

立法會
Legislative Council

Ref : CB2/BC/1/07

LC Paper No. CB(2)1306/07-08
(These minutes have been seen
by the Administration)

Bills Committee on Legislative Council (Amendment) Bill 2007

**Minutes of the fourth meeting
held on Monday, 18 February 2008, at 8:30 am
in the Chamber of the Legislative Council Building**

- Members present** :
- Hon Howard YOUNG, SBS, JP (Chairman)
 - Hon WONG Ting-kwong, BBS (Deputy Chairman)
 - Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
 - Dr Hon LUI Ming-wah, SBS, JP
 - Hon Margaret NG
 - Hon CHEUNG Man-kwong
 - Hon SIN Chung-kai, SBS, JP
 - Dr Hon Philip WONG Yu-hong, GBS
 - Hon WONG Yung-kan, SBS, JP
 - Hon Jasper TSANG Yok-sing, GBS, JP
 - Hon LAU Kong-wah, JP
 - Hon Timothy FOK Tsun-ting, GBS, JP
 - Hon TAM Yiu-chung, GBS, JP
 - Hon Audrey EU Yuet-mee, SC, JP
 - Hon Vincent FANG Kang, JP
 - Hon Jeffrey LAM Kin-fung, SBS, JP
 - Hon Andrew LEUNG Kwan-yuen, SBS, JP
 - Dr Hon Fernando CHEUNG Chiu-hung
 - Hon Ronny TONG Ka-wah, SC
 - Hon Mrs Anson CHAN, GBM, JP
- Member attending** : Hon LEUNG Kwok-hung
- Members absent** :
- Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
 - Hon Emily LAU Wai-hing, JP
 - Hon Abraham SHEK Lai-him, SBS, JP
 - Hon Daniel LAM Wai-keung, SBS, JP
 - Hon KWONG Chi-kin
 - Hon TAM Heung-man

Public Officers attending : Item II

The Administration

Mr Arthur HO Kin-wah
Deputy Secretary for Constitutional and Mainland Affairs

Mr Ivanhoe CHANG Chi-ho
Principal Assistant Secretary for Constitutional and Mainland Affairs

Ms Rayne CHAI Chih-hui
Senior Government Counsel

Mr Eddie NG Sik-hay
Deputy Chief Electoral Officer for Registration and Electoral Office

Miss Rebecca LEE On-nai
Senior Electoral Officer for Registration and Electoral Office

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

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Mrs Eleanor CHOW
Senior Council Secretary (2)4

Action

I. Confirmation of minutes of meeting
(LC Paper No. CB(2)1078/07-08 - Minutes of meeting on 1 February 2008)

The minutes of meeting held on 1 February 2008 were confirmed.

II. Meeting with the Administration
(LC Paper No. CB(2)1085/07-08(01) - Administration's response to the issues raised at the meeting on 4 February 2008)

(LC Paper No. CB(2)983/07-08(02) - Administration's paper on "Outline on the Content of the Bill")

Action

LC Paper No. CB(2)1022/07-08(02) - Administration's paper on "Proposals on further amendments to the Legislative Council Ordinance"

LC Paper No. CB(3)215/07-08 - The Bill

LC Paper No. CB(2)892/07-08(01) - Marked-up copy of the Bill

LC Paper No. LS49/07-08 - Comments of the Legal Service Division on Expanding the Electorate Base of Functional Constituencies

LC Paper Nos. CB(2)1109/07-08(01) and CB(2)1171/07-08(01) - The Hong Kong Bar Association's comments on expanding the electorate base of functional constituencies (English version only)

LC Paper No. CB(2)1109/07-08(02) - The Institution of Engineering and Technology Hong Kong's letter dated 15 February 2008 (English version only)

LC Paper No. CB(2)1109/07-08(03) - Marked-up copy of the Bill showing the revised draft CSAs prepared by the Legal Service Division

LC Paper No. CB(2)1109/07-08(04) - Letter to the Law Society of Hong Kong dated 5 February 2008 seeking its views on expanding the electorate base of functional constituencies (English version only)

LC Paper No. CB(2)1109/07-08(05) - The Law Society of Hong Kong's letter dated 15 February 2008 (English version only)

2. The Bills Committee deliberated (index of proceedings attached at **Annex**).
3. The Administration was requested to -
 - (a) respond to the paper prepared by the Legal Service Division (LS49/07-08) and the comments of the Hong Kong Bar Association on expanding the electorate base of functional constituencies (FCs) (LC Paper No. 1109/07-08(01), if any;
 - (b) advise whether the Administration had fulfilled its constitutional duty to take forward constitutional development in accordance with the principle of gradual and orderly progress as stipulated in Article 68 of the Basic Law by making a policy decision not to expand the electorate base of FCs in the 2008 LegCo election; and
 - (c) explain the reasons for proposing clause 6(2) of the Bill and give a written response to the submission of the Institution of Engineering and Technology Hong Kong (LC Paper No. 1109/07-08(02)).

(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(2)1157/07-08(01) on 20 February 2008.)

