

**立法會**  
**Legislative Council**

LC Paper No. CB(2)179/06-07

(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 56<sup>th</sup> meeting  
held on Friday, 29 September 2006 at 8:30 am  
in Conference Room A of the Legislative Council Building**

- Members present** :
- Hon Andrew CHENG Kar-foo (Chairman)
  - Hon LEE Cheuk-yan
  - Hon Martin LEE Chu-ming, SC, JP
  - Dr Hon YEUNG Sum
  - Hon Emily LAU Wai-hing, JP
  - Hon Abraham SHEK Lai-him, JP
  - Hon LI Fung-ying, BBS, JP
  - Hon Tommy CHEUNG Yu-yan, JP
  - Hon Audrey EU Yuet-mee, SC, JP
  - Hon LI Kwok-ying, MH, JP
  - Dr Hon KWOK Ka-ki
  - Hon WONG Ting-kwong, BBS
- Members absent** :
- Hon Albert CHAN Wai-yip (Deputy Chairman)
  - Hon James TIEN Pei-chun, GBS, JP
  - Hon Fred LI Wah-ming, JP
  - Hon Howard YOUNG, SBS, JP
  - Hon Vincent FANG Kang, JP
  - Dr Hon Joseph LEE Kok-long, JP
  - Hon Alan LEONG Kah-kit, SC
  - Hon LEUNG Kwok-hung
  - Hon Albert Jinghan CHENG
  - Hon KWONG Chi-kin
- Public Officers attending** :
- Mrs Ingrid YEUNG  
Deputy Secretary for Health, Welfare and Food (Health)

Dr T H LEUNG, JP  
Deputy Director of Health

Dr Christine WONG  
Senior Medical and Health Officer  
Department of Health

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  
Chief Council Secretary (2) 5

Miss Maggie CHIU  
Legislative Assistant (2) 4

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**I. Meeting with the Administration**

(LC Paper Nos. CB(2)3104/05-06(01) and CB(2)3116/05-06(01) to (06))

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

2. The Administration agreed to provide a written response to the letter of Assistant Legal Adviser 7 dated 28 September 2006 regarding the latest Committee Stage amendments (CSAs) to clause 11 of the Bill.

3. Members noted that the Administration would remove the word "other" from "any other means" in new section 10(3)(b).

Resumption of Second Reading debate

4. Members agreed to submit a report to the House Committee (HC) on 6 October 2006 recommending resumption of the Second Reading debate on the Bill on 18 October 2006. Members further agreed to seek the HC's support for

the Administration's request to seek the President's approval for waiving the requisite 12 clear days notice of resumption of the Second Reading debate on the Bill.

5. The Chairman reminded members that the deadline for submission of notice to move CSAs to the Bill was 9 October 2006.

**II. Any other business**

6. There being no other business, the meeting ended at 9:48 am.

Council Business Division 2  
Legislative Council Secretariat  
24 October 2006

**Proceedings of the 56<sup>th</sup> meeting of the  
Bills Committee on  
Smoking (Public Health) (Amendment) Bill 2005  
on Friday, 29 September 2006 at 8:30 am  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
000000 - 000145	Chairman	Opening remarks	
000146 - 000417	Admin	Administration's latest proposal for designating "no smoking areas" in public pleasure grounds	
000418 - 000718	Mr LI Kwok-ying Admin	Whether the proposal would be confined to large parks	
000719 - 001154	Dr YEUNG Sum Admin	Whether the proposal would cover seaside promenade	
001155 - 001322	Chairman Dr YEUNG Sum Mr Martin LEE	Proposed motion for the Chairman to move the Committee Stage amendments (CSAs) to repeal the Administration's CSAs to item 14 of Part 1 in Schedule 2 to the Bill on behalf of the Bills Committee	
001323 - 001828	Mr Martin LEE Admin Chairman	The Administration should refrain from telling the public that the use of the word "light" on the packaging of tobacco products could be construed as the products being light weighted	
001829 - 002631	Ms Audrey EU Chairman Admin	Expressed concern about the lack of criteria for designating "no smoking areas" in public pleasure grounds other than large parks	
002632 - 003341	Ms LI Fung-ying Admin Mr Tommy CHEUNG	Expressed opposition in making public pleasure grounds smoke free	
003342 - 003439	Mr Abraham SHEK	Public pleasure grounds should be made smoke free with no designated smoking areas	
003440 - 003813	Dr YEUNG Sum Chairman	Proposed motion for the Chairman to move CSAs to repeal the Administration's CSAs to item 14 of Part 1 in Schedule 2 to the Bill on behalf of the Bills Committee	
003814 - 004057	Mr LI Kwok-ying	Expressed opposition in making public pleasure grounds smoke free	
004058 - 004509	Chairman Mr Abraham SHEK Dr KWOK Ka-ki	The motion for the Chairman to move CSAs to repeal the Administration's CSAs to item 14 of Part 1 in Schedule 2 to the Bill on behalf of the Bills Committee was passed by members present at the meeting	
004510 - 004929	Admin Chairman	Draft CSAs to Parts 1 and 2 of new Schedule 6 proposed by the Administration	
004930 - 005001	Admin	The Administration would remove the word "other" from "any other means" in new section 10(3)(b)  The Administration would provide a written response to ALA's letter dated 28 September 2006 regarding the latest	✓ (Admin to

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
		CSAs to clause 11 of the Bill	provide a written response)
005002 - 005023	Chairman	List of CSAs to be moved by him on behalf of the Bills Committee and by individual members	
005024 - 010638	Mr Tommy CHEUNG ALA7 Chairman	Draft CSAs to be moved by Mr Tommy CHEUNG (LC Paper No. CB(2)3116/05-06(02))	
010639 - 010921	Dr KWOK Ka-ki Chairman Mr Tommy CHEUNG	Proposed motion for the Chairman to move CSAs to make Ocean Peak smoke free	
010922 - 011142	Ms Emily LAU Chairman	List of CSAs to be moved by the Chairman on behalf of the Bills Committee and by individual members	
011143 - 011225	Chairman	The Bills Committee would seek the House Committee (HC)'s support for the Administration's request to seek the President's approval for waiving the requisite 12 clear days notice of resumption of the Second Reading debate on the Bill on 18 October 2006	
011226 - 011258	Dr KWOK Ka-ki Chairman	Proposed motion for the Chairman to move CSAs to make Ocean Peak smoke free was negatived	
011259 - 011402	Chairman	A report would be made to HC on 6 October 2006 recommending resumption of the Second Reading debate on the Bill on 18 October 2006  Deadline for Members to give notice to move CSAs to the Bill was 9 October 2006	

Council Business Division 2  
Legislative Council Secretariat  
 24 October 2006