

立法會
Legislative Council

LC Paper No. CB(1)2268/06-07
(These minutes have been seen
by the Administration)

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Panel on Economic Services

Minutes of meeting
held on Monday, 25 June 2007, at 10:45 am
in the Chamber of the Legislative Council Building

- Members present** : Hon Jeffrey LAM Kin-fung, SBS, JP (Chairman)
Hon Abraham SHEK Lai-him, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon SIN Chung-kai, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Chin-shek, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon Vincent FANG Kang, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Ronny TONG Ka-wah, SC
Hon KWONG Chi-kin
Hon TAM Heung-man
- Member attending** : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
- Members absent** : Dr Hon David LI Kwok-po, GBS, JP
Hon CHIM Pui-chung

**Public officers
attending**

: Agenda Item IV

Ms Eva CHENG

Permanent Secretary for Economic Development and Labour (Economic Development)

Mr Michael WONG

Deputy Secretary for Economic Development and Labour (Economic Development)

Mr Francis CHENG

Principal Assistant Secretary for Economic Development and Labour (Economic Development)

Mr Anthony TAM

Assistant Director-General of Civil Aviation (Airport Standards)

Mr Simon CHEAN

Senior Safety Officer (Safety Regulation)
Civil Aviation Department

Agenda Item V

Ms Eva CHENG

Permanent Secretary for Economic Development and Labour (Economic Development)

Mr Howard LEE

Deputy Secretary for Economic Development and Labour (Economic Development)

Miss Emmy WONG

Principal Assistant Secretary for Economic Development and Labour (Economic Development)

Clerk in attendance

: Ms Connie SZETO
Chief Council Secretary (1)6

Staff in attendance

: Ms Debbie YAU
Senior Council Secretary (1)1

Ms Michelle NIEN

Legislative Assistant (1)9

Agenda Item VI

Ms Elyssa WONG
Deputy Head (Research and Library Services Division)

Mr Thomas WONG
Research Officer 7

Action

- I Confirmation of minutes and matters arising**
(LC Paper No. CB(1)1945/06-07 - Minutes of meeting held on 23 April 2007)

The minutes of the meeting held on 23 April 2007 were confirmed.

- II Information papers issued since last meeting**
(LC Paper No. CB(1)1847/06-07(01) - Tables and graphs showing the import and retail prices of major oil products from May 2005 to April 2007 furnished by the Census and Statistics Department)
(issued via e-mail on 5 June 2007)

2. Members noted the above information paper issued since last meeting.

- III Items for discussion at the next meeting**
(LC Paper No. CB(1)1924/06-07(01) - List of outstanding items for discussion

LC Paper No. CB(1)1924/06-07(02) - List of follow-up actions)

3. Members noted that the Administration had proposed to discuss the following two items at the next meeting to be held on 18 July 2007:

(a) Proposed amendments to the Air Navigation (Hong Kong) Order 1995; and

(b) A tourism item.

4. Ms Miriam LAU proposed to revisit the item on "Redevelopment of Ocean Park" listed in the list of outstanding items for discussion of the Panel. She suggested inviting the Administration and relevant parties to provide an update on Ocean Park's redevelopment plans, in particular in respect of their impact on the development of the Southern District. Members agreed.

(*Post-meeting note: The Administration subsequently confirmed that item 3(b) was an update on the redevelopment plans of Ocean Park.*)

IV Proposed legislative amendments relating to the carriage of dangerous goods by air

(LC Paper No. CB(1)1924/06-07(03) - Information paper provided by the Administration

LC Paper No. CB(1)1994/06-07(03) -- Powerpoint presentation material provided by the Administration)
(*issued via e-mail on 25 June 2007*)

