

立法會
Legislative Council

LC Paper No. CB(2)190/03-04

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Panel on Health Services

**Subcommittee to monitor the implementation of the recommendations
of the SARS Expert Committee and
the Hospital Authority Review Panel on the SARS Outbreak**

**Minutes of meeting
held on Friday, 17 October 2003 at 4:50 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon Cyd HO Sau-lan (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon CHAN Yuen-han, JP
Hon Andrew CHENG Kar-foo
Dr Hon LAW Chi-kwong, JP
Hon Michael MAK Kwok-fung
Dr Hon LO Wing-lok, JP

Member absent : Hon LI Fung-ying, JP

Clerk in attendance : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in attendance : Miss Mary SO
Senior Assistant Secretary (2) 8

I. Election of Chairman

Ms Cyd HO was elected Chairman of the Subcommittee.

II. Proposed terms of reference and workplan of the Subcommittee (LC Paper Nos. CB(2)95/03-04(01) and (02))

2. The Chairman expressed dissatisfaction with the comments made by the Administration in its letter dated 14 October 2003 (LC Paper No. CB(2)95/03-04(01)) to the Legislative Council Secretariat that the Subcommittee would duplicate the work of the of the Monitoring Committee on Implementation of the SARS Expert Committee Report's Recommendations formed by the Government. The Chairman considered that the Administration should respect the constitutional duty of the Legislative Council to monitor the work of the Government enshrined in the Basic Law. Miss CHAN Yuen-han echoed the Chairman's view, and suggested that a letter should be written to the Administration expressing the Subcommittee's dissatisfaction and requesting the Administration to respect the constitutional duty of Members to monitor the work of the Government and fully co-operate with the Subcommittee in its work. Members agreed. The Chairman would, on behalf of the Subcommittee, write to the Administration in that regard.

3. Dr LAW Chi-kwong said that for efficiency of work, the Subcommittee should preferably focus on exchanging views with the Administration on the feasibility and necessity of each of the recommendations of the SARS Expert Committee in the local context, before the implementation of the recommendation by the Government and the Hospital Authority (HA). Hence, he tended to agree with the proposal put forward by the Administration in the letter referred to in paragraph 2 above that the monitoring of the progress of the implementation of each recommendation should be dealt with by the Panel on Health Services.

4. Miss CHAN Yuen-han said that she had no strong view as to whether the monitoring work should be carried out by the Panel or by the Subcommittee. Her main concern was the heavy toll on the time of Panel members, as it was envisaged that most members of the Subcommittee would join the select committee to be appointed to inquire into matters relating to the handling of the SARS outbreak by the Government and HA.

5. The Chairman said that when discussing the setting up of the Subcommittee at the meeting of the Panel on 9 October 2003, members considered it necessary to provide a dedicated forum to monitor the implementation of the recommendations of the SARS Expert Committee by the Government and HA as the Panel had many other issues to deal with. Moreover, there was also the question of quorum if the

Panel had to hold special meetings on a regular basis to monitor the implementation of the recommendations of the SARS Expert Committee by the Government and HA. Mr Michael MAK supplemented that another reason for the setting up of the Subcommittee was to enable members to carry out such monitoring work in a more focused manner.

6. Dr LAW Chi-kwong urged members who intended to join the select committee to be appointed to refrain from drawing conclusions on the handling of the SARS outbreak by the Government and HA during meetings whilst the select committee was in action to avoid undermining the fairness of the select committee.

Terms of reference of the Subcommittee

7. The Chairman sought members' view on amending the proposed terms of reference of the Subcommittee, set out in LC Paper No. CB(2) 95/03-04(02), to include the implementation of the recommendations of the Hospital Authority Review Panel on the SARS Outbreak. Members agreed. Mr Andrew CHENG said that although it was highly likely the Subcommittee could not finish its work within the current legislative session, a report should be submitted to the Panel before the dissolution of the Council recommending that any unfinished business should be followed up by the relevant Panel in the next legislative term.

8. The Chairman was of the view that the proposed terms of reference implied that members had accepted all of the recommendations of the SARS Expert Committee, which might not be true. Mr Michael MAK shared the Chairman's views. To rectify such, Dr LO Wing-lok suggested to add the word "deliberate" to the terms of reference of the Subcommittee. Members agreed. The Clerk would circulate the revised terms of reference after the meeting for members' consideration and comments, if any.

Workplan of the Subcommittee

9. Dr LAW Chi-kwong suggested that the Subcommittee should meet every two weeks initially, and the frequency of meetings should be reviewed at a later date. Members agreed to hold future meetings on the 1st and 3rd weeks of each month at 8:30 am for the time being.

10. Mr Andrew CHENG proposed that views from the public, such as those from the medical faculties of the University of the Hong Kong and the Chinese University of the Hong Kong and doctors' associations, on the recommendations of the SARS Expert Committee and the Hospital Authority Review Panel on the SARS Outbreak should be sought. Members agreed.

III. Date of next meeting

11. Members agreed to hold the next meeting on 3 November 2003 at 8:30 am, and to invite the Secretary for Health, Welfare and Food to attend the meeting to brief members on the Administration's plan on implementing the recommendations of the SARS Expert Committee.

12. There being no other business, the meeting ended at 5:37 pm.

Council Business Division 2
Legislative Council Secretariat
28 October 2003