

立法會  
*Legislative Council*

LC Paper No. CB(2) 1987/10-11

Ref : CB2/H/5/10

**House Committee of the Legislative Council**

**Minutes of the 25th meeting  
held in the Legislative Council Chamber  
at 2:30 pm on Friday, 3 June 2011**

**Members present:**

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)  
Hon Fred LI Wah-ming, SBS, 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 CHEUNG Man-kwong  
Hon CHAN Kam-lam, SBS, JP  
Hon LEUNG Yiu-chung  
Dr Hon Philip WONG Yu-hong, GBS  
Hon LAU Kong-wah, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon LI Fung-ying, SBS, JP  
Hon Tommy CHEUNG Yu-yan, 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, SBS, JP  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon CHEUNG Hok-ming, GBS, JP  
Hon WONG Ting-kwong, BBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon CHIM Pui-chung  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Hon KAM Nai-wai, MH  
Hon Cyd HO Sau-lan  
Hon Starry LEE Wai-king, JP  
Dr Hon LAM Tai-fai, BBS, JP  
Hon CHAN Kin-por, JP

Dr Hon Priscilla LEUNG Mei-fun  
Dr Hon LEUNG Ka-lau  
Hon CHEUNG Kwok-che  
Hon WONG Sing-chi  
Hon WONG Kwok-kin, BBS  
Hon IP Wai-ming, MH  
Hon IP Kwok-him, GBS, JP  
Dr Hon PAN Pey-chyou  
Hon Paul TSE Wai-chun  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Hon Tanya CHAN  
Hon Albert CHAN Wai-yip

**Members absent :**

Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Dr Hon David LI Kwok-po, GBM, GBS, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP  
Hon WONG Yung-kan, SBS, JP  
Hon LAU Wong-fat, GBM, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon Andrew CHENG Kar-foo  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon Abraham SHEK Lai-him, SBS, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon Jeffrey LAM Kin-fung, SBS, JP  
Hon CHAN Hak-kan  
Hon Paul CHAN Mo-po, MH, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Dr Hon Samson TAM Wai-ho, JP  
Hon WONG Yuk-man

**Clerk in attendance :**

Miss Odelia LEUNG                      Clerk to the House Committee

**Staff in attendance :**

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
Mrs Percy MA	Assistant Secretary General 4
Ms Connie FUNG	Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
Mr KAU Kin-wah	Senior Assistant Legal Adviser 3
Mr Stephen LAM	Principal Council Secretary (Complaints)
Mr Simon WONG	Chief Public Information Officer
Ms Amy YU	Chief Council Secretary (2)6
Miss Kitty CHENG	Assistant Legal Adviser 5
Miss Josephine SO	Senior Council Secretary (2)7
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)8

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Action

**I. Confirmation of the minutes of the 24th meeting held on 27 May 2011**  
*(LC Paper No. CB(2) 1923/10-11)*

The minutes were confirmed.

**II. Matters arising**

**Report by the Chairman on the meeting with the Chief Secretary for Administration**

2. The Chairman said that there was nothing special to report.

**III. Business arising from previous Council meetings**

**(a) Legal Service Division report on bill referred to the House Committee in accordance with Rule 54(4)**

**Pyramid Schemes Prohibition Bill**

*(LC Paper No. LS 70/10-11)*

3. The Chairman said that the Bill sought to repeal the Pyramid Selling Prohibition Ordinance (Cap. 355) and introduce a new regulatory regime to prohibit pyramid schemes irrespective of whether they involved the marketing of goods or services. The Panel on Economic Development had been briefed on the legislative proposals at its meeting on 28 March 2011, and members generally supported the proposals.

Action

4. Mr Vincent FANG considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The following Members agreed to join the Bills Committee: Mr Fred LI, Mr Vincent FANG, Ms Cyd HO, Mr CHEUNG Kwok-che and Miss Tanya CHAN.

5. The Chairman said that as the Bills Committee on Motor Vehicles (First Registration Tax) (Amendment) Bill 2011 had provided its written report for the House Committee meeting, there would be a vacant slot. The Bills Committee could commence work immediately.

**(b) Legal Service Division report on subsidiary legislation gazetted on 27 May 2011 and tabled in Council on 1 June 2011**  
*(LC Paper No. LS 69/10-11)*

6. The Chairman said that only one item of subsidiary legislation, i.e. the Designation of Libraries Order 2011, was gazetted on 27 May 2011 and tabled in the Council on 1 June 2011.

7. Members did not raise any queries on the Order.

8. The Chairman reminded Members that the deadline for amending the Order was 29 June 2011.

**IV. Legal Service Division report on two orders made under section 78B of the Public Health and Municipal Services Ordinance gazetted on 31 May and 2 June 2011**  
*(LC Paper No. LS 71/10-11)*

9. The Chairman said that the two Orders sought to prohibit all persons from importing into and supplying within Hong Kong the food specified in Annex A to the Orders that was intended for human consumption for the period from 12:00 noon on 31 May 2011 and 12:00 noon on 2 June 2011 respectively until further notice. The specified food were two drink products and a konjac coconut jelly product originated from Taiwan. The two Orders were not subsidiary legislation. As such, they were not required to be tabled before the Legislative Council ("LegCo") and were not subject to amendment by LegCo.