Briefing by the Administration

5. With the aid of power-point presentation, the Senior Safety Officer (Safety Regulation) of the Civil Aviation Department (SSO(SR)/CAD) briefed members on the Government's proposal to amend two sets of subsidiary legislation to give effect to the latest standards promulgated by the International Civil Aviation Organization (ICAO) for the safe transport of dangerous goods (DG) by air. He introduced the nine classes of DG and the three air transport characteristics that made DG unstable and required special handling. SSO(SR)/CAD further said that to ensure aviation safety, ICAO promulgated, under the Convention on International Civil Aviation (the Chicago Convention), a set of requirements regarding the carriage of DG by air. These requirements regulated matters such as the classification, packing, marking, labelling and loading of DG consignments on board aircraft as well as training requirements for airlines, air cargo and security personnel. Under the Chicago Convention, such requirements were set out in the Technical Instructions for the Safe Transport of Dangerous Goods by Air (TIs). This document was normally updated and published by ICAO biennially. The Chicago Convention applied to Hong Kong. The TIs made under the Convention were given effect through two pieces of local subsidiary legislation made by the Chief Executive in Council (CE in Council), viz –

- (a) Air Navigation (Dangerous Goods) Regulations, as Schedule 16 to the Air Navigation (Hong Kong) Order 1995 (Cap 448C); and
- (b) Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap 384A).

The former generally regulated the DG operations of airlines and airport authorities whereas the latter regulated the shippers and freight forwarders in the proper handling of DG before taking them for air transport.

6. SSO(SR)/CAD highlighted the major changes under the new edition of ICAO TIs as follows:

- (a) To clarify and define "cargo", "mail" and "stores";
- (b) To require the staff of freight forwarders and airlines who were responsible for processing and handling "mail" and "stores" as well as security screeners who dealt with them to undergo DG training;
- (c) To introduce a qualification requirement for instructors of DG for ensuring consistent standards of different DG training courses organized worldwide;
- (d) To require airlines' handling agents to provide information to passengers about the types of DG that were not allowed to be carried by them during air travel; and
- (e) To require check-in staff to seek confirmation from air passengers that they had not carried the types of DG that were not allowed to be carried by them during air travel.

He added that CAD had consulted the Technical Sub-Committee of the Aviation Development Advisory Committee and the local air cargo stakeholders including the Hongkong Association of Freight Forwarding and Logistics Limited, the Hong Kong Shippers' Council, the Board of Airlines Representatives, the Airport Authority, DG training institutes and the Aviation Security Company Limited on the new TIs. They generally supported the proposed amendments.

7. Members noted that subject to the approval of CE in Council, the Administration would formally submit the relevant legislative amendments to the Legislative Council (LegCo) for approval through the normal negative vetting process in the fourth quarter of 2007.

Discussion

8. Mr SIN Chung-kai noted that air passengers had to comply with the requirements regarding the carriage of DG by air imposed by relevant aviation authorities in Hong Kong as well as those of countries of destination. He enquired about possible alignment on the requirements to avoid causing confusion to air passengers. He opined that to avoid inconvenience caused to passengers and embarrassment during check-in, passengers should be well informed beforehand the types of DG allowed or otherwise during air travel.

9. Mr Howard YOUNG appreciated the Administration's effort in consulting the aviation industry and the proposed legislative amendments which had expressed its support. He shared the need for aligning the safety and security requirements imposed by different places regarding the carriage of DG and other goods by air to avoid causing inconvenience to air passengers, in particular transit passengers.

10. The Assistant Director-General of Civil Aviation (Airport Standards) (ADGCA (APS)) remarked that the ICAO TIs applied to most countries. As regards the new security guidelines on cabin baggage promulgated by the ICAO in December 2006, countries including those in the European Union (EU), Asia and Australia etc. had adopted or were in the process of adopting the measures. He said that as long as air passengers followed the advice of check-in staff regarding the carriage of DG during air travel, there should not be any concern about breaching of rules or regulations by the passengers concerned.

11. Mr SIN Chung-kai suggested that relevant information on DG disallowed during air travel, and items disallowed in cabin baggage should be provided to passengers beforehand, for example by attaching the information to the e-tickets issued to passengers. Noting that the information at the check-in counter was very comprehensive, Mr Howard YOUNG suggested providing the information in pamphlets to be distributed to air passengers via the travel agents or airlines. ADGCA (APS) said that information on the list and quantity of allowable DG was available at the website of CAD and from an information booth in the airport. Taking note of members' suggestions, he agreed to consider providing the information via the travel agents.

