

立法會
Legislative Council

LC Paper No. CB(2) 1267/05-06

Ref : CB2/H/5/05

House Committee of the Legislative Council

**Minutes of the 15th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 24 February 2006**

Members present :

Hon Miriam LAU Kin-ye, 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
Hon Martin LEE Chu-ming, SC, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon James TO Kun-sun
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 SIN Chung-kai, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
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 Albert CHAN Wai-yip
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP

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

Action

I. Confirmation of the minutes of the 14th meeting held on 17 February 2006
(LC Paper No. CB(2) 1193/05-06)

The minutes were confirmed.

II. Matters arising

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

Number of Bills Committee slots

2. The Chairman said that she had reminded CS that there were currently five vacant Bills Committee slots.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 17 February 2006 and tabled in Council on 22 February 2006

(LC Paper No. LS 36/05-06)

3. The Chairman said that only one item of subsidiary legislation, i.e. the Fugitive Offenders (Finland) Order, was gazetted on 17 February 2006 and tabled in the Legislative Council (LegCo) on 22 February 2006.

4. The Legal Adviser said that while the Order was subject to the scrutiny by LegCo, LegCo could only repeal the whole Order but not amend any part of it.

5. The Legal Adviser added that the Order would come into operation on a day to be appointed by the Secretary for Security (S for S) by notice published in the Gazette.

Action

6. Mr James TO said that a subcommittee should be formed to examine the Order.

7. The Chairman proposed that a subcommittee be formed to study the Order. Members agreed. The following Members agreed to join: Ms Margaret NG and Mr James TO.

8. The Chairman reminded Members that the deadline for amending this item of subsidiary legislation was 22 March 2006, or 26 April 2006 if extended by resolution.

IV. Further business for the Council meeting on 1 March 2006

(a) **Questions**
(*LC Paper No. CB(3) 358/05-06*)

9. The Chairman said that Mr WONG Yung-kan had replaced his previous oral question.

(b) **Bills - resumption of debate on Second Reading, Committee Stage and Third Reading**

Protection of Endangered Species Animals and Plants Bill

10. The Chairman said that the Bills Committee on the Bill had presented its report to the House Committee at the last meeting, and Members did not raise objection to the resumption of the Second Reading debate on the Bill.

V. Business for the Council meeting on 8 March 2006

(a) **Questions**
(*LC Paper No. CB(3) 359/05-06*)

11. 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**

Births, Deaths and Marriages (Digital Image) Bill

12. The Chairman said that the Administration had given notice to present the above Bill to the Council on 8 March 2006. The House Committee would consider the Bill at its meeting on 10 March 2006.

(c) **Government motions**

- (i) **Letter dated 22 February 2006 from the Secretary for Financial Services and the Treasury (SFST) to the Chairman of the House Committee concerning the extension of First Registration Tax exemption for electric vehicles**
(LC Paper No. CB(2) 1222/05-06(01))
(LC Paper No. LS 40/05-06)

13. Referring to SFST's letter dated 22 February 2006, the Chairman said that the Financial Secretary announced in his Budget Speech on 22 February 2006 the proposal to extend the exemption for the First Registration Tax for electric vehicles, which would expire on 31 March 2006, for three years up to 31 March 2009.

14. The Chairman further said that SFST intended to move a proposed resolution on 8 March 2006 to extend the exemption period under section 5(4) of the Motor Vehicles (First Registration Tax) Ordinance (Cap. 330).

15. The Chairman added that SFST had written to the President requesting that the 12-day notice requirement for moving the proposed resolution be waived. SFST would like to seek the House Committee's support for his request.

16. Members did not raise any objection to SFST moving the proposed resolution at the Council meeting on 8 March 2006. Members also supported SFST's request for the 12-day notice requirement be waived.

