) (Amendment) Regulation, the Legal Adviser informed Members that the policy aspects of these amendment Regulations were discussed at the

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meeting of the Panel on Environmental Affairs on 27 May 2002. The Legal Adviser said that while no objection was raised by the Panel on the proposed amendments, doubts were cast on the level of charges. The Legal Adviser further said that according to the Administration, the waste collection trade had been consulted prior to the setting of charges and the user-pays principle applied in determining the level of charges.

11. Regarding the Airport Authority (Permitted Airport-Related Activities) Order, the Legal Adviser said that the Panel on Economic Services was briefed by the Airport Authority (AA) on 29 October 2001 that an Order would be made by the Chief Executive (CE) under section 5(3) of the Ordinance so that it could engage in certain airport-related activities beyond its geographical limitation, and a draft Order was discussed by the Panel on 20 March 2002. The Legal Adviser further said that members expressed grave concern that the scope of the draft Order might be too wide and AA might compete for profit with the private sector in the provision of logistics services.

12. The Legal Adviser informed Members that in the course of scrutinising the legal and drafting aspects of the Order, the Legal Service Division had sought clarification from the Administration on the policy intent of section 5 of the Order. The Administration had subsequently agreed to propose an amendment to section 5 to better reflect the policy intent. The proposed amendment would make it clear that once the aggregate of the amounts of consideration of any permitted airport-related activities that had been engaged in or undertaken to be engaged in by AA in respect of an airport had reached 2.5% of the issued share capital of AA (i.e. \$916.2 million), all specified permitted airport-related activities proposed to be undertaken thereafter in respect of the same airport would have to be subject to the approval of the Financial Secretary. The Legal Adviser added that if Members considered the proposed amendment acceptable, the Legal Service Division would inform the Administration so that it would give notice to move the amendment to the Order at a Council meeting no later than 16 October 2002.

13. In response to Mr James TIEN, the Legal Adviser said that the provisions in the Order appeared to be made with the purpose of addressing concerns expressed by the Panel on Economic Services. Section 5 of the Order, if amended, would better reflect the Administration's policy for addressing the concern about AA undertaking activities with other airports without a check by the Administration.

14. The Chairman proposed that as two subcommittees had been formed to examine three items of subsidiary legislation, she would move a motion at the Council meeting on 9 October 2002 to extend the scrutiny period of these three items of subsidiary legislation to 6 November 2002, to give the two subcommittees more time to examine the subsidiary legislation. Members agreed.

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(b) **Subsidiary legislation gazetted between 12 July 2002 and 27 September 2002**

(LC Paper No. LS 131/01-02)

15. The Legal Adviser said that a total of six items of subsidiary legislation subject to amendment by LegCo were gazetted between 12 July and 27 September 2002, and would be tabled in Council on 9 October 2002.

16. Members did not raise any query on these items of subsidiary legislation.

17. The Chairman reminded Members that amendments, if any, to these items of subsidiary legislation should be made by the Council meeting on 6 November 2002, or the Council meeting on 27 November 2002, if extended by resolution.

18. The Legal Adviser informed Members that the report also covered the United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002 which was made by CE under section 3 of the United Nations Sanctions Ordinance (Cap. 537) on the instruction of the Ministry of Foreign Affairs of the People's Republic of China and after consultation with the Executive Council. The Legal Adviser explained that as the section also provided that sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap. 1) were not applicable to the regulations so made, the Amendment Regulation was not required to be laid before LegCo and the Council had no power to amend it.

