

**立法會**  
**Legislative Council**

Ref : CB2/SS/2/07

LC Paper No. CB(2)1695/07-08  
(These minutes have been seen  
by the Administration)

**Subcommittee on Interpretation and General Clauses Ordinance  
(Amendment of Schedule 6) Order 2008**

**Minutes of the first meeting  
held on Wednesday, 9 April 2008, at 8:30 am  
in the Chamber of the Legislative Council Building**

**Members present** : Dr Hon Philip WONG Yu-hong, GBS (Chairman)  
Hon Albert HO Chun-yan  
Dr Hon LUI Ming-wah, SBS, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP  
Hon SIN Chung-kai, SBS, JP  
Hon Howard YOUNG, SBS, JP  
Hon LAU Kong-wah, JP  
Hon Miriam LAU Kin-yee, GBS, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Abraham SHEK Lai-him, SBS, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon WONG Ting-kwong, BBS  
Hon Ronny TONG Ka-wah, SC  
Hon Mrs Anson CHAN, GBM, JP

**Member absent** : Dr Hon YEUNG Sum, JP  
Hon Daniel LAM Wai-keung, SBS, JP

**Public Officers attending** : Item II  
The Administration  
Mr Stephen LAM Sui-lung  
Secretary for Constitutional and Mainland Affairs  
Ms Joyce HO Kwok-shan  
Principal Assistant Secretary for Constitutional and Mainland  
Affairs  
Mr Gary POON Wai-wing  
Principal Assistant Secretary for Constitutional and Mainland  
Affairs

Ms Karmen KWOK Man-yi  
Government Counsel

**Clerk in attendance** : Mrs Percy MA  
Chief Council Secretary (2)3

**Staff in attendance** : Mr Kelvin LEE  
Assistant Legal Adviser 1

Mrs Eleanor CHOW  
Senior Council Secretary (2)4

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Action

**I. Election of Chairman**

Dr Philip WONG was elected Chairman of the Subcommittee.

**II. Meeting with the Administration**

(CMAB F19/15 - The Legislative Council Brief

LS63/07-08 - The Legal Service Division Report

LC Paper No. CB(2)1520/07-08(02) - Background Brief prepared by the  
Legislative Council Secretariat)

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).
3. Mr Albert HO moved a motion urging the Subcommittee to move an amendment to repeal the Order. The Chairman put the motion to vote.
4. Five members voted for the motion and seven members voted against the motion. The Chairman declared that the motion proposed by Mr Albert HO was negatived.
5. Mr Albert HO said that he would give notice to move a motion to repeal the Order.
6. The Chairman informed members that the Chairman of the House Committee would move a motion at the Council meeting later today to extend the scrutiny period of the Order to 30 April 2008. The Chairman advised members that the deadline for giving notice of motion to amend the Order at the Council meeting on 30 April 2008 was 23 April 2008.

*(Post-meeting note : Members were advised vide LC Paper No. CB(2)1558/07-08 issued on 10 April 2008 that the Subcommittee had completed its work and would report its deliberations to the House Committee on 18 April 2008.)*

Action

7. The meeting ended at 9:48 am.

Council Business Division 2  
Legislative Council Secretariat  
22 April 2008

**Proceedings of the first meeting of the  
Subcommittee on Interpretation and General Clauses Ordinance  
(Amendment of Schedule 6) Order 2008  
on Wednesday, 9 April 2008, at 8:30 am  
in the Chamber of the Legislative Council Building**

Time Marker	Speaker(s)	Subject(s)	Action required
000226-000652	Mr Albert HO Mr Abraham SHEK Mr Howard YOUNG Dr LUI Ming-wah Mrs Anson CHAN Mr SIN Chung-kai	Election of Chairman	
000653-001008	Chairman Administration	Briefing by the Administration on the Order	
001009-002019	Chairman Mr Albert HO Administration	Legislative process on the creation of two additional layers of political appointment positions, i.e. Deputy Directors of Bureau (or their post title being Under Secretary) and Political Assistants to Directors of Bureau  The duties and powers of Under Secretaries during the temporary absence of Directors of Bureau  Approving authority of appointment and acting appointment of Under Secretaries  Reasons for placing "Under Secretary" before "Permanent Secretary" on the list of public officers specified in Schedule 6 to Cap. 1	
002020-002832	Chairman Mrs Anson CHAN Administration	Reasons for not supporting the creation of two additional layers of political appointment positions  Delineation of duties and responsibilities between the political tier and the civil service  Reasons for the Administration to create two additional layers of political appointment positions	
002833-003014	Chairman Mr SIN Chung-kai Administration	Reasons for placing "Under Secretary" before "Permanent Secretary" on the list of public officers specified in Schedule 6 to Cap. 1  The duties and powers of Under Secretaries in the temporary absence of the Directors of Bureau	

Time Marker	Speaker(s)	Subject(s)	Action required
003015-003333	Chairman Mr TAM Yiu-chung	Reasons for supporting the creation of two additional layers of political appointment positions	
003334-004257	Chairman Ms Audrey EU Administration	Reasons for the Civic Party not supporting the creation of two additional layers of political appointment positions  Remuneration for Under Secretaries  Roles and responsibilities of Under Secretaries	
004258-005155	Chairman Mr Albert HO Administration	Timetable for universal suffrage  Training for political appointees  Delineation of duties and responsibilities between Under Secretary and Permanent Secretary  Effect of repealing the Order	
005156-005528	Chairman Mr SIN Chung-kai Administration	Order of public officers specified in Schedule 6 to Cap. 1  Attendance of Under Secretary at Council and committee meetings	
005529-005731	Chairman Mrs Anson CHAN Administration	Background of Under Secretaries to be appointed and training provided to political appointees	
005732-005926	Chairman Mr SIN Chung-kai Administration	Availability of "revolving door" arrangement for civil servants	
005927-010342	Chairman Mr Albert HO Administration	Appointment criteria and integrity checking for political appointees  Code for political appointees	
010343-010619	Chairman Mrs Anson CHAN Administration	Availability of "revolving door" arrangement for civil servants	
010620-011026	Chairman Mr Albert HO Clerk Ms Miriam LAU	Reasons for the Democratic Party not supporting the Order	
011027-011502	Chairman	Break for 5 minutes	
011503-011914	Chairman Ms Miriam LAU Clerk Mr Albert HO	Motion moved by Mr Albert HO	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action required</b>
011915-011921	Chairman	Closing remarks	

Council Business Division 2  
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