

立法會
Legislative Council

LC Paper No. CB(2) 1888/02-03

Ref : CB2/H/5

House Committee of the Legislative Council

**Minutes of the 22nd meeting
held in the Legislative Council Chamber
at 4:29 pm on Friday, 25 April 2003**

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
Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Cheuk-yan
Hon Martin LEE Chu-ming, SC, JP
Hon Eric LI Ka-cheung, 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 Bernard CHAN, JP
Hon CHAN Kam-lam, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, 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 Kong-wah

Hon LAU Wong-fat, GBS, JP
Hon Miriam LAU Kin-yee, JP
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
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, JP
Hon Michael MAK Kwok-fung
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok
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 :

Hon Albert HO Chun-yan
Dr Hon David LI Kwok-po, GBS, JP
Hon CHAN Kwok-keung
Hon CHAN Yuen-han, JP
Hon LAU Chin-shek, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, SBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon WONG Sing-chi

Clerk in attendance :

Mrs Justina LAM	Clerk to the House Committee
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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
Ms Pauline NG	Assistant Secretary General 1
Mr Ray CHAN	Assistant Secretary General 3
Mr LEE Yu-sung	Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
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 Anita HO	Assistant Legal Adviser 2
Miss Connie FUNG	Assistant Legal Adviser 3
Miss Kitty CHENG	Assistant Legal Adviser 5
Mr KAU Kin-wah	Assistant Legal Adviser 6
Miss Monna LAI	Assistant Legal Adviser 7
Miss Betty MA	Senior Assistant Secretary (2)1

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I. Confirmation of the minutes of the 21st meeting held on 11 April 2003
(*LC Paper No. CB(2) 1795/02-03*)

The minutes were confirmed.

II. Matters arising

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

Revenue Bill 2003

2. The Chairman said that she had informed CS that Members had taken note of the recommendation of the Subcommittee on Public Revenue Protection (Revenue) Order 2003 and agreed to give priority to the scrutiny of the Revenue Bill 2003.

3. The Chairman further said that CS had pointed out that the Administration should have been consulted before a decision was made by Members to give priority to scrutiny of the Bill. The Administration had thought the Bills Committee on Legislative Council (Amendment) Bill 2003 would be activated upon the availability of a vacant slot. CS had remarked that if Members wished to give priority to the Bill, perhaps Members could have considered the creation of an additional slot. The Chairman added that

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while she had explained to CS why Members accorded priority to the Revenue Bill 2003, CS's view should be noted for future reference.

Proposed resolution to be moved by the Secretary for Financial Services and the Treasury under section 29 of the Public Finance Ordinance relating to the Land Fund

4. The Chairman said that she had advised CS that a subcommittee had been formed to study the proposed resolution. CS had no objection to the withdrawal of the notice for the proposed resolution, but pointed out that the Administration anticipated problems in meeting the expenditure for May 2003, and the use of the Land Fund was necessary. CS hoped that Members could study the proposed resolution quickly so that it could be presented to the Council for a decision as early as possible.

5. The Chairman further said that the Secretary for Financial Services and the Treasury had withdrawn his notice for moving the proposed resolution at the Council meeting on 30 April 2003. She added that the subcommittee formed to study the proposed resolution had completed its scrutiny work and would report under agenda item VII(e) below.

(b) **Import and Export (General) (Amendment) (No. 2) Regulation 2003**
(Paragraphs 54 to 56 of the minutes of the 21st House Committee meeting on 11 April 2003)
(LC Paper No. LS 101/02-03)

6. The Legal Adviser said that the Legal Service Division had sought further clarification from the Administration on certain drafting issues and it had agreed to move amendments to the Amendment Regulation. The Administration's written replies and the draft resolution to be moved by the Administration were attached to the report. The Legal Adviser added that subject to the proposed resolution, the Legal Service Division considered that the issues had been addressed.

