



立法會秘書處
LEGISLATIVE COUNCIL SECRETARIAT

來函檔號 YOUR REF :
本函檔號 OUR REF : LS/B/24/04-05
電 話 TELEPHONE : 2869 9370
圖文傳真 FACSIMILE : 2877 5029

Secretary for Health, Welfare and Food
Health, Welfare and Food Bureau
(Attn: Mrs Ingrid YEUNG, DS(H)2)
19/F, Murray Building
Garden, Hong Kong

By Fax (2840 0467) and By Post

30 March 2006

Dear Mrs YEUNG

Smoking (Public Health) (Amendment) Bill 2005

I refer to the first batch of CSAs of the Bill received by me today and have the following comments:

- (a) The definition of “manager” under clause 4(c) is revised as “in relation to a no smoking area or a public transport carrier, means any person who is responsible for the management or is in charge or control of the no smoking area or public transport carrier, and includes an assistant manager and any person holding an appointment analogous to that of a manager or assistant manager”.

Please clarify for those premises in which no one falls within the definition of “manager”, who will be responsible to place the “no smoking” signs in accordance with section 5 of the Smoking (Public Health) Ordinance (Cap. 371) (“the Ordinance”) or exercise the power under section 3(3) of the Ordinance?

- (b) Kindly clarify the policy intent to raise the level of penalty from “level 4” to “level 5” in clauses 11 and 16A.

It is appreciated that your reply in both Chinese and English could reach us by close of play today.

Yours sincerely

(Monna LAI)
Assistant Legal Adviser