

立法會
Legislative Council

LC Paper No. CB(2) 359/06-07

Ref : CB2/H/5/06

House Committee of the Legislative Council

**Minutes of the 4th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 10 November 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, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
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, GBS, 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 WONG Yung-kan, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon LI Kwok-ying, MH, JP

Dr Hon Joseph LEE Kok-long, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon Albert Jinghan CHENG
Hon KWONG Chi-kin

Members absent :

Hon Martin LEE Chu-ming, SC, JP
Dr Hon David LI Kwok-po, GBS, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon SIN Chung-kai, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Chin-shek, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon MA Lik, GBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon TAM Heung-man

Clerk in attendance :

Mrs Vivian KAM 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
Mrs Justina LAM	Assistant Secretary General 3
Mr LEE Yu-sung	Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2

Mrs Constance LI	Principal Council Secretary (Complaints)
Miss Kathleen LAU	Chief Public Information Officer
Miss Odelia LEUNG	Chief Council Secretary (2)6
Miss Kitty CHENG	Assistant Legal Adviser 5
Miss Monna LAI	Assistant Legal Adviser 7
Ms Amy YU	Senior Council Secretary (2)3

Action

**I. Confirmation of the minutes of the 3rd meeting held on 3 November 2006
(LC Paper No. CB(2) 294/06-07)**

The minutes were confirmed.

II. Matters arising

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

2. The Chairman said that she had conveyed to CS Members' concern for the early introduction of bills on the legislative programme for 2006-2007, in particular, the Prevention of Bribery (Amendment) Bill, and Members' request for a specific time frame for the introduction of these bills to avoid bunching of bills at the end of the session. The Chairman further said that she had also requested CS to advise if and when amendments to the Land Titles Ordinance would be introduced.

3. The Chairman added that CS noted Members' request for a time frame and said that he would try his best. CS also said that it might be difficult to specify the time frame for some of the bills.

4. The Chairman pointed out that she had requested CS to provide a rough time frame by indicating the bills to be introduced in the first or second half of the 2006-2007 session. In response to Ms Audrey EU's enquiry, the Chairman said that CS had agreed to inform Members the rough time frame as soon as it was available.

5. Mr LEUNG Yiu-chung said that in order to allow more time for Members to raise follow up questions at Council meetings, the Administration should be requested to keep their response to oral questions short and concise.

6. Dr YEUNG Sum said that the Administration should accord priority to the introduction of the Prevention of Bribery (Amendment) Bill in view of the forthcoming Chief Executive election in March 2007 and the intervening general holidays.

Action

7. The Chairman agreed to convey Members' concern to CS.
- (b) **Six subsidiary legislation relating to the relocation of juveniles to the Tuen Mun Children and Juvenile Home**
(Paragraph 8 of the minutes of the 3rd House Committee meeting on 3 November 2006)
*[Previous paper:
Paragraphs 28 to 31 of LC Paper No. LS 6/06-07 issued vide LC Paper No. CB(2) 248/06-07 dated 2 November 2006]*
8. The Chairman said that at the last House Committee meeting, Members decided to defer a decision on the six items of subsidiary legislation to this meeting.
9. Mr Albert HO said that the six Amendment Orders and Rules involved the closure of existing correctional/residential homes for juveniles. Mr HO considered that a subcommittee should be formed to study these items of subsidiary legislation.
10. The Chairman proposed that a subcommittee be formed to study the six items of subsidiary legislation in detail. Members agreed. The following Members agreed to join: Mr Albert HO, Mr James TO and Ms Audrey EU.
11. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 29 November 2006, or 20 December 2006 if extended by resolution.

III. **Business arising from previous Council meetings**

Legal Service Division report on subsidiary legislation gazetted on 3 November 2006 and tabled in Council on 8 November 2006

(LC Paper No. LS 8/06-07)

12. The Chairman said that two items of subsidiary legislation were gazetted on 3 November 2006 and tabled in Council on 8 November 2006.
13. On the Shipping and Port Control (Ferry Terminals) (Amendment) Regulation 2004 (Commencement) Notice, the Chairman said that the Amendment Regulation added a new Schedule 1 to include a new Tuen Mun Ferry Terminal, in addition to two existing ferry terminals. The Chairman also said that the Commencement Notice had already come into operation.

Action

14. Mr Albert HO said that while he welcomed the commissioning of the new ferry terminal, he considered it necessary to form a subcommittee to examine the related issues.

15. The Chairman proposed that a subcommittee be formed to study the Commencement Notice in detail. Members agreed. The following Members agreed to join: Mr Albert HO, Ms Miriam LAU, Mr Albert CHAN and Mr LEE Wing-tat.

16. Members did not raise any queries on the other item of subsidiary legislation.

17. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 6 December 2006, or 10 January 2007 if extended by resolution.

IV. Further business for the Council meeting on 15 November 2006

Questions

(LC Paper No. CB(3) 107/06-07)

18. The Chairman said that Mr Jasper TSANG had withdrawn his oral question and the slot would be taken up by another Member. The Chairman also said that new questions would be raised by Mr Albert HO, Mr CHEUNG Hok-ming and Mr James TO respectively.

V. Business for the Council meeting on 22 November 2006

(a) Questions

(LC Paper No. CB(3) 108/06-07)

19. 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

20. The Chairman said that no notice had been received yet.

(c) Government motion

21. The Chairman said that no notice had been received yet.

(d) **Members' motions**

- (i) **Motion on "Leisure, gaming and entertainment complex"**
(Wording of the motion issued vide LC Paper No. CB(3) 119/06-07 dated 8 November 2006.)
- (ii) **Motion on "Electing the Chief Executive by universal suffrage"**
(Wording of the motion issued vide LC Paper No. CB(3) 115/06-07 dated 8 November 2006.)

22. The Chairman said that the above motions would be moved by Mr James TIEN and Mr Ronny TONG respectively, and the wording of the motions had been issued to Members.

23. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 15 November 2006.

VI. Position on Bills Committees and subcommittees
(LC Paper No. CB(2) 295/06-07)

24. The Chairman said that there were nine Bills Committees and seven subcommittees under the House Committee in action.

VII. Paper of the Committee on Rules of Procedure (CRoP)

**Handbook for Chairmen of Subcommittees on Subsidiary Legislation/
Other Instruments**
(LC Paper No. CROP 8/06-07)

25. Mr Jasper TSANG, Chairman of CRoP, said that the draft Handbook had been circulated to Members for comments on 19 July 2006, and no comment was received by the deadline of 18 August 2006.

26. Mr TSANG added that at the Council meeting on 18 October 2006, Members approved the amendments to the Rules of Procedure (RoP) regarding the authority given to the deputy chairman of a committee, in the absence of the chairman, to consider a request for holding a special meeting and determine the date, time and place of the meeting. The Handbook had been revised to reflect the relevant provision in RoP, and was endorsed by CRoP at its meeting on 6 November 2006.

27. The Chairman said that the Handbook was for reference only.

Action

28. Members endorsed the Handbook for Chairmen of Subcommittees on Subsidiary Legislation/Other Instruments.

VIII. Any other business

29. There being no other business, the meeting ended at 2:39 pm.

Council Business Division 2
Legislative Council Secretariat
15 November 2006

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