

立法會
Legislative Council

LC Paper No. CB(2)1379/05-06

(These minutes have been
seen by the Administration)

Ref : CB2/BC/11/04

**Bills Committee on
Smoking (Public Health) (Amendment) Bill 2005**

**Minutes of the 19th meeting
held on Wednesday, 22 February 2006 at 8:30 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Andrew CHENG Kar-foo (Chairman)
Hon Albert CHAN Wai-yip (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Martin LEE Chu-ming, SC, JP
Hon Fred LI Wah-ming, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum
Hon Emily LAU Wai-hing, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon LI Kwok-ying, MH
Dr Hon Joseph LEE Kok-long
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
Hon KWONG Chi-kin

Members absent : Hon LEE Cheuk-yan
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, BBS, JP
Hon LEUNG Kwok-hung
Hon WONG Ting-kwong, BBS
Hon Albert Jinghan CHENG

Public Officers : Mrs Ingrid YEUNG

attending Deputy Secretary for Health, Welfare and Food (Health)

Ms Julina CHAN
Principal Assistant Secretary for Health, Welfare and Food
(Health)

Dr T H LEUNG, JP
Deputy Director of Health

Mr CHEUNG Wing-leung
Senior Government Counsel
Department of Justice

Miss Shandy LIU
Senior Government Counsel
Department of Justice

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

Staff in attendance : Miss Monna LAI
Assistant Legal Adviser 7

Miss Mary SO
Senior Council Secretary (2) 8

Miss Maggie CHIU
Legislative Assistant (2) 4

I. Clause-by-clause examination of the Bill

(The Bill, marked-up copy of the Bill, LC Paper Nos. CB(2)901/05-06(03) and CB(2)1195/05-06(01))

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Administration was requested to provide written responses to the following views/suggestions raised by members at the meeting -

- (a) to ascertain whether all types of educational institutions were covered by the Bill;
- (b) to impose smoking ban on the outdoor areas of all public and private hospitals, all maternity homes and all treatment centres;

- (c) the Tobacco Control Office of the Department of Health to consider making clear to the public and in no smoking signs that carrying a lighted tobacco product in a no smoking area was prohibited;
- (d) to draw reference from overseas experience on methods used or to be used to ensure the effective display of signs where smoking is prohibited;
- (e) in the long term, to consider requiring managers of statutory no smoking premises to display no smoking sign outside their premises; and
- (f) to delete the proposed amended section 7(5) under clause 8 of the Bill.

3. The Administration was also requested to provide information on overseas smokefree legislation which allowed the use of the brand name "Mild Seven" on the packet or retail container of the cigarettes contained therein.

Date of next meeting

4. The Chairman reminded members that the next meeting had been scheduled for 27 February 2006 at 2:30 pm.

5. There being no other business, the meeting ended at 10:43 am.

Council Business Division 2
Legislative Council Secretariat
13 March 2006

**Proceedings of the 19th meeting of the
Bills Committee on
Smoking (Public Health) (Amendment) Bill 2005
on Wednesday, 22 February 2006 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subjects	Action required
000000 – 001005	Chairman Ms Audrey EU Ms Emily LAU	Scheduling of future meetings	
001006 – 001240	Chairman Administration	<u>Clause 4 – Interpretation</u> Definitions of “bar”, “bathhouse”, “approved institution” and “maternity home”	
001241 – 002853	Chairman Administration Mr Howard YOUNG ALA7 Ms Emily LAU Dr YEUNG Sum Mr Tommy CHEUNG	Definition of “post secondary school” The Administration was requested to ascertain whether all types of educational institutions were covered by the Bill	✓ (Admin to provide a written response)
002854 – 003238	Chairman Administration Mr Tommy CHEUNG	Imposing smoking ban on the outdoor areas of all universities and post-secondary institutions	
003239 – 003905	Administration Mr Tommy CHEUNG Ms Emily LAU	Definitions of “mahjong-tin kau premises”, “reformatory school”, “inspector”, “school” and “hospital” The Administration was requested to impose smoking ban on the outdoor areas of all public and private hospitals, all maternity homes and all treatment centres	✓ (Admin to provide a written response)
003906 – 010155	Chairman Administration Mr Tommy CHEUNG ALA7 Ms Emily LAU Dr YEUNG Sum	Definition of “correctional facility”	
010156 – 010520	Administration	<u>Schedule 2 - Designated No Smoking Areas</u>	
010521 – 011341	Administration ALA7 Ms Audrey EU Dr YEUNG Sum Chairman	<u>Clause 5 - Prohibition on smoking in certain designated areas</u> The Tobacco Control Office of the Department of Health was requested to consider making clear to the public and in no smoking signs that carrying a lighted tobacco product in a no smoking area was prohibited	✓ (Admin to provide a written response)

Time marker	Speaker	Subjects	Action required
011342 – 015642	Chairman Administration Mr Tommy CHEUNG Mr LEE Cheuk-yan Dr KWOK Ka-ki ALA7 Dr YEUNG Sum Mr Vincent FANG Mr Martin LEE Ms Audrey EU Mr KWONG Chi-kin Ms Emily LAU	<u>Clause 6 - Display of signs where smoking prohibited</u> <u>Clause 7 – Display of signs outside restaurants</u> The Administration was requested - (a) to draw reference from overseas experience on methods used or to be used to ensure the effective display of signs where smoking is prohibited; and (b) in the long term, to consider requiring managers of statutory no smoking premises to display no smoking sign outside their premises	✓ (Admin to provide a written response)
015643 – 021130	Chairman Administration Mr Tommy CHEUNG Mr Martin LEE Ms Audrey EU Dr YEUNG Sum	<u>Clause 8 – Offences under Part II</u> The Administration was requested to delete the proposed amended section 7(5) under clause 8 of the Bill	✓ (Admin to provide a written response)
021131 – 021221	Chairman	Date of next meeting The Administration was requested to provide information on overseas smokefree legislation which allowed the use of the brand name “Mild Seven” on the packet or retail container of the cigarettes contained therein.	✓ (Admin to provide the information)