

立法會
Legislative Council

LC Paper No. CB(2)2792/11-12
(These minutes have been seen
by the Administration)

Ref : CB2/PL/SE

Panel on Security

Minutes of meeting
held on Tuesday, 6 December 2011, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

- Members present** : Hon James TO Kun-sun (Chairman)
Hon LAU Kong-wah, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Dr Hon Margaret NG
Hon CHEUNG Man-kwong
Hon WONG Yung-kan, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon CHIM Pui-chung
Hon Cyd HO Sau-lan
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Hak-kan
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP
Dr Hon PAN Pey-chyou
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon WONG Yuk-man
- Member attending** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
- Members absent** : Dr Hon Philip WONG Yu-hong, GBS
Hon Abraham SHEK Lai-him, SBS, JP

**Public Officers : Item IV
attending**

Miss Shirley YUNG Pui-man
Deputy Secretary for Security 2

Miss Bella MUI Bun-ngar
Principal Assistant Secretary for Security (B)

Mr LAI Man-hin, FSDSM
Deputy Director of Fire Services

Mr LO Siu-hang, FSMSM
Assistant Director (Headquarters)
Fire Services Department

Mr MAK Kwok-sum
Senior Divisional Officer (Information Technology
Management Unit)
Fire Services Department

Item V

Miss Shirley YUNG Pui-man
Deputy Secretary for Security 2

Miss Bella MUI Bun-ngar
Principal Assistant Secretary for Security (B)

Mr LAM Kwok-leung
Assistant Commissioner of Correctional Services
(Operations)

Mr CHAN Chi-hung
Departmental Transport Officer
Correctional Services Department

Mr LEUNG Man-chiu
Senior Maintenance Manager
Marine Department

Mr YU Ying-wai
Senior Surveyor of Ships / Government New
Construction
Marine Department

Item VI

Miss Shirley YUNG Pui-man
Deputy Secretary for Security 2

Mr David WONG Fuk-loi
Director (Contingency Plan)
Security Bureau

Ms Eunice CHAN Hau-man
Deputy Director (Contingency Plan) 2
Security Bureau

Mr Donald NG Man-kit
Principal Assistant Secretary for the Environment
(Energy)

Dr Liza TO May-kei
Principal Medical & Health Officer
Department of Health

Mr CHENG Kit-man
Senior Physicist
Department of Health

Mr Edwin LAI Sau-tak
Acting Assistant Director of the Hong Kong
Observatory (Radiation Monitoring and
Assessment)

Mr CHAN Ka-chung
Chief Electrical and Mechanical Engineer /
Electricity Legislation
Electrical and Mechanical Services Department

Professor LEE Chack-fan
Vice Chairman, Nuclear Safety Consultative
Committee of the Daya Bay Nuclear Power
Station and Lingao Nuclear Power Station

Clerk in attendance : Mr Raymond LAM
Chief Council Secretary (2) 1

Staff in attendance : Ms Connie FUNG
Senior Assistant Legal Adviser 1

Ms Rita LAI
Senior Council Secretary (2) 1

Ms Kiwi NG
Legislative Assistant (2) 1

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The Chairman referred to the discussion at the Panel meeting on 5 December 2011 on the proposal for seeking the approval of the House Committee for the priority allocation of a debate slot to the Panel Chairman for moving a motion at the Council meeting to note the Annual Report 2010 to the Chief Executive by the Commissioner on Interception of Communications and Surveillance ("the Commissioner") so as to urge the Administration to introduce the relevant legislative amendment. He reminded members that the proposal would be further discussed under the last agenda item and a quorum would be required if a voting was needed on the proposal.

I. Confirmation of minutes of previous meeting
(LC Paper No. CB(2)445/11-12)

2. The minutes of the special meeting held on 17 October 2011 were confirmed.

II. Information papers issued since the last meeting
(LC Paper Nos. CB(2)405/11-12(01), CB(2)413/11-12(01) and CB(2)482/11-12(01))

3. Members noted that the following papers had been issued since the last meeting -

- (a) submission from a member of the public regarding merging of the methadone clinics of the Department of Health and the substance abuse clinics of the Hospital Authority;
- (b) Administration's information on the contractual disputes between the Government and a contractor on defective fire rescue hydraulic platforms; and

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- (c) referral from the Public Complaints Office regarding immigration arrangements for Mainland single mothers visiting Hong Kong to take care of their children in Hong Kong.

Referring to item (c) above, the Chairman said that the issue had been considered by the Subcommittee to Study Issues Relating to Mainland-HKSAR Families under the Panel on Welfare Services.

III. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)447/11-12(01) and (02))

Regular meeting in January 2012

- 4. Members agreed that the following items be discussed at the regular meeting at 2:30 pm on 3 January 2012 -
 - (a) Creation of a new rank of Assistant Aircraft Engineer in the Engineering Section of the Government Flying Service;
 - (b) Replacement of one high speed pursuit craft of the Customs and Excise Department; and
 - (c) Results of study of matters raised in the Annual Report 2010 to the Chief Executive by the Commissioner on Interception of Communications and Surveillance.

Special meeting on 17 January 2012

- 5. The Chairman reminded members that a special meeting of the Panel would be held on Tuesday, 17 January 2012 at 2:30 pm to receive the Commissioner of Police's briefing on the crime situation in 2011.
- 6. Members noted that the Administration would be requested to provide an incident report of the No. 4 alarm fire which broke out at the hawker stalls at Fa Yuen Street of Mong Kok in the early morning of 30 November 2011.

(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(2)674/11-12(01) on 22 December 2011.)

IV. Development of asset management and maintenance system in the Fire Services Department

(LC Paper Nos. CB(2)447/11-12(03) and (04))

7. At the invitation of the Chairman, Deputy Secretary for Security ("DS for S") briefed members on the development of asset management and maintenance system ("AMMS") in the Fire Services Department ("FSD") as detailed in the Administration's paper.

8. Mr CHAN Hak-kan expressed support in principle for the development of AMMS in FSD. He enquired about the manpower savings arising from the implementation of the proposed AMMS and whether it would enable the process for stock replenishment to be expedited. He further asked about the time to be shortened in the procurement of fire-fighter uniform.

9. Deputy Director of Fire Services ("DDFS") responded as follows -

- (a) the procurement of AMMS would enable the streamlining part of the procedures, in particular those involving repetitive data entry, and reduce the workload of frontline staff. Regarding management, the barcode identification system would be introduced and the process of accurate identification of the stock items would be expedited. The system would result in manpower savings arising from work related to procurement planning, acquisition, inventory control, asset management and repair and maintenance for their assets and equipment. The savings in manpower would be internally redeployed to strengthen the monitoring, checking and follow-up on procurement projects, and other support work;
- (b) the system would facilitate management decision by providing an alert for stock replenishment and facilitate planning in stock replenishment. Regarding new items of tools and uniforms, while information on the items still needed to be collected from the market, some procedures could be advanced and much time could be saved in the preparation of the tender as useful reference could be drawn from past exercises; and
- (c) it was expected that six months to one year could be saved in the acquisition of firefighting uniform if the expedited process was to be adopted.

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10. Referring to paragraph 3 of the Administration's paper, the Chairman enquired about the procurement work to be done manually and the details of savings in manpower.

11. In reply, DDFS said that 53 staff members helped with the procurement and management of the warehouse. A notional savings of \$6.541 million could be achieved per annum in terms of 116.92 man-months of various ranks whereas the number of staff members would remain unchanged. The manpower thus saved could be deployed to strengthen the monitoring and procurement work. DS for S supplemented that in response to members' previous comments on the procurement work in FSD, a management study had been conducted by the Efficiency Unit ("EU") for FSD on procurement and related management issues. The acquisition of AMMS was one of the recommendations to address the related issues.

12. The Chairman queried whether there would be any actual savings in manpower. In reply, DDFS referred to the management study of EU which recommended that an integrated computer system in FSD be acquired to streamline the procurement procedures and enhance efficiency. The resulting savings in manpower could be deployed to perform other work. As procurement work was not well-developed previously, manpower would still be needed for data entry. It was expected that the acquisition of the system could bring significant improvement to the monitoring and planning of the procurement work.

13. In response to Ms Emily LAU's question about how a shortened time for stock replenishment could be achieved, DDFS explained that it could be achieved through advancing part of the procurement procedures prior to the approval of relevant funding. The system would enable enhancement in efficiency, planning strategy and monitoring work. Ms LAU held the view that the advancement of specific procurement procedures was not related to the acquisition of the new system.

14. Ms Emily LAU enquired about the efficacy of the new system which required a funding support of around \$49 million and expressed concern about whether the acquisition of the system would meet the requirement of EU. DDFS said that the acquisition of AMMS was proposed in response to one of the 11 recommendations following the management study conducted by EU in order to enhance the efficiency of the procurement work. There were regular monthly meetings between staff of FSD and EU on the progress of making improvement to the procurement work.

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15. Ms Emily LAU queried why the Administration's proposal would not result in any actual savings in manpower. She queried about the benefits of AMMS. DDFS said that a total of 15 man-months could be saved. DS for S supplemented that the acquisition of such an integrated computer system was necessary for better asset management in FSD as it had been difficult for FSD to monitor the effectiveness of procurement and inventory control of some 19 000 types of assets. The savings in manpower were required to implement the different recommendations of EU. In addition, the staff association of FSD had pointed out the insufficient manpower for procurement work. A task force would be established to undertake the procurement work which was previously handled by staff of different units in FSD.

