

立法會
Legislative Council

LC Paper No. CB(2) 1682/07-08

Ref : CB2/H/5/07

House Committee of the Legislative Council

**Minutes of the 19th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 18 April 2008**

Members present :

Hon Miriam LAU Kin-yee, GBS, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Martin LEE Chu-ming, SC, 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 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 Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
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 Albert CHAN Wai-yip
Hon Frederick FUNG Kin-kee, SBS, JP

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 Odelia LEUNG	Chief Council Secretary (2)6
Mr Colin CHUI	Chief Council Secretary (3)1
Mr Kelvin LEE	Assistant Legal Adviser 1
Mr Timothy TSO	Assistant Legal Adviser 2
Miss Winnie LO	Assistant Legal Adviser 7 (Des)
Ms Amy YU	Senior Council Secretary (2)3
Mr Arthur KAN	Legislative Assistant (2)7

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I. Confirmation of the minutes of the 18th meeting held on 11 April 2008
(*LC Paper No. CB(2) 1606/07-08*)

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 was currently one vacant Bills Committee slot. CS had indicated that three bills relating to revenue proposals in the Budget would be introduced into the Council soon. The Chairman said that two of the bills related to duty on alcoholic beverages, and the other bill was about tax rates and tax bands.

Attendance by CS at House Committee meeting

3. The Chairman said that she had once again enquired whether CS had decided on a date to attend a House Committee meeting to exchange views with Members. She had urged CS to meet with Members in May or June at the latest. The Deputy Chairman had pointed out that many House Committee meetings and Finance Committee meetings had been scheduled in the same afternoon in May and June. CS had noted the Chairman's request. He said that he would have an official overseas visit in May, and would decide on a date as soon as possible.

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4. In response to Mr Martin LEE's enquiry, the Chairman said that she had been urging CS to attend House Committee meetings to exchange views with Members since the start of the current legislative session.

5. Mr Martin LEE said that CS had taken too long to decide on a date. This reflected the lack of sincerity on his part to meet with Members.

6. The Chairman said that she hoped that CS would at least attend another House Committee meeting before the expiry of the current legislative session.

Attendance of the Financial Secretary (FS) at the Council meeting on resumption of Second Reading debate on the Appropriation Bill 2008

7. The Chairman said that during her meeting with the President in the morning of the House Committee meeting, the President had expressed concern that FS, as the public officer in charge of the Appropriation Bill, was not present in the Chamber most of the time at the Council meeting of 16 and 17 April 2008 during the resumption of the Second Reading debate on the Appropriation Bill 2008. On previous occasions, FSs would sit through the Council meetings during the resumption of the Second Reading debate on Appropriation Bills. The President had also pointed out that even for motions moved by Members, the practice had been for the Bureau Secretaries concerned to stay through the Council meetings to listen to Members' views. As the approach taken by the incumbent FS was at variance with that of his predecessors, the President had requested her to ask CS whether the Executive Authority had changed the established practice.

8. The Chairman further said that she noted criticism in some media reports about the attendance of FS at that Council meeting. Some Members had also pointed out at the debate that only a few Bureau Secretaries were present at the meeting.

9. Mr Martin LEE echoed the view that that not only FS but also other Bureau Secretaries were absent from the meeting most of the time. He considered that the Chairman should ask FS directly on the matter.

10. The Chairman said that at the request of the President, she would convey her concerns to CS when meeting with him. The Chairman invited Members' views on the matter.

11. Mr Albert CHAN expressed doubt on the effectiveness of conveying the matter to CS. He said that CS was not in the Chamber on previous occasions when he and Mr LEUNG Kwok-hung spoke on motions, and had set a bad example to other officials. He considered that the Legislative Council (LegCo) should have a stance regarding the attendance of officials at debates on

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important issues. In his view, should the Principal Officials concerned be absent during important debates such as that on the Appropriation Bills, the Council meeting should be adjourned until after the Principal Officials had returned to the Chamber. Otherwise, it would be a waste of Members' time.

12. Mr CHIM Pui-chung said that Members should also review their own attendance during debates at Council meetings. He noted that at times, only very few Members were present in the Chamber.