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12. The Chairman pointed out that most air passengers might not be aware of requirements on liquid to be allowed for carrying on board of aircraft, such as the maximum capacity of 100 ml. He urged the Administration to step up publicity in this aspect.

13. ADGCA (APS) clarified that the requirement was one of the new security measures for cabin baggage implemented in March 2007 to comply with the new guidelines of the ICAO. He elaborated that under the requirement, all liquids, gels, aerosols in cabin baggage must be carried in containers with a maximum capacity of 100 ml. Since March 2007, CAD had promulgated the measures widely through television and radio broadcasts as well as announcements in Airport Express.

14. Concluding the discussion, the Chairman said that the Panel supported the proposed amendments in principle and members urged the Administration to step up publicity and make available the relevant information to air passengers via travel agents.

V Review of consumer protection laws

(LC Paper No. CB(1)1924/06-07(04) - Information paper provided by the Administration)

Briefing by the Administration

15. At the invitation of the Chairman, the Permanent Secretary for Economic Development and Labour (Economic Development) (PS/ED) briefed members that the Government was pursuing a two-stage approach to enhance the consumer protection regime of Hong Kong. In gist, she said that the Consumer Council (CC)

was conducting a comprehensive review (the stage two review) of existing measures to protect consumer rights covering a wide range of issues and existing legislation. Meanwhile, in order to tackle the prevalent malpractices of the unscrupulous shops and bring charges against them, the Government considered it necessary to take urgent action to strengthen the regulatory tools to protect consumers and had identified some priority legislative changes ahead of the completion of the stage two review. The stage one review would involve relatively simple and straight-forward amendments to existing legislation, pinpointing mainly a few areas that were the usual subjects of complaints in recent years. It was the Government's plan to draw up and introduce the relevant legislative proposals covered under the stage one review into LegCo by around the end of 2007 for enactment before the end of the current term of LegCo in summer 2008.

16. On the stage two review, the Principal Assistant Secretary for Economic Development and Labour (Economic Development) (PAS/ED) elaborated that to follow up the initiatives announced by the Financial Secretary in his Budget Speech of February 2007, CC had set up a dedicated Working Group on Improvement of Consumer Protection Laws (the Working Group), with input from relevant Government departments, to identify areas for improvement in consumer protection against unfair, misleading and deceptive trade practices. With reference to the consumer complaints received and the development of the consumer protection regime in other jurisdictions, CC had already started reviewing a wide range of issues, including regulation of misleading and deceptive advertisements; enhancing protection in our consumer goods and service market; specific consumer protection measures for individual sectors taking into account their specific nature and characteristics; merits of enacting a comprehensive law on trade practices; and the relevant implementation mechanism of the proposed legislation. The current plan of CC was to submit a report on the comprehensive review to the Government by around the end of 2007.

17. As regards the stage one review, PAS/ED supplemented that it aimed to weed out the malpractices of a small number of unscrupulous shops by strengthening the regulatory tools with a view to boosting the confidence of tourists and locals in shopping in Hong Kong. She remarked that in identifying the scope of the legislative proposals, the Administration was mindful of the need to strike an appropriate balance between consumer protection and compliance burden of retail outlets. As a start, the task force had therefore proposed to target those product categories and representations that had been subjects of common complaints. PAS/ED then highlighted the categories of legislative proposals which had been identified for consideration under the stage one review as follows:

(a) Outlawing additional types of misrepresentations

Currently, the Trade Descriptions Ordinance (TDO) (Cap. 362) had defined certain types of information as "trade descriptions" where making false or misleading representation on them would constitute an offence. The task force suggested to extend the definition to

cover more information categories, such as price indication and warranty and after sale service. It had also been noticed that there were cases of retail outlets making false or misleading claims that they were sponsored by, or affiliated or connected with some celebrities or prestigious organizations. Such type of misrepresentations, usually made to instill a false sense of security in consumer, should be prohibited.