7. Members did not raise any queries on the report.

III. Legal Service Division report on subsidiary legislation gazetted on 11 April 2003

(LC Paper No. LS 95/02-03)

8. The Legal Adviser said that five items of subsidiary legislation were gazetted on 11 April 2003 and would be tabled in Council on 30 April 2003.

9. Referring to the Antiquities and Monuments (Declaration of Proposed

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Monument) Notice 2003, the Legal Adviser said that the Notice was made by the Secretary for Home Affairs under section 2A(1) of the Antiquities and Monuments Ordinance, after consultation with the Antiquities Advisory Board, to declare the building known as "馬禮遜樓" and its adjoining land within the Hoh Fuk Tong Centre to be a proposed monument for a period of 12 months from 11 April 2003. The Legal Adviser further said that a proposed monument could not be demolished, removed, obstructed, defaced or interfered with except in accordance with a permit granted by the Authority. Information on the need to make the Notice and to have it come into operation on the date of its gazettal was contained in the Legislative Council (LegCo) Brief.

10. The Legal Adviser explained that the Import and Export (General) Regulations (Amendment of Seventh Schedule) (No. 4) Notice 2003 sought to add three countries or places, namely, Cameroon, Mali and Turkey, for which the Kimberly Process for import/export of diamonds was effective, to the Seventh Schedule to the Regulations.

11. As regards the Massage Establishments (Amendment) Ordinance 2001 (28 of 2001) (Commencement) Notice 2003 and the Massage Establishments (Amendment) Regulation 2003 (L.N. 51 of 2003) (Commencement) Notice 2003, the Legal Adviser explained that by these Notices, the Secretary for Security appointed 16 May 2003 as the day on which Section 4 of Massage Establishments (Amendment) Ordinance 2001 and the Massage Establishments (Amendment) Regulation 2003 would come into operation.

12. The Legal Adviser pointed out that the Massage Establishments (Amendment) Ordinance 2001 was passed to enable the licensing authority to renew a licence for a period of 24 months if the licensee had not been in breach of any conditions of the licence. The Legal Adviser further pointed out that the Massage Establishments (Amendment) Regulation 2003 was made to facilitate the operation of section 4 of the Ordinance so that a licence might be renewed for either a period of 12 months or 24 months at the reduced fee of \$2,850.

13. Regarding the Fugitive Offenders (Sri Lanka) Order (L.N. 28 of 2003) (Commencement) Notice 2003, the Legal Adviser said that the Order had been considered by a subcommittee, and it had raised no objection to the Order. The Legal Adviser further said that by the Commencement Notice, the Order had come into operation on 19 April 2003.

14. Members did not raise any queries on these items of subsidiary legislation.

15. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 28 May 2003, or 18 June 2003 if extended

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by resolution.

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IV. Legal Service Division report on subsidiary legislation gazetted on 17 April 2003

(LC Paper No. LS 99/02-03)

16. The Legal Adviser said that two items of subsidiary legislation were gazetted on 17 April 2003 and would be tabled in Council on 30 April 2003.

17. The Legal Adviser explained that the Prevention of the Spread of Infectious Diseases (Amendment) Regulation 2003 sought to empower -

- (a) a health officer to make a written direction prohibiting a person from leaving Hong Kong if he had reason to believe or suspect that the person was suffering from SARS or had been exposed to the risk of infection of that disease;
- (b) certain public officers to stop and detain a person seeking to leave Hong Kong in contravention of a health officer's direction; and
- (c) an authorized person to take the body temperature of a person arriving in or leaving Hong Kong, and a health officer or an authorized medical practitioner to carry out a medical examination on a person arriving in or leaving Hong Kong.

18. The Legal Adviser said that the measures taken to combat SARS had been discussed by the Panel on Health Services and the Subcommittee on Quarantine and Prevention of Disease Ordinance (Amendment of First Schedule) Order 2003 and Prevention of the Spread of Infectious Diseases Regulation (Amendment of Form) Order 2003.

