

立法會

Legislative Council

LC Paper No. CB(2) 1468/08-09

Ref : CB2/H/5/08

House Committee of the Legislative Council

Minutes of the 21st meeting held in the Legislative Council Chamber at 2:30 pm on Friday, 24 April 2009

Members present :

Hon Miriam LAU Kin-yee, GBS, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Dr Hon Margaret NG
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon LEUNG Yiu-chung
Hon WONG Yung-kan, SBS, JP
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, 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
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Dr Hon Joseph LEE Kok-long, JP
Hon Alan LEONG Kah-kit, SC
Hon CHEUNG Hok-ming, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Hak-kan
Hon Paul CHAN Mo-po, MH, JP
Hon CHAN Kin-por, JP

Hon Tanya CHAN
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon WONG Yuk-man
Hon IP Wai-ming, MH
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-yea, GBS, JP
Dr Hon PAN Pey-chyou
Hon Paul TSE Wai-chun
Dr Hon Samson TAM Wai-ho, JP

Members absent :

Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Dr Hon David LI Kwok-po, GBM, GBS, JP
Hon CHEUNG Man-kwong
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon LAU Wong-fat, GBM, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon LEUNG Kwok-hung
Hon WONG Ting-kwong, BBS
Hon CHIM Pui-chung
Prof Hon Patrick LAU Sau-shing, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS

Clerk in attendance :

Mrs Vivian KAM Clerk to the House Committee

Staff in attendance :

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| Ms Pauline NG | Secretary General |
| Mr Jimmy MA, JP | Legal Adviser |
| Mrs Constance LI | Assistant Secretary General 1 |
| Mrs Justina LAM | Assistant Secretary General 3 |

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| Mrs Percy MA | Assistant Secretary General (Special Duties) |
| Mr LEE Yu-sung | Senior Assistant Legal Adviser 1 |
| Mr Arthur CHEUNG | Senior Assistant Legal Adviser 2 |
| Mrs Sharon TONG | Principal Council Secretary (Complaints) |
| Mr Simon WONG | Chief Public Information Officer |
| Miss Odelia LEUNG | Chief Council Secretary (2)6 |
| Mr KAU Kin-wah | Assistant Legal Adviser 6 |
| Ms Amy YU | Senior Council Secretary (2)3 |
| Mr Arthur KAN | Legislative Assistant (2)8 |

Action

I. Confirmation of the minutes of the 20th meeting held on 17 April 2009
(*LC Paper No. CB(2) 1386/08-09*)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration (CS)

Views expressed by Members at the last House Committee meeting

2. The Chairman said that she had conveyed to CS the views raised by Members at the last House Committee meeting, including the concern about the English language proficiency of Government officials, and the requests for CS to clarify the meaning of "vulgar and offensive language" and to remind Principal Officials not to abuse their official position for seeking special treatment. CS had taken note of Members' views. As regards the concern about the English language proficiency of Government officials, CS had indicated that he was highly satisfied with the performance of Government officials as a professional team.

Introduction of bills

3. The Chairman also said that she had once again reminded CS that the Administration should introduce the remaining bills on its updated Legislative Programme for 2008-2009 as early as possible. She informed Members that the Administration had given notice to present the Mandatory Provident Fund Schemes (Amendment) Bill 2009 and the Copyright (Amendment) Bill 2009 to the Council on 6 May 2009.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 17 April 2009 and tabled in Council on 22 April 2009

(LC Paper No. LS 57/08-09)

4. The Chairman said that two Commencement Notices were gazetted on 17 April 2009 and tabled in the Council on 22 April 2009.
5. Members did not raise any queries on these two items of subsidiary legislation.
6. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 20 May 2009.

IV. Further business for the Council meeting on 29 April 2009

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

- (i) **Adaptation of Laws Bill 2009**
- (ii) **Public Health and Municipal Services (Amendment) Bill 2008**

7. The Chairman said that the Bills Committees on the above two Bills had presented their reports to the House Committee at the last meeting, and Members did not raise objection to the resumption of the Second Reading debates on the Bills.

(b) Members' motions

Proposed resolution to be moved by Hon Miriam LAU Kin-yeek under section 34(4) of the Interpretation and General Clauses Ordinance relating to the Building (Minor Works) Regulation

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 507/08-09 dated 21 April 2009.)

8. The Chairman said that she, as the Chairman of the House Committee, would move a motion at the Council meeting to extend the scrutiny period of the Regulation to 20 May 2009.

V. Business for the Council meeting on 6 May 2009

(a) **Questions**

(LC Paper No. CB(3) 506/08-09)

9. 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**

(i) **Mandatory Provident Fund Schemes (Amendment) Bill 2009**

(ii) **Copyright (Amendment) Bill 2009**

10. The Chairman said that the Administration had given notice to present the above two Bills to the Council on 6 May 2009. The House Committee would consider the Bills at its meeting on 8 May 2009.

(c) **Government motion**

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

(d) **Members' motions**

(i) **Motion on "Demanding a comprehensive reform of the Hong Kong Monetary Authority"**

(Wording of the motion issued vide LC Paper No. CB(3) 514/08-09 dated 22 April 2009.)

(ii) **Motion on "Promoting green economy"**

(Wording of the motion issued vide LC Paper No. CB(3) 511/08-09 dated 21 April 2009.)

12. The Chairman said that the above motions would be moved by Mr Albert CHAN and Mr Alan LEONG respectively and the wording of their motions had been issued to Members.

13. The Chairman drew Members' attention to the deadline for giving notice of amendments, if any, to the motions on Monday, 27 April 2009, because of the intervening public holidays on 1 and 2 May 2009.

Action

Adjournment debate on the commencement of the Independent Police Complaints Council Ordinance

14. In response to Ms Emily LAU's enquiry, the Chairman said that the President had decided to put on the Agenda the holding of an adjournment debate at the Council meeting on 6 May 2009 on the commencement of the Independent Police Complaints Council Ordinance.

15. Ms Emily LAU said that the President should estimate the duration of the Council meeting and inform Members about the arrangement if the meeting was expected to be long. The Chairman noted her view.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 1387/08-09)

16. The Chairman said that there were two Bills Committees, six subcommittees under the House Committee (i.e. three subcommittees on subsidiary legislation and three subcommittees on policy issues) and eight subcommittees under Panels in action.

VII. Any other business

17. There being no other business, the meeting ended at 2:37 pm.