

立法會
Legislative Council

Ref : CB2/BC/5/06

LC Paper No. CB(2)2050/06-07
(These minutes have been seen by
the Administration)

**Bills Committee on
Shenzhen Bay Port Hong Kong Port Area Bill**

**Minutes of meeting
held on Thursday, 29 March 2007, at 10:45 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon LAU Kong-wah, JP (Chairman)
Hon KWONG Chi-kin (Deputy Chairman)
Hon Margaret NG
Hon James TO Kun-sun
Hon Bernard CHAN, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
- Members absent** : Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon CHIM Pui-chung
- Public Officers attending** : Ms Grace LUI
Deputy Secretary for Security
- Mr Alan CHU
Principal Assistant Secretary for Security
- Miss Ada CHAN
Assistant Secretary for Security
- Ms Fanny IP
Senior Assistant Law Draftsman

Ms Cindy YAU
Senior Government Counsel

Mr Paul TSANG
Senior Government Counsel

Mr Leo MA
Chairman
The Hong Kong Federation of Insurers

Mr Peter TAM
Chief Executive
The Hong Kong Federation of Insurers

Ms Mandy LO
Chairman, Accident Insurance Association
The Hong Kong Federation of Insurers

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

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Mr Timothy TSO
Assistant Legal Adviser 2

Mr Raymond LAM
Senior Council Secretary (2) 5

Ms Camy YOONG
Clerical Assistant (2) 1

I. Meeting with the Administration

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

2. The Bills Committee requested the Administration -

- (a) to provide information on the operation of market agreements previously entered into by the insurance sector;
- (b) to explain the binding effect of a market agreement; and

- (c) to consider making reference to the market agreement in the Bill and providing a statutory basis to the insured for taking legal actions against non-compliance with the market agreement, or to consider whether a unilateral deed should be adopted in place of the proposed market agreement.

II. Date of next meeting

- 3. The Bills Committee noted that the next meeting would be held on 30 March 2007 at 8:30 am to continue discussion with the Administration.
- 4. The meeting ended at 12:45 pm.

Council Business Division 2
Legislative Council Secretariat
4 June 2007

**Proceedings of meeting of the
Bills Committee on
Shenzhen Bay Port Hong Kong Port Area Bill
on Thursday, 29 March 2007, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000443	Chairman	Opening remarks	
000444 - 001247	Representative of the Hong Kong Federation of Insurers	Briefing on the paper entitled "Vehicle Third Party and Employees' Compensation Insurance Policies in existence before opening of the HKPA" provided by the Hong Kong Federation of Insurers (HKFI)	
001248 - 002014	Howard YOUNG Representative of the Hong Kong Federation of Insurers	How HKFI would deal with the situation where a few insurers refused to enter into the proposed market agreement	
002015 - 002240	Hon Miriam LAU Representative of the Hong Kong Federation of Insurers	Whether there would be any additional premium arising from the market agreement	
002241 - 003825	Hon James TO Representatives of the Hong Kong Federation of Insurers Admin Chairman	Whether a unilateral deed was preferred to the proposed market agreement	Admin to provide information on the operation of market agreements previously entered into by the insurance sector
003826 - 004722	Hon Emily LAU Representatives of the Hong Kong Federation of Insurers Admin Chairman	Whether the option referred to paragraph 6(a) of the paper provided by HKFI was a viable one; role of the Government in the proposed market agreement; whether the proposed market agreement had any effect on public money	
004723 - 005627	Hon Bernard CHAN Hon Emily LAU Chairman Representative of the Hong Kong Federation of Insurers	Previous examples of market agreement; binding effect of a market agreement and role of the Insurance Authority	

Time marker	Speaker	Subject(s)	Action Required
005628 - 013755	Deputy Chairman Representative of the Hong Kong Federation of Insurers Admin Chairman Hon Bernard CHAN Hon Miriam LAU Hon James TO Hon Emily LAU	Whether there should be a reference in the Bill to the market agreement; binding effect of the two options referred to in paragraph 6 of the paper provided by HKFI; providing a statutory basis to the insured for taking legal actions against non-compliance with the proposed market agreement; whether a unilateral deed was preferred to the proposed market agreement	Admin to consider making reference to the market agreement in the Bill and providing a statutory basis to the insured for taking legal actions against non-compliance with the proposed market agreement; to explain the binding effect of a market agreement; to consider whether a unilateral deed should be adopted in place of the proposed market agreement
013756 - 014415	Admin Hon Emily LAU Chairman	Administration's paper on land use arrangement for HKPA (LC Paper No. CB(2)1457/06-07 (02)); reference in the Bill to the land lease for HKPA	
014416 - 015056	Hon James TO Admin Chairman	Scope of complementary facilities necessary for the operation of HKPA	
015057 - 015340	Hon Emily LAU Admin	Criteria for determining the ceiling of 30% to the land rental for HKPA; average increase in land rent in the past five years	
015341 - 015554	Hon Emily LAU Admin Chairman	Administration's paper regarding its discussion with the Judiciary on the Bill (LC Paper No. CB(2)1428/06-07(01)); timing for provision of other outstanding papers; date of next meeting	