19. The Legal Adviser added that the Regulation came into operation on 17 April 2003.

20. Mr James TO said that a subcommittee should be formed to study the Regulation in detail. Miss Margaret NG expressed support. She pointed out that the Regulation did not stipulate under what circumstances the body temperature of a person arriving in or leaving Hong Kong would be taken, and there was no expiry date for such arrangements.

21. The Chairman proposed that a subcommittee be formed to study the Regulation. Members agreed. The following Members agreed to join : Ms Cyd HO, Miss Margaret NG, Mr James TO, Mrs Sophie LEUNG (as advised by Mrs Selina CHOW) and Mr Michael MAK.

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22. Regarding the Frontier Closed Area (Permission to Enter) (Amendment) Notice 2003, the Legal Adviser said that the Notice was to amend the Schedule to the Frontier Closed Area (Permission to Enter) Notice so that a general permission was granted to -

- (a) drivers and passengers on road vehicles to or from the Mainland of China via Lok Ma Chau Boundary Control Point to enter or leave the Frontier Closed Area at any time subject to the conditions specified in the Notice; and
- (b) drivers of taxis and public light buses on a scheduled service who entered or left the Frontier Closed Area for the purpose of carrying persons entering or leaving Lok Ma Chau Boundary Control Point, and the passengers on those vehicles who entered, or intended to leave, Hong Kong via that Control Point from 0000 hours to 0630 hours each day subject to the conditions specified in the Notice.

23. The Legal Adviser pointed out that the Trial Schemes for the operation of taxis and green minibuses at the Lok Ma Chau Boundary Control Point during the extended hours had been implemented since 20 March 2003, while the Notice commenced operation on 17 April 2003. The Legal Service Division had sought clarification from the Administration on the legal and drafting aspects of the Notice, in particular, on the legal authority to allow taxis and green minibuses to enter or leave the frontier closed area during the interim period before 17 April 2003. The Legal Adviser added that the Administration had explained in its reply, which was attached to the report, that it had taken a bit of time to finalize the wording of the permission in the Notice.

24. Members did not raise any queries on this item of subsidiary legislation.

25. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 28 May 2003, or 18 June 2003 if extended by resolution.

V. Further business for the Council meeting on 30 April 2003

- (a) **Questions**
(*LC Paper No. CB(3) 568/02-03*)

26. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 30 April 2003.

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(b) **Members' Bills - resumption of debate on Second Reading, Committee Stage and Third Reading**

Daughters of Mary Help of Christians Incorporation (Amendment) Bill 2002

27. The Chairman said that at the last House Committee meeting on 11 April 2003, Members did not raise objection to the resumption of the Second Reading debate on the Bill.

(c) **Members' motions**

(i) **Motion on "The whole community battling against adversity"**
(Wording of the motion issued vide LC Paper No. CB(3) 558/02-03 dated 15 April 2003.)

(ii) **Motion on "Labour Day"**
(Wording of the motion issued vide LC Paper No. CB(3) 554/02-03 dated 14 April 2003.)

28. The Chairman said that the above motions would be moved by Mr LAU Kong-wah and Mr LAU Chin-shek respectively and the wording of the motions had been issued to Members.

VI. Business for the Council meeting on 7 May 2003

(a) **Questions**
(*LC Paper No. CB(3) 569/02-03*)

29. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 7 May 2003.

(b) **Bills - First Reading and moving of Second Reading**

Merchant Shipping (Liability and Compensation for Oil Pollution) (Amendment) Bill 2003

30. The Chairman said that the above Bill would be introduced into the Council on 7 May 2003 and considered by the House Committee on 9 May 2003.

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(c) **Bills - resumption of debate on Second Reading, Committee Stage and Third Reading**

Occupational Deafness (Compensation) (Amendment) Bill 2002

31. The Chairman said that the Bills Committee reported to the House Committee at the last meeting on 11 April 2003, and Members did not raise objection to the resumption of the Second Reading debate on the above Bill.

(d) **Government motion**

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

(e) **Members' motions**

(i) **Proposed resolution to be moved by Hon Jasper TSANG Yok-sing under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China**

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 556/02-03 dated 15 April 2003.)