Action

III. Any other business

Invitation of views

4. Noting that the Institution of Engineering and Technology Hong Kong expressed concern that clause 6(2) was discriminatory towards its members, Ms Margaret NG suggested and members agreed that the Institution be invited to attend the next meeting of the Bills Committee to give views.

Date of next meeting

5. The Bills Committee agreed that the next meeting would be held on 21 February 2008 at 8:30 am.

6. The meeting ended at 10:45 am.

Council Business Division 2
Legislative Council Secretariat
7 March 2008

**Proceedings of the fourth meeting of the
Bills Committee on Legislative Council (Amendment) Bill 2007
on Monday, 18 February 2008, at 8:30 am
in the Chamber of the Legislative Council Building**

Time Marker	Speaker(s)	Subject(s)	Action required
000056-000106	Chairman	Confirmation of minutes of meeting	
000107-000238	Chairman	Clause by clause examination of the Bill with reference to the marked-up copy of the Bill (LC Paper No. CB(2)892/07-08(01)) Clause 6 - Composition of the Information Technology Functional Constituency (FC)	
000239-000351	Chairman Administration	Clause 7 - Composition of the Transport FC	
000352-000519	Chairman Administration	Clause 8 - Composition of the Sports, Performance Arts, Culture and Publication FC	
000520-000647	Chairman Administration	Clause 9 - Composition of the Wholesale and Retail FC	
000648-000900	Chairman Administration	Clause 10 - Election Committee	
000901-001841	Chairman Administration Ms Margaret NG	Discussion on the Administration's proposals on further amendments to the Legislative Council Ordinance (LCO) (LC Paper No. CB(2)1022/07-08(02)) with reference to the marked-up copy of the Bill showing the revised draft CSAs prepared by the Legal Service Division (LC Paper No. CB(2)1109/07-08(03)) Basis for the Administration to propose further amendments to the LCO Change of name from "The World Poultry Science Association, Hong Kong" to "The Hong Kong Branch of the World's Poultry Science Association" Change of name from "VINCI Park Services Hong Kong limited" to "Parking Management and Consultancy Services Limited"	
001842-001956	Chairman Administration	Confirmation of the Administration that the further amendments proposed to the LCO would not expand the electorate of the relevant FCs	

Time Marker	Speaker(s)	Subject(s)	Action required
001957-002253	Chairman Mrs Anson CHAN Administration	Verification of eligibility of registered FC electors	
002254-004616	Chairman Ms Margaret NG Dr LUI Ming-wah Mr Ronny TONG Mr WONG Ting-kwong Administration	Criteria for inclusion of organizations/corporate electors in FCs	
004617-004917	Chairman Ms Margaret NG Administration	Change of name from "Kwai Tsing District Sports Association" to "Kwai Tsing District Sports Association Limited"	
004918-004948	Chairman Administration	Change of name from "Hong Kong Intellectual Property Society" to "The Hong Kong Intellectual Property Society Limited"	
004949-005112	Chairman ALAI Administration	Change of name from "Hong Kong Leather Shoe and Shoe Material Merchants Association Ltd" to "The Federation of Hong Kong Footwear Limited"	
005113-005232	Chairman	Applications from organizations for inclusion into FCs (paras 2 and 3 of LC Paper No. CB(2)1085/07-08(01))	
005233-010029	Chairman Mrs Anson CHAN Mr Ronny TONG Administration	Updating the electoral record (paras 4 and 5 of LC Paper No. CB(2)1085/07-08(01))	
010030-012358	Chairman Mr CHEUNG Man-kwong Ms Margaret NG Administration	<p>Explanation by the Administration on the process of updating the electoral record</p> <p>Concerns raised by members -</p> <p>(a) whether the forms for umbrella organizations and registered corporate electors to update their records (Annexes A and B to LC Paper No. CB(2)1085/07-08(01)) contained adequate information. It was doubtful whether the Administration could ascertain the status of an organization, e.g. whether an organization had become a shell company, from the information given;</p> <p>(b) whether the Administration should verify the continued eligibility of each and every corporate electors of FCs; and</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
		(c) it was questionable whether the status of corporate elector/umbrella organization that ceased to exist can be replaced by another organization	
012359-014619	Chairman ALA1 Ms Margaret NG Administration	Comments of the Legal Service Division and the Hong Kong Bar Association on expanding the electorate base of FCs (LC Paper Nos. LS49/07-08 and CB(2)1109/07-08(01)) Constitutional responsibility of the Administration under Article 68 of the Basic Law	Admin to follow up (paras 3(a) and (b) of the minutes)
014620-021243	Chairman Mr SIN Chung-kai Administration Ms Margaret NG Mrs Anson CHAN Ms Audrey EU Mr Ronny TONG	Submission from The Institution of Engineering and Technology Hong Kong (IET) on clause 6(2) of the Bill tabled at the meeting by Mr SIN Chung-kai (LC Paper No. CB(2)1109/07-08(02)) Confirmation of the Administration that IET had been consulted and agreed to the proposed amendment in clause 6(2) Agreement to invite IET to give views at the next meeting	Admin to follow up (para 3(c) of the minutes)
021244-021532	Chairman Mr Ronny TONG Mr WONG Ting-kwong Ms Margaret NG	Date of next meeting	