19. The Legal Adviser said that Members might wish to note that -

- (a) it was doubtful whether the Amendment Regulation was within the regulation making powers of Cap. 537 as "sanction" was defined in the Ordinance as "mandatory measures adopted by United Nations Security Council implemented against a place outside the People's Republic of China". The Amendment Regulation no longer imposed sanctions against a place i.e. the territory of Afghanistan, while the targets remained to be Usama bin Ladin, the Al-Qaida Organization and the Taliban which were not "places";
- (b) certain sanctions imposed by the Amendment Regulation overlapped provisions in the United Nations (Anti-Terrorism Measures) Ordinance (27 of 2002) which had come into operation on 23 August 2002. For instance, on the prohibition of the supply of weapons, the Amendment Regulation imposed strict liability subject to the availability of a statutory defence while the Anti-Terrorism Ordinance required the proof of mens rea; and

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- (c) the Amendment Regulation provided the Administration with wide powers of search and investigation.
20. Mr James TQ enquired about the Administration's stance regarding the query raised by the Legal Service Division that the targets of sanctions, such as Usama bin Ladin, were not places; hence it was doubtful whether the Amendment Regulation was within the regulation making powers of the principal Ordinance. Mr James TQ said that as sections 34 and 35 of Cap. 1 were not applicable to the regulations made under section 3 of the principal Ordinance, the Ordinance should be reviewed in this respect as without the power to intervene, LegCo could not exercise its monitoring role properly.
21. Mr TO further said that the United Nations (Anti-Terrorism Measures) Ordinance, which had just come into operation, represented the Council's latest "consensus" on anti-terrorism measures and implementing the relevant UNSCRs. He wondered why the Administration imposed strict liability in respect of the offence of the supply of weapons under the Amendment Regulation, while the United Nations (Anti-Terrorism Measures) Ordinance required the proof of mens rea for the same offence. Mr TO considered that the Amendment Regulation should be studied in detail. He added that he did not have strong views on whether the Amendment Regulation should be studied by a Panel or a subcommittee.
22. Miss Margaret NG sought clarification as to whether the wide powers of search and investigation provided under the Amendment Regulation were within the scope of the principal Ordinance. She considered that the relevant provisions of the principal Ordinance should also be examined. She supported the formation of a subcommittee.
23. Mr IP Kwok-him, Dr YEUNG Sum and Ms Emily LAU also expressed support that the Amendment Regulation should be studied by a subcommittee. Ms LAU added that the queries raised by Members should be conveyed to the Administration before the subcommittee met.
24. The Legal Adviser said that the principal Ordinance empowered CE to make regulations to the effect that a contravention of any such regulation should be an offence and be punishable on conviction on indictment by an unlimited fine and imprisonment for a term not exceeding seven years. The Legal Adviser further said that regarding the question of the targets of sanctions not being "places", the Administration apparently did not consider that there was any problem. The Legal Adviser added that as the Amendment Regulation imposed serious criminal liabilities, it should be carefully considered.
25. The Chairman said that the queries raised by Members should be answered by the Administration. She proposed that a subcommittee be

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formed and representatives of the Administration, including those from the Security Bureau and the Commerce, Industry and Technology Bureau should be invited to meet with the subcommittee. Members agreed. The following Members agreed to join : Ms Cyd HO, Miss Margaret NG, Mr James TO, Mr LAU Kong-wah, Ms Emily LAU and Ms Audrey EU.

III. Business for the Council meeting on 9 October 2002

(a) Questions

(LC Paper No. CB(3) 5/02-03)

26. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 9 October 2002.

(b) Bills - First and Second Readings

(i) Electoral Provisions (Miscellaneous Amendments) Bill 2002

(ii) Village Representative Election Bill

27. The Chairman said that these two Bills would be introduced into the Council on 9 October 2002 and considered by the House Committee on 11 October 2002.

(c) Government motion

28. The Chairman said that no notice had been received from the Administration.

(d) Members' motions

(i) Motion on "Expediting the implementation of the Northern Link"

(Wording of the motion issued vide LC Paper No. CB(3) 15/02-03 dated 2 October 2002.)

29. The Chairman said that the above motion would be moved by Dr Hon TANG Siu-tong and the wording of the motion had been issued to Members.

30. The Chairman further said that Dr Hon TANG Siu-tong had withdrawn the notice of his motion on “Increasing the number of elected seats for District Councils for districts with sharp population increase” scheduled for the Council meeting of 9 October 2002, and the President had given permission for him to move another motion on “Expediting the implementation of the Northern Link” at the same Council meeting.