13. Mr SIN Chung-kai considered it fair to first seek explanation from FS on the matter. He said that FS might have to attend to other public duties during that Council meeting. He suggested writing to CS on the matter.

14. The Chairman pointed out that the dates of the Council meeting on the resumption of the Second Reading debate on the Appropriation Bill had been proposed by the Administration at the beginning of the current legislative session.

15. Mr LEUNG Kwok-hung said that he was not in the Chamber most of the time during the Council meeting, as he was engaged in a court case concerning minimum wage. He considered that FS should explain why he was absent from the Council meeting most of the time. Mr LEUNG further pointed out that Members had long expressed concern about the attendance of Principal Officials during debates on important issues, but no improvement had been made. He suggested that the Chairman should invite FS to attend a House Committee meeting to explain to Members on the matter.

16. The Chairman responded that FS would not normally attend House Committee meetings.

17. Given that the dates of debates on Appropriation Bills had been proposed by the Administration well in advance, Mrs Anson CHAN considered it necessary to ask CS about the Administration's stance regarding the attendance of Principal Officials at such debates, including whether the Administration had set a requirement on the minimum number of Principal Officials attending such debates. In her view, the crux of the matter was not whether the Principal Officials had other important duties to attend to, but whether they attached importance to such debates.

18. Ms Margaret NG said that the poor attendance of FS and Bureau Secretaries during the debate on the Appropriate Bill was not a matter of being disrespectful to LegCo or Members, but to the Basic Law. Under the Basic Law, one of the important functions of LegCo was to examine and approve budgets introduced by the Government. The manner in which Members discharged their functions was a matter for Members. However, as the public

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officer in charge of the Appropriation Bill, FS had a constitutional obligation to consider the views of Members on it. Ms NG said that CS should bring this to the attention of FS when seeking his explanation.

19. Mr Martin LEE said that Members could consider moving a motion during the Third Reading of the Appropriation Bill 2008 to adjourn the debate to the following Council meeting, in order to reflect Members' dissatisfaction with the poor attendance of FS and Bureau Secretaries during the resumption of the Second Reading debate on the Bill.

20. The Chairman suggested that Members should first deal with the issues to be brought to CS's attention at her next meeting with him. She said that apart from the concern raised by the President on whether the Executive Authority had changed the established practice on the attendance of FS at debates on Appropriation Bills, she would also convey the views expressed by other Members. She sought Members' views on Mr SIN Chung-kai's suggestion of writing to CS to seek a written explanation on the matter.

21. Mr Martin LEE expressed disagreement with Mr SIN Chung-kai's view. Mr LEE considered that it was not a matter of whether FS had other important public duties to attend to or whether he was disrespectful to LegCo. The question was how the public would perceive the importance attached by FS to the Bill of which he was the public officer in charge. Mr LEE stressed that his proposal was only to adjourn the Third Reading of the Bill for a week, and not to vote down the Bill.

22. While expressing support for Mr Martin LEE's proposal, Ms Emily LAU pointed out that the proposal was a drastic move and Members had to make a decision on it at the House Committee meeting as the budget debate would be resumed at the Council meeting to be held on the following Wednesday. Noting that the Administration would respond to Members' comments on the Bill at that Council meeting, she enquired whether the Chairman of the House Committee could speak to reflect Members' views on the matter.

23. At the invitation of the Chairman, Legal Adviser (LA) said that under Rule 63(1) of the Rules of Procedure (RoP), debate during the Third Reading of a bill should be confined to its contents. Beyond these, it would be out of order.

24. Ms Emily LAU further enquired whether the House Committee could make a recommendation to the President to give permission to the Chairman of the House Committee to speak on matters beyond the contents of a bill during its Third Reading under RoP.

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25. Mr TAM Yiu-chung considered it sufficient for the Chairman to reflect Members' views to CS during their meeting the following Monday. He expressed objection to the proposal of adjourning the Third Reading of the Bill, as it would affect the implementation of the various Budget proposals which were livelihood-related, such as the one-off grant to recipients of the Old Age Allowance.