33. The Chairman said that at the House Committee meeting on 11 April 2003, Members endorsed the system of consultation for resumption of Second Reading debate on bills required under Rule 54(5) of the Rules of Procedure, and the proposed amendment to Rule 54(5), as recommended by the Committee on Rules of Procedure (CRoP).

34. The Chairman further said that Mr TSANG Yok-sing, Chairman of CRoP, would move the proposed amendment to Rule 54(5), so that the Administration could consult the Deputy Chairman of the House Committee when the Chairman of the House Committee was not available for consultation.

(ii) **Motion on "Vote of no confidence in the Financial Secretary"**
(Wording of the motion issued vide LC Paper No. CB(3) 571/02-03 dated 22 April 2003.)

(iii) **Motion on "Atypical pneumonia dealing a blow to Hong Kong's economy"**
(Wording of the motion issued vide LC Paper No. CB(3) 577/02-03 dated 24 April 2003.)

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35. The Chairman said that the above motions would be moved by Miss Margaret NG and Dr David CHU respectively and the wording of the motions had been issued to Members.

36. Mr James TIEN commented that the subject matter of Dr David CHU's motion and that of Mr LAU Kong-wah's motion appeared similar.

37. The Chairman said that the two motions had different emphasis, and the President had approved the wording of the two motions.

38. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Tuesday, 29 April 2003.

VII. Report of Bills Committee and subcommittee

(a) Position report on Bills Committees/subcommittees

(LC Paper No. CB(2)1825/02-03)

(Acting D of Adm's letter dated 24 April 2003 on "Proposed Priority in the Scrutiny of Bills by Members")

39. The Chairman said that there were 13 Bills Committees and seven subcommittees in action as well as six Bills Committees on the waiting list.

40. The Chairman added that there would be two vacant slots after the Bills Committee on Land (Miscellaneous Provisions) (Amendment) Bill 2002 and the Bills Committee on Interest on Arrears of Maintenance Bill 2001 had reported under items VII(b) and VII(c) below.

41. Referring to the Acting Director of Administration (D of Adm)'s letter dated 24 April 2003, the Chairman said that the Administration had requested that priority be given to the scrutiny of three Bills, in the following order -

(a) Legislative Council (Amendment) Bill 2003;

(b) Revenue (No. 2) Bill 2003; and

(c) Betting Duty (Amendment) Bill 2003.

42. Mr IP Kwok-him asked whether the Revenue (No. 2) Bill 2003 could be considered by the Bills Committee on Revenue Bill 2003 which had just commenced work. The Chairman advised that the two Bills dealt with different revenue proposals and the membership of the two Bills Committees was also different.

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43. Members agreed to D of Adm's request. The Chairman said that the Bills Committees on Legislative Council (Amendment) Bill 2003 and Bills Committee on Revenue (No. 2) Bill 2003 could commence work immediately, while the Bills Committee on Betting Duty (Amendment) Bill 2003 would commence work when a vacant slot was available.

(b) Report of the Bills Committee on Land (Miscellaneous Provisions) (Amendment) Bill 2002

(LC Paper No. CB(1) 1482/02-03)

44. Mr LAU Ping-cheung, Chairman of the Bills Committee, explained that the Bill aimed to encourage permittees and their contractors to complete excavation works within the permit period, and to bring contractors and all tiers of subcontractors under control. The Bill also sought to introduce a charging and penalty system to recover administrative costs incurred by government departments in processing and monitoring excavation permits based on the "user-pays" principle.

45. Mr LAU Ping-cheung said that the Bills Committee had held a total of 14 meetings, and had made a site visit to better understand the audit inspections carried out by the Highways Department in relation to the performance of promoters and contractors in excavation. Mr LAU further said that the Bills Committee had received views from the utility undertakers, the construction industry, professional bodies concerned and other interested parties.

