

**立法會**  
**Legislative Council**

Ref : CB2/BC/11/06

LC Paper No. CB(2)1192/07-08  
(These minutes have been seen by  
the Administration)

**Bills Committee on  
Domestic Violence (Amendment) Bill 2007**

**Minutes of the 8<sup>th</sup> meeting  
held on Tuesday, 15 January 2008, at 4:30 pm  
in Conference Room A of the Legislative Council Building**

- Members present** : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)  
Hon LEE Cheuk-yan  
Hon Margaret NG  
Hon CHAN Yuen-han, SBS, JP  
Hon Miriam LAU Kin-ye, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon CHOY So-yuk, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon Alan LEONG Kah-kit, SC  
Hon Ronny TONG Ka-wah, SC  
Hon WONG Kwok-hing, MH  
Hon LEUNG Kwok-hung  
Hon Mrs Anson CHAN, GBM, JP
- Members absent** : Hon Albert HO Chun-yan  
Hon James TO Kun-sun  
Dr Hon YEUNG Sum, JP  
Hon Bernard CHAN, GBS, JP  
Hon LI Fung-ying, BBS, JP  
Hon KWONG Chi-kin  
Hon TAM Heung-man

- Public Officers attending** : Miss Eliza LEE  
Deputy Secretary for Labour and Welfare (Welfare)1
- Miss Hanny LAM  
Principal Assistant Secretary for Labour and Welfare (Welfare)2
- Ms Winnie LEUNG  
Assistant Secretary for Labour and Welfare (Welfare)2A
- Mrs Anna MAK  
Assistant Director (Family and Child Welfare)  
Social Welfare Department
- Mr Gilbert MO  
Deputy Law Draftsman (Bilingual Drafting & Administration)  
Department of Justice
- Miss Angie LI  
Government Counsel  
Department of Justice
- Clerk in attendance** : Miss Mary SO  
Chief Council Secretary (2) 5
- Staff in attendance** : Mr LEE Yu-sung  
Senior Assistant Legal Adviser 1
- Ms Maisie LAM  
Council Secretary (2) 2
- Ms Sandy HAU  
Legislative Assistant (2) 5

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Action

**I. Confirmation of minutes of meetings**  
[LC Paper Nos. CB(2)804/07-08 and 805/07-08]

The minutes of meetings held on 26 November 2007 and 7 December 2007 were confirmed.

Action

**II. Meeting with the Administration**

[LC Paper No. CB(2)815/07-08(01)]

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

Clause-by-clause examination of the Bill

3. Members noted that the Administration would move Committee Stage amendments (CSAs) -

- (a) to amend section 5(4) to exclude also the black rainstorm warning day when computing time for the purpose of implementing the Domestic Violence Ordinance (Cap. 189) (DVO); and
- (b) to further amend section 6(3) to clarify that the court should have regard to the permanence of the cohabitation relationship in granting of an injunction, with or without power of arrest attached, whether the persons were in an existing or a former cohabitation relationship.

4. Miss Margaret NG said that the form of authorization of arrest set out in the Schedule to the DVO should be drafted in plain language for easy comprehension by the general public. The Administration agreed to consider and revert in writing.

**III. Date of next meeting**

5. Members agreed to hold the next meeting on 14 February 2008 at 4:30 pm to consider draft CSAs proposed by the Administration, as well as the Administration's responses to issues raised at this and previous meetings.

6. There being no other business, the meeting ended at 5:38 pm.

Council Business Division 2  
Legislative Council Secretariat  
26 February 2008

**Proceedings of the eighth meeting of  
Bills Committee on Domestic Violence (Amendment) Bill 2007  
on Tuesday, 15 January 2008, at 4:30 pm  
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000640	Chairman	Confirmation of minutes of meetings on 26 November 2007 and 7 December 2007	
000641 - 001712	Chairman Admin Miss Margaret NG	Administration's response on restoring the protection afforded under the Domestic Violence Ordinance (Cap. 189) (DVO) to "a child living with the applicant" to the Bill (LC Paper No. CB(2)815/07-08(01))	
001713 - 001945	Admin Chairman	The Administration would move Committee Stage amendments (CSAs) to amend section 5(4) to exclude also the black rainstorm warning day when computing time for the purpose of implementing DVO	
001946 - 003356	Admin Miss Margaret NG	Clause-by-clause examination of the Bill  <i>Clause 8 - Limitations with respect to certain injunctions and powers of arrest</i>  The Administration would move CSAs to further amend section 6(3) to clarify that the court should have regard to the permanence of the cohabitation relationship in granting of an injunction, with or without power of arrest attached, whether the persons were in an existing or a former cohabitation relationship	
003357 - 003822	Admin Miss Margaret NG	<i>Clause 9 - section substituted</i> <i>7. Court may extend injunctions and authorizations of arrest</i>	
003823 - 004932	Admin	<i>Clause 10 - Section added</i> <i>7A. - Court may vary or suspend custody or access order</i>	
004933 - 005546	Admin	Consequential and minor technical amendments to <u>the Domestic Violence Rules</u>  <i>Clause 11 - Rules of practice and procedure</i> <i>Clause 12 - Injunctions not to be registered</i> <i>Clause 13 - Interpretation</i> <i>Clause 14 - Form of power of arrest</i> <i>Clause 15 - Service of power of arrest</i>	
005547 - 005918	Miss Margaret NG Admin Chairman	<i>Clause 17 - Schedule substituted</i> <i>Schedule Form of authorization of arrest</i>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
		The Administration was requested to draft the form of authorization of arrest set out in the Schedule to the DVO in plain language for easy comprehension by the general public	✓ (Admin to provide a written response)
005919 - 010053	Chairman Admin	Outstanding responses from the Administration on issues raised at previous meetings	
010054 - 010233	Chairman Admin	Date of next meeting	

Council Business Division 2  
Legislative Council Secretariat  
26 February 2008