

立法會
Legislative Council

LC Paper No. CB(2) 1232/06-07

Ref : CB2/H/5/06

House Committee of the Legislative Council

**Minutes of the 16th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 2 March 2007**

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 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 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 WONG Yung-kan, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah, JP
Hon CHOY So-yuk, JP
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 Jeffrey LAM Kin-fung, SBS, JP
Hon MA Lik, GBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
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
Hon TAM Heung-man

Members absent :

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 Bernard CHAN, GBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon LAU Chin-shek, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon CHEUNG Hok-ming, SBS, JP

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
Mrs Constance LI	Principal Council Secretary (Complaints)
Mr Simon WONG	Chief Public Information Officer
Miss Odelia LEUNG	Chief Council Secretary (2)6
Ms Connie FUNG	Assistant Legal Adviser 3
Ms Amy YU	Senior Council Secretary (2)3

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I. Confirmation of the minutes of the 15th meeting held on 23 February 2007
(*LC Paper No. CB(2) 1162/06-07*)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration

2. The Chairman said that there was nothing special to report.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 23 February 2007 and tabled in Council on 28 February 2007
(*LC Paper No. LS 43/06-07*)

3. The Chairman said that two items of subsidiary legislation were gazetted on 23 February 2007 and tabled in Council on 28 February 2007.

4. Members did not raise any queries on these two items of subsidiary legislation.

5. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 28 March 2007.

IV. Business for the Council meeting on 14 March 2007

(a) Questions
(*LC Paper No. CB(3) 391/06-07*)

6. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the meeting.

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(b) **Bills - First Reading and moving of Second Reading**

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

(c) **Government motion**

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

(d) **Members' motions**

(i) **Motion on "Air Pollution Control (Volatile Organic Compounds) Regulation"**

(Wording of the motion issued vide LC Paper No. CB(3) 387/06-07 dated 26 February 2007.)

(ii) **Motion on "Legislating against the use of artificial trans fats in food production"**

(Wording of the motion issued vide LC Paper No. CB(3) 396/06-07 dated 28 February 2007.)

9. The Chairman said that the above motions would be moved by Ms Audrey EU and Mr Albert CHENG respectively, and the wording of the motions had been issued to Members.

10. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 7 March 2007.

V. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 1163/06-07)

11. The Chairman said that there were 12 Bills Committees and six subcommittees under the House Committee in action.

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

Recommendations on the Appointment, Operation and Servicing of Subcommittees

(LC Paper No. CROP 22/06-07)

12. Ms Margaret NG, Deputy Chairman of CRoP, referred Members to the paper on CRoP's recommendations on the appointment of subcommittees under the House Committee (HC) and Panels on policy issues or Council business

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other than subsidiary legislation, other instruments and senior judicial appointments. Ms NG highlighted the following recommendations -

- (a) the terms of reference of a subcommittee, which should be issue-specific or project-specific, and other relevant information listed in paragraph 10(a) of the paper should be provided to HC or the relevant Panel for seeking approval for the appointment of a subcommittee;
- (b) the maximum number of subcommittees in operation should be eight. Any new subcommittees formed after the maximum number was reached would be put into a waiting list, and HC would act as the clearing house for the activation of subcommittees on the list; and
- (c) if the total number of Bills Committees was less than 16 and in order to maximise resources, HC might activate any subcommittee(s) on the waiting list taking into account the factors listed in paragraph 7(b) of the paper; and
- (d) the time frame for such subcommittees to complete work should be 12 months. If it was necessary for them to operate beyond that 12 months, they should report to HC, after obtaining the endorsement of the relevant Panels if appropriate, and give justifications for their work to continue.

13. Ms NG further said that for the 11 subcommittees currently in operation, they would be requested to provide their work plan and the time frame for completion of work to HC for information.

14. Mr LEE Wing-tat said that Members belonging to the Democratic Party agreed with the recommendations made by CRoP. Nevertheless, he was concerned about the long duration of operation of some existing subcommittees. While noting that this might be due to the complexity of the matters under study or a genuine need for them to continue to operate, Mr LEE pointed out that the long duration of operation of some existing subcommittees would affect subcommittees on the waiting list. As the Secretariat's resources were not unlimited and to avoid competition amongst subcommittees for a slot for activation or continuation of work, Mr LEE stressed that subcommittees should be encouraged to confine their work to a specific task and complete the task within a specific time frame as far as possible.

15. Secretary General (SG) agreed with Mr LEE's views. SG pointed out that as explained in the paper considered by the House Committee at its meeting on 24 November 2006, the long duration of operation of some

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subcommittees might be attributed to their wide scope of work. Hence, it was recommended that the terms of reference of future subcommittees should be issue-specific or project-specific, to enable completion of the task within an assessable and reasonable time frame.

16. SG further explained that the subcommittees currently in operation would be requested to provide their work plan and the time frame for completion of work to HC for information, as recommended in paragraph 10(c) of the paper.

17. The Chairman said that the recommendations of CRoP had already addressed the points of concern raised by Mr LEE Wing-tat.

18. Members agreed with CRoP's recommendations concerning the appointment, operation and servicing of subcommittees. Members also agreed to invite CRoP to draw up provisions in the House Rules to implement the new arrangements.

VII. Any other business

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

Council Business Division 2
Legislative Council Secretariat

7 March 2007

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