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31. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to Dr TANG's motion was 5:00 pm on 4 October 2002.

(ii) **Motion on "Solving the problem of unemployment"**

(Wording of the motion issued vide LC Paper No. CB(3) 9/02-03 dated 25 September 2002.)

32. The Chairman said that the above motion would be moved by Mr TAM Yiu-chung and the wording of the motion had been issued to Members. The Chairman further said that Mr WONG Sing-chi had given notice to move amendment to Mr TAM's motion.

IV. Chief Executive's Question and Answer Session on 10 October 2002

33. The Chairman said that CE's Question and Answer Session would be held from 3:00 pm to 4:00 pm on Thursday, 10 October 2002.

34. The Chairman further said that according to the Director of Administration, CE would make introductory remarks, and there would be no particular restriction on the topics of questions that CE was prepared to take from Members.

35. Ms Emily LAU suggested that CE should, in his introductory remarks, explain why the Administration had decided to change the timing of CE's Policy Address without prior consultation with LegCo. Ms LAU said that she would also like CE to explain why the Chief Secretary for Administration (CS), in his reply dated 4 August 2002 to the Chairman's letter dated 2 July 2002, did not respond to the four principles the Administration should adhere to when important announcements were to be made, as set out in the Chairman's letter.

36. The Chairman said that she would convey the request to CS.

V. Business for the Council meeting on 16 October 2002

(a) **Questions**

(LC Paper No. CB(3) 13/02-03)

37. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 16 October 2002.

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(b) Bills - First and Second Readings

38. The Chairman said that no notice had been received from the Administration.

(c) Government motion

39. The Chairman said that no notice had been received from the Administration.

(d) Members' motions

(i) Motion on "Expectations for the implementation of policies"
(Wording of the motion issued vide LC Paper No. CB(3) 18/02-03 dated 2 October 2002.)

40. The Chairman said that the above motion would be moved by Mr Martin LEE and the wording of the motion had been issued to Members.

(ii) Motion on "Terminal handling charges"
(Wording of the motion issued vide LC Paper No. CB(3) 19/02-03 dated 2 October 2002.)

41. The Chairman said that the above motion would be moved by Mr Kenneth TING and the wording of the motion had been issued to Members.

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

VI. Report of Bills Committee and subcommittee

Position report on Bills Committees/subcommittees
(*LC Paper No. CB(2) 2810/01-02*)

43. The Chairman said that there were 15 Bills Committees and seven subcommittees in action (including the three formed under agenda item II above) as well as three Bills Committees on the waiting list.

VII. Matters relating to the imposition of criminal liabilities on the Government
(*LC Paper No. CB(1) 2576/01-02*)

44. Presenting the paper, Mr LAU Ping-cheung, Chairman of the Bills Committee on Land (Miscellaneous Provisions) (Amendment) Bill 2002, said that Members had, on previous occasions, expressed concern about criminal

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liability not imposed on the Government or any public officer in respect of their contravention of legislative provisions while performing official duties. He further said that the concern was recently raised again during the deliberations in respect of the Noise Control (Amendment) Bill 2002 and the Land (Miscellaneous Provisions) (Amendment) Bill 2002.

45. Mr LAU Ping-cheung explained that the object of the Land (Miscellaneous Provisions) (Amendment) Bill 2002 was to amend the principal Ordinance with the aim of improving the regulation of excavation in unleased land. He said that the Bill proposed that the Government be exempted from the criminal liability for failure to comply with the statutory requirements in respect of -

- (a) making or maintaining an excavation in unleased land in contravention of the conditions of the relevant permit; and
- (b) providing safety precautions and support to adjacent structures or erections.

