

立法會
Legislative Council

Ref : CB2/BC/5/07

LC Paper No. CB(2)2190/07-08
(These minutes have been seen by
the Administration)

**Bills Committee on
Fixed Penalty (Smoking Offences) Bill**

**Minutes of the fourth meeting
held on Friday, 23 May 2008, at 8:30 am
in Conference Room B of the Legislative Council Building**

Members present : Hon Andrew CHENG Kar-foo (Chairman)
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon LI Kwok-ying, MH, JP
Hon Alan LEONG Kah-kit, SC

Members absent : Hon Martin LEE Chu-ming, SC, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Dr Hon Joseph LEE Kok-long, JP
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Hon WONG Ting-kwong, BBS

Public Officers attending : Item I

Mrs Ingrid YEUNG
Deputy Secretary for Food and Health (Health)

Miss Anita CHAN
Principal Assistant Secretary for Food and Health (Health)

Dr Cindy LAI, JP
Assistant Director of Health
Department of Health

Mr Sunny CHAN
Senior Assistant Law Draftsman
Department of Justice

Dr Christine WONG
Head of Tobacco Control Office
Department of Health

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

Staff in attendance : Miss Winnie LO
Assistant Legal Adviser 7

Ms Janet SHUM
Senior Council Secretary (2)8

Action

I. Meeting with the Administration

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

2. The Administration was requested to provide a response in writing to the following -

- (a) what were the justifications for the Tobacco Control Office (TCO) of the Department of Health transferring the manning of the TCO complaint and enquiry hotline to the Government's Integrated Call Centre. Also, having regard to the participation of the Leisure and Cultural Services Department, the Food and Environmental Hygiene Department and the Housing Department in issuing the fixed penalty notices for smoking offences, whether the hotline could make direct and immediate referral of complaints to these departments, so that they could take immediate action; if not, why not; and
- (b) whether consideration could be given to enabling the court to require persons who could not afford to pay the fixed penalty for smoking offences and repeated offenders to undergo smoking cessation counselling.

3. The Administration was also requested to revert in writing on the timetable on converting the non-civil service contract staff of TCO into civil service staff.

Action

II. Dates of next meetings

4. The Bills Committee would next meet on the following dates -
 - (a) 30 May 2008 at 8:30 am; and
 - (b) 2 June 2008 at 8:30 am.
5. There being no other business, the meeting ended at 9:45 am.

Council Business Division 2
Legislative Council Secretariat
6 June 2008

**Proceedings of the meeting of
Bills Committee on Fixed Penalty (Smoking Offences) Bill
on Friday, 23 May 2008, at 8:30 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000558	Chairman	Opening remarks	
000559 - 001511	Admin	Administration's response to issues raised at the meeting on 28 April 2008 (LC Paper No. CB(2)1944/07-08(01))	
001512 - 002116	Admin	Administration's response to issues raised at the meeting on 3 May 2008 (LC Paper No. CB(2)2022/07-08(01))	
002117 - 002506	Mr LI Kwok-ying Admin	Recovery of fixed penalty fine from visitors to Hong Kong	
002507 - 003225	Mr Vincent FANG Admin Mr Alan LEONG	Operation of Tobacco Control Inspectors	
003226 - 011429	Chairman Admin	<p>The Administration was requested to provide a response in writing to the following -</p> <p>(a) what were the justifications for the Tobacco Control Office (TCO) of the Department of Health transferring the manning of the TCO complaint and enquiry hotline to the Government's Integrated Call Centre. Also, having regard to the participation of the Leisure and Cultural Services Department, the Food and Environmental Hygiene Department and the Housing Department in issuing the fixed penalty notices for smoking offences, whether the hotline could make direct and immediate referral of complaints to these departments, so that they could take immediate action; if not, why not; and</p> <p>(b) whether consideration could be given to enabling the court to require persons who could not afford to pay the fixed penalty for smoking offences and repeated offenders to undergo smoking cessation counselling.</p> <p>The Administration was also requested to revert in writing on the timetable on converting the non-civil service contract staff of TCO into civil service staff.</p>	<p>✓ (Admin to provide written responses)</p>
011430 - 011801	Chairman Admin	Dates of next meetings	