

**立法會**  
**Legislative Council**

LC Paper No. CB(2) 678/01-02  
(These minutes have been seen by  
the Administration)

Ref : CB2/SS/5/01

**Subcommittee on**  
**Public Health (Animals and Birds) (Amendment) Regulation 2001,**  
**Public Health (Animals and Birds) (Animal Traders) (Amendment)**  
**Regulation 2001 and Food Business (Amendment) Regulation 2001**

**Minutes of Meeting**  
**held on Friday, 23 November 2001**  
**immediately after House Committee meeting**  
**in Conference Room A of the Legislative Council Building**

- Members Present** : Hon Fred LI Wah-ming, JP (Chairman)  
Hon Cyd HO Sau-lan  
Hon Mrs Selina CHOW LIANG Shuk-ye, JP  
Hon WONG Yung-kan  
Hon TAM Yiu-chung, GBS, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Michael MAK Kwok-fung  
Hon Albert CHAN Wai-yip  
Dr Hon LO Wing-lok
- Member Absent** : Dr Hon David CHU Yu-lin, JP
- Public Officers Attending** : Mrs Ingrid YEUNG  
Principal Assistant Secretary for the Environment and Food (A)1
- Dr Les Sims  
Assistant Director (Agriculture, Quarantine & Inspection)  
Agriculture, Fisheries and Conservation Department
- Ms Rhonda LO  
Assistant Director (Operations) 3  
Food and Environmental Hygiene Department

Miss Leonora IP  
Government Counsel  
Department of Justice

**Clerk in Attendance** : Mrs Constance LI  
Chief Assistant Secretary (2)5

**Staff in Attendance** : Mr Arthur CHEUNG  
Assistant Legal Adviser 5

Miss Betty MA  
Senior Assistant Secretary (2)1

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

2. The Subcommittee requested the Administration to consider the following and provide a response -

- (a) LN 218 of 2001
  - to delete the reference to "隨即" and "直接" in the proposed section 9B;
- (b) LN 219 of 2001
  - to consider lowering the fine for an offence under the new section 4A from level 3 to level 1;
- (c) LN 220 of 2001
  - to provide supplementary information to clarify the legislative intent for the requirements that the offal of water birds and dressed water bird carcasses should be packed separately for sale at retail outlets; and
  - to consider extending the 30-day transitional period for holders of fresh provision shop licences to 60 days.

3. On the Food Business (Amendment) Regulation 2001 (LN 220 of 2001), the Subcommittee voted on Hon TAM Yiu-chung's proposal that the fine for the new offences under sections 30(1A), (1C), (1E) and (1G), sections 30 B and 30C(1) be lowered from level 5 to level 4, and that the imprisonment terms and the daily fine of \$900 be abolished. The majority of members present voted in favour of the proposal. The Subcommittee resolved that the Administration should be requested to move amendments to that effect.

Action

4. The Subcommittee also agreed that if the Administration did not agree to move amendments to reduce the penalties in LN 219 and 220, the Chairman of the Subcommittee should move the amendments.
5. Dr Hon LO Wing-lok suggested that the Administration should conduct an overall review on the penalty levels in Cap. 132 and Cap 139 to see whether the penalty levels therein were appropriate and consistent. The Subcommittee agreed that the Panel on Food Safety and Environmental Hygiene should follow up with the Administration on the matter.
6. The Subcommittee agreed that no further meeting would be scheduled and the Administration's response and draft amendments should be circulated to members for consideration. A report will be provided for the House Committee meeting on 30 November 2001.
7. The Chairman advised that he would move a motion to extend the scrutiny period of the three sets of Regulations to the Council meeting on 5 December 2001. Subject to the extension of the scrutiny period, the deadline for moving amendments to the Regulations was 28 November 2001.
8. There being no other business, the meeting ended at 6:00 pm.

