

立法會
Legislative Council

Ref : CB2/HS/1/06

LC Paper No. CB(2)2493/06-07
(These minutes have been seen
by the Administration)

**Subcommittee on Legislative Amendments Relating to the Proposed
Re-organisation of Policy Bureaux of the Government Secretariat**

**Minutes of the third meeting
held on Monday, 28 May 2007, at 8:30 am
in Conference Room A of the Legislative Council Building**

- Members present** :
- Hon TAM Yiu-chung, GBS, JP (Chairman)
 - Hon Howard YOUNG, SBS, JP (Deputy Chairman)
 - Hon James TIEN Pei-chun, GBS, JP
 - Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
 - Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
 - Hon CHAN Yuen-han, JP
 - Hon Bernard CHAN, GBS, JP
 - Hon SIN Chung-kai, JP
 - Dr Hon Philip WONG Yu-hong, GBS
 - Hon WONG Yung-kan, JP
 - Dr Hon YEUNG Sum
 - Hon LAU Kong-wah, JP
 - Hon Abraham SHEK Lai-him, JP
 - Hon Audrey EU Yuet-mee, SC, JP
 - Hon WONG Kwok-hing, MH
 - Hon Alan LEONG Kah-kit, SC
 - Dr Hon Fernando CHEUNG Chiu-hung
 - Hon Ronny TONG Ka-wah, SC
 - Prof Hon Patrick LAU Sau-shing, SBS, JP
 - Hon KWONG Chi-kin
 - Hon TAM Heung-man
- Member attending** :
- Hon Martin LEE Chu-ming, SC, JP
- Members absent**
- Dr Hon LUI Ming-wah, SBS, JP
 - Hon Margaret NG
 - Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
 - Hon Jasper TSANG Yok-sing, GBS, JP

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Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon LEUNG Kwok-hung
Hon CHIM Pui-chung

Public Officers : Item I
attending

Mr Stephen LAM Sui-lung
Secretary for Constitutional Affairs

Miss Denise YUE Chung-yee
Secretary for the Civil Service

Mr Ian WINGFIELD
Solicitor General

Miss Jennifer MAK Yee-ming
Permanent Secretary for the Civil Service (Acting)

Mrs Cherry TSE LING Kit-ching
Permanent Secretary for Constitutional Affairs

Ms Fanny IP Fung-king
Deputy Law Draftsman
(Bilingual Drafting & Adm) (Acting)

Ms Vicki LEE Yuet-ming
Senior Government Counsel

Mr Gary POON Wai-wing
Principal Assistant Secretary for Constitutional Affairs

Clerk in : Mrs Percy MA
attendance : Chief Council Secretary (2)3

Staff in : Mr Arthur CHEUNG
attendance : Senior Assistant Legal Adviser

Mrs Eleanor CHOW
Senior Council Secretary (2)4

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I. Meeting with the Administration

(CAB F19/6/3/2(2007) - Legislative Council Brief on "Re-organisation of Policy Bureaux of the Government Secretariat"

CAB F19/6/3/2(2007) - Legislative Council Brief on "Re-organisation of Policy Bureaux of the Government Secretariat : Legislative Amendments"

LC Paper No. CB(2)1868/06-07(01) - Marked-up copy of the draft Resolution under section 54A of Cap. 1

LC Paper No. CB(2)1972/06-07(01) - Background Brief prepared by the Legislative Council Secretariat

LC Paper No. CB(2)1969/06-07(01)-(08) - Eight papers provided by the Administration on transfer of statutory functions)

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

2. The Administration was requested to -

- (a) explain why matters relating to the registration, employment, qualification and welfare of Hong Kong seafarers were placed under the proposed "Transport and Housing Bureau" and not the proposed "Labour and Welfare Bureau";
- (b) clarify whether the Airport Authority Ordinance would need to be amended to provide for the appointment of the relevant Director of Bureau to the Airport Authority Board after the proposed re-organisation;
- (c) consider the proposal of making arrangements to allow the Secretary for Labour and Welfare to take charge of matters relating to academic accreditation and vocational qualifications, alongside with the Secretary for Education, under the proposed re-organisation; and
- (d) consider whether the policy responsibilities for different functions of the Agriculture, Fisheries and Conservation Department should be streamlined so that the department would not need to report to more than one bureau.

(Post-meeting note : The response of the Administration was issued to members vide LC Paper No. CB(2)2010/06-07(01) on 30 May 2007.)

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II. Any other business

3. The Chairman informed members that the next meeting would be held on 29 May 2007 at 4:30 pm.
4. The meeting ended at 10:30 am.

