

立法會
Legislative Council

Ref : CB2/BC/2/07

LC Paper No. CB(2)1672/07-08
(These minutes have been seen
by the Administration)

**Bills Committee on
Prevention and Control of Disease Bill**

**Minutes of the seventh meeting
held on Friday, 11 April 2008, at 8:30 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Vincent FANG Kang, JP (Chairman)
Dr Hon Joseph LEE Kok-long, JP (Deputy Chairman)
Hon Margaret NG
Hon Andrew CHENG Kar-foo
Hon LI Fung-ying, BBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon LI Kwok-ying, MH, JP
Dr Hon KWOK Ka-ki
- Members absent** : Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon WONG Yung-kan, SBS, JP
Hon Alan LEONG Kah-kit, SC
- Public Officers attending** : Mr Patrick NIP, JP
Deputy Secretary for Food and Health(Health)1
- Mr Bruno LUK
Principal Assistant Secretary for Food and Health (Health)3
- Dr Thomas TSANG
Controller, Centre for Health Protection
Department of Health
- Dr Sarah CHOI
Principal Medical and Health Officer(4)
Department of Health

Dr Henry KONG
Chief Port Health Officer
Department of Health

Mr Allen LAI
Senior Government Counsel
Department of Justice

Clerk in attendance : Miss Mary SO
Chief Council Secretary (2) 5

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Ms Janet SHUM
Senior Council Secretary (2)8

Ms Sandy HAU
Legislative Assistant (2)5

Action

I. Meeting with the Administration

The Bills Committee deliberated (index of proceedings at **Annex**).

Definition of "requisition"

2. Ms Audrey EU said that the word "person" in the words "at the disposal of the person requisitioning it" and in the words "taking possession of it by the person requisitioning it", referred to in the definition of "requisition" set out in LC Paper No. CB(2)1573/07-08(02) prepared by the Administration, should be replaced by either "Government" or "authority", as the requisitioning of property during a public health emergency would invariably be made by the Government. The Administration agreed to consider and revert in writing.

3. At the request of Dr Joseph LEE, the Administration undertook to provide information on the definition of "requisition" in other local legislation.

Scrutiny of the draft provisions of the Prevention and Control of Disease Regulation

Section C1 - Power of entry and examination

4. Ms Margaret NG pointed out that a premises, other than a residential premises, such as a laboratory, might have a separate household unit used wholly or principally for dwelling purposes. To enable any health officer to carry out his duty under section C1, Ms NG suggested revising subsection (4) to empower the magistrate to issue a warrant authorising any health officer to enter or break into any premises. The Administration agreed to consider and revert in writing.

II. Date of next meeting

5. The Chairman reminded members that the next meeting had been scheduled for 18 April 2008 at 8:30 am to continue scrutiny of the draft provisions of the Prevention and Control of Disease Regulation commencing from section C6.

6. There being no other business, the meeting ended at 10:35 am.

Council Business Division 2
Legislative Council Secretariat
21 April 2008

**Proceedings of the meeting of
Bills Committee on Prevention and Control of Disease Bill
on Friday, 11 April 2008, at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000147	Chairman	Opening remarks	
000148 - 000524	Chairman Admin	Briefing on the Administration's papers (LC Paper Nos. CB(2)1573/07-08 (01)) and (02))	
000525 - 002126	Mr Andrew CHENG Admin Ms Audrey EU Dr Joseph LEE Chairman	Definition of "requisition" set out in LC Paper No. CB(2)1573/07-08(02) The Administration was requested to - (a) consider replacing the word "person" in the words "at the disposal of the person requisitioning it" and in the words "taking possession of it by the person requisitioning it" referred to in the definition of "requisition" by "Government" or "authority"; and (b) provide information on the definition of "requisition" in other local legislation	✓ (Admin to provide written responses)
002127 - 005539	Chairman Admin Ms LI Fung-ying Dr KWOK Ka-ki Ms Audrey EU ALA4	<u>Clause-by-clause examination of the Bill</u> <i>Clause 8 - Public Health Emergency Regulation</i>	
005540 - 005727	Admin Chairman	<i>Clause 9 - Measures applied in light of WHO's temporary recommendations</i>	
005728 - 005832	Admin Chairman	<i>Clause 10 - Police to furnish assistance</i> <i>Clause 11- Obstruction of health officers, etc.</i> <i>Clause 12 - Compensation</i>	
005833 - 010046	Chairman Admin	<i>Clause 13 - Immunity from personal liability of health officers, etc.</i>	
010047 - 010612	Admin	<i>Clause 14 - Internal management of vessels or aircraft of war not to be interfered with</i> <i>Clause 15 - Amendment of Schedules</i> <i>Clause 16 - Repeals</i> <i>Clause 17- Saving of regulations</i> <i>Clause 18- Consequential amendments</i>	
010613 - 010731	Admin	<i>Schedule 1 – Scheduled Infectious Diseases</i> <i>Schedule 2 – Scheduled Infectious Agents</i>	
010732 - 010837	Admin	The Administration would provide responses in writing to issues raised by members at the last meeting concerning clauses 5 and 12 prior to the next meeting	

Time marker	Speaker	Subject	Action required
010838 - 011214	Admin	<u>Scrutiny of the draft provisions of the Prevention and Control of Disease Regulation (LC Paper No. CB2(1304/07-08(02))</u> Overview of the draft provisions	
011215 - 011436	Admin	<i>Part A - Preliminary</i> Sections A1 - A3	
011437 - 012346	Admin Ms Margaret NG Ms LI Fung-ying Chairman ALA4	<i>Part B - Notification of Infectious Diseases</i> Sections B1 - B6	
012347 - 015716	Ms Margaret NG Admin Chairman ALA4	<i>Part C - Disease Prevention, Medical Surveillance, Examination and Test</i> Sections C1 - C5 The Administration was requested to consider revising subsection (4) of section C1 to empower the magistrate to issue a warrant authorising any health officer to enter or break into any premises	✓ (Admin to provide a written response)
015717 - 020156	ALA4 Admin	Notification of infectious diseases by operators	
020157 - 020227	Chairman	Date of next meeting	