

立法會
Legislative Council

LC Paper No. CB(1)2461/08-09
(These minutes have been seen
by the Administration)

Ref : CB1/BC/7/08/2

Bills Committee on Inland Revenue (Amendment) (No. 2) Bill 2009

**First meeting on
Friday, 17 July 2009, at 4:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon CHAN Kam-lam, SBS, JP (Chairman)
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Paul CHAN Mo-po, MH, JP
- Members absent** : Hon Albert HO Chun-yan
Hon James TO Kun-sun
- Public officers
Attending** : Mr Kenneth CHENG
Principal Assistant Secretary for
Financial Services and the Treasury (Treasury)
- Ms Cordelia LAM
Assistant Secretary for
Financial Services and the Treasury (Treasury)
- Mr Simon YIP
Clerk to Board of Review (Inland Revenue Ordinance)
- Mr CHIU Kwok-kit
Deputy Commissioner (Technical)(Acting)
Inland Revenue Department

Mr YIM Kwok-cheong
Senior Assessor (Support and Project)
Inland Revenue Department

Ms Phyllis POON
Senior Government Counsel
Department of Justice

Clerk in attendance : Ms Rosalind MA
Chief Council Secretary (1)5

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Mr Noel SUNG
Senior Council Secretary (1)4

Ms Haley CHEUNG
Legislative Assistant (1)8

Action

I Election of Chairman

Mr CHAN Kam-lam, the member with the highest precedence among those who were present at the meeting, presided over the election of the Chairman of the Bills Committee. He invited nominations for the chairmanship of the Bills Committee.

2. Mr CHAN Kam-lam was nominated by Mr Tommy CHEUNG and the nomination was seconded by Mr Paul CHAN. Mr CHAN Kam-lam accepted the nomination. There being no other nomination, Mr CHAN Kam-lam was elected Chairman of the Bills Committee.

II Meeting with the Administration

(LC Paper No. CB(3)691/08-09 — The Bill

FIN CR 1/2306/09 — The Legislative Council Brief issued
by the Financial Services and the
Treasury Bureau

LC Paper No. LS91/08-09 — The Legal Service Division Report
on the Bill

LC Paper No. CB(1)2301/08-09 — Background Brief on the Inland Revenue (Amendment) (No. 2) Bill 2009 prepared by the Legislative Council Secretariat

LC Paper No. CB(1)2302/08-09(01) — Marked-up copy of the Bill prepared by the Legal Service Division)

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

III Any other business

Invitation for submissions

4. The Bills Committee agreed to invite relevant organizations to give views on the Bill and to attend a meeting of the Bills Committee to present their views. Members also agreed that a general invitation notice should be posted on the website of the Council on the Internet and letters be issued to the 18 District Councils.

(Post-meeting note: The proposed list of invitees was circulated to members for comments vide LC Paper No. CB(1)2338/08-09 on 20 July 2009.)

Date of next meeting

5. Members agreed that the next meeting should be held on Thursday 24 September 2009 at 2:30 pm for meeting with deputations and the Administration.

(Post-meeting note: Notice of the next meeting was issued to members vide LC Paper No. CB(1)2331/08-09 on 20 July 2009.)

6. There being no other business, the meeting ended at 5:00 pm.

**Proceedings of the
Bills Committee on Inland Revenue (Amendment) (No. 2) Bill 2009
First meeting on Friday, 17 July 2009, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000421 – 000547	Mr CHAN Kam-lam Mr Tommy CHEUNG Mr Paul CHAN	Election of Chairman	
000548 – 001742	Chairman Administration	Briefing by the Administration on the legislative proposals.	
001743 – 002058	Chairman Administration Mr Ronny TONG	(a) In response to the Chairman's enquiry as to the possible reasons for a taxpayer to revoke the claim for home loan interest deduction after such deduction was allowed, the Administration's advice that one of the possible reasons was the taxpayer's anticipation of claiming more home loan interest deduction for another property of a higher value. (b) The Chairman's concern about taxpayers' awareness of the remaining balances of their tax reserve certificates (TRCs). (c) The Administration's explanation that taxpayers who had lodged objections to their tax assessments and hence asked to purchase TRCs as security for the holdover of the tax in dispute should be aware of their rights to claim back the remaining balance of their TRCs after the objections were finalized. Taxpayers who had purchased TRCs would have their TRC deposit accounts, keeping records of the remaining balances. The repayment of the remaining balances of TRCs with interest to the taxpayers concerned as proposed under the Bill would be made through cheques sent together with written notifications.	
002059 – 002744	Chairman Mr Ronny TONG	(a) Invitation for submissions	

Time Marker	Speaker	Subject(s)	Action Required
	Mr Tommy CHEUNG Mr Paul CHAN Clerk	(b) Date of next meeting	

Council Business Division 1
Legislative Council Secretariat
17 August 2009