

**立法會**  
**Legislative Council**

Ref : CB2/SS/2/04

LC Paper No. CB(2) 712/04-05  
(These minutes have been seen by  
the Administration)

**Subcommittee on  
Employees' Compensation Ordinance  
(Amendment of Second Schedule) Order 2004 and  
Occupational Safety and Health Ordinance  
(Amendment of Schedule 2) Order 2004**

**Minutes of the second meeting  
held on Wednesday, 12 January 2005 at 10:45 am  
in Conference Room B of the Legislative Council Building**

**Members present** : Hon LEE Cheuk-yan (Chairman)  
Dr Hon LUI Ming-wah, JP  
Hon Bernard CHAN, JP  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Andrew CHENG Kar-foo  
Hon Tommy CHEUNG Yu-yan, JP  
Hon LI Fung-ying, BBS, JP  
Hon KWONG Chi-kin

**Public Officers attending** : Mrs Jenny CHAN  
Assistant Commissioner for Labour  
(Employees' Rights and Benefits)

Dr LO Wai-kee  
Occupational Health Consultant (1)  
Labour Department

Mrs Bernadette LAI  
Senior Labour Officer (Compensation)  
Labour Department

Ms Phyllis POON  
Government Counsel  
Department of Justice

**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

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## **I. Meeting with the Administration**

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

2. The Subcommittee requested the Administration to provide supplementary information of the World Health Organization on whether avian influenza could be transmitted to humans through the consumption of undercooked poultry products.

3. The Subcommittee did not raise any objection to the Administration's proposed amendments to the Employees' Compensation Ordinance (Amendment of Second Schedule) Order 2004 and Occupational Safety and Health Ordinance (Amendment of Schedule 2) Order 2004 as set out in Annex A of its paper. The Subcommittee expressed support to the Administration's proposal to move a motion to specify 8 February 2005 as the date of commencement of the two Orders.

4. The Chairman concluded that the Subcommittee had concluded its scrutiny of the Orders. Members agreed that a written report would be submitted to the House Committee at its meeting on 21 January 2005. Members noted that the deadline for giving notice of motion to amend the Orders was 26 January 2005.

5. The meeting ended at 11:45 am.

Council Business Division 2  
Legislative Council Secretariat  
20 January 2005

**Proceedings of the meeting of the  
Subcommittee on  
Employees' Compensation Ordinance  
(Amendment of Second Schedule) Order 2004 and  
Occupational Safety and Health Ordinance  
(Amendment of Schedule 2) Order 2004  
on Wednesday, 12 January 2005 at 10:45 am  
in Conference Room B of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
000000 – 000239	Chairman	Opening remarks	
000240 - 000958	Admin	Briefing on the Administration's response to issues raised at the meeting on 22 December 2004 (LC Paper No. CB(2) 586/04-05(01))	
000959 - 001736	Hon LI Fung-ying Admin Chairman	Whether the coverage of the Employees' Compensation Ordinance (ECO)(Amendment of Second Schedule) Order 2004 and Occupational Safety and Health Ordinance (OSHO) (Amendment of Schedule 2) Order 2004 (the Orders) could be broadened; burden of proof	
001737 - 002825	Dr Hon LUI Ming-wah Chairman Admin	Whether avian influenza A should be prescribed as an occupational disease; expert opinion on whether avian influenza A could be transmitted through undercooked poultry	<b>Admin to provide supplementary information of the World Health Organization on whether avian influenza could be transmitted to humans through the consumption of undercooked poultry products</b>

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
002826 – 004126	Chairman Hon LI Fung-ying Admin Hon Tommy CHEUNG Hon KWONG Chi-kin Hon TSANG Yok-sing	Examination of the Administration's proposed amendments to the Orders; whether there was a need for the phrase "a source or sources of" in the in the proposed items B11 and B12 of the Second Schedule to ECO and the proposed items 50 and 51 of Schedule 2 to OSHO	
004127 – 005821	Admin Chairman ALA5 Hon Tommy CHEUNG Hon Jasper TSANG Hon KWONG Chi-kin Hon Andrew CHENG	Date of commencement of the Orders	

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