46. Mr LAU informed Members that the Administration was of the view that the question of liability of the Government or public officer, as recently drafted in the Bill, was not significant, because in practice the only contravention that could be committed by the Government was in breach of excavation permit conditions that were to be observed by the permittee, and such contravention only resulted in a fine. Mr LAU added that according to the Administration, it had no commercial interest to induce a government department to excavate without an excavation permit. As regards the proposed requirements for safety precautions and support to adjacent structures or erections, the Administration had pointed out that the offence would only result in a fine, and the Government, like any other company permit holder, could not be imprisoned.

47. Mr LAU said that the Administration's view was that imposing fine on the Government was meaningless as the money to pay the fine would be from the public coffers. The Administration also held the view that the proposed reporting mechanism would be a more effective deterrent for public officers.

48. Mr LAU further said that the Bills Committee considered that it was of paramount importance that a fair system was maintained, and there was a need to examine issues relating to the mechanism for dealing with contravention of statutory requirements in carrying out their official duties by public officers. In this regard, the Department of Justice had provided a paper, as requested by the Bills Committee, on the criminal liability of the Crown in common law jurisdictions.

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49. Mr LAU said that as the examination of issues relating to the imposition of criminal liability on the Government or public officers in respect of their contravention of statutory requirements in carrying out their official duties would raise questions of wider policy implications relating to the criminal justice system as a whole, the Bills Committee considered that it would be appropriate for the House Committee to consider setting up a subcommittee to study the matter.

50. Dr TANG Siu-tong, Chairman of the Panel on Planning, Lands and Works (PLW Panel), said that the PLW Panel had previously discussed issues relating to the criminal liability of Government and public officers in contravention of legislative requirements while performing official duties. He added that the Administration had informed him that it was prepared to allow a company, instead of an individual, to be the holder of an excavation permit, and as an entity, a company would not be liable to imprisonment for contravention of the statutory requirements in respect of an excavation permit.

51. The Chairman said that while the Bills Committee on the Land (Miscellaneous Provisions) (Amendment) Bill 2002 would continue its scrutiny work on the Bill, the broader issues relating to the criminal liability of the Government and public officers, which were outside the scope of the Bill, should be followed up separately. In considering whether a subcommittee should be set up under the House Committee to study these broader issues, the Chairman reminded Members that it would not be appropriate for the House Committee to deal with subject matters which were clearly within the purview of a Panel.

52. Ms Emily LAU said that in view of the concerns raised by Members and the private sector about criminal liability not being imposed on the Government and public officers in respect of their contravention of statutory requirements while performing official duties, there was a need for Members to follow up the subject matter at a suitable forum. She further said that she had no strong views as to whether the subject matter should be followed up by a Panel or a subcommittee under the House Committee. She stressed, however, that the scrutiny work of the Bills Committee on Land (Miscellaneous Provisions) (Amendment) Bill 2002 should not be held up by such discussions.

53. Mr IP Kwok-him said that he was a member of the Bills Committee on the Noise Control (Amendment) Bill 2002 and also the Bills Committee on Land (Miscellaneous Provisions) (Amendment) Bill 2002. He suggested that the broader policy issues relating to the criminal liability of the Government and public officers could be followed up by the PLW Panel. He agreed that the scrutiny work of the Land (Miscellaneous Provisions) (Amendment) Bill 2002 should not be delayed.

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54. Mr NG Leung-sing agreed that there was a need for Members to study the broader policy issues relating to the criminal liability of the Government and public officers. He suggested that the subject matter could be followed up by the Panel on Administration of Justice and Legal Services (AJLS Panel) or the PLW Panel.

55. Dr Raymond HO Chung-tai said that he was a member of the Bills Committee on Land (Miscellaneous Provisions) (Amendment) Bill 2002. He agreed that the subject matter should be followed up by a Panel, and a subcommittee under the House Committee was not necessary.

56. Mr Albert CHAN Wai-yip agreed that the examination of the Land (Miscellaneous Provisions) (Amendment) Bill 2002 should not be held up, and the wider policy issues relating to the criminal liability of the Government and public officers should be followed up separately.

