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13 February 2008

The Hon Miriam LAU Kin-ye, GBS, JP  
Chairman  
House Committee  
Legislative Council  
8 Jackson Road, Central  
Hong Kong

*Dear Chairman,*

### **Proposed Order of Priority in the Scrutiny of Bills**

At the House Committee meeting scheduled for 22 February 2008, Members will consider if Bills Committees should be set up for the five Bills which the Administration will introduce into the Council on 20 February 2008. I am writing to propose an order of priority for Members' consideration, should the number of Bills for which Members decide to set up Bills Committees exceed the number of vacant Bills Committee slots then available.

Having considered the objectives of the five Bills in the pipeline, their complexity and relative urgency, we propose the following order of priority –

- (1) West Kowloon Cultural District Authority Bill
- (2) Road Traffic Legislation (Amendment) Bill 2008
- (3) Air Pollution Control (Amendment) Bill 2008
- (4) Fixed Penalty (Smoking Offences) Bill
- (5) Statute Law (Miscellaneous Provisions) Bill 2008

I set out below a brief description of these Bills.

***West Kowloon Cultural District Authority Bill***

This Bill provides an enabling legislation for setting up a statutory body, i.e. the West Kowloon Cultural District (WKCD) Authority, to take forward the WKCD project. Having considered the urgency and complexity of the Bill, we recommend that the Bill be accorded the highest priority so that Members could immediately commence scrutiny of the Bill.

***Road Traffic Legislation (Amendment) Bill 2008***

This Bill introduces a package of measures to combat and deter drink driving and other inappropriate driving behaviour, and to enhance road safety generally. There have been concerns over the gravity of the sentences passed on offenders in various cases, and also calls for swift Government action in enhancing road safety, including effective measures to deter drink driving. We suggest that second priority be given to this Bill.

***Air Pollution Control (Amendment) Bill 2008***

This Bill seeks to impose emission caps on the power plants for various pollutants in 2010 and beyond. It also puts in place a trading scheme under which the power plants can trade their emission quota and achieve the caps imposed. These proposed legislative amendments will be instrumental to improving air quality. We suggest that third priority be given to this Bill.

***Fixed Penalty (Smoking Offences) Bill***

Under the existing Smoking (Public Health) Ordinance (Cap. 371), smoking or carrying a lighted cigarette, cigar or pipe in a statutory no smoking area or a public transport carrier is an offence punishable on summary conviction by a maximum fine of \$5,000. This Bill seeks to provide for a fixed penalty system for this offence, with a view to better deploying resources involved in enforcement and enhancing the deterrent effect of the smoking ban. We suggest giving this Bill fourth priority.

***Statute Law (Miscellaneous Provisions) Bill 2008***

This Bill seeks to describe the elements of the offences created by provisions containing the drafting formula “to the satisfaction of” (an enforcement authority) with greater certainty. It also introduces miscellaneous minor and technical amendments to various Ordinances and subsidiary legislation. We propose fifth priority for this Bill.

I should be grateful if you would help put forward our proposal for Members’ consideration at the House Committee meeting scheduled for 22 February 2008.

*Yours sincerely,*



( Miss Jennifer Mak )  
Director of Administration