16. Mr CHEUNG Man-kwong expressed concern about the justification for the funding proposal. He expressed concern that the annual savings of around \$3.14 million could be achieved only after investing around \$52 million in non-recurrent expenditure for a computer system that might become obsolete in less than ten years. He also expressed concern that the proposal would not result in any savings in manpower.

17. DDFS responded that the proposal would facilitate better stock management, planning, maintenance and the monitoring of the maintenance services provided by contractors. The savings in manpower would be deployed for improvement in other areas identified in EU's management study.

18. Dr PAN Pey-chyou referred to the ongoing legal proceedings regarding the contractual disputes between the Government and a contractor on defective fire rescue hydraulic platforms manufactured in France. Dr PAN enquired whether the acquisition of AMMS could prevent the recurrence of similar incidents.

19. DDFS said that information on past procurement exercises would be stored in the new system and such information could be retrieved for reference in the preparation of tender in future. With the implementation of the new system, including the barcode identification technology, there would be updated, systematic and accurate information for inventory control.

20. Dr PAN Pey-chyou asked whether the acquisition of AMMS would facilitate FSD to address the problem of the purchased items becoming outdated because of the long process of procurement. In response, DDFS pointed out that the proposed system would expedite the process of

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procurement with advancement of specific procurement procedures and therefore the problem could be better addressed.

21. Mr LEUNG Kwok-hung enquired whether additional manpower would be required if AMMS was not to be developed. DDFS replied in the positive and said that 116.92 man-months could be saved which could be deployed for non-computerized work, including monitoring, procurement and asset management.

Admin

22. The Chairman requested the Administration to revert to the Panel on the detailed benefits of the implementation of AMMS, including the quantitative and qualitative benefits or improvements and explain with examples the strengthening of monitoring work.

V. Replacement of the departmental launch "Seaward" of the Correctional Services Department
(LC Paper No. CB(2)447/11-12(05))

23. At the invitation of the Chairman, DS for S briefed members on the proposal to replace the existing departmental launch "Seaward" of the Correctional Services Department ("CSD") as detailed in the Administration's paper.

24. Mr WONG Yung-kan expressed support for the proposed replacement of the existing departmental launch "Seaward" in view of the increasing maintenance cost. Referring to the implementation timetable for the replacement, Mr WONG sought clarification on the time required for the construction of a new vessel. He asked whether consideration would be given to installing solar panel on the new vessel so as to save energy, and the length and breadth of the proposed new vessel.

25. Senior Surveyor of Ships/Government New Construction of Marine Department clarified that the construction of a new vessel would last from September 2012 to July 2013 and the vessel would be delivered in August 2013 after a test had been conducted. He confirmed that there should not be problems with the installation of solar panels on the new vessel though the electricity so generated would not be much.

Admin

26. The Chairman requested the Administration to provide information on the installation of solar panels, and the dimensions of the proposed departmental launch in its paper to be submitted to the Finance Committee.

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27. The Chairman enquired the number of correctional institutions on outlying islands and the number of male persons in custody and the frequency of conveyance of these persons.

28. Assistant Commissioner of Correctional Services (Operations) ("AC/CS(Ops)) responded that the average daily number of male persons in custody conveyed by "Seaward" was 37. Excluding annual maintenance period, Sundays, public holidays and days of bad weather, it performed transport duties for about 230 days per year.

29. In response to the Chairman's question about the security devices on the vessel, AC/CS(Ops) said that consideration had been given to striking a balance between the needs for security arrangement and availability of resources. The new vessel would be installed with closed circuit television and electronic locking systems which would enhance the efficiency of the operation and strengthen the security of the cells. In case of emergency, CSD would communicate with the Police in respect of the delivery of persons which required high security grading. The vessel would be equipped with the security devices necessary for conveyance of Category A persons in custody of high security grading (i.e. those sentenced to 12 years or above) and those required to be segregated.

30. Referring to the conveyance of mainly male adult persons in custody by "Seaward", Ms Emily LAU enquired whether there were female inmates in custody in the correctional institutions on outlying islands. She also asked about the country where the vessel would be constructed.

31. AC/CS(Ops) explained that there was an established policy of separate conveyance of male and female persons in custody. There were two departmental launches in CSD. The departmental "Seaward" was mainly used for conveyance of adult male persons in custody while another departmental launch was mainly used for conveyance of female persons in custody and young inmates. Regarding the country where the vessel would be constructed, DS for S replied that global tendering would be conducted in accordance with the World Trade Organization Agreement on Government Procurement.