46. Mr LAU pointed out that the Bills Committee fully appreciated that disruption to traffic and inconvenience to the public caused by road excavation works had long been a matter of public concern. The Bills Committee also considered that the social cost of such disruption in terms of time and money could be quite substantial. Mr LAU further said that some members were concerned about the lack of progress despite examination by the Public Accounts Committee on issues relating to the control of utility openings based on the Reports of the Director of Audit in 1991, 1995 and 2001. These members considered that an overhaul of the existing approach for tackling the problem was necessary.

47. Mr LAU Ping-cheung informed Members that in the course of deliberation, the Bills Committee had examined the following major issues -

- (a) proposed charging and penalty system for street excavation works, including the basis of cost calculation for the excavation permit fee, criteria for determining the initial permit period, and the exemption provisions;
- (b) mechanism for reviewing the assessment made by the Highways

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Department;

- (c) scope of the application of the Ordinance to the Government and other promoters/contractors; and
- (d) penalty and defence provisions for failure to provide safety precautions and support to adjacent structures or erections.

48. Mr LAU further informed Members that the utility undertakers and the construction industry objected strongly to the proposed charging and penalty system because it would add financial burden and create unnecessary disputes and administrative work. They were of the view that the Government should explore alternative measures such as "one-stop-shop" excavation permit application, better road infrastructure design and planning, development of common utility trench and provision of incentive scheme for early completion of excavation works.

49. Mr LAU added that his personal view was that the construction industry was very concerned about the proposed charging and penalty system. The industry considered that the proposed fees for excavation permits were too high, and that such fees should not be based on government staff cost because government salaries were higher than market rates. The deputations also claimed that the charges and penalty would add costs to the industry, and such costs would eventually be borne by the public. Mr LAU pointed out that some members of the Bills Committee agreed with the deputations that there was no reason to include a daily charge for audit site inspection carried out by the Highways Department as such inspection was part of the existing duties of the Department. He further said that the construction industry also considered that the Administration should introduce incentive schemes, instead of merely imposing penalties.

50. Mr LAU added that most members of the Bills Committee agreed with the utility undertakers that the penalties for breaches of the requirements in the Bill should also be applicable to public officers. The Bills Committee had made a report to the House Committee on 4 October 2002 recommending that the subject matter on the imposition of criminal liabilities on Government be examined in a suitable forum, as it involved wider policy issues relating to the criminal justice system as a whole. The House Committee agreed that the subject matter should be followed up by the Panel on Administration of Justice and Legal Services.

51. Mr LAU Ping-cheung said that the Administration had accepted a number of suggestions made by the Bills Committee and would move Committee Stage amendments (CSAs) to improve the text of the Bill and the operation of the control system. Mr LAU added that the Administration had

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consulted utility undertakers on the proposed CSAs, and that the Bills Committee would not propose any CSAs.

52. Mr LAU pointed out that the subject of excavation permit fee on delay of excavation works had been discussed since 1987. He was of the view that the Bill, which had been studied in detail, had balanced the interests of parties concerned.

53. Mr LAU Ping-cheung further said that the Bills Committee supported the resumption of Second Reading debate on the Bill on 14 May 2003.

54. Members did not raise objection to the resumption of Second Reading debate on the Bill. The Chairman reminded Members that the deadline for giving notice of CSAs was 3 May 2003.

(c) Report of the Bills Committee on Interest on Arrears of Maintenance Bill 2001

(LC Paper No. CB(2) 1812/02-03)

55. Miss Margaret NG, Chairman of the Bills Committee, reported that the Bills Committee had completed scrutiny of the Bill, and the deliberations were detailed in the report.

56. Miss NG said that the Bill sought to require maintenance payer to pay interest only upon an application by the maintenance payee in proceedings instituted for enforcing a maintenance order.

57. Miss NG further said that the Bills Committee had expressed concern that it was time-consuming and inconvenient for maintenance payees to collect arrears of maintenance payments and there was no deterrence against maintenance payers who repeatedly defaulted payments. To address members' concern, the Administration had agreed to move CSAs to the Bill to -

- (a) treat arrears of maintenance payments as judgement debts so that interest would be automatically calculated in case of default in maintenance payment; and
- (b) give the court the discretion to impose a 30% surcharge ceiling on the total amount of arrears of maintenance in cases where the maintenance payer repeatedly defaulted without reasonable excuse.

