

立法會
Legislative Council

LC Paper No. CB(2) 769/07-08

Ref : CB2/H/5/07

House Committee of the Legislative Council

**Minutes of the 9th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 4 January 2008**

Members present :

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon James TIEN Pei-chun, GBS, JP
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
Hon Martin LEE Chu-ming, SC, JP
Dr Hon David LI Kwok-po, GBM, GBS, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, SBS, JP
Hon Bernard CHAN, GBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon LEUNG Yiu-chung
Hon SIN Chung-kai, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon LI Kwok-ying, MH, JP

Dr Hon Joseph LEE Kok-long, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon Albert Jinghan CHENG, JP
Hon KWONG Chi-kin
Hon TAM Heung-man
Hon Mrs Anson CHAN, GBM, JP

Members absent :

Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon James TO Kun-sun
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Dr Hon YEUNG Sum, JP
Hon LAU Chin-shek, JP
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon Albert CHAN Wai-yip

Clerk in attendance :

Mrs Vivian KAM Clerk to the House Committee

Staff in attendance :

Mr Ricky C C FUNG, JP	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Miss Polly YEUNG	Acting Assistant Secretary General 1
Mrs Justina LAM	Assistant Secretary General 3
Mr LEE Yu-sung	Senior Assistant Legal Adviser 1
Mrs Constance LI	Principal Council Secretary (Complaints)

Mr Simon WONG	Chief Public Information Officer
Miss Odelia LEUNG	Chief Council Secretary (2)6
Mr Kelvin LEE	Assistant Legal Adviser 1
Mr Timothy TSO	Assistant Legal Adviser 2
Mr Stephen LAM	Assistant Legal Adviser 4
Miss Monna LAI	Assistant Legal Adviser 7
Ms Amy YU	Senior Council Secretary (2)3
Mr Arthur KAN	Legislative Assistant (2)7

Action

I. Confirmation of the minutes of the 8th meeting held on 14 December 2007
(LC Paper No. CB(2) 704/07-08)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration (CS)

Number of Bills Committee slots

2. The Chairman said that she had informed CS that there were currently five vacant Bills Committee slots. She had urged the Administration to introduce the remaining bills for this session, particularly the more controversial ones, as early as possible so as to allow more time for scrutiny.

III. Business arising from previous Council meetings

(a) Legal Service Division report on bills referred to the House Committee in accordance with Rule 54(4)

(i) Legislative Council (Amendment) Bill 2007
(LC Paper No. LS 26/07-08)

3. The Chairman said that the Bill sought to amend the Legislative Council Ordinance to update the electorate of the functional constituencies for the purpose of the 2008 Legislative Council election and make consequential amendments to the Chief Executive Election Ordinance.

4. The Chairman added that the Panel on Constitutional Affairs had been consulted on the legislative proposals at its meeting on 19 November 2007, and some members had expressed concern on various issues.

Action

5. Mr SIN Chung-kai considered it necessary to form a Bills Committee to study the Bill.

6. The Chairman proposed that a Bills Committee be formed to study the Bill in detail. Members agreed. The following Members agreed to join: Ms Margaret NG, Mrs Selina CHOW, Mr SIN Chung-kai, Mr Howard YOUNG, Ms Audrey EU, Mr Ronny TONG and Mrs Anson CHAN.

7. The Chairman said that as there were vacant slots, the Bills Committee could commence work immediately.

(ii) Prevention and Control of Disease Bill
(LC Paper No. LS 27/07-08)

8. The Chairman said that the Bill sought to replace the Quarantine and Prevention of Disease Ordinance by a new Ordinance that was designed to bring the legislative basis for measures to control and prevent disease up-to-date and in line with the requirements of the International Health Regulations (2005).

9. The Chairman further said that the Panel on Health Services had been briefed on the legislative proposals at its meeting on 12 February 2007, and members were in general supportive of the proposals, though some members had expressed concern over some issues.

10. Dr KWOK Ka-ki considered it necessary to form a Bills Committee to study the Bill, given its far-reaching implications and the diverse views expressed on the legislative proposals.

11. The Chairman proposed that a Bills Committee be formed to study the Bill in detail. Members agreed. The following Members agreed to join: Ms Margaret NG, Ms Audrey EU (as advised by Ms Margaret NG), Mr Vincent FANG and Dr KWOK Ka-ki.

12. The Chairman said that as there were vacant slots, the Bills Committee could commence work immediately.

(b) Legal Service Division report on subsidiary legislation gazetted on 14 December 2007 and tabled in Council on 19 December 2007
(LC Paper No. LS 24/07-08)

13. The Chairman said that a total of four items of subsidiary legislation, including two Commencement Notices, were gazetted on 14 December 2007 and tabled in Council on 19 December 2007.

Action

14. Members did not raise any queries on these four items of subsidiary legislation.

IV. Legal Service Division report on subsidiary legislation gazetted on 21 December 2007

(LC Paper Nos. LS 25 and 30/07-08)

15. The Chairman said that only one item of subsidiary legislation, i.e. the Tsing Sha Control Area (Tolls, Fees and Charges) Regulation, was gazetted on 21 December 2007. Two Legal Service Division reports were made on the Regulation. The Division advised in its first report that it was seeking clarification from the Administration on a drafting point. A further report was made upon receipt of the Administration's reply.