- (b) Providing clear legal definitions for the representation of certain types of products

TDO empowered the CE in Council to make orders to define and prescribe detailed information requirements for targeted products, such as gold and platinum. The task force recommended making additional orders to cover those precious gemstones that were common subjects of misrepresentation, such as diamond and natural jade. The orders should set out the conditions for using such term or terms which suggested similar meaning and the information that should be provided to consumers. The Administration was seeking expert opinions on the technical details for the classifications.

- (c) Enhancing the information to consumers and effectiveness of enforcement action for certain product categories

Making false or misleading representation, whether orally or in writing, on trade descriptions like quality, performance and fitness for purpose of products was already an offence under TDO. To ensure that consumers were provided with truthful information essential to their purchase decisions and to facilitate enforcement, the task force suggested that for certain product categories which were often subjects of complaints, such as mobile phones, digital cameras, digital camcorders and MP3/4 players, retail outlets should be required to write down in the relevant invoices the products' core features and functions, as well as the availability of warranty and after sale service. If retailers had made any representation on the country of origin about the products, such information should also be given in the invoices.

- (d) Regular review to cater for new products and features

Taking into account the rapid changes in the consumer market, the task force recommended that the specified product categories and information requirements under paragraph (c) above should be reviewed regularly and updated as necessary by way of subsidiary legislation to cater for the emergence of new products and features in the future.

Discussion

Pre-paid and contractual services

18. Mr SIN Chung-kai said that all along the Democratic Party had attached great importance on the need to tighten the regulation of pre-paid and contractual services. In this regard, he asked whether the Working Group would study the requirement for service operators to provide a "cooling-off period" for consumers to safeguard the latter's interests. He pointed out that "cooling-off periods" were widely adopted in jurisdictions, such as those in EU and the United States (US).

19. The Deputy Secretary for Economic Development and Labour (Economic Development) (DS/ED) pointed out that services provided by the beauty or body-building sectors usually involved pre-paid services, and a lot of insurance companies in Hong Kong did provide cooling-off periods for customers. As provision of cooling-off periods for specific services and products involved controversial issues that needed careful examination, the Working Group would look into issues relating to the regulation of pre-paid services under the stage two review.

20. Echoing Mr SIN Chung-kai's concern, Mr Fred LI referred to the many complaints he had received relating to beauty/body-building services, as well as television/telecommunications services involving pre-paid arrangements. He noted with concerns that CC was not empowered to make prosecution against the service providers in question which often refused to attend CC's mediation meetings or provide CC with the requested information. He urged the Administration to review the role, function and power of CC with a view to enhancing protection for customers' interests. As the victims who had subscribed to pre-paid services of unscrupulous beauty or body-building service providers were often misled by deceptive advertisements, Mr LI urged that the Administration should devise measures to tighten regulation of misleading and deceptive advertisements as soon as possible rather than deferring the matter to the stage two review. Noting that pay television service providers had imposed unreasonable requirements on subscribers to prevent them from terminating the services, Mr LI urged that the Administration should take action expeditiously to ensure fair deals for consumers. In this connection, Mr Ronny TONG and Miss TAM Heung-man agreed that CC should be provided with more power for enhancing protection for consumers' interests.

21. DS/ED stressed that the stage one and stage two reviews were conducted in parallel. He highlighted the functions of CC in handling complaints, forestalling and mediating disputes between consumers and vendors/service providers, as well as assisting consumers to seek legal remedies through the Consumer Legal Action Fund. He confirmed that the role and function of CC was one of the issues to be examined under the stage two review and members' views would be consulted in due course. On consumer education, DS/ED said that the Administration had been disseminating useful consumer information through Announcement of Public Interests highlighting the importance for customers to pay attention to the

provisions in telecommunications service contracts before entering into the contracts.