58. Miss NG informed Members that the Bills Committee unanimously considered that the 30% surcharge ceiling proposed by the Administration was not sufficiently high to create any deterrent effect. On behalf of the Bills

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Committee, she would move CSAs to give the court the discretion to impose a surcharge of up to 100% ceiling. Miss NG further said that as the Administration's CSAs would be put to vote first, she hoped that Members would vote against the Administration's CSAs and remain in the Chamber to vote for the Bills Committee's CSAs. Miss NG asked the LegCo Secretariat to consider whether voting could be done in another order, and what the consequence would be if both her CSAs and those of the Administration's were voted down.

59. Assistant Secretary General 3 responded that, as pointed out correctly by Miss NG, the principle adopted by the President in arranging the order of voting on CSAs was that the CSAs proposed by the public officer or Member in charge of a bill to a particular clause would be dealt with ahead of those proposed to the same clause by other Members. He was confident that Members would exercise care in considering whether or not to vote for the CSAs proposed by the Administration and the Bills Committee respectively.

60. Miss NG further informed Members that as requested by the Bills Committee, the Administration had undertaken to develop a computer software for calculation of interest on maintenance arrears for reference for all parties concerned. The Secretary for Home Affairs would confirm that undertaking in his speech at the resumption of the Second Reading debate on the Bill.

61. Miss NG further said that the Bills Committee supported the resumption of the Second Reading debate on the Bill which would take place at the Council meeting on 21 May 2003, instead of 14 May 2003 as indicated earlier by the Administration.

62. Members did not raise objection to the resumption of the Second Reading debate on the Bill at the Council meeting on 21 May 2003. The Chairman reminded Members that the deadline for giving notice of CSAs was 12 May 2003.

(d) Report of the Subcommittee on subsidiary legislation relating to Village Representative elections

63. Mr Andrew WONG, Chairman of the Subcommittee, informed Members that the Subcommittee was studying the Maximum Amount of Election Expenses (Village Representative Election) Regulation and the Electoral Procedure (Village Representative Election) Regulation. The Subcommittee had requested that the maximum amount of election expenses be increased, and would move an amendment to the Maximum Amount of Election Expenses (Village Representative Election) Regulation, if the Administration did not accede to the Subcommittee's request. Mr WONG further informed Members that the Subcommittee had suggested that more polling stations should be

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designated and the areas of no canvassing zone and no staying zone should be kept to a minimum.

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64. Mr Andrew WONG said that to allow more time for the Subcommittee to study these two Regulations, he would move a motion at the Council meeting on 30 April 2003 to extend the scrutiny period of the Regulations to 21 May 2003. He added that if the scrutiny period was extended, the deadline for giving notice of motion to amend these two Regulations would be 14 May 2003, and the Subcommittee would report to the House Committee on 9 May 2003.

(e) **Report of the Subcommittee on the motion to amend the Resolution of the Land Fund under section 29 of the Public Finance Ordinance (Cap. 2)**

(LC Paper No. CB(1) 1501/02-03)

65. Mr SIN Chung-kai, Chairman of the Subcommittee, reported that the Subcommittee had held two meetings with the Administration, and the deliberations were detailed in the report.

66. Mr SIN said that the Administration had accepted the Subcommittee's suggestion to stipulate in the proposed resolution the amount of \$120 billion to be transferred from the Land Fund to the General Revenue Account.

67. Mr SIN further said that in view of the urgent need to transfer funds from the Land Fund to the General Revenue Account to meet the Government's cashflow requirements, the Subcommittee supported the Administration's request to the President for the 12-day requisite notice period to be waived, in order that the proposed resolution could be moved at the Council meeting on 7 May 2003.

68. Members expressed support for the Administration's request.

VIII. Any other business

69. There being no other business, the meeting ended at 5:08 pm.