Legislative Council Secretariat

12 December 2001

**Proceedings of the meeting of the Subcommittee on  
Public Health (Animals and Birds) (Amendment) Regulation 2001,  
Public Health (Animals and Birds) (Animal Traders) (Amendment)  
Regulation 2001 and Food Business (Amendment) Regulation 2001  
on Friday, 23 November 2001,  
immediately after House Committee meeting  
in Conference Room A of the Legislative Council Building**

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
0000 - 0020	Chairman	Administration's response to concerns raised at the meeting on 21 November 2001	
0021 - 0323	Admin	"	
0324 - 0330	Chairman	Section 9B of LN 218 of 2001	
0331 - 0449	Admin	"	
0450 - 0509	Chairman	"	
0510 - 0539	Ms Cyd HO	"	
0540 - 0651	Mr Tommy CHEUNG	"	
0652 - 0709	Chairman	"	
0710 - 0737	Admin	"	
0738 - 0759	Chairman	"	
0800 - 0847	Mrs Selina CHOW	"	
0848 - 0920	Mr Tommy CHEUNG	"	
0921 - 0933	Chairman	"	
0934 - 1045	Admin	"	
1046 - 1140	Mr Tommy CHEUNG	"	
1141 - 1238	Mr WONG Yung-kan	"	
1239 - 1335	Chairman	"	
1336 - 1350	Admin	"	√ Admin to provide response
1351 - 1410	Chairman	"	
1411 - 1607	Mrs Selina CHOW	"	
1608 - 1632	Chairman	"	
1633 - 1659	Mr WONG Yung-kan	"	
1700 - 1731	Mrs Selina CHOW	"	
1732 - 1824	Mr WONG Yung-kan	"	
1825 - 1854	Chairman	"	
1855 - 1955	Dr LO Wing-lok	"	

1956 - 1959	Chairman	"	
2000 - 2013	Mr Michael MAK	"	
2014 - 2127	Ms Cyd HO	"	
2128 - 2219	Chairman	"	
2220 - 2224	Admin	"	√ Admin to provide response
2225 - 2346	Chairman	Penalty for non-compliance with section 9B	
2347 - 2254	Admin	"	
2255 - 2326	Chairman	Examination of LN 220 of 2001 Section 1 of LN 220 of 2001	
2327 - 2533	Admin	Section 2 of LN 220 of 2001	
2534 - 2552	Ms Cyd HO	"	
2553 - 2632	Admin	"	
2633 - 2701	Chairman	Section 3 of LN 220 of 2001	
2702 - 2713	Ms Cyd HO	Sections 2, 5, 6 and 7 of LN 220 of 2001	
2714 - 2806	Admin	"	
2807 - 2846	Ms Cyd HO	"	
2847 - 2858	Chairman	"	
2859 - 2951	Admin	"	
2952 - 3029	Mr Tommy CHEUNG	"	
3030 - 3054	Chairman	"	
3055 - 3148	Admin	"	
3149 - 3231	Mr Tommy CHEUNG	"	
3232 - 3246	Chairman, Admin	"	
3247 - 3213	Dr LO Wing-lok	"	
3214 - 3324	Mr Tommy CHEUNG	"	
3325 - 3331	Chairman	"	
3332 - 3434	Ms Cyd HO	"	
3435 - 3542	Admin	"	
3543 - 3630	Mr WONG Yung-kan	"	
3631 - 3733	Admin	"	
3734 - 3803	Mr WONG Yung-kan	"	
3804 - 3916	Admin	"	
3917 - 4055	Mr Tommy CHEUNG	Requirement to pack/seal offal of water birds and dressed water bird carcasses for sale	
4056 - 4212	Admin	"	
4213 - 4224	Chairman	"	
4225 - 4351	Mr Tommy CHEUNG	"	

4352 - 4356	Chairman	"	
4357 - 4503	Admin	"	
4504 - 4536	Mr Tommy CHEUNG	"	
4537 - 4548	Chairman	"	
4549 - 4625	Mr Tommy CHEUNG	"	
4626 - 4836	Admin	"	
4837 - 4906	Chairman	Sections 3 and 4 of LN 220 of 2001	
4907 - 5409	ALA5	"	
5410 - 5420	Chairman	"	
5421 - 5451	Mr Tommy CHEUNG	"	
5452 - 5535	Admin	"	
5536 - 5641	Mr Tommy CHEUNG	"	
5642 - 5752	Admin	"	
5753 - 5923	ALA5	"	
5924 - 010034	Admin	"	
010035 - 010046	Chairman	"	
010047 - 010214	Admin	"	
010215 - 010353	ALA5	"	
010354 - 010409	Admin	"	
010410 - 010429	ALA5	"	
010430 - 010456	Ms Cyd HO	"	
010457 - 010516	Admin	"	
010517 - 010530	Ms Cyd HO	"	
010531 - 010532	Admin	"	
010533 - 010608	Mrs Selina CHOW	"	
010609 - 010636	Admin	"	
010637 - 010647	Chairman	"	
010648 - 010720	Admin	"	
010721 - 010809	Ms Cyd HO	"	
010810 - 010821	Chairman	"	
010822 - 010926	ALA5	"	
010927 - 011038	Admin	"	
011039 - 011110	ALA5	"	
011111 - 011149	Admin	"	
011150 - 011217	ALA5	"	
011218 - 011221	Admin	"	√ Admin to provide response
011222 - 011224	Chairman	"	

