

立法會
Legislative Council

LC Paper No. CB(2)165/06-07

(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 32nd meeting
held on Friday, 19 May 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 LEE Cheuk-yan
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 Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Dr Hon Joseph LEE Kok-long
Hon WONG Ting-kwong, BBS
Hon KWONG Chi-kin

Members absent : Hon LI Fung-ying, BBS, JP
Hon LI Kwok-ying, MH
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Hon Albert Jinghan CHENG

Public Officers attending : Mrs Ingrid YEUNG
Deputy Secretary for Health, Welfare and Food (Health)

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

Dr Cindy LAI
Assistant Director of Health
(Special Health Service)

Miss Shandy LIU
Senior Government Counsel
Department of Justice

Mr Alan CHONG Ka-ning
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. Meeting with the Administration

(LC Paper Nos. CB(2)2054/05-06(01) and CB(2)2055/05-06(01) to (03))

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

2. The Administration was requested to provide a response in writing to the following suggestions raised by members at the meeting -

- (a) managers of statutory no smoking areas should still be required under the law to put up "no smoking" signs in designated no smoking areas, so that people entering these areas were well aware that they could not smoke while they were therein;
- (b) apart from the "specified educational establishment", the employees' accommodation situated within the premises of all other educational institutions listed under Schedule 2 to the Bill should also be exempted

from the smoking ban if such accommodation was not communal and had independent ventilation;

- (c) information on other local legislation which contained a provision requiring any person to give his name and address and to produce proof of identity if the inspector reasonably suspected that the person was able to provide evidence of the commission of a relevant offence, as stipulated under the proposed new section 15G(1)(d); and
- (d) the English font size of the health warning on the price board of tobacco products should be made bigger to commensurate with the Chinese font size of the health warning on the same.

3. The Administration agreed to -

- (a) ascertain whether there was any need to include massage establishments in the list of premises to be exempted from the smoking ban until 1 July 2009; and
- (b) brief the Panel on Health Services in due course on the Tobacco Control Office guidelines on handling people smoking or holding a lighted tobacco product in a no smoking area.

II. Date of next meeting

4. Members noted that the next meeting would be held on 23 May 2006 from 8:30 am to 12:30 pm to listen to the views of deputations on the Committee Stage amendments proposed by the Administration and individual members.

5. There being no other business, the meeting ended at 12:44 pm.

Council Business Division 2
Legislative Council Secretariat
24 October 2006

**Proceedings of the 32nd meeting of the
Bills Committee on
Smoking (Public Health) (Amendment) Bill 2005
on Friday, 19 May 2006 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000119	Chairman	Introduction	
000120 - 010016	Admin Mr Howard YOUNG Ms Emily LAU Chairman Ms Audrey EU Mr LEE Cheuk-yan Mr Tommy CHEUNG Mr WONG Ting-kwong	Administration's latest proposal on the statutory requirement for managers to place and maintain in good condition signs in the prescribed form to indicate that smoking is prohibited in the no smoking area (LC Paper No. CB(2)2054/05-06(01)) The Administration was requested to consider that managers of statutory no smoking areas should still be required under the law to put up "no smoking" signs in designated no smoking areas, so that people entering these areas were well aware that they could not smoke while they were therein.	✓ (Admin to provide a written response)
010017 - 022115	Admin Chairman Mr Tommy CHEUNG ALA7 Mr WONG Ting-kwong Ms Emily LAU Mr Martin LEE Mr Albert CHAN Mr Vincent FANG Dr YEUNG Sum	Draft Committee Stage amendments (version as at 17 May 2006) (LC Paper No. CB(2)2055/05-06(01)) The Administration was requested to - (a) consider apart from the "specified educational establishment", the employees' accommodation situated within the premises of all other educational institutions listed under Schedule 2 to the Bill should also be exempted from the smoking ban if such accommodation was not communal and had independent ventilation; and (b) ascertain whether there was any need to include massage establishments in the list of premises to be exempted from the smoking ban until 1 July 2009.	✓ (Admin to provide a written response)
022116 - 023900	Break		
023901 - 041132	Admin Chairman Mr Albert CHAN Mr Tommy CHEUNG Ms Emily LAU Dr YEUNG Sum ALA7 Mr WONG Ting-kwong Mr Martin LEE	The Administration was requested to - (a) provide information on other local legislation which contained a provision requiring any person to give his name and address and to produce proof of identity if the inspector reasonably suspected that the person was able to provide evidence of the commission of a relevant offence, as stipulated under the proposed new section 15G(1)(d); and (b) make the English font size of the health warning on the price board of tobacco products bigger to commensurate with the Chinese font size of the health warning on the same. The Administration agreed to brief the Panel on Health Services in due course on the Tobacco Control Office guidelines on handling people smoking or holding a lighted tobacco product in a no smoking area.	✓ (Admin to provide a written response) ✓ (Admin to brief the Panel)

Time marker	Speaker	Subject	Action required
041133 - 041335	Chairman Admin Dr YEUNG Sum	Date of next meeting The Administration was considering not to make it an offence for performers to smoke or carry lighted tobacco products while performing	

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24 October 2006