

立法會  
*Legislative Council*

LC Paper No. CB(2) 541/06-07

Ref : CB2/H/5/06

**House Committee of the Legislative Council**

**Minutes of the 7th meeting  
held in the Legislative Council Chamber  
at 2:30 pm on Friday, 1 December 2006**

**Members present :**

Hon Miriam LAU Kin-ye, GBS, JP (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 Margaret NG  
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP  
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  
Hon SIN Chung-kai, JP  
Dr Hon Philip WONG Yu-hong, GBS  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Howard YOUNG, SBS, JP  
Dr Hon YEUNG Sum  
Hon LAU Chin-shek, JP  
Hon LAU Kong-wah, 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 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 Jeffrey LAM Kin-fung, 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 WONG Ting-kwong, BBS  
Hon CHIM Pui-chung  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Hon Albert Jinghan CHENG  
Hon KWONG Chi-kin  
Hon TAM Heung-man

**Members absent :**

Hon Fred LI Wah-ming, JP (Deputy Chairman)  
Hon LEE Cheuk-yan  
Hon Martin LEE Chu-ming, SC, JP  
Dr Hon David LI Kwok-po, GBS, JP  
Dr Hon LUI Ming-wah, SBS, JP  
Hon James TO Kun-sun  
Hon WONG Yung-kan, JP  
Hon LAU Wong-fat, GBM, GBS, JP  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon MA Lik, GBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon CHEUNG Hok-ming, SBS, JP  
Hon Ronny TONG Ka-wah, SC

**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
Mr Kelvin LEE	Assistant Legal Adviser 1
Mr Stephen LAM	Assistant Legal Adviser 4
Mr KAU Kin-wah	Assistant Legal Adviser 6
Ms Amy YU	Senior Council Secretary (2)3

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**I. Confirmation of the minutes of the 6th meeting held on 24 November 2006**  
(LC Paper No. CB(2) 481/06-07)

The minutes were confirmed.

**II. Matters arising**

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

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Meetings with state leaders of Central Government visiting Hong Kong

2. The Chairman said that she had conveyed to CS Members' request for meeting with state leaders of the Central Government visiting Hong Kong and informed CS that she had already written to the Chief Executive (CE) in this regard.

3. The Chairman referred Members to the reply from the Private Secretary to CE dated 30 November 2006, which was received at noon on 1 December 2006 and tabled at the meeting. The Chairman highlighted the Administration's response that as Mr WU Bangguo had been invited by the International Telecommunication Union (ITU) to visit Hong Kong, his visit programme would be taken up in the main by various ITU-related events, with some small gaps to be filled by a few community programmes and, given the short duration of Mr WU's visit, he would not be able to hold a separate meeting session exclusively with Members.

4. Dr YEUNG Sum said that the Administration should be requested to allow time for scheduling meetings between Members, being the representatives of the public, and visiting state leaders of the Central Government when drawing up the visit programmes for the latter in future. Members supported the request.

5. The Chairman said that she would convey Members' request to CS.

### III. Business arising from previous Council meetings

#### **Legal Service Division report on subsidiary legislation gazetted on 24 November 2006 and tabled in Council on 29 November 2006**

*(LC Paper No. LS 14/06-07)*

6. The Chairman said that three items of subsidiary legislation were gazetted on 24 November 2006 and tabled in Council on 29 November 2006.

7. On the Air Pollution Control (Volatile Organic Compounds) Regulation, the Chairman said that the Regulation sought to prohibit the manufacture and importation of certain regulated products if the amount of volatile organic compounds in the products exceeded the prescribed limit. The Chairman added that the relevant Panels had been consulted on the subject.

8. Ms Audrey EU considered that a subcommittee should be formed to study the Regulation.

9. The Chairman proposed that a subcommittee be formed to study the Regulation in detail. Members agreed. The following Members agreed to join: Ms Emily LAU, Miss CHOY So-yuk, Ms Audrey EU and Mr Vincent FANG.

10. In response to Dr YEUNG Sum's enquiry on the two items of subsidiary legislation concerning the Stanley Waterfront Mart (the Mart), the Chairman explained that the Mart had been declared to be a market by a Declaration made under the Public Health and Municipal Services Ordinance, which was considered by Members at the last House Committee meeting. The two Orders respectively designated the Mart as a public market to which the Ordinance applied and amended the relevant Schedule to the Ordinance to reflect the designation.

11. Members did not raise any other queries on the two Orders.

12. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 20 December 2006.

### IV. Further report by the Legal Service Division on Deposit Protection Scheme (Asset Maintenance) Rules gazetted on 10 November 2006

*(LC Paper No. LS 17/06-07)*

*[Previous papers:*

*Paragraphs 7 to 10 of LC Paper No. LS 9/06-07 issued vide LC Paper No. CB(2) 399/06-07 dated 16 November 2006; and*

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*Paragraph 5 of the minutes of the 5th House Committee meeting on 17 November 2006 (LC Paper No. CB(2) 424/06-07) issued vide LC Paper No. CB(2) 438/06-07 dated 22 November 2006]*

13. The Chairman said that at the House Committee meeting on 17 November 2006, Members were informed that the Legal Service Division was continuing the scrutiny of the above Rules and would seek clarification from the Administration on a number of drafting points.

14. The Chairman further said that in response to the request of the Legal Service Division, the Monetary Authority had clarified certain matters, and no further action was considered necessary.

15. Members did not raise any query on the Rules.

16. The Chairman reminded Members that the deadline for amending this item of subsidiary legislation was 13 December 2006.

**V. Further business for the Council meeting on 6 December 2006**

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

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**Prevention of Cruelty to Animals (Amendment) Bill 2006**

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

**VI. Business for the Council meeting on 13 December 2006**

(a) **Questions**  
(LC Paper No. CB(3) 174/06-07)

18. 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**

**Race Discrimination Bill**

19. The Chairman said that the Administration had given notice to present the above Bill to the Council on 13 December 2006. The House Committee would consider the Bill at its meeting on 15 December 2006.

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(c) **Government motion**

**Proposed resolution to be moved by the Secretary for Financial Services and the Treasury (SFST) under the Dutiable Commodities Ordinance**

*(Wording of the proposed resolution issued vide LC Paper No. CB(3) 164/06-07 dated 24 November 2006.)*

*(LC Paper No. LS 15/06-07)*

20. The Chairman said that the proposed resolution was for seeking the Council's approval to extend the existing concessionary rate of duty on ultra low sulphur diesel to 31 December 2008. The Chairman added that similar extensions of varying durations had been approved in the past.

21. Members did not raise objection to SFST moving the proposed resolution at the Council meeting.

(d) **Members' motions**

(i) **Motion on "Concern about the problems of the middle-class"**

*(Wording of the motion issued vide LC Paper No. CB(3) 181/06-07 dated 29 November 2006.)*

(ii) **Motion on "Release of Ching Cheong"**

*(Wording of the motion issued vide LC Paper No. CB(3) 182/06-07 dated 30 November 2006.)*

22. The Chairman said that the above motions would be moved by Mrs Selina CHOW and Mr James TO 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, 6 December 2006.

**VII. Position on Bills Committees and subcommittees**

*(LC Paper No. CB(2) 482/06-07)*

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

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**VIII. Any other business**

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

Council Business Division 2  
Legislative Council Secretariat  
6 December 2006

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