16. The Chairman further said that the Transport Advisory Committee had endorsed the tolls, fees and charges proposed in the Regulation. The Panel on Transport had been consulted on the legislative proposals, and members were generally supportive of the proposals. Some members had urged the Administration to take into account the impact of the proposed toll levels on public transport fares.

17. Mr LEE Wing-tat considered it necessary to form a subcommittee to study the Regulation.

18. The Chairman proposed that a subcommittee be formed to study the Regulation in detail. Members agreed. The following Members agreed to join: Ms Miriam LAU, Mr WONG Kwok-hing, Mr LEE Wing-tat and Mr Ronny TONG.

V. Legal Service Division report on subsidiary legislation gazetted on 28 December 2007

(LC Paper No. LS 28/07-08)

19. The Chairman said that only one item of subsidiary legislation, i.e. the Merchant Shipping (Limitation of Shipowners Liability) (Rate of Interest) (Amendment) Order 2007, was gazetted on 28 December 2007.

20. Members did not raise any queries on this item of subsidiary legislation.

21. The Chairman reminded Members that the deadline for amending this item of subsidiary legislation was 30 January 2008.

VI. Business for the Council meeting on 9 January 2008

(a) **Questions**

(LC Paper No. CB(3) 263/07-08)

22. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the meeting.

(b) **Bills - First Reading and moving of Second Reading**

(i) **Trade Descriptions (Amendment) Bill 2007**

(ii) **Mandatory Provident Fund Schemes (Amendment) (No. 2) Bill 2007**

(iii) **Product Eco-responsibility Bill**

23. The Chairman said that the Administration had given notice to present the above three Bills to the Council on 9 January 2008. The House Committee would consider these Bills at its meeting on 11 January 2008.

(c) **Bills - resumption of debate on Second Reading, Committee Stage and Third Reading**

Mandatory Provident Fund Schemes (Amendment) Bill 2007

24. The Chairman said that the Bills Committee on the above Bill had presented its report to the House Committee at the last meeting, and Members did not raise objection to the resumption of the Second Reading debate on the Bill.

(d) **Government motion**

25. The Chairman said that no notice had been received yet.

(e) **Members' Bill - First Reading and moving of Second Reading**

The Chinese University of Hong Kong (Declaration of C. W. Chu College, Wu Yee Sun College and Lee Woo Sing College as Constituent Colleges) Bill

26. The Chairman said that Mr CHEUNG Man-kwong had given notice to present the above Bill to the Council on 9 January 2008. The House Committee would consider the Bill at its meeting on 11 January 2008.

Action

(f) **Members' motions**

(i) **Motion on "Setting up a fund to meet the needs of the ageing population and help the poor"**

(Wording of the motion issued vide LC Paper No. CB(3) 256/07-08 dated 28 December 2007.)

(ii) **Motion on "Report on Public Consultation on Green Paper on Constitutional Development"**

(Wording of the motion issued vide LC Paper No. CB(3) 257/07-08 dated 28 December 2007.)

27. The Chairman said that the above motions would be moved by Miss TAM Heung-man and Mr Albert CHAN respectively, and the wording of the motions had been issued to Members.

VII. Business for the Council meeting on 16 January 2008

(a) **Questions**

(LC Paper No. CB(3) 264/07-08)

28. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the meeting.

(b) **Bills - First Reading and moving of Second Reading**

Munsang College and Heep Yunn School (Change of Corporate Names and General Amendments) Bill 2008

29. The Chairman said that the Administration had given notice to present the above Bill to the Council on 16 January 2008. The House Committee would consider the Bill at its meeting on 18 January 2008.

(c) **Government motion**

30. The Chairman said that no notice had been received yet.

(d) **Members' motions**

(i) **Motion to be moved by Dr Hon YEUNG Sum**

(Wording of the motion issued vide LC Paper No. CB(3) 270/07-08 dated 3 January 2008.)

31. The Chairman said that the subject of the motion to be moved by Dr YEUNG Sum was "Coping with inflation".

Action

(ii) Motion to be moved by Hon Albert HO Chun-yan

(Wording of the motion issued vide LC Paper No. CB(3) 271/07-08 dated 3 January 2008.)

32. The Chairman said that the subject of the motion to be moved by Mr Albert HO was "Protecting the rights and interests of animals".

33. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 9 January 2008.

VIII. The Chief Executive's Question and Answer Session on 17 January 2008

34. The Chairman said that the Chief Executive (CE)'s Question and Answer Session would be held from 3:00 pm to 4:30 pm. The Chairman invited Members' views on issues which they would like CE to cover.

35. Dr KWOK Ka-ki said that he would like CE to cover the issue of universal suffrage.

36. The Chairman said that she would convey the topic to CS.

IX. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 705/07-08)

37. The Chairman said that there were 13 Bills Committees, six subcommittees under the House Committee and seven subcommittees under Panels in action.

X. Any other business

38. There being no other business, the meeting ended at 2:44 pm.