- (ii) **Two proposed resolutions to be moved by the Secretary for Security under the Mutual Legal Assistance in Criminal Matters Ordinance relating to:**

- **the Mutual Legal Assistance in Criminal Matters (Poland) Order; and**
- **the Mutual Legal Assistance in Criminal Matters (Israel) Order**

(Wording of the proposed resolutions issued vide LC Paper No. CB(3) 354/05-06 dated 17 February 2006.)
(LC Paper No. LS 37/05-06)

17. The Legal Adviser explained that the purpose of the proposed resolutions was to seek LegCo's approval of the Mutual Legal Assistance in

Action

Criminal Matters (Poland) Order and the Mutual Legal Assistance in Criminal Matters (Israel) Order. The two Orders were made under section 4 of the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) in consequence of the arrangements for mutual legal assistance entered into by the Hong Kong Special Administrative Region Government and the Government of the Republic of Poland and the Government of the State of Israel in April and July 2005 respectively.

18. The Legal Adviser further explained that the provisions in the two Orders were substantially in conformity with those of the Ordinance. Schedule 1 to the two Orders respectively set out the modifications to the Ordinance.

19. The Legal Adviser added that the Legal Service Division had asked the Administration to clarify certain matters in respect of which Members might be interested. The correspondence between the Legal Service Division and the Administration was attached to the report for Members' reference.

20. Mr James TO said that a subcommittee should be formed to examine the two proposed resolutions.

21. The Chairman proposed that a subcommittee be formed to study the two proposed resolutions. Members agreed. The following Members agreed to join: Ms Margaret NG, Mr James TO, Ms Miriam LAU and Ms Audrey EU.

22. The Chairman said that S for S would be requested to withdraw his notices for moving the two proposed resolutions.

(d) **Members' motions**

- (i) **Motion to be moved by Dr Hon KWOK Ka-ki**
(Wording of the motion issued vide LC Paper No. CB(3) 376/05-06 dated 23 February 2006.)

23. The Chairman said that the subject of the motion to be moved by Dr KWOK Ka-ki was "Promoting health care reform and health care financing", and the wording of the motion had just been issued to Members.

- (ii) **Motion to be moved by Hon Margaret NG**
(Wording of the motion issued vide LC Paper No. CB(3)377/05-06 dated 24 February 2006.)

24. The Chairman said that the subject of the motion to be moved by Ms Margaret NG was "Domestic violence", and the wording of the motion had just been issued to Members.

Action

- (iii) **Motion on “Expediently improving the traffic arrangements in the western and northwestern parts of the New Territories”**
(Wording of the motion issued vide LC Paper No. CB(3) 375/05-06 dated 23 February 2006.)

25. The Chairman said that the above motion would be moved by Mrs Selina CHOW, and the wording of the motion has been issued to Members.

26. The Chairman said that as agreed by the House Committee on 6 January 2006, three debates on Members’ motions with no legislative effect should be scheduled for each of two future Council meetings. The Chairman added that three debates on Members’ motions had been held at the Council meeting on 15 February 2006.

27. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 1 March 2006.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 1194/05-06)

28. The Chairman said that there were 10 Bills Committees and nine subcommittees under House Committee in action.

29. The Chairman added that Mr Fred LI, Chairman of the Subcommittee on Waste Disposal Ordinance (Amendment of Fourth Schedule) Notice 2006 and Public Health (Animals and Birds) (Licensing of Livestock Keeping) (Amendment) Regulation 2006, would move a motion at the Council meeting on 8 March 2006 to extend the scrutiny period of the two items of subsidiary legislation to 29 March 2006.

VII. Proposed overseas duty visit by the Panel on Information Technology and Broadcasting

(LC Paper No. CB(1) 959/05-06)

30. The Chairman said that the paper sought the House Committee’s permission, under rule 22(u) of the House Rules, for the Panel on Information Technology and Broadcasting to visit Canada, the United States and the United Kingdom in April 2006.

31. Mr SIN Chung-kai, Chairman of the Panel, said that as the Administration had appointed an independent committee to review public service broadcasting in Hong Kong, the Panel considered it necessary to

Action

conduct a study of the subject. In addition to holding special meetings and requesting the Research and Library Services Division of the LegCo Secretariat to prepare a research report, the Panel would visit the three countries to obtain first-hand information on their public service broadcasting systems. Mr SIN further said that the Panel planned to provide a report to the independent committee in early July 2006 after completing the study.

32. The Chairman proposed that permission be given for the Panel to undertake the visit. Members agreed.

VIII. Any other business

33. There being no other business, the meeting ended at 2:40 pm.

Council Business Division 2
Legislative Council Secretariat
1 March 2006

060224e.doc