10. The Chairman further said that Members would have the opportunity to discuss the matter as the Panel on Food Safety and Environmental Hygiene had included an item on "Briefing on measures to follow up on the Plasticizer contamination incident in Taiwan" in the agenda for its meeting scheduled for 14 June 2011, at 2:00 pm.

11. Members did not raise any queries on the two Orders.

**V. Further business for the Council meeting of 8 June 2011**

**(a) Tabling of papers**

**Report No. 24/10-11 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments**

*(LC Paper No. CB(2) 1925/10-11 issued vide LC Paper No. CB(3) 823/10-11 dated 1 June 2011)*

12. The Chairman said that the report covered one item of subsidiary legislation, i.e. the Tramway Ordinance (Alteration of Fares) (Amendment) Notice 2011, the period for amendment of which would expire on 8 June 2011. Upon the expiry of the deadline, a Member had indicated intention to speak on the Notice at the Council meeting. As such, she would move a motion in her capacity as Chairman of the House Committee to take note of the Report in relation to the Notice at the Council meeting of 8 June 2011.

13. In response to Dr Margaret NG's enquiry, the Chairman said that the speaking time limit was 15 minutes for each Member at the debate.

**(b) Questions**

*(LC Paper No. CB(3) 817/10-11)*

14. The Chairman informed Members that she had given up an oral question slot which had been allocated to Mr WONG Yuk-man, and Dr LAM Tai-fai had replaced his oral question.

**(c) Bills - First Reading and moving of Second Reading**

**Legislative Council (Amendment) Bill 2011**

15. The Chairman said that the Administration had given notice to present the above Bill to the Council on 8 June 2011. The House Committee would consider the Bill at its next meeting on 10 June 2011.

**(d) Members' motions**

**Proposed resolution to be moved by Hon James TO Kun-sun under section 34(4) of the Interpretation and General Clauses Ordinance relating to the Professional Accountants (Amendment) Bylaw 2011**

*(Wording of the proposed resolution issued vide LC Paper No. CB(3) 832/10-11 dated 2 June 2011.)*

16. The Chairman said that Mr James TO, Chairman of the relevant Subcommittee, would move a motion at the Council meeting to extend the scrutiny period of the Bylaw to 6 July 2011.

## **VI. Business for the Council meeting of 15 June 2011**

### **(a) Questions**

*(LC Paper No. CB(3) 816/10-11)*

17. 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) Guardianship of Minors (Amendment) Bill 2011**

**(ii) Supplementary Appropriation (2010-2011) Bill**

**(iii) Copyright (Amendment) Bill 2011**

18. The Chairman said that the Administration had given notice to present the above three Bills to the Council on 15 June 2011. The House Committee would consider these Bills at its meeting on 17 June 2011.

### **(c) Bills - resumption of debate on Second Reading, Committee Stage and Third Reading**

**(i) Dutiable Commodities (Amendment) Bill 2011**

**(ii) Residential Care Homes (Persons with Disabilities) Bill**

**(iii) Motor Vehicles (First Registration Tax) (Amendment) Bill 2011**

19. The Chairman said that the relevant Bills Committees on the above three Bills had reported to the House Committee at the last meeting. Members did not raise objection to the resumption of the Second Reading debates on these Bills.

### **(d) Government motion**

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

(e) **Members' motions**

- (i) **Motion on "Perfecting tree management system"**  
(Wording of the motion issued vide LC Paper No. CB(3) 833/10-11 dated 2 June 2011.)
- (ii) **Motion on "Moral and National Education Curriculum"**  
(Wording of the motion issued vide LC Paper No. CB(3) 834/10-11 dated 2 June 2011.)

21. The Chairman said that the above motions would be moved by Miss Tanya CHAN and Mr Albert HO respectively and the wording of the motions had been issued to Members.

22. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 8 June 2011.

Report on study of subsidiary legislation

23. The Chairman invited Members to note the list of subsidiary legislation tabled at the meeting, the scrutiny period of which would expire on 15 June 2011. The list contained 21 items of subsidiary legislation. Members who wished to speak on the subsidiary legislation should indicate their intention by 5:00 pm on Tuesday, 7 June 2011.

**VII. Report of Bills Committees and subcommittees**

**Report of the Bills Committee on Motor Vehicles (First Registration Tax) (Amendment) Bill 2011**

*(LC Paper No. CB(1) 2344/10-11)*

24. The Chairman said that Mr WONG Ting-kwong, Chairman of the Bills Committee, had made a verbal report at the last House Committee meeting. She invited Members to note the written report of the Bills Committee.

25. Members did not raise any queries on the report.

**VIII. Position on Bills Committees and subcommittees**

*(LC Paper No. CB(2) 1924/10-11)*

26. The Chairman said that there were 16 Bills Committees, nine subcommittees under the House Committee (i.e four subcommittees on subsidiary legislation, two subcommittees on policy issues and three subcommittees on other Council business) and nine subcommittees under Panels in action.

27. There being no other business, the meeting ended at 2:40 pm.

Council Business Division 2  
Legislative Council Secretariat  
8 June 2011