

立法會
Legislative Council

LC Paper No. CB(1)151/09-10
(These minutes have been seen by
the Administration)

Ref : CB1/BC/4/08

Bills Committee on Copyright (Amendment) Bill 2009

**Minutes of the sixth meeting
held on Monday, 12 October 2009, at 2:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Dr Hon Samson TAM Wai-ho, JP (Chairman)
Dr Hon Margaret NG
Hon CHAN Kam-lam, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Paul TSE Wai-chun
- Members absent** : Hon Albert HO Chun-yan
Hon LEUNG Yiu-chung
Hon Miriam LAU Kin-ye, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Cyd HO Sau-lan
- Public officers attending** : Commerce and Economic Development Bureau

Mr Christopher K B WONG
Deputy Secretary for Commerce and Economic Development
(Commerce and Industry)

Ms Bonnie YAU
Principal Assistant Secretary for Commerce and Economic
Development (Commerce and Industry)

Mr Bill LI
Assistant Secretary for Commerce and Economic
Development (Commerce and Industry)

Intellectual Property Department

Mr Thomas TSANG
Acting Assistant Director of Intellectual Property

Department of Justice

Mr Michael LAM
Senior Assistant Law Draftsman

Ms Karmen KWOK
Government Counsel

Customs and Excise Department

Mr Thomas S Y LIN
Acting Head of Intellectual Property Investigation Bureau

Clerk in attendance : Ms YUE Tin-po
Chief Council Secretary (1)3

Staff in attendance : Mr Timothy TSO
Assistant Legal Adviser 2

Ms Annette LAM
Senior Council Secretary (1)3

Action

- I. Meeting with the Administration**
(LC Paper No. CB(1)2754/08-09(01) -- Administration's paper on definition of "infringing page"
- LC Paper No. CB(1)2754/08-09(02) -- Draft Committee Stage amendments proposed by the Administration
- LC Paper No. CB(1)2754/08-09(03) -- Summary table on "Issues requiring follow-up action/consideration by the Administration (position as at 9 October 2009)" prepared by the Legislative Council Secretariat

Other relevant papers

LC Paper No. CB(3)525/08-09 -- The Bill

LC Paper No. CB(1)1638/08-09(01) -- Marked-up copy of the Bill prepared by the Legal Service Division

Ref: CITB 07/09/22 -- Legislative Council Brief on Copyright (Amendment) Bill 2009 issued by the Commerce and Economic Development Bureau

LC Paper No. LS59/08-09 -- Legal Service Division Report)

The Bills Committee deliberated (Index of proceedings attached at **Appendix**).

Legislative timetable

ALA 2. The Bills Committee completed scrutiny of the Bill. The Chairman requested the Legal Service Division of the Secretariat to vet the finalized English version of the Administration's proposed Committee Stage amendments (CSAs) to ensure consistency of the Chinese and English versions of the proposed amendments. The Chairman added that subject to the CSAs being in order, the Bills Committee would submit a written report to the House Committee on 23 October 2009 supporting resumption of the Second Reading debate at the Council meeting on 11 November 2009. He also reminded the Administration that the deadline for giving notice of CSAs would be 2 November 2009.

(Post-meeting note: The Administration advised that resumption of the Second Reading of the Bill would take place on 18 November 2009.)

II. Any other business

3. There being no other business, the meeting ended at 2:45 pm.

Council Business Division 1
Legislative Council Secretariat
27 October 2009

**Proceedings of the sixth meeting of
Bills Committee on Copyright (Amendment) Bill 2009
on Monday, 12 October 2009, at 2:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000218-000316	Chairman Administration	Opening remarks by the Chairman	
000317-000810	Chairman Administration Dr Margaret NG Assistant Legal Adviser (ALA)	Briefing by the Administration on the definition of "infringing page" (LC Paper No. CB(1)2754/08-09(01)) Members raised no query. Dr Margaret NG suggested that the Administration could consider replacing the word "firstly" with "first" under sections 5(5)(a) and (6)(a), and sections 7(4)(a) and (5)(a) of the new Schedule 1AA in clause 4 of the Bill.	
000811-001411	Chairman Administration	Briefing by the Administration on the proposed draft Committee Stage amendments (LC Paper No. CB(1)2754/08-09(02)) to: (a) delete the words "a side of" immediately preceding the words "a page" in the definition of "infringing page" under section 1(1) of the new Schedule 1AA in clause 4 of the Bill; and (b) prescribe a method for converting a foreign currency into Hong Kong dollars by making reference to (i) the opening indicative counter exchange selling rate published by The Hong Kong Association of Banks, or (ii) where no such rate is published, the representative exchange rate published by the International Monetary Fund in respect of the foreign currency. Members raised no query.	The ALA to follow up as stated in paragraph 2 of the minutes.
001412-001525	Chairman Administration	Legislative timetable	