

Panel on Commerce and Industry

List of outstanding items for discussion (position as at 4 February 2004)

Proposed timing for discussion*

1. Financial implications for hosting the Sixth World Trade Organization (WTO) Ministerial Conference

Item discussed by the Panel at the meeting on 7 July 2003. The Finance Committee has given its approval in principle for the financial commitment (estimated to be in the region of \$250 to \$300 million) of the project at the meeting on 18 July 2003.

To be confirmed

The Administration has advised that it is still awaiting confirmation from WTO on the timing for the conference. Upon confirmation, the Administration will brief the Panel on a more detailed budget of the project, including a staffing proposal for the planning and preparation of the event, prior to submission of the relevant proposals to the Establishment Subcommittee and Finance Committee for consideration.

2. Briefing on the work of Invest Hong Kong (InvestHK)

Item proposed by Mrs Selina CHOW at the Panel meeting on 9 October 2003. Members would like to be briefed by InvestHK on the investment environment and measures to attract foreign investments in Hong Kong. The Administration has proposed to brief the Panel in March 2004.

March 2004

At members' request at the Panel meeting on 14 January 2004, the Administration undertook to provide the Panel at the March meeting with further information including the position of foreign investment in Hong Kong and its impact on Hong Kong's economy and employment situation.

3. Draft Copyright (Prescription of Copyright Registers) Regulation

Item discussed at the meeting on 12 May 2003. Members noted the Administration's proposal of prescribing the copyright registers maintained by the United States, Canada and India with a view to simplifying the proof of copyright

April 2004

* The meeting where the item will be discussed will be subject to confirmation nearer the time.

**Proposed timing
for discussion***

ownership in legal proceedings under section 121(2) of the Copyright Ordinance (Cap.528). Members asked the Administration to consider the setting up of a copyright register in Hong Kong. The Administration undertook to consider members' views and revert to the Panel in about April 2004.

4. Implementation of Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA)

The Panel has been briefed on CEPA on 30 June and 13 October 2003. The Administration will brief the Panel on further progress of implementation of CEPA.

May / June 2004

5. Transition before implementation of electronic submission of cargo manifest (EMAN)

Item referred by the Bills Committee on Import and Export (Electronic Transaction) Bill 2001. The Bill, which was passed by the Legislative Council in July 2002, is to provide the legal framework for processing electronic submission of cargo manifest (EMAN).

To be confirmed

In scrutinizing the Bill, the Bills Committee considered that the transitional period during which both paper and electronic submission of cargo manifest were allowed should be extended to ensure the industry would have ample time to adapt to the new system. The Administration was requested to review the take-up rate by users of the EMAN and to brief the Panel in due course before deciding on the end date of the transitional period.

The Import and Export (Electronic Transactions) Ordinance 2002 and the EMAN have come into operation on 11 April 2003. The Administration has been reviewing the take-up rate by users and will brief the Panel before deciding on the end date of the transitional period.

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**Proposed timing
for discussion***

6. Review of the Trade Descriptions Ordinance (TDO) and related subsidiary legislation in the light of the development of the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA)

A Subcommittee was formed at the House Committee meeting on 31 October 2003 to study the Trade Descriptions (Country of Origin) (Watches) (Amendment) Order 2003 (the Amendment Order) and the Trade Descriptions (Place of Manufacture) (Piece-Knitted Garments) Notice (the Notice).

To be confirmed

While scrutinizing the Amendment Order, members questioned whether the current approach of making an Amendment Order to dis-apply the existing Order to certain products was the best approach to provide for the origin of the products in question. While members did not seek to amend the Amendment Order, they urged the Administration to critically review the relevant provisions in TDO and related subsidiary legislation with a view to devising a better approach to deal with necessary legislative amendments arising from CEPA origin rules. The Administration noted members' concern and undertook to look into the issue. The Panel will keep in view the Administration's review and follow up where appropriate.

7. Improving the business environment

Issues relating to improving the business environment were last discussed at the Panel meeting on 10 June 2002.

To be confirmed

The same subject has recently been covered in paragraphs 16 to 18 of the Chief Executive's 2004 Policy Address and raised by Mrs Sophie LEUNG at the Panel meeting on 14 January 2004. Mrs LEUNG expressed her view, inter alia, that the Government should strive to provide the business and industrial sectors with an "enabling environment".

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**Proposed timing
for discussion***

**8. Policy and role of the Trade Development Council (TDC)
in organizing trade fairs**

Item discussed at the meeting on 8 December 2003.

To be confirmed

Further to its letters dated 8 October and 20 November 2003 which were addressed to the Panel Chairman and copied to other Panel members, Kenfair International (Holdings) Ltd. (Kenfair) has written to the Secretariat on 29 December 2003 stating its wish to present to the Panel its views on the matter. With the concurrence of the Chairman, the Panel will discuss the matter at a future Panel meeting, probably in or after April 2004. Kenfair as well as other organizations which have earlier on provided submissions to the Panel will be invited to attend the meeting and present views. In line with the usual practice, a general notice for invitation of submissions will also be posted on the website of the Council on the Internet. The Administration and TDC will also be invited to attend the Panel meeting. Members may recall that Kenfair's letter dated 20 November 2003 addressed to the Panel Chairman and copied to all other Panel members and the Secretariat's reply thereto have been circulated vide LC Paper CB(1)630/03-04 on 22 December 2003.

Council Business Division 1
Legislative Council Secretariat
4 February 2004

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