26. Mr Albert CHAN expressed support for Mr Martin LEE's proposal. He reiterated that it would be futile to convey Members' concerns to CS who had failed to set a good example to other officials. In his view, a course of action should be taken within the existing system to pressurize the Administration to make improvement. He enquired whether it would be procedurally in order to move during the Third Reading of the Bill a motion to express regret about the inappropriate behaviour of FS. Such a move would go down in history but would not delay the implementation of the Budget proposals.

27. While respecting Members' views, Mr Ronny TONG expressed reservations about Mr Martin LEE's proposal. He pointed out that LegCo Members had a constitutional obligation to examine the Bill, and should not adjourn its Third Reading solely because of a lack of respect shown by FS for LegCo. In his view, LegCo should not take the an-eye-for-an-eye attitude. Members could show their dissatisfaction with FS by leaving the Chamber when he responded, and listen to his speech outside the Chamber in order to discharge their duties. Mr TONG was worried that the public might not appreciate the rationale behind Mr LEE's proposal.

28. Mr Martin LEE enquired whether a motion could be moved to adjourn the Third Reading of the Bill.

29. At the invitation of the Chairman, LA responded that under Rule 40(1) of RoP, a Member who had risen to speak on a question in the Council might move without notice that the debate be now adjourned. The Rule was applicable to debates on the Second Reading and Third Reading of a bill. LA further said that the Council had adjourned the debate on the Second Reading of the Bill at the meeting of 16 and 17 April 2008. The Bill was still in the Second Reading stage of the legislative process. According to the established convention, when the Second Reading debate on the Bill was to be resumed at the following Council meeting, it would be for the Administration to respond. According to RoP, a Member might not speak more than once on a question, except under exceptional circumstances and with the leave of the President. Even with the President's leave to speak more than once, the content of the Member's speech should be confined to the general merits and principles of Government policy and, in the case of the Bill, the financial and economic state of Hong Kong.

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30. Ms Margaret NG asked procedurally whether the motion for the adjournment of a debate should be moved between two items of business on the Agenda or during the debate on a question in the Council, and whether such a motion could be moved by any Member without notice.

31. At the invitation of the Chairman, LA replied that a Member must have been called upon by the President to speak on a question before he could move an adjournment motion which could be without notice. He reiterated that a Member might not speak more than once on a question, except under exceptional circumstances and with the leave of the President.

32. Ms Margaret NG asked whether a Member who had not yet spoken on the Bill could request to speak at the following Council meeting and then move an adjournment motion when he spoke.

33. At the invitation of the Chairman, LA said that as the Second Reading debate on the Bill had not yet ended, under RoP, a Member who had not spoken on the Bill could make a request to speak when the debate was to be resumed at the following Council meeting. RoP aside, LA pointed out that LegCo had established a convention concerning the scrutiny of Appropriation Bills. He suggested that Members might wish to discuss thoroughly how a possible departure from the convention should be handled.

34. As regards Mr Albert CHAN's enquiry on whether a motion to express regret could be moved during the Third Reading of the Bill, LA said that LegCo was dealing with the legislative process of the Bill. Debate on the Bill should be confined to its provisions and the general merits of Government policy, and matters beyond this would be outside the legislative process.

35. Dr YEUNG Sum said that he was in the Chamber most of the time during the resumption of the Second Reading debate on the Bill. While he was equally dissatisfied with FS's prolonged absence from the meeting, he considered it inappropriate to contemplate the drastic move of adjourning the Third Reading of the Bill at this stage. Such a move would delay the implementation of the various proposals in the Budget, including those relating to tax reduction and tax rebates which the public were awaiting eagerly. Members should consider the public's expectation and the impact of the approach in handling the matter on the public image of LegCo. He agreed with the view that Members should first seek an explanation from CS through the Chairman before considering the next move.

36. Dr KWOK Ka-ki said that so far, no Member had expressed objection to the Chairman conveying Members' concerns on the matter to CS and seeking an explanation from him. Members were only enquiring and seeking information about procedural matters at the meeting. He considered it

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appropriate to clarify whether it was procedurally in order under RoP for Members who had not yet spoken during the Second Reading debate on the Bill to speak and move an adjournment motion at the following Council meeting, and whether the Chairman could speak to reflect Members' views on the matter.