Council Business Division 2
Legislative Council Secretariat
13 July 2007

**Proceedings of the third meeting of the
Subcommittee on Legislative Amendments Relating to the
Proposed Re-organisation of Policy Bureaux of the Government Secretariat
on Monday, 28 May 2007, at 8:30 am
in Conference Room A of the Legislative Council Building**

| Time Marker | Speaker(s) | Subject(s) | Action required |
|-----------------|---|---|---------------------------|
| 000635 - 001026 | Chairman | Opening remarks | |
| 001027 - 004308 | Admin Chairman Ms Audrey EU Mr WONG Yung-kan Mr WONG Kwok-hing Mr Howard YOUNG | Scrutiny of the Resolution paragraph by paragraph with reference to page 12 to page 32 of Annex B to LC Paper No. CB(2)1969/06-07(03) Clarification by the Administration that the Marine Department and matters relating to maritime transport and air services were transferred from the Economic Development and Labour Bureau to the proposed "Transport and Labour Bureau" The Administration was requested to provide a paper explaining why matters relating to the registration, employment, qualification and welfare of Hong Kong seafarers were placed under the proposed "Transport and Housing Bureau" and not the proposed "Labour and Welfare Bureau" | Admin to follow up |
| 004309 - 004346 | Mr Howard YOUNG Chairman Admin | The Administration was requested to clarify whether the Airport Authority Ordinance would need to be amended to provide for the appointment of the relevant Director of Bureau to the Airport Authority Board after the proposed re-organisation | Admin to follow up |
| 004347 - 010306 | Admin Chairman Mr Howard YOUNG Mr WONG Kwok-hing | Briefing by the Administration on the transfer of statutory functions currently exercisable by the Secretary for Education and Manpower (LC Paper No. CB(2)1969/06-07(04)) Scrutiny of the Resolution paragraph by paragraph with reference to Annex D to LC Paper No. CB(2)1969/06-07(04) Reasons for placing the Employees Retraining Board under the purview of the proposed "Labour and Welfare Bureau" . The Administration was requested to | |

| Time Marker | Speaker(s) | Subject(s) | Action required |
|-----------------|--|---|---------------------------|
| | | consider the proposal of making arrangements to allow the Secretary for Labour and Welfare to take charge of matters relating to academic accreditation and vocational qualifications, alongside with the Secretary for Education, under the proposed re-organisation | Admin to follow up |
| 010307 - 013537 | Admin Mr WONG Kwok-hing Chairman Ms Audrey EU Dr YEUNG Sum | Scrutiny of the Resolution paragraph by paragraph with reference to Annex E to LC Paper No. CB(2)1969/06-07(04) Paragraphs (6)(a), (6)(b), (6)(c) and (6)(d) - Explanation by the Administration that the provisions were education related and hence the statutory functions were transferred to the Permanent Secretary for Education rather than the Permanent Secretary for Labour and Welfare under the proposed re-organisation | |
| 013538 - 020126 | Admin Chairman Miss CHAN Yuen-han Ms Audrey EU Mr James TIEN Dr YEUNG Sum Mr WONG Yung-kan | Briefing by the Administration on the transfer of statutory functions currently exercisable by the Secretary for Environment, Transport and Works (LC Paper No. CB(2)1969/06-07(05)) Scrutiny of the Resolution paragraph by paragraph with reference to page 1 of Annex B to LC Paper No. CB(2)1969/06-07(05) Concerns raised by members - (a) the post of Permanent Secretary for the Environment, who also assumed the title of the Director of Environmental Protection (DEP), would be upgraded from D6 to D8 level. The post should be filled by a qualified environmental professional; (b) promotion prospect of the Environmental Protection Officer grade from the level of D3 (the highest rank) to D8 (as DEP) would be slim following the re-organisation; and (c) environmental issues were handled in a fragmented manner under the proposed re-organisation, e.g. the Agriculture, Fisheries and Conservation Department would report to the Secretary for Food and Health on animal welfare while to | |

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| | | <p>the Secretary for the Environment on protection of wild animals</p> <p>Response of the Administration concerning the post of Permanent Secretary for the Environment -</p> <p>(a) no additional expenses would be incurred as the post would be offset by the deletion of AOSGA1 (D8) post under the Economic Development Branch of the existing Economic Development and Labour Bureau;</p> <p>(b) upgrading of the post was justified because the post holder would take up two additional environment-related portfolios, energy and sustainable development;</p> <p>(c) the upgrading would facilitate the post holder to better communicate with their counterparts in the Mainland; and</p> <p>(d) the Administration would address the concerns raised by members about the DEP post in the latter half of 2007</p> <p>The Administration was requested to consider whether the policy responsibilities for different functions of the Agriculture, Fisheries and Conservation Department should be streamlined so that the department would not need to report to more than one bureau</p> | <p>Admin to follow up</p> |
| 020127 - 020144 | Chairman | Date of next meeting | |