

立法會
Legislative Council

LC Paper No. CB(1)1832/06-07
(These minutes have been seen
by the Administration)

Ref: CB1/BC/3/06

Bills Committee on Tsing Sha Control Area Bill

**Minutes of meeting on
Monday, 7 May 2007, at 4:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon LAU Kong-wah, JP (Chairman)
Hon Miriam LAU Kin-ye, GBS, JP
Hon WONG Kwok-hing, MH
Hon Ronny TONG Ka-wah, SC
- Members absent** : Hon Andrew CHENG Kar-foo
Hon LEE Wing-tat
Hon CHEUNG Hok-ming, SBS, JP
- Public Officers
Attending** : Ms Annette LEE
Deputy Secretary for the Environment, Transport and Works
- Miss Rosanna LAW
Principal Assistant Secretary for the Environment,
Transport and Works
- Miss Leonora IP
Senior Government Counsel
Department of Justice
- Mr Michael HUI
Chief Engineer/Major Works 1-2
Highways Department

Mr LO Yat-cheung
Principal Transport Officer/Management
Transport Department

Clerk in attendance : Mr Andy LAU
Chief Council Secretary (1)2

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Mr Noel SUNG
Senior Council Secretary (1)4

Action

I Election of Chairman

Mr LAU Kong-wah was elected Chairman of the Bills Committee.

II Meeting with the Administration

(LC Paper No. CB(3)450/06-07

File Ref: ETWB(T) CR 1/981/00

LC Paper No. LS60/06-07

- the Bill

- The Legislative Council Brief issued

- Legal Service Division Report)

2. The Bills Committee deliberated (index of proceedings attached at **Annex**).

3. The Bills Committee discussed the policy issues arising from the Tsing Sha Control Area Bill (the Bill) and examined the Bill clause by clause.

4.. The Bills Committee requested the Administration to provide the following additional information and to respond to the questions raised by the Assistant Legal Advisor (ALA) vide his letters to the Administration dated 16 April 2007 and 3 May 2007 –

- (a) measures to minimize noise pollution for residents in Tsing Yi area;
- (b) notification to the public on road closure for emergency works in the Tsing Sha Control Area; and
- (c) termination of the Management Agreement with operator.

Action

5. The Chairman concluded that pending further information from the Administration, the Bills Committee would decide on whether it was necessary to convene another meeting to discuss the outstanding issues.

(Post-meeting note: The Administration's written responses to additional information requested by members, and to the questions raised by ALA were circulated to members vide LC Papers No. CB(1)1642/06-07 (02) and (03) on 17 May 2007. As members did not raise any further comment on the Bill and the said replies, the Bills Committee had subsequently agreed to report to the House Committee on 8 June 2007, recommending the resumption of the Second Reading debate on the Bill on 27 June 2007.)

III Any other business

6. There being no other business, the meeting ended at 5:15 pm.

Council Business Division 1
Legislative Council Secretariat
5 June 2007

**Proceedings of the meeting of
the Bills Committee on Tsing Sha Control Area Bill
on Monday, 7 May 2007, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<i>Agenda Item I – Election of Chairman</i>			
000000 - 000104	Mr LAU Kong-wah Ms Miriam LAU	- Election of Chairman	
<i>Agenda Item II – Meeting with the Administration</i>			
000105 - 000306	Admin	- Briefing by the Administration	
000307 - 000412	Ms Miriam LAU Admin	- Difference between the Tsing Sha Control Area Bill and the Tsing Ma Control Area Ordinance (Cap. 498)	
000413 - 000849	Mr WONG Kwok-hing Admin	- Discussion on the tendering arrangements for the management, operation and maintenance of the Tsing Sha Control Area (TSCA), the duration of the management agreement and the determination of tolls of TSCA.	
000850 - 001013	Mr Ronny TONG Ms Miriam LAU Admin	- Discussion on toll charging	
001014 - 001206	Mr WONG Kwok-hing Admin	- Concern about noise pollution for residents in Tsing Yi Area and request for further information in this respect	The Administration to provide relevant information
001207 - 001349	Admin	- Clause-by-clause examination - Clauses 1 - 3	
001348 - 001849	Admin	- Clause 4	
001850 - 002158	Chairman Admin	- Clause 5 - Discussion on determination of boundaries of TSCA and the boundaries of the toll area, tunnels and tunnel areas in the TSCA	
002159 - 002639	Admin	- Clauses 6 to 10	

Time marker	Speaker	Subject(s)	Action required
002640-003218	Chairman Admin	- Clauses 11 to 15 - Discussion on possible abuse of power by authorized officers under clause 11	
003219 - 003408	Chairman Admin	- Clauses 16 to 17	
003409 - 003603	Chairman Admin	- Clauses 18 to 20 - Discussion on possible privacy issues arising from image capturing, image recording, etc under clause 18	
003604 - 003709	Chairman Admin	- Clauses 21 to 22 - Discussion on notification to the public on road closure for emergency works	The Administration to provide information on the publicity arrangements for closure of roads in TSCA.
003710 - 003709	Chairman Admin	- Clause 23	
003710 - 004102	Chairman Admin Mr WONG Kwok-hing	- Discussion on the need to include a new provision in the Bill to empower the Government to terminate the management agreement in case of default - Clauses 24 to 31	The Administration to provide further information on termination of the management agreement with operator
004103 - 004316	Chairman Admin	- Schedule	
004317 - 004428	Chairman ALA3 Chairman	- Completion of clause-by-clause examination of the Bill - Outstanding information to be provided by the Administration	
<i>Agenda Item III – Any other business</i>			
	Chairman	- The meeting ended at 1715 hours.	