

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2067/05-06  
(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 25<sup>th</sup> meeting  
held on Tuesday, 4 April 2006 at 8:30 am  
in Conference Room A of the Legislative Council Building**

**Members present** : Hon Andrew CHENG Kar-foo (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  
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  
Dr Hon KWOK Ka-ki  
Hon WONG Ting-kwong, BBS  
Hon KWONG Chi-kin

**Members absent** : Hon Albert CHAN Wai-yip (Deputy Chairman)  
Hon LEE Cheuk-yan  
Dr Hon YEUNG Sum  
Hon Abraham SHEK Lai-him, JP  
Hon LI Fung-ying, BBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Hon Albert Jinghan CHENG

**Public Officers Attending** : Ms Julina CHAN  
Acting Deputy 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

Mr CHONG Ka-ning, Alan  
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

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**I. Meeting with the Administration**

(LC Paper Nos. CB(2)1567/05-06(02) and CB(2)1632/05-06(01))

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

2. The Administration was requested to provide a written response to the following issues raised by members at the meeting -

- (a) delete clause 5(g), and specify in the Bill that a building under construction and demolition was a workplace regardless of whether people working thereat were working indoor or outdoor; and
- (b) clarify whether a building referred to in clause 5(g) meant a whole building.

3. The Administration agreed to -
  - (a) raise the issue of whether caged home used exclusively as living accommodation provided by any employer to his employees should be made smokefree, for consideration by the Labour Advisory Board; and
  - (b) provide a paper on the use of words, such as “mild” and “light”, on the package of any tobacco products in the European Union and Canada in April 2006.
4. Members noted that the next meeting had been scheduled for 10 April 2006 at 2:30 pm.
5. The Chairman reminded members that arrangement had been made for the Bills Committee to visit an independently ventilated smoking room and a full ventilation project at two bar venues on 10 Aril 2006 from 4:45 pm to 7:00 pm.
6. There being no other business, the meeting ended at 10:34 am.

Council Business Division 2  
Legislative Council Secretariat  
18 May 2006

**Proceedings of the 25<sup>th</sup> meeting of the  
Bills Committee on  
Smoking (Public Health) (Amendment) Bill 2005  
on Tuesday, 4 April 2006 at 8:30 am  
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 – 000633	Chairman	Introduction	
000634 – 000829	Admin	Continued discussion on the draft Committee Stage amendments provided by the Administration (LC Paper No. CB(2)1567/05-06(02))	
000830 – 003930	Mr Tommy CHEUNG Chairman Mr Vincent FANG Ms Emily LAU Mr WONG Ting-kwong Ms Audrey EU Admin	Proposed amendments to clause 5(c) – Prohibition on <u>smoking in certain designated areas</u>  The Administration undertook to raise the issue of whether caged home used exclusively as living accommodation provided by any employer to his employees should be made smokefree, for consideration by the Labour Advisory Board	✓ (Admin to provide a written response)
003931 – 010355	Admin Chairman Mr Tommy CHEUNG Mr Martin LEE Ms Audrey EU Mr WONG Ting-kwong Ms Emily LAU	Proposed amendments to clause 5(g) – Prohibition on <u>smoking in certain designated areas</u>  The Administration was requested to -  (a) delete clause 5(g), and specify in the Bill that a building under construction and demolition was a workplace regardless of whether people working thereat were working indoor or outdoor; and  (b) clarify whether a building referred to in clause 5(g) meant a whole building.	✓ (Admin to provide a written response)
010356 – 015826	Admin Chairman Mr Tommy CHEUNG ALA7 Mr Martin LEE Ms Emily LAU Mr WONG Ting-kwong Mr LI Kwok-ying Mr Vincent FANG Mr Howard YOUNG	Proposed amendment to clause 11 – Offences under <u>Part III</u>  Proposed amendment to section 15 (new clause 16A) – Offences under <u>Part IV</u>  The Administration did not see the need to consult the views of licensed newspaper hawkers and tobacco companies on the proposal to raise the penalty for offences under Parts III and IV of the Smoking (Public Health) Ordinance from level 4 to level 5, but would notify them of the proposal.	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
015827 – 020041	Admin Chairman Ms Emily LAU	Proposed amendment to section 11 – Tobacco advertisements in printed publications <hr/> Proposed amendment to clause 20 – Designated no smoking areas	
020042 – 020230	ALA7 Chairman Admin	The Administration agreed to provide a paper on the use of words, such as “mild” and “light”, on the package of any tobacco products in the European Union and Canada in April 2006.	✓ (Admin to provide a written response)
020231 – 020331	Chairman Ms Emily LAU Mr Tommy CHEUNG Clerk	Date of next meeting  Visit to an independently ventilated smoking room and a full ventilation project at two bar venues on 10 April 2006 from 4:45 pm to 7:00 pm	

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