37. Mr Martin LEE said that he did not envisage any problem with his proposal. He said that Members who had not yet spoken on the Bill could make a request to speak at the following Council meeting and, when being called upon to speak, move a motion that the debate be adjourned under Rule 40 of RoP. During the debate on that motion, Members could express their views on the attendance of FS and other Bureau Secretaries at the last Council meeting. Members who did not support the motion could vote against it. The moving of the motion would also provide FS with an opportunity to explain the matter in public. This would be a far better approach than seeking an explanation from CS by the Chairman and Deputy Chairman at their closed meeting with him.

38. The Chairman said that she would first deal with the issues to be brought to CS's attention at her next meeting with him. She would certainly convey the President's concern to CS. Noting that Members and the media had also expressed concern about the attendance of FS during the debate, she had therefore sought Members' views on the matter as well at the House Committee meeting. As no Member had expressed objection, she would also relay Members' views to CS. The Chairman then sought Members' views on Mr SIN Chung-kai's suggestion of conveying Members' concerns and views to CS in writing.

39. Dr KWOK Ka-ki supported Mr SIN's suggestion. Members agreed.

40. The Chairman said that she would convey Members' views and concerns to CS at her next meeting with him and would also write to him on the matter. The reply of CS would be circulated to Members and be made public.

41. The Chairman informed Members that so far, 55 Members had already spoken during the Second Reading debate on the Bill, and four Members had not spoken. The Chairman said that it was up to the four Members to decide whether to make a request to speak at the following Council meeting. However, as different views had been expressed on the moving of an adjournment motion, she sought Members' views on whether the House Committee should discuss and express a stance on it, or whether it should be left to individual Members to decide how to exercise their rights under RoP.

42. In response to Dr KWOK Ka-ki's enquiry, the Chairman clarified that it was not necessary for the House Committee to decide at the meeting about the

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moving of an adjournment motion by individual Members at the following Council meeting under RoP. At the invitation of the Chairman, LA confirmed her understanding.

43. Ms Margaret NG pointed out that if a Member had the right to move an adjournment debate under RoP, the House Committee should not and could not deprive him of the right by way of voting.

44. The Chairman agreed that the House Committee could not deprive a Member's right to move an adjournment debate. She was only asking Members' views on whether the move had the support of the House Committee.

45. Referring to the point made by LA that it was a convention that Members would not speak at the Council meetings scheduled for the Administration's response on Members' comments on Appropriation Bills, Mr Jasper TSANG enquired whether it would constitute a departure from the convention if a Member who had not yet spoken on the Bill made a request to speak at the following Council meeting and, if so, whether the endorsement of the House Committee or any other authority was required. Mr TSANG pointed out that before adjourning the debate on 17 April 2008, the President had asked whether any other Members wanted to speak and no Member had indicated an intention to do so.

46. Secretary General said that Members could not request to speak after the mover of a motion or the public officer in charge of a bill had begun to respond.

47. At the invitation of the Chairman, LA supplemented that the Second Reading debate on a bill would be completed only after the public officer in charge of the bill had given his response. In his view, it would depart from the convention for a Member to request to speak at a Council meeting scheduled for the Administration's response. LA further said that for matters relating to conventions, it had been the practice for the House Committee to make recommendations for the consideration of the President in the exercise of the rules under RoP.

48. The Chairman pointed out that should the House Committee express support for an action which departed from a convention, the House Committee's views would be forwarded to the President for consideration. At the invitation of the Chairman, LA confirmed her understanding.

49. Mr Albert HO said that it might not constitute a departure from the convention if a Member made a request to speak before the Administration's response. He pointed out that since amendments to the Bill would be moved at the following Council meeting, there would also be opportunities for

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Members to express their views. He did not consider it necessary to decide at the House Committee meeting the channel through which Members should express their views on the matter. This should be left to individual Members to decide.

50. The Chairman echoed the view that it was for individual Members to decide how to exercise their rights under RoP, and it was not necessary for the House Committee to decide on the matter. At the invitation of the Chairman, LA confirmed her understanding.

51. Mr LEUNG Kwok-hung said that he was one of the four Members who had not spoken on the Bill. He pointed out that the issue at stake involved the rights and freedom of Members. It should be up to individual Members to decide whether and how to exercise their rights under RoP, notwithstanding any conventions which provided to the contrary. It was inappropriate for the House Committee to interfere with the exercise of Members' rights and freedom by expressing a stance.

