

立法會
Legislative Council

LC Paper No. CB(2)940/04-05
(These minutes have been
seen by the Administration)

Ref : CB2/BC/2/04

**Bills Committee on Undesirable Medical Advertisements
(Amendment) (No.2) Bill 2004**

**Minutes of the 5th meeting
held on Thursday, 17 February 2005 at 4:45 pm
in the Chamber of the Legislative Council Building**

Members present : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP (Chairman)
Hon Fred LI Wah-ming, JP
Hon CHAN Yuen-han, JP
Hon TAM Yiu-chung, GBS, JP
Hon Vincent FANG Kang, JP
Hon LI Kwok-ying, MH
Dr Hon Joseph LEE Kok-long
Dr Hon KWOK Ka-ki
Hon WONG Ting-kwong, BBS

Member absent : Dr Hon LUI Ming-wah, JP

Public Officers attending : Miss Susie HO
Deputy Secretary for Health, Welfare and Food (Health)

Mr Tony CHAN
Assistant Secretary for Health, Welfare and Food (Health)

Dr T H LEUNG
Deputy Director of Health

Mr Anthony CHAN
Chief Pharmacist, Department of Health

- Deputations by invitation** : Consumer Council
- Mrs CHAN WONG Shui
Chief Executive
- Ms Rosa WONG
Head, Research & Trade Practices Division
- The Lion Rock Institute
- Mr Andrew Work
Executive Director
- The Assn. of Accredited Advertising Agents of Hong Kong
- Mr Gary TSE
Chairman & CEO Greater China, FCB
- Society for Community Organization
- Mr PANG Hung-cheong
Patients' Right Advocate
- Easy Finder Limited
- Mr Christopher LUK Man-cheung
Legal Counsel
- Clerk in attendance** : Ms Doris CHAN
Chief Council Secretary (2) 4
- Staff in attendance** : Miss Anita HO
Assistant Legal Adviser 2
- Miss Mary SO
Senior Council Secretary (2) 8
- Miss Maggie CHIU
Legislative Assistant (2) 4
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I. Meeting with deputations and the Administration

(LC Paper Nos. CB(2)846/04-05(01), CB(2)853/04-05(01), CB(2)879/04-05(01) and IN21/04-05)

Members noted the following papers tabled at the meeting -

- (a) joint submission from Better Hong Kong Movement and the Lion Rock Institute (English version only);
- (b) Administration's response to the submission from Mr LI Kwok-ying (Chinese version only); and
- (c) Chinese version of the Administration's response to issues raised by the Bills Committee at the meeting on 17 January 2005.

2. The Bills Committee deliberated (Index of proceedings at **Annex**).

3. The Lion Rock Institute was requested to provide the questionnaire which it used in its survey to seek public's views on the regulation of health claims proposed in the Bill.

4. The Administration undertook to provide a written response to the deputations' views expressed at this meeting and the previous meeting on 23 November 2004.

II. Date of next meeting

5. The Chairman reminded members that the next meeting was scheduled for 24 February 2005 at 4:30 pm.

6. There being no other business, the meeting ended at 6:06 pm.

Council Business Division 2
Legislative Council Secretariat
28 February 2005

**Proceedings of the 5th meeting of the
Bills Committee on Undesirable Medical Advertisements
(Amendment) (No.2) Bill 2004
on Thursday, 17 February 2005 at 4:45 pm
in the Chamber of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000301	Chairman	Opening remarks	
000302 - 000848	Consumer Council	Presentation of views (LC Paper No. CB(2)846/04-05(01))	
000849 - 001621	The Lion Rock Institute	Presentation of views	
001622 - 001821	The Association of Accredited Advertising Agents of Hong Kong	Presentation of views	
001822 - 002253	Society for Community Organization	Presentation of views (LC Paper No. CB(2)879/04-05(01))	
002254 - 002804	Easy Finder Limited	Presentation of views	
002805 - 003407	Dr KWOK Ka-ki Chairman The Lion Rock Institute	Consumers' rights to information on medical and health products The Institute was requested to provide the questionnaire used in its survey to seek public's views on the regulation of health claims proposed in the Bill	✓ (The Institute to provide the questionnaire)
003408 - 004030	Chairman Consumer Council	Allowable claims for products registered under the Pharmacy and Poisons Ordinance (Cap. 138) and the Chinese Medicine Ordinance (Cap. 549)	
004031 - 004540	Dr KWOK Ka-ki Easy Finder Limited ALA2	<u>Proposed new section 8</u> Empowering inspectors, on obtaining a magistrate's warrant, to enter and search premises and take possession of property for purposes of a prosecution	
004541 - 004744	Mr Vincent FANG	Different standards should be applied to the regulation of health claims of health food products and registered medicines	
004745 - 004841	The Lion Rock Institute	Reiterated the Institute's stance on the regulation of health claims	
004842 - 011044	Administration Chairman Mr Vincent FANG Mr WONG Ting-kwong	The Administration's response to issues raised by the Bills Committee at the meeting on 17 January 2005 (LC Paper No. CB(2)853/04-05(01))	
011045 - 011545	Dr KWOK Ka-ki Administration	Setting up of an approval system which would verify the truthfulness of the claims of health food products before these products could be sold in Hong Kong	

Time Marker	Speaker	Subject(s)	Action Required
011546 - 011820	Chairman Administration	The Administration was requested to provide a written response to the deputations' views expressed at this meeting and the previous meeting on 23 November 2004	✓ (Admin to provide a written response)

Council Business Division 2
Legislative Council Secretariat
28 February 2005