

立法會
Legislative Council

LC Paper No. CB(2) 592/05-06

Ref : CB2/H/5/04

House Committee of the Legislative Council

**Minutes of the 7th meeting
held in the Legislative Council Chamber
at 3:25 pm on Friday, 2 December 2005**

Members present :

Hon Miriam LAU Kin-yee, GBS, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon LEE Cheuk-yan
Dr Hon LUI Ming-wah, SBS, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, JP
Hon Bernard CHAN, JP
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LEUNG Yiu-chung
Dr Hon Philip WONG Yu-hong, GBS
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Vincent FANG Kang, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat

Hon LI Kwok-ying, MH
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon MA Lik, GBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Albert Jinghan CHENG
Hon KWONG Chi-kin
Hon TAM Heung-man

Members absent :

Hon Martin LEE Chu-ming, SC, JP
Dr Hon David LI Kwok-po, GBS, JP
Hon James TO Kun-sun
Hon SIN Chung-kai, JP
Hon WONG Yung-kan, JP
Hon LAU Chin-shek, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Albert CHAN Wai-yip
Hon Frederick FUNG Kin-kee, JP
Hon Audrey EU Yuet-mee, SC, JP
Dr Hon Joseph LEE Kok-long
Hon Daniel LAM Wai-keung, BBS, JP
Hon Alan LEONG Kah-kit, SC
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Hon Patrick LAU Sau-shing, SBS, JP

Clerk in attendance :

Mrs Justina LAM Clerk to the House Committee

Staff in attendance :

Mr Ricky C C FUNG, JP	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Ms Pauline NG	Assistant Secretary General 1
Mr Ray CHAN	Assistant Secretary General 3

Mr LEE Yu-sung	Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
Mrs Vivian KAM	Principal Council Secretary (Complaints)
Miss Kathleen LAU	Chief Public Information Officer
Mrs Constance LI	Chief Council Secretary (2)5
Mrs Betty LEUNG	Chief Council Secretary (3)1
Ms Bernice WONG	Assistant Legal Adviser 1
Ms Connie FUNG	Assistant Legal Adviser 3
Mr Stephen LAM	Assistant Legal Adviser 4
Mr KAU Kin-wah	Assistant Legal Adviser 6
Miss Lolita SHEK	Senior Council Secretary (2)7

Action

**I. Confirmation of the minutes of the 6th meeting held on 25 November 2005
(LC Paper No. CB(2) 543/05-06)**

The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration (CS)

Chief Executive (CE)'s Question and Answer (Q & A) Sessions

2. The Chairman said that CS had informed her that CE had reconsidered Members' request that he should attend the Q & A Sessions more frequently. In addition to the four Q & A Sessions held in a session, CE would be pleased to attend a Q & A Session if there was any special issue.

3. Ms Emily LAU said that the Fifth Report of the Constitutional Development Task Force was a very special issue on which a Q & A Session should be held. Ms LAU further said that it would be too late for Members to ask questions on the Report at the next Q & A Session scheduled for 12 January 2006, as Members would debate the Administration's two motions on the amendments to Annex I and Annex II to the Basic Law at the Council meeting on 21 December 2005.

4. The Chairman said that she would raise the matter with CS at their next meeting.

III. Business arising from previous Council meetings

(a) **Legal Service Division report on bills referred to the House Committee in accordance with Rule 54(4)**

St. Stephen's College Incorporation (Change of Name of the Council of St. Stephen's College and General Amendments) Bill 2005
(LC Paper No. LS 11/05-06)

5. The Chairman said that the Administration was preparing some Committee Stage amendments (CSAs) of a technical nature. The Chairman proposed that a decision on whether to set up a Bills Committee be deferred to a future meeting, pending the further report of the Legal Service Division on the Administration's CSAs. Members agreed.

(b) **Legal Service Division report on subsidiary legislation gazetted on 25 November 2005 and tabled in Council on 30 November 2005**
(LC Paper No. LS 14/05-06)

6. The Chairman said that five items of subsidiary legislation were gazetted on 25 November 2005 and tabled in Council on 30 November 2005.

7. Members did not raise any queries on these items of subsidiary legislation.

8. The Chairman reminded Members that the deadline for amending these five items of subsidiary legislation was 21 December 2005, or 18 January 2006 if extended by resolution.

IV. Business for the Council meeting on 14 December 2005

(a) **Questions**
(LC Paper No. CB(3) 182/05-06)

9. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the meeting.

(b) **Bills - First Reading and moving of Second Reading**

Employment (Increase in Penalty for Offences under Section 63C) Bill 2005

10. The Chairman said that the Administration would introduce the Bill on 14 December 2005. The House Committee would consider the Bill at its meeting on 16 December 2005.

(c) **Government motion**

Proposed resolution to be moved by the Secretary for Financial Services and the Treasury under the Dutiable Commodities Ordinance

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 167/05-06 dated 25 November 2005.)

(LC Paper No. LS 13/05-06)

11. The Chairman said that the purpose of the proposed resolution was to seek LegCo's approval to extend the period for the existing concessionary rate of duty at \$1.11 per litre on ultra low sulphur diesel to 31 December 2006.

12. Members did not raise objection to the Secretary for Financial Services and the Treasury moving the proposed resolution at the Council meeting on 14 December 2005.

(d) **Members' motions**

(i) **Motion to be moved by Hon Andrew CHENG Kar-foo**

(Wording of the motion issued vide LC Paper No. CB(3) 189/05-06 dated 2 December 2005.)

13. The Chairman said that the subject of the motion to be moved by Mr Andrew CHENG was "Franchised bus fares", and the wording of the motion had just been issued to members.

(ii) **Motion to be moved by Hon CHOY So-yuk**

(Wording of the motion issued vide LC Paper No. CB(3) 190/05-06 dated 2 December 2005.)

14. The Chairman said that the subject of the motion to be moved by Miss CHOY So-yuk was "Conservation of energy", and the wording of the motion had just been issued to Members.

15. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 7 December 2005.

V. **Report of Bills Committees and subcommittees**

Report of the Bills Committee on Revenue (Personalized Vehicle Registration Marks) Bill 2005

(LC Paper No. CB(1) 408/05-06)

Action

16. Mr CHAN Kam-lam, Chairman of the Bills Committee, said that the Bills Committee supported the proposed CSAs to be moved by the Administration and would not move any CSAs in its name. Mr CHAN added that the Bills Committee supported the resumption of the Second Reading debate on the Bill on 14 December 2005.

17. The Chairman said that the deadline for giving notice of CSAs, if any, was Monday, 5 December 2005.

VI. Position on Bills Committees/subcommittees
(*LC Paper No. CB(2) 542/05-06*)

18. The Chairman said that there were 12 Bills Committees and seven subcommittees in action.

VII. Proposal to request for papers from the Commission on Strategic Development and its four committees
(*Letter dated 29 November 2005 from Hon Emily LAU to the Chairman of the House Committee (LC Paper No. CB(2) 554/05-06(01))*)

19. Ms Emily LAU said that as the issues discussed by the Commission and its committees were of concern to Members and the community, the Administration should be requested to provide the papers of the Commission and its four committees for Members' reference. It would be for the relevant Panels to decide whether to discuss the papers. Ms LAU added that the Panel on Constitutional Affairs would discuss the Administration's papers on constitutional development prepared for the Committee on Governance and Political Development at the meeting of the Panel on 19 December 2005.

20. Members did not raise objection to Ms LAU's request. The Chairman said that she would convey the request to CS at their next meeting.

VIII. Any other business

21. There being no other business, the meeting ended at 3:35 pm.