22. In response to Mr Fred LI's further concern on the discrepancies in regulating contents of advertisements in electronic and print media, DS/ED confirmed that the matter would be examined under the stage two review. He reiterated that with a view to ensuring the regulatory regime in Hong Kong would continue to promote a fair, safe and informed market for customers, the stage two review would cover a wide range of issues, which might entail fundamental changes to the existing legal and institutional framework for consumer protection, as well as the need of introducing a trade practices law.

Proposed changes under the stage one review

23. While welcoming the Administration's proposed measures to enhance consumer protection, in particular those covered under the stage one review, Mr CHAN Kam-lam however expressed concern about their adequacy in deterring the unscrupulous retailers. On the proposal of providing clear legal definitions for the representation of precious gemstones, Mr CHAN was concerned whether any mechanism would be put in place for consumers to verify the quality of precious gemstones, and whether there would be a one-stop system to facilitate tourists and local consumers to lodge complaints and claim damages from the retailers concerned.

24. In response, PAS/ED advised that to facilitate enforcement against the sales of counterfeit products such as gemstones, the task force had recommended that retail outlets be required to provide essential product information in the invoices. Moreover, to step up enforcement action against sales malpractices, the Police, the Customs and Excise Department (C&ED), CC and the Travel Industry Council of Hong Kong (TIC) had established a speedy referral system to follow up promptly on complaints lodged by tourists and local consumers. The system had enabled the relevant parties to act in accordance with their respective functions and to impose appropriate sanctions where necessary. For example, to follow up on some suspected cases of non-compliance by retailers, C&ED had deployed customs officers to the Mainland to collect evidence direct. C&ED had also instituted prosecution against a jewellery shop found to have breached TDO earlier this year and the Court had already handed down a guilty verdict.

25. Mr CHAN Kam-lam remained concerned that consumers, in particular tourists, who had been deceived or misled into buying counterfeit products involving small sum would be unwilling to go through complicated procedures to lodge complaints and claim damages. As such, unscrupulous retailers might take advantage of this loophole and continue their malpractices.

26. In response, DS/ED acknowledged that individual unscrupulous retailers did choose to leave things to chance. However, the legislative proposal which required retailers to list essential products' features and functions in the relevant invoices would facilitate law enforcement. It would be an offence if retailers

made false or misleading representations on the trade descriptions or displayed misleading price indications.

27. In response to Miss TAM Heung-man's concern on the effectiveness of the proposed legislative amendments under the stage one review, PAS/ED said that upon the enactment of the legislative proposals, enforcement agencies would be able to detect cases of non-compliance with, for example, the price indication requirement during their routine surveillance. The mandatory information on the relevant invoices could also facilitate enforcement. DS/ED further assured that the task force comprised frontline officers from C&ED, Police and CC, and their enforcement experience had been taken into account in working out the proposed legislative amendments to ensure effective enforcement and prosecution.

28. In this connection, Mr James TIEN was concerned about the room for price bargaining if price indication on products was made mandatory as the final price of a product might be lower than its displayed price under some promotional offers such as "buy one get one free".

29. In response, DS/ED clarified that the proposal did not mandate retailers to display price. Its objective was to enable enforcement against false or misleading representations on price in the form of, for example, failure to display clearly and prominently the unit weight to which the displayed price referred, and displaying a price that did not cover all the non-optional items of a product.

30. The Chairman noted that there were cases of retail outlets making false or misleading claims that they were sponsored by, or affiliated or connected with some celebrities or prestigious organizations. He was concerned whether there would be requirement for celebrities to become product spokespersons, such as their knowledge of or personal experience in using the products.

31. DS/ED advised that some retail outlets had displayed the photos of certain celebrities with an intention to mislead consumers that they were shareholders of the shops concerned. Such misrepresentations, usually made to instill a false sense of security in consumers, should be prohibited. On the concern about product spokespersons, DS/ED remarked that the proposal only targeted at claims of connection which were not true. In this connection, the regulation of misleading and deceptive advertisements was one of issues to be examined in the stage two review.

32. Noting that to cater for the emergence of new products and features in the future, the specified product categories and information requirements would be reviewed regularly and the list of products would be updated as necessary by way of subsidiary legislation, Mr SIN Chung-kai enquired whether a special consultative body would be set up to provide technical assistance to the Administration.

