

立法會

Legislative Council

LC Paper No. CB(2) 1606/07-08

Ref : CB2/H/5/07

House Committee of the Legislative Council

Minutes of the 18th meeting held in the Legislative Council Chamber at 2:30 pm on Friday, 11 April 2008

Members present :

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy 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 James TO Kun-sun
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
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum, JP
Hon LAU Chin-shek, JP
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, 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
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
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
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 Albert HO Chun-yan
Hon CHOY So-yuk, JP
Hon Albert CHAN Wai-yip
Dr Hon Joseph LEE Kok-long, JP
Hon LEUNG Kwok-hung
Hon CHIM Pui-chung

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
Ms Pauline NG	Assistant Secretary General (Special Duty)
Mrs Constance LI	Assistant Secretary General 1

Ms Miranda HON	Acting Assistant Secretary General 3
Mr Stephen LAM	Acting Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
Mrs Pandora CHAN	Acting Principal Council Secretary (Complaints)
Mr Simon WONG	Chief Public Information Officer
Miss Polly YEUNG	Chief Council Secretary (1)5
Miss Odelia LEUNG	Chief Council Secretary (2)6
Mr Colin CHUI	Chief Council Secretary (3)1
Mr Timothy TSO	Assistant Legal Adviser 2
Ms Connie FUNG	Assistant Legal Adviser 3
Mr KAU Kin-wah	Assistant Legal Adviser 6
Miss Winnie LO	Assistant Legal Adviser 7 (Des)
Ms Amy YU	Senior Council Secretary (2)3
Mr Arthur KAN	Legislative Assistant (2)7

Action

I. Confirmation of the minutes of the 17th meeting held on 28 March 2008
(*LC Paper No. CB(2) 1522/07-08*)

The minutes were confirmed.

II. Matters arising

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

2. The Chairman said that there was nothing special to report.

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)

Alice Ho Miu Ling Nethersole Charity Foundation Bill
(*LC Paper No. LS 71/07-08*)

3. The Chairman said that the Bill, introduced by Mrs Selina CHOW, sought to provide for the repeal of the Alice Ho Miu Ling Nethersole Hospital Incorporation Ordinance (the Hospital Ordinance) and the continuance of The Executive Committee of The Alice Ho Miu Ling Nethersole Hospital incorporated under the Hospital Ordinance under the corporate name of the Alice Ho Miu Ling Nethersole Charity Foundation.

Action

4. Members did not raise objection to the resumption of the Second Reading debate on the Bill.

(b) **Legal Service Division report on subsidiary legislation gazetted on 28 March 2008 and tabled in Council on 9 April 2008**
(LC Paper No. LS 69/07-08)

5. The Chairman said that a total of two items of subsidiary legislation were gazetted on 28 March 2008 and tabled in the Council on 9 April 2008.

6. Members did not raise any queries on these two items of subsidiary legislation.

7. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 7 May 2008.

(c) **Legal Service Division report on subsidiary legislation gazetted on 3 April 2008 and tabled in Council on 9 April 2008**
(LC Paper No. LS 70/07-08)

8. The Chairman said that a total of four items of subsidiary legislation were gazetted on 3 April 2008 and tabled in the Council on 9 April 2008.

9. Regarding the Food and Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008, the Chairman said that it sought to introduce a mandatory nutrition labelling scheme for prepackaged food. This proposal had been the subject of discussion by the Panel on Food Safety and Environmental Hygiene since it was first put forward by the Administration in 2003. There was wide public concern about the proposal. The Chairman added that the Regulation would come into effect on 1 July 2010.

10. Mr Tommy CHEUNG considered it necessary to form a subcommittee to study the Regulation as the public as well as the relevant trade and organizations had expressed concern on the legislative proposal.

11. Ms Emily LAU agreed that a subcommittee should be formed to study the Regulation given the divergent views expressed.

12. The Chairman proposed that a subcommittee be formed to study the Regulation in detail. Members agreed. The following Members agreed to join: Mr Fred LI, Mr Bernard CHAN, Mr SIN Chung-kai (as advised by Mr Fred LI), Mr WONG Yung-kan, Ms Emily LAU, Mr TAM Yiu-chung, Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Vincent FANG and Dr KWOK Ka-ki.

Action

13. Members did not raise any queries on the other three items of subsidiary legislation.

14. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 7 May 2008.

IV. Business for the Council meeting of 16 and 17 April 2008

(a) **Questions**
(LC Paper No. CB(3) 499/07-08)

15. The Chairman said that 20 written questions had been scheduled for the meeting.

(b) **Bills - resumption of debate on Second Reading**

Appropriation Bill 2008
(Members speak)

16. The Chairman said that in accordance with Rule 36(5) of the Rules of Procedure, Members would each have a maximum of 15 minutes to speak.

17. The Chairman reminded Members that the first day of the meeting would start at 11:00 am, and the second day at 9:00 am.

V. Business for the Council meeting on 23 April 2008

(a) **Questions**
(LC Paper No. CB(3) 500/07-08)

18. The Chairman said that 20 written questions had been scheduled for the meeting.

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

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

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

(i) **Appropriation Bill 2008**
(Response by the Administration)

Action

20. The Chairman said that the Administration would respond to Members' comments on the Appropriation Bill 2008.

(ii) Legislative Council (Amendment) Bill 2007

21. 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

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

VI. Report of Bills Committees and subcommittees

(a) Report of the Bills Committee on Mainland Judgments (Reciprocal Enforcement) Bill

(LC Paper No. CB(2) 1521/07-08)

23. Ms Margaret NG, Chairman of the Bills Committee, reported that the main purpose of the Bill was to implement the *Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region Pursuant to Choice of Court Agreements between Parties Concerned* signed between the Mainland and the Hong Kong Special Administrative Region. The Bill made provisions for -

- (a) the enforcement in Hong Kong of judgments in civil or commercial matters that were given in the Mainland;
- (b) facilitating the enforcement in the Mainland of judgments in civil or commercial matters that were given in Hong Kong; and
- (c) matters connected therewith.

24. Ms NG further reported that the Bills Committee had held 13 meetings. She referred Members to the Bills Committee's report for details of its deliberations.

25. Ms NG added that the Bills Committee supported the Committee Stage amendments (CSAs) to be moved by the Administration to address members' concerns on certain issues. The Bills Committee also supported the

Action

resumption of the Second Reading debate on the Bill at the Council meeting on 23 April 2008.

26. The Chairman reminded Members that the deadline for giving notice of CSAs was Monday, 14 April 2008.

(b) **Report of the Subcommittee on Rating (Exemption) Order 2008**
(*LC Paper No. CB(1) 1201/07-08*)

27. As Mr Albert HO, Chairman of the Subcommittee, was not able to attend the meeting, the Chairman referred Members to the Subcommittee's report for details of its discussions.

28. The Chairman said that the Subcommittee supported the Order and would not propose any amendment.

29. The Chairman reminded Members that as the deadline for amending the Order was 23 April 2008, the deadline for giving notice of amendments, if any, was Wednesday, 16 April 2008.

VII. Position on Bills Committees and subcommittees
(*LC Paper No. CB(2) 1523/07-08*)

30. The Chairman said that there were 15 Bills Committees, eight subcommittees under the House Committee and five subcommittees under Panels in action. She added that there was a subcommittee on policy issues remaining on the waiting list.

VIII. Any other business

31. There being no other business, the meeting ended at 2:42 pm.