

立法會
Legislative Council

Ref : CB2/BC/14/04

LC Paper No. CB(2)1248/05-06
(These minutes have been seen by
the Administration)

Bills Committee on
Certification for Employee Benefits (Chinese Medicine)
(Miscellaneous Amendments) Bill 2005

Minutes of meeting
held on Thursday, 9 February 2006 at 8:30 am
in Conference Room A of the Legislative Council Building

Members present : Hon LI Kwok-ying, MH (Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Andrew CHENG Kar-foo
Hon LI Fung-ying, BBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP

Members absent : Hon LEE Cheuk-yan
Dr Hon Joseph LEE Kok-long
Dr Hon KWOK Ka-ki
Hon KWONG Chi-kin

Public Officers attending : Mrs Jenny CHAN
Assistant Commissioner for Labour

Dr Constance CHAN
Assistant Director of Health

Ms Melody LUK
Senior Labour Officer
Labour Department

Mr KOO Chiu-shing
Senior Labour Officer
Labour Department

Ms Betty CHEUNG
Senior Government Counsel
Department of Justice

Mr MAN Kwai-chuen
Chinese Medicine Advisor
Labour Department

Clerk in attendance : Mrs Sharon TONG
Chief Council Secretary (2)1

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Mr Raymond LAM
Senior Council Secretary (2)5

I. Meeting with the Administration

The Bills Committee deliberated and examined clause 16(7) to clause 32 of the Bill (index of proceedings attached at **Annex**).

2. The Bills Committee requested the Administration to –
 - (a) review the drafting and need for the amendments proposed in clause 16(7) and (8) of the Bill;
 - (b) explain the existing arrangements for reimbursement of medical expenses by the Pneumoconiosis Compensation Fund Board for medical treatment received outside Hong Kong and provide statistics on claims for such reimbursement;
 - (c) explain the purpose and effect of clause 23(4) of the Bill; and
 - (d) consider amending clause 23(4) to the effect that medical expenses for medical treatment received outside Hong Kong shall be payable by the Pneumoconiosis Compensation Fund Board.

II. Date of next meeting

3. The Bills Committee agreed that the next meeting would be held on 14 March 2006 at 10:45 am to continue discussion with the Administration.
4. The meeting ended at 10:30 am.

Council Business Division 2
Legislative Council Secretariat
27 February 2006

**Proceedings of meeting of the
Bills Committee on
Certification for Employee Benefits (Chinese Medicine)
(Miscellaneous Amendments) Bill 2005
on Thursday, 9 February 2006 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 – 000309	Chairman	Opening remarks	
000310 – 001028	Admin	Briefing on the background for exemption of certain proprietary Chinese medicines from registration under the Chinese Medicine Ordinance (CMO) and the relevant regulatory mechanism (Annex B to LC Paper No. CB(2)1034/05-06(01))	
001029 – 001250	Hon Andrew LEUNG Admin	Whether an employer had the right to require an employee to disclose the composition of the Chinese medicine administered by a registered Chinese medicine practitioner (CMP)	
001251 – 002609	Hon LI Fung-ying Hon Andrew LEUNG Admin Chairman	Whether the presence of western medicine in the Chinese medicine administered by a registered CMP would affect an employee's entitlement to reimburse medical expenses	
002610 – 002843	Hon Vincent FANG Admin Chairman	Whether there was information on the percentage of proprietary Chinese medicines exempted from registration by virtue of section 158(6) of CMO	
002844 – 003443	Hon LI Fung-ying Admin Chairman	Whether the disclosure of the composition of Chinese medicines prescribed by CMPs could be made mandatory	
003444 – 003508	Chairman	Continuation of clause-by-clause examination of the Bill	

Time marker	Speaker	Subject(s)	Action Required
003509 – 004141	Admin Hon Audrey EU	Examination of clause 16(7) and (8) of the Bill	Admin to review the drafting and need for the amendments proposed in clause 16(7) and (8) of the Bill
004142 – 004922	Admin Hon Audrey EU Hon LI Fung-ying	Examination of clause 16(9) to (15), clauses 17 and 18 of the Bill	
004923 – 005007	Admin	Examination of clauses 19 and 20 of the Bill	
005008 – 005224	Admin Hon Audrey EU	Examination of clause 21 of the Bill	
005225 – 005414	Admin	Examination of clause 22 of the Bill	
005415 – 014149	Hon LI Fung-ying Admin Hon Audrey EU Hon Jasper TSANG Chairman	Examination of clauses 23 and 24 of the Bill	Admin to explain the existing arrangements for reimbursement of medical expenses by the Pneumoconiosis Compensation Fund Board for medical treatment received outside Hong Kong and provide statistics on claims for such reimbursement; to explain the purpose and effect of clause 23(4) of the Bill; to consider amending clause 23(4) to the effect that medical expenses for medical treatment received outside Hong Kong shall be payable by the Pneumoconiosis Compensation Fund Board

Time marker	Speaker	Subject(s)	Action Required
014150 – 014623	Admin Hon Audrey EU	Examination of clause 25 of the Bill	
014624 – 014914	Admin Hon LI Fung-ying Hon Audrey EU	Examination of clause 26 of the Bill; to further consider at the next meeting whether an opinion as stated under the clause should be given by a registered MP or a registered CMP attending the person in Hong Kong in conjunction with issues relating to reimbursement of medical expenses by the Pneumoconiosis Compensation Fund Board for medical treatment received outside Hong Kong	
014915 – 015227	Hon James TIEN Chairman Hon LI Fung-ying Hon Audrey EU	Medical expenses for medical treatment received outside Hong Kong	
015228 – 015455	Admin	Examination of clauses 27 to 32 of the Bill	
015456 – 015803	Chairman Hon James TIEN Hon Audrey EU Clerk	Date of next meeting	