

立法會
Legislative Council

LC Paper No. CB(2)207/06-07
(These minutes have been cleared
with the Chairman)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Thursday, 12 October 2006, at 9:10 am
in the Chamber of the Legislative Council Building

Members present : Hon CHOY So-yuk, JP (Chairman)
Hon Albert HO Chun-yan (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Dr Hon Philip WONG Yu-hong, GBS
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Albert CHAN Wai-yip
Hon Daniel LAM Wai-keung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon TAM Heung-man

Members absent : Hon Timothy FOK Tsun-ting, GBS, JP
Hon LI Kwok-ying, MH, JP
Dr Hon Joseph LEE Kok-long, JP
Hon Patrick LAU Sau-shing, SBS, JP

Clerk in attendance : Miss Flora TAI
Chief Council Secretary (2)2

Staff in attendance : Mrs Vivian KAM
Assistant Secretary General 2

Ms Joanne MAK
Senior Council Secretary (2)2

Ms Anna CHEUNG
Legislative Assistant (2)2

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I. Election of Chairman and Deputy Chairman

[Appendices III and IV to LC Paper No. CB(2)3/06-07]

Election of Chairman

In the absence of the incumbent Chairman, Miss TAM Heung-man, the incumbent Deputy Chairman, presided at the election. The Deputy Chairman called for nominations for the chairmanship of the Panel for the 2006-2007 session. Miss CHOY So-yuk was nominated by Mr CHEUNG Hok-ming and the nomination was seconded by Mr WONG Ting-kwong. Miss CHOY accepted the nomination.

2. As there was no other nomination, the incumbent Deputy Chairman declared Miss CHOY So-yuk elected as Chairman of the Panel for the 2006-2007 session. Miss CHOY then took the chair.

Election of Deputy Chairman

3. The Chairman called for nominations for the deputy chairmanship of the Panel for the 2006-2007 session. Mr Albert HO was nominated by Ms Emily LAU and the nomination was seconded by Miss TAM Heung-man. Mr HO accepted the nomination. As there was no other nomination, the Chairman declared Mr HO elected as Deputy Chairman of the Panel for the 2006-2007 session.

II. Schedule of meetings for the 2006-2007 session

4. Members agreed that the regular meetings of the Panel would be held on the second Friday of each month at 10:45 am. Members noted that the next regular Panel meeting would be held on 10 November 2006 at 10:45 am.

III. Items for discussion at the next meeting

[Appendices V and VI to LC Paper No. CB(2)3/06-07]

Regular meeting on 10 November 2006

5. Members agreed to discuss the following items proposed by the Administration -

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- (a) District Council Review – implementation in light of public consultation; and
- (b) modification of the implementation mode of projects in Kwun Tong and Tseung Kwan O originally planned as Private Sector Finance initiatives.

6. Members also agreed to the Administration's suggestion that members of the Panel on Constitutional Affairs should be invited to join the discussion of the item referred to in paragraph 5(a) above.

Other items proposed for discussion at future meetings

7. Ms Emily LAU proposed that the Panel should discuss the concluding observations issued by the United Nations (UN) Committee in respect of the second report of the Hong Kong Special Administrative Region (HKSAR) under the Convention on the Elimination of All Forms of Discrimination Against Women as soon as possible and invite deputations to give views on the subject. Members agreed to Ms LAU's suggestion.

8. Miss TAM Heung-man said that the income of a maintenance payer derived from the Mandatory Provident Fund Scheme at present was not taken into account in assessing the amount payable by the maintenance payer under a maintenance order made by the court. She proposed that the Panel should discuss the subject. The Chairman said that, subject to the confirmation of the Home Affairs Bureau (HAB) that the subject fell within its policy portfolio, the subject should be included in the list of outstanding items for discussion.

Clerk

[*Post-meeting note*: The Administration advised in writing on 1 November 2006 that the Mandatory Provident Fund Schemes Ordinance was not under the purview of HAB. If the policy bureau responsible for the Mandatory Provident Fund (MPF) Schemes agreed to make the MPF accrued benefits derived from mandatory contributions available for satisfying maintenance orders, that policy bureau would be responsible for taking forward the legislative amendments to such effect.]

9. Dr Fernando CHEUNG said that the Administration had earlier undertaken that it would introduce the Race Discrimination Bill before the end of 2006. He requested the Chairman to remind the Administration that there should be no more delay in introducing the Bill which had been long awaited.

10. Dr CHEUNG also suggested that the Panel should further discuss the establishment of a Commission on Children with the Administration at a future meeting. As agreed by members, the subject would be included in the list of outstanding items for discussion.

Clerk

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Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

11. Ms Emily LAU said that, although the submission of reports under various international human rights treaties had all along been discussed by the Panel on Home Affairs, the subject matters covered in the HKSAR's reports under CAT were predominantly related to the work of law enforcement authorities. She informed members that she had proposed at the last meeting of the Panel on Security that the Panel should take the lead in discussing the HKSAR's reports under CAT in the future, and the Chairman of the Panel on Security had undertaken to discuss the appropriate arrangements with the Chairman of the Panel on Home Affairs.

12. Dr Philip WONG considered that the two Panels could hold separate meetings to discuss the HKSAR's reports under CAT because they might consider the subject matters from different perspectives. Ms Emily LAU, however, considered that such an arrangement would not be satisfactory as government officials would need to attend meetings of different Panels for the discussion of the same reports. Mr James TO pointed out that the Security Bureau was the primary policy bureau to address the issues in the HKSAR's reports under CAT and the HKSAR delegation teams to relevant UN hearings had been led by officials from that bureau in the past. He suggested that the Panel on Security should take the lead in the discussion of the HKSAR's reports under CAT in the future and invite members of the Panel on Home Affairs to join the discussion. Ms Emily LAU expressed support for Mr TO's suggestion. She added that, when the Panel on Security discussed the HKSAR's reports under CAT, all other Members should also be invited to attend the relevant meetings.

13. As members had expressed no other views, the Chairman concluded that future discussion of the HKSAR's reports under CAT would be taken up by the Panel on Security and members of the Panel on Home Affairs as well as all other Members should be invited to join the discussion. Members agreed.

IV. Any other business

Subcommittee to Follow Up the Outstanding Leisure and Cultural Services Projects of the Former Municipal Councils

14. The Chairman said that the work of the Subcommittee would continue in the new session. Members agreed that membership of the Subcommittee would be re-opened. The Chairman added that it would be for the Subcommittee to decide whether re-election of its Chairman was necessary at its first meeting to be held on Monday, 23 October 2006, at 10:45 am.

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15. There being no other business, the meeting ended at 9:25 am.

Council Business Division 2
Legislative Council Secretariat
3 November 2006