33. DS/ED pointed out that the need to update the product list would depend on the development and changes in the consumer market. He assured members that before introducing subsidiary legislation to update the list, the Administration

would consult the relevant trades and experts.

Compliance burden of retailers

34. While expressing support for the new measures to enhance protection for consumer rights, Mr Andrew LEUNG however was concerned about the compliance burden on the retail outlets. Given that only a small number of retailers had engaged in unscrupulous practices, it seemed unfair to require all other honest retailers to provide comprehensive product information on the invoices which could affect their operation. As the small retail shops issuing hand-written invoices might take some time to write down all relevant features and functions of the product concerned, it might cause much inconvenience to consumers too. He enquired whether the Administration had consulted the Hong Kong Retail Management Association and made reference to relevant overseas experience on the proposed new measure. The Chairman shared Mr LEUNG's view and considered it necessary to consult the manufacturers too as the "trade descriptions" on a product might vary among countries.

35. PS/ED clarified that the proposed changes for the stage one review were only preliminary proposals. Subject to members' view, the Administration would consult relevant stakeholders before proceeding further. She reiterated that in considering the proposed legislative amendments, the Administration was mindful of the need to strike an appropriate balance between enhancing consumer protection and minimizing the compliance burden of retail outlets. The task force, which comprised representatives of the Police, C&ED and CC, recommended to target those product categories and representations which had been subjects of common complaints in the stage one review. The product information provided on the invoices would facilitate enforcement. PS/ED and DS/ED further advised that only the core features and functions of a product, such as the resolution level of cameras, availability of warranty and after sale service, would need to be provided.

36. In response to Ms Miriam LAU's suggestion to implement new measures under the stage one review in phases in view of the need to consult the trades, PS/ED advised that many shops selling the target product categories were already issuing invoices providing similar information. In responding to the community's call for implementing measures as soon as possible to tackle the prevalent malpractices and protect Hong Kong's reputation as shoppers' paradise, the Administration would endeavour to draw up and introduce the relevant legislative proposals under the stage one review into LegCo by around the end of 2007.

Review on legislation concerned

37. Expressing the Civic Party's support for the Administration's proposals to review consumer protection laws, Mr Ronny TONG however expressed concern about the current inadequacies in law enforcement. Citing the example of the Unconscionable Contracts Ordinance (Cap. 458) which was enacted some ten years ago to deal with unreasonable terms in contracts, he noted that provisions under this ordinance had never been invoked in cases containing unfair contract terms, such as

pay television service contracts. Mr TONG urged that the Administration should review the legislation in the stage two review. Noting that many jurisdictions such as the United Kingdom and the US had put in place legislative measures governing the return for products, he also called on the Administration to draw on overseas experience in enacting similar provisions in Hong Kong. In this connection, Ms Miriam LAU noted that unlike overseas trade practices, Hong Kong shops did not usually arrange return for products sold at discounted prices. She considered that the Working Group should look into the matter.

38. In response, PS/ED said that CC was reviewing relevant consumer protection legislation under the stage two review in full speed with a view to enhancing the current consumer protection legislative regime. The relevant legislation to be reviewed included, inter alia, the Sale of Goods Ordinance (Cap. 26), the Control of Exemption Clauses Ordinance (Cap. 71) and the Supply of Services (Implied Terms) Ordinance (Cap. 457).

39. Miss TAM Heung-man considered that incorporating various consumer protection legislation into one single ordinance could help facilitate law enforcement and enhance consumers' understanding of their rights and interests. PAS/ED highlighted the consumer protection regimes operating in other jurisdictions. For example, while Australia had enacted a comprehensive law covering consumer safety, fair competition and consumer protection, the coverage of a recently enacted legislation on consumer protection in Singapore was not as wide-ranging. She said that CC had started reviewing, inter alia, merits of enacting a comprehensive law on trade practices and it would make reference to overseas experience as well as local needs in drawing up a legislative regime that was most suitable for Hong Kong.