52. At the invitation of the Chairman, LA explained that the House Committee's function was to deal with matters relating to the business of the Council. In the performance of its function, the House Committee would have regard to RoP and conventions. One of the conventions was that subject to the agreement of Members, the House Committee could be a platform for Members to express individual or collective views on any issue relating to the business of the Council including the operation of RoP, on the premise that such discussions would not prejudice the exercise of individual Members' rights under RoP.

53. Mr Ronny TONG agreed with the view that Members should decide how to exercise their rights under RoP, and it was not necessary for the House Committee to vote on the matter. If a Member had a justifiable ground for not being able to speak during the Second Reading debate on the Bill at the Council meeting of 16 and 17 April 2008, he could write to the President in advance to seek her approval to speak at the following Council meeting. If the President approved the request, the Member concerned could then speak before the Administration's response, thereby avoiding the question of a departure from the convention. He recalled a precedent of a similar nature.

54. Mr Albert CHENG said that he was one of the Members who had not yet spoken on the Bill. He considered it unnecessary to discuss at the meeting how Members would exercise their rights under RoP. Should he request to speak on the Bill, he would be speaking for himself, and not others. He would not write to the President in advance in this regard. He added that there was no need to seek support for the exercise of Members' rights under RoP.

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55. Summing up the discussions, the Chairman said that it was up to individual Members to decide how to exercise their rights under RoP. As Chairman of the House Committee, she would convey to CS at their next meeting and in writing the concern of the President and Members on the attendance of FS at the Council meeting of 16 and 17 April 2008 during the resumption of the Second Reading debate on the Bill.

(Post-meeting note :

- (a) Members were advised vide LC Paper No. CB(2) 1686/07-08 on 22 April 2008 that the Third Reading of Appropriation Bills should be governed by Rule 70 of the Rules of Procedure; and
- (b) the Chairman's letter dated 19 April 2008 to CS and CS's reply dated 23 April 2008 were issued vide LC Paper No. CB(2) 1706/07-08 on 23 April 2008.)

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 11 April 2008 and tabled in Council on 16 April 2008

(LC Paper No. LS 72/07-08)

56. The Chairman said that a total of two items of subsidiary legislation were gazetted on 11 April 2008 and tabled in the Council on 16 April 2008.

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

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

IV. Further business for the Council meeting on 23 April 2008

Bills - resumption of debate on Second Reading, Committee Stage and Third Reading

Mainland Judgments (Reciprocal Enforcement) Bill

59. 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.

V. Business for the Council meeting on 30 April 2008

(a) **Questions**

(LC Paper No. CB(3) 520/07-08)

60. 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**

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

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

Energy Efficiency (Labelling of Products) Bill

62. The Chairman said that the Bills Committee on the above Bill had presented its report at the House Committee meeting on 28 March 2008, and Members did not raise objection to the resumption of the Second Reading debate on the Bill.

(d) **Government motion**

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

(e) **Members' motions**

(i) **Motion on “Ceasing the imposition of the levy on employers of foreign domestic helpers”**

(Wording of the motion issued vide LC Paper No. CB(3) 526/07-08 dated 17 April 2008.)

(ii) **Motion on “Human rights and the right to return to one's hometown”**

(Wording of the motion issued vide LC Paper No. CB(3) 528/07-08 dated 17 April 2008.)

64. The Chairman said that the above motions would be moved by Mr Tommy CHEUNG and Ms Emily LAU respectively, and the wording of the motions had been issued to Members.

65. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 23 April 2008.

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66. The Chairman said that two Bills, namely the Energy Efficiency (Labelling of Products) Bill and the Statute Law (Miscellaneous Provisions) Bill 2007, would resume Second Reading debate at the Council meeting on 30 April 2008. Mr Albert HO would also move a motion at the Council meeting to repeal the Interpretation and General Clauses Ordinance (Amendment of Schedule 6) Order 2008. Taking into account the debates on the two Bills and Mr HO's motion, as well as the debates on the two Members' motions with no legislative effect, the Council meeting would unlikely be finished by midnight on that day. According to the past practice, under such circumstances, the Council meeting would normally be suspended at about 10:00 pm and be resumed on the following day. As the following day, 1 May 2008, was Labour Day and a public holiday, the Chairman invited Members' views on whether the Council meeting should continue until all the business on the Agenda had been finished, or whether it should be suspended at about 10:00 pm and resumed on 1 May 2008 at 9:00 am to deal with the unfinished business on the Agenda.