57. Ms Miriam LAU said that it would be appropriate for the AJLS Panel to follow up the issues relating to the criminal liability of the Government and public officers in respect of their contravention of statutory requirement while performing official duties, as these issues were part of the overall policy of the imposition of criminal liability in legislation.

58. Miss Margaret NG, Chairman of the AJLS Panel, agreed that it was appropriate for AJLS Panel to follow up the matter. She said that all Members were welcome to attend meeting(s) of the AJLS Panel for discussion of the subject matter. Members agreed.

59. Ms Emily LAU requested the Secretariat to prepare a background paper on the subject matter to facilitate the Panel's discussion.

VIII. Changes to the schedule of corresponding bureaux and bodies and policy areas in respect of Panels

(LC Paper No. CB(1) 2589/01-02)

60. The Chairman said that consequent to the reorganisation of the policy bureaux following the introduction of the accountability system for principal officials, it was necessary to make adjustments to the schedule of corresponding bureaux /bodies in respect of the 18 Panels to reflect the changes. She said that subject to Members' agreement, the Chairman of the House Committee would move a motion at the Council meeting on 9 October 2002 to effect such changes.

61. In response to Ms Emily LAU, the Secretary General advised that the number and terms of reference of the existing Panels would remain unchanged. The Chairman added that as discussed at the special meeting of the House

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Committee on 5 July 2002, a review of the distribution of work of Panels could be carried out, if necessary, after the accountability system for principal officials had been in operation for some time.

62. Ms Emily LAU enquired about the reason for including the Financial Services and the Treasury Bureau (FSTB), in addition to the Civil Service Bureau (CSB), as the corresponding bureaux of the Panel on Public Service. Assistant Secretary General 1 explained that CSB had all along been responsible for coordinating the attendance of the Treasury Bureau for discussion of issues relating to personnel/financial matters of government-funded public bodies. However, with the delineation of responsibilities between CSB and FSTB after the reorganisation of bureaux, the Administration had advised that FSTB should be specified as the corresponding bureau of the Panel on Public Service for matters concerning government-funded public bodies.

63. The Chairman said that as the motion was very straightforward, she proposed that the President's leave be sought for the requisite notice period to be waived so that the motion could be moved at the Council meeting on 9 October 2002. Members agreed.

**IX. Election of Members of The Legislative Council Commission
(LC Paper No. AS 347/01-02)**

64. Members agreed to hold the election of members of The Legislative Council Commission at the House Committee meeting on 18 October 2002.

X. Election of Chairman and Deputy Chairman of the House Committee for the 2002-2003 session

65. The Chairman called for nomination of the Chairman of the House Committee. The Chairman was nominated by Dr YEUNG Sum and the nomination was seconded by Mr CHAN Kam-lam and Mr LAU Ping-cheung. The Chairman accepted the nomination.

66. As the Chairman was nominated, Mr Fred LI, the Deputy Chairman, presided over the election of the Chairman. There being no other nomination, Mr Fred LI declared Mrs Selina CHOW elected as Chairman of the House Committee for the 2002-2003 session.

67. The Chairman called for nomination for the Deputy Chairman of the House Committee. Mr Fred LI was nominated by Dr YEUNG Sum and the nomination was seconded by Mr James TIEN and Dr Philip WONG. Mr Fred LI accepted the nomination.

68. As there was no other nomination, the Chairman declared Mr Fred LI elected as the Deputy Chairman of the House Committee for the 2002-2003 session.

XI. Any other business

(a) Demonstration of the new chime of the division bell

69. The Chairman said that as there were technical defects in the existing model of division bell which was outdated, it would be replaced by a new one.

70. A demonstration of the new chime of the division bell was held.

71. In response to Ms Emily LAU, the Secretary General undertook to inform Members of the cost of replacing the division bell.

(b) Signification of membership of Panels

72. The Chairman reminded Members that the deadline for signification of membership of Panels was 12:00 noon on Saturday, 5 October 2002.

73. There being no other business, the meeting ended at 3:25 pm.

Council Business Division 2
Legislative Council Secretariat
9 October 2002