

立法會
Legislative Council

LC Paper No. CB(2)744/05-06
(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 9th meeting
held on Friday, 9 December 2005
immediately after the House Committee meeting
at 3:25 pm in the Chamber 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 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 Vincent FANG Kang, JP
Hon LI Kwok-ying, MH
Dr Hon Joseph LEE Kok-long
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Hon WONG Ting-kwong, BBS
Hon Albert Jinghan CHENG
Hon KWONG Chi-kin

Members absent : Hon Albert CHAN Wai-yip (Deputy Chairman)
Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Dr Hon YEUNG Sum

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

Mr CHEUNG Wing-leung
Senior Government Counsel
Department of Justice

Ms Amy CHAN
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

Mr Watson CHAN
Head (Research and Library Services)

Mr Thomas WONG
Research Officer 4

I. Research report on "Smoke-free Workplace Legislation in Selected Places" prepared by the Research and Library Services Division (RP10/04-05)

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

2. The Research and Library Services Division of the Legislative Council Secretariat was requested to provide a report on the economic loss, brought about by

smoking, to the selected places covered by the above research report.

II. Meeting with the Administration

(LC Paper Nos. CB(2)138/05-06(01), CB(2)509/05-06(01) and CB(2)633/05-06(01))

3. Due to time constraint, members agreed to defer discussion on the above three Administration's papers to the next meeting scheduled for 19 December 2005 at 10:45 am.

III. Any other business

4. The Chairman urged the Administration to expeditiously come up with its position on implementing smoking ban in hospitality premises, taking into account views expressed by members and deputations.

5. There being no other business, the meeting ended at 5:25 pm.

Council Business Division 2
Legislative Council Secretariat
21 December 2005

**Proceedings of the 9th meeting of the
Bills Committee on
Smoking (Public Health) (Amendment) Bill 2005
on Friday, 9 December 2005
immediately after the House Committee meeting
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subjects	Action required
000000 – 000331	Chairman	Opening remarks	
000332 – 001223	H(RL)	Presentation on the report of the research study on “Smokefree Workplace Legislation in Selected Places” (RP10/04-05)	
001224 – 002529	Mr Tommy CHEUNG Chairman H(RL) Administration	Economic impact of smoking ban in indoor workplace on the hospitality trade in Ireland, Norway and the State of California in the United States of America Transitional arrangements for implementing smoking ban in indoor workplace in selected places covered by the research report Legal responsibility of persons in charge of smokefree places in selected places covered by the research report	
002530 – 003024	Dr KWOK Ka-ki H(RL) Chairman	The Research and Library Services Division (R&LSD) of the Legislative Council Secretariat was requested to provide a report on the economic loss, brought about by smoking, to the selected places covered by the research report	✓ (R&LSD to provide the report)
003025 – 003509	Mr LEUNG Kwok-hung	Opposed total smoking ban in hospitality premises	
003510 – 004013	Ms Emily LAU H(RL) Administration	Places exempted from smoking ban in selected places covered by the research study	
004014 – 004504	Mr Vincent FANG Chairman Administration	Hong Kong should draw reference from overseas experience in exempting certain hospitality premises from total smoking ban Placing responsibility on managers of hospitality premises, particularly entertainment premises, to enforce smoking ban was neither feasible nor realistic	
004505 – 004516	Mr Tommy CHEUNG	Closure of Dublin Jack, the first smokefree pub in Hong Kong	
004517 – 005019	Mr Martin LEE Administration	Total smoking ban should be implemented in all indoor workplaces in Hong Kong	
005020 – 005347	Mr WONG ting-kwong Administration	Enforcement of smoking ban in hospitality premises in Hong Kong	
005348 – 005930	Mr Howard YOUNG H(RL) Administration	Expressed concern about empowering managers of hospitality premises to enforce smoking ban	

Time marker	Speaker	Subjects	Action required
005931 – 010201	Ms LI Fung-ying Administration	Expressed concern about the adverse impact of the implementation of smoking ban in hospitality premises on employees	
010202 – 010809	Mr Tommy CHEUNG H(RL) Administration	Administration's response to the research report	
010810 – 011502	Mr LEUNG Kwok-hung Administration	Educating the public about the health hazards of smoking was a better way forward in reducing tobacco-related deaths and diseases	
011503 – 012015	Mr Martin LEE Administration Chairman H(RL)	International trend on tobacco control	
012016 – 012714	Mr Tommy CHEUNG Chairman Mr Martin LEE H(RL) Administration	Impact of implementing total smoking ban in hospitality premises in Hong Kong	
012715 – 013225	Mr Vincent FANG Administration	Shared employees' concern about the adverse impact of smoking ban on entertainment premises Percentage of smokers in the population and percentage of smokers among young people in Hong Kong	
013226 – 013723	Mr Martin LEE Administration	Concern about the adverse impact of smoking ban on entertainment premises, such as drop in business and customers using the excuse to smoke outside for not settling their bills, should not override the importance of safeguarding public health Reasons for the rise in the number of smokers in Hong Kong in 2000 and 2003	
013724 – 014300	Mr Tommy CHEUNG Administration H(RL)	Tabling of a newspaper article from Norway on the country's new anti-smoking law which had resulted in more cases of customers of bars, cafes and restaurants running off from their bills Exempting entertainment outlets, such as mahjong parlours, karaoke establishments and commercial bathhouses, from total smoking ban	
014301 – 014613	Mr Martin LEE Administration	Stepping up publicity on the health hazards of smoking	
014614 – 015217	Mr Tommy CHEUNG Administration	Assessment on the economic loss to Hong Kong arising from people crossing the border to wine and dine after the implementation of total smoking ban in indoor workplaces in Hong Kong	
015218 – 015345	Mr Martin LEE Administration	Persuading the Mainland and Macao authorities to adopt more stringent anti-smoking law	

Time marker	Speaker	Subjects	Action required
015346 – 015906	Mr Tommy CHEUNG Administration H(RL)	Assessment on the economic loss to Hong Kong arising from people crossing the border to wine and dine after the implementation of total smoking ban in indoor workplaces in Hong Kong Economic impact of smoking ban in indoor workplace on the hospitality trade in selected places covered by the research report	
015907 – 020231	Chairman Administration Mr Tommy CHEUNG	Closing remarks	

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