Way forward

40. While welcoming the stage two review on consumer protection laws, Mr SIN Chung-kai enquired about the implementation timetable. He further urged the Administration to make reference to the experience of EU and US in enhancing protection for consumers' interests. In this connection, Mr James TIEN opined that Hong Kong had outperformed EU and US in certain consumer protection aspects such as price indication and price bargaining. He stressed the importance for the Administration to take into account local circumstances in devising any enhancement measures.

41. In response, PS/ED undertook to reflect members' views and concerns to the new Commerce and Economic Development Bureau for follow-up. She stressed that the Administration would formulate legislative amendments that best suited Hong Kong having regard to local circumstances and the need to balance the interests of consumer and the operations of retail outlets. On the way forward of the stage two review, DS/ED said that CC planned to submit a report on the review to the Government by around the end of 2007. Since the comprehensive review might entail changes that had significant implications on the operations of retail and service businesses in Hong Kong, the Government would conduct extensive

consultation with stakeholders and LegCo in drawing up the legislative proposals.

Conclusion

42. Summing up, the Chairman said that while the Panel supported the Administration to review the consumer protection laws, it saw the need for the Administration to work out legislative proposals and the implementation details in consultation with the retail sector.

VI Any other business

Proposed overseas duty visit

(LC Paper No. CB(1)1966/06-07(01) - Letter dated 21 June 2007 from the Chairman (Chinese version only)

LC Paper No. CB(1)1966/06-07(02) - Fact sheet on "Cruise terminals in selected places" prepared by Research & Library Services Division (English version only))

43. The Chairman said that at its meetings held on 15 and 25 June 2007, members of the Panel on Commerce and Industry (CI Panel) proposed to conduct an overseas duty visit (ODV) with the Panel on Economic Services this summer to obtain first-hand information on the development of convention and exhibition facilities and cruise terminal facilities in Dubai, Europe and US. He invited members' views on the proposed ODV.

44. Mr Vincent FANG, Chairman of CI Panel, added that members of CI Panel had agreed to conduct the duty visit during the third week of August to mid September 2007 for about 10 days and to open the visit to non-Panel Members.

45. Mr Howard YOUNG supported the proposed ODV given that the two areas covered by the visit in some places, such as Dubai, were overseen by the same regulator viz the Visitors and Convention Bureau. Noting that the dedicated team set up to take forward the development of cruise terminal facilities in Kai Tak might have visited major cruise ports overseas, Mr YOUNG suggested that the Administration be consulted on the ports worth visiting by the delegation.

46. In this connection, the Clerk reported that the Administration had earlier on conducted visits to the cruise facilities in Miami in US, Barcelona in Spain, and Savona in Italy. She referred members to the fact sheet on "Cruise terminals in selected places" (LC Paper No. CB(1)1966/06-07(02)) prepared by the Research and Library Services Division, which had provided basic information on cruise facilities in these places and in Dubai of United Arab Emirates and Los Angeles in US. Mr Howard YOUNG opined that the Panel should visit those terminals operating international cruises and thus equipped with more sophisticated custom,

immigration and quarantine services.

47. Mr James TIEN supported the proposed ODV. He opined that the tentative visit programme should be worked out as soon as possible so that members might decide whether they could participate in the visit.

48. Ms Miriam LAU opined that the visit should take into account the availability of the receiving organizations. She further proposed that to allow more flexibility, consideration could be given for ending the 10-day visit at the third week of September 2007.

49. On the duration of the visit, Mr CHAN Kam-lam considered that a duty visit lasting for 10 days or more might be too long and members should be allowed to join part of the visit. Mr James TIEN agreed that such flexibility should be provided.

50. Mr Vincent PANG pointed out that the permission of the House Committee for the two Panels to conduct the proposed ODV needed to be sought. To facilitate preparation of the relevant paper for the House Committee meeting on 6 July 2007, Mr FANG suggested and members agreed that a working meeting be held on 29 June 2007 for Members who were interested to join the visit to discuss the visit programme and related matters.

51. There being no other business, the meeting ended at 12:45 pm.