011225 - 011244	Mr Tommy CHEUNG	"	
011245 - 011306	Admin	"	
011307 - 011310	Mr Tommy CHEUNG	"	
011311 - 011344	Admin	"	
011345 - 011458	Mrs Selina CHOW	"	
011459 - 011609	ALA5	"	
011610 - 011645	Mrs Selina CHOW	"	
011646 - 011655	ALA5	"	
011656 - 011849	Admin	"	
011850 - 011914	ALA5	"	
011915 - 011950	Admin	"	
011951 - 012001	Mr Tommy CHEUNG	"	
012002 - 012029	Admin	"	
012030 - 012114	Chairman	"	
012115 - 012137	Dr LO Wing-lok	"	
012138 - 012413	Admin	"	
012414 - 012432	Chairman	"	
012433 - 012450	Admin	"	
012451 - 012500	Chairman	"	
012501 - 012529	Dr LO Wing-lok	"	
012530 - 012601	Admin	"	
012602 - 012717	Chairman	"	
012718 - 012729	Admin	"	
012730 - 012904	ALA5	"	
012905 - 013037	Admin	"	
013038 - 013115	Mr Tommy CHEUNG	"	
013116 - 013131	Admin	"	
013132 - 013142	Mr Tommy CHEUNG	"	
013143 - 013215	Admin	"	
013216 - 013301	Dr LO Wing-lok	"	
013302 - 013340	Admin	"	
013341 - 013358	ALA5	"	
013359 - 013405	Dr LO Wing-lok	"	
013406 - 013457	Chairman	"	
013458 - 013739	Admin	"	
013740 - 013805	Chairman	Level of penalties in the 3 Regulations	
013806 - 013825	Mr Tommy CHEUNG	"	
013826 - 013917	Chairman	"	
013918 - 013945	Admin	"	

013946 - 014002	Chairman	"	
014003 - 014045	Mr Tommy CHEUNG	"	
014046 - 014126	Chairman	"	
014127 - 014156	Admin	"	
014157 - 014208	Chairman	"	
014209 - 014225	Mr TAM Yiu-chung	"	
014226 - 014233	Chairman	"	
014234 - 014307	Mr Tommy CHEUNG	"	
014308 - 014427	Admin	"	
014428 - 014457	Chairman	"	
014458 - 014529	Mr WONG Yung-kan	"	
014530 - 014608	Chairman	"	
014609 - 014647	Admin	"	
014648 - 014723	Mr TAM Yiu-chung, Mr Tommy CHEUNG	"	
014724 - 014743	Chairman	"	
014744 - 014750	Mr TAM Yiu-chung	"	
014751 - 014833	Chairman	"	
014834 - 014903	Mr Tommy CHEUNG	"	
014904 - 014908	Chairman	"	
014909 - 014933	Admin	"	
014934 - 015004	Mr TAM Yiu-chung	"	
015005 - 015301	Admin	"	
015005 - 015301	Admin	"	
015302 - 015321	Mr TAM Yiu-chung	"	
015322 - 015403	Chairman	"	
015404 - 015434	Mr TAM Yiu-chung	"	
015435 - 015453	Chairman	"	
015454 - 015555	Mr WONG Yung-kan	"	
015556 - 015717	Chairman	"	
015718 - 015732	Admin	"	√ Admin to provide response
015733 - 015902	Chairman	Deadline for amendments Section 8 of LN 220 of 2001	
015903 - 015939	Admin	"	
015940 - 020044	Dr LO Wing-lok	Overall review on level of penalties in Cap 132 and Cap 139	
020045 - 020107	Chairman	"	



020108 - 020132	Admin	"	
020133 - 020153	Mr WONG Yung-kan	"	
020154 - end	Chairman	Response from Administration to concerns raised at the meeting	√ Admin to provide response

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

Legislative Council Secretariat  
12 December 2001