67. Mr SIN Chung-kai said that Members could consider another alternative of resuming the Council meeting on the following working day, i.e. 2 May 2008.

68. The Chairman said that it was not preferable to resume the Council meeting on 2 May 2008 as it would affect the committee meetings scheduled to be held on that day. Five committee meetings had been scheduled on 2 May 2008. The Chairman pointed out that in a similar situation in the past involving the Buddha's Birthday, Members had decided to continue the Council meeting until all the business on the Agenda had been finished.

69. Dr Philip WONG indicated that he would prefer continuing the Council meeting until all the business on the Agenda had been finished. Members agreed.

70. The Chairman said that she would convey Members' view to the President.

VI. Report of Bills Committees and subcommittees

(a) Report of the Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2007

(LC Paper No. CB(2) 1607/07-08)

71. Ms Margaret NG, Chairman of the Bills Committee, reported that the Bill was an omnibus bill which sought to make miscellaneous amendments to various ordinances for the purpose of improving, clarifying and updating the

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law and rectifying textual errors and omissions of consequential amendments as a result of revision of various ordinances. She referred Members to the Bills Committee's report for details of its discussions.

72. Ms NG further reported that the Administration would move Committee Stage amendments (CSAs) to Parts 2 and 7 of the Bill to address members' concerns on certain issues. The Administration would also move some technical and consequential amendments. The Bills Committee supported the CSAs to be moved by the Administration.

73. Ms NG further said that the Bills Committee would move a CSA to delete the proposed amendments under Part 3 of the Bill which sought to repeal references to "*ordre public*" in the Societies Ordinance and the Public Order Ordinance, as members were of the view that the proposed amendments were not merely textual, but involved changes in policy which should require detailed discussions. The Bills Committee had also agreed to refer to the Panel on Financial Affairs for follow up issues relating to the review of the "abscondee" regime under the Bankruptcy Ordinance in Part 2 of the Bill, as policy matters were involved.

74. Ms NG further said that the Bills Committee supported the resumption of Second Reading debate on the Bill at the Council meeting on 30 April 2008. She added that the deadline for giving notice of CSAs, if any, was Monday, 21 April 2008.

(b) Report of the Subcommittee on Interpretation and General Clauses Ordinance (Amendment of Schedule 6) Order 2008
(*LC Paper No. CB(2) 1609/07-08*)

75. Dr Philip WONG, Chairman of the Subcommittee, reported that the Order sought to amend Schedule 6 to the principal Ordinance by adding "Under Secretary" to the list of public officers who were empowered to signify the exercise of statutory powers and the performance of statutory duties by the Chief Executive under section 62(1) of the principal Ordinance.

76. Dr WONG further reported that the Subcommittee had held one meeting. In the course of deliberations, members had expressed different views on the issue of expansion of the Political Appointment System. A member had moved a motion urging the Subcommittee to repeal the Order, but the motion was not carried. He referred Members to the Subcommittee's report for details of its deliberations.

77. Dr WONG added that the scrutiny period of the Order had already been extended to 30 April 2008.

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78. The Chairman reminded Members that as the deadline for amending the Order was 30 April 2008, the deadline for giving notice of amendments, if any, was Wednesday, 23 April 2008.

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 1608/07-08)

79. The Chairman said that there were 14 Bills Committees, seven 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.

80. The Chairman invited Members to note that the following four Bills Committees would have to work beyond three months since commencement of their work -

- (a) Bills Committee on Prevention and Control of Disease Bill;
- (b) Bills Committee on Trade Descriptions (Amendment) Bill 2007;
- (c) Bills Committee on Mandatory Provident Fund Schemes (Amendment) (No. 2) Bill 2007; and
- (d) Bills Committee on Product Eco-responsibility Bill.

VIII. Any other business

81. There being no other business, the meeting ended at 3:20 pm.