32. In response to Ms Emily LAU's question about the number and the type of female persons in custody on Hei Ling Chau and Lantau Island and the number of years of service of "Seaway", AC/CS(Ops) said that there was no female persons in custody on Lantau Island. The Nei Kwu Correctional Institution on Hei Ling Chau was for female prisoners and

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drug addicts and its capacity was 236. The departmental launch "Seaway" had been in service since 1996. Ms Emily LAU requested the Administration to include all these information in the submission to the Finance Committee.

33. The Chairman concluded that members were in support of the Administration's submission of the proposal to the Finance Committee for consideration.

VI. Review proposals of the Daya Bay Contingency Plan

(LC Paper Nos. CB(2)224/11-12(01), CB(2)447/11-12(06) to (07) and FS05/11-12)

34. Members noted the submissions from Greenpeace and 大亞灣民間監察會, which were tabled at the meeting.

(Post-meeting note: The submissions tabled at the meeting were issued to members vide LC Paper No. CB(2)504/11-12 on 6 December 2011.)

35. At the invitation of the Chairman, DS for S briefed members on the review proposals of the Daya Bay Contingency Plan ("DBCP") as detailed in the Administration's papers. Senior Physicist of the Department of Health ("SP/DH") presented the details on the intervention levels as recommended by the Radiological Protection Advisory Group appointed by DH from 1990, which involved the protective actions to be taken to avert the radiation dose to protect public health and safety. He pointed out that reference had been made to the latest safety standards of the International Atomic Energy Agency ("IAEA") after the Fukushima accident as referred to in paragraph 4 of the fact sheet prepared by the Legislative Council Secretariat.

36. Mr CHAN Hak-kan queried about the Administration's decision on maintaining the maximum range of 20 km from the nuclear power stations in Daya Bay as the Emergency Planning Zone ("EPZ") 1 of Hong Kong instead of 30 km which was considered as more effective following the Fukushima incident. He enquired whether the Administration had made reference to the overseas practice in this respect.

37. Director (Contingency Plan) of Security Bureau ("D/CP") replied that EPZ1 for Hong Kong had been established on the basis of a consultancy study undertaken by the United Kingdom Atomic Energy Authority ("UKAEA") on risk assessment and contingency planning with

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reference to the latest international safety standard and practices. Depending on the model of the nuclear facilities and the installation time, there were different considerations of the risk level. Unlike the design of the boiling water reactor in the nuclear plant in the Fukushima incident, pressurized water reactor was used in the Daya Bay nuclear power plants. A review had been conducted after the Fukushima incident. As there were no material and significant changes, there were no revisions to the EPZ1 up to 20 km.

38. Mr CHAN Hak-kan asked about the EPZs of those countries having reactors in the nuclear plants which were of similar types to those used in the western countries. In reply, D/CP referred to the size of the EPZs of other places given in the Appendix to Annex C of the Administration's paper (LC Paper No. CB(2)224/11-12(01)) and pointed out that the setting up of EPZ1 of Hong Kong with a radius of 20 km was in line with the maximum range of EPZs of these places with the exception of Hungary where the reactor was of Russian type (which was different from the French design of reactor for the Daya Bay nuclear power plants and therefore there might be different considerations). He stressed that the emergency preparedness was based on scientific justifications, risk assessment and the planning and use of resources available.

39. Dr PAN Pey-chyou asked about the maximum ranges of respective coverage in Hong Kong of EPZs with radii of 20 km and 30 km. He queried whether the establishment of a lower standard of EPZ1 for Hong Kong as compared to international practice was due to difficulties in the evacuation of massive people. He enquired whether there was communication with the Mainland authorities about the evacuation plan, in particular the location to which people in Hong Kong could evacuate in case of nuclear emergency. He also asked about the emergency evacuation plan for pregnant women and new born babies and their parents in case of a nuclear emergency.

40. DS for S responded that the size of an urgent protective zone ("UPZ") as recommended by IAEA around a specific nuclear facility were subject to site specific analysis of the risk and practical circumstances. The radius of UPZ might fall somewhere within a range of five to 30 km. It was noted that a majority of countries had set the radii of UPZ within 20 km. The prevailing EPZ1 of up to 20 km for Hong Kong in DBCP had been reviewed critically with renewed and up-to-date risk considerations and parameters in the ongoing review exercise.

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41. D/CP said that a EPZ with a radius of 20 km would cover the water area near Tai Pang Wan, whereas a EPZ with a radius of 30 km would cover additionally a small part of Sai Kung Country Park and Plover Cove Reservoir. For the latter, it would involve an additional 1 000 residents. The Chairman requested the Administration to provide information about the Administration's contingency plans for evacuation up to a 30 km radius from Daya Bay.

(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(2)1291/11-12(01) on 6 March 2012.)

42. DS for S confirmed that there was communication between the Mainland authorities under the existing notification system but not on the evacuation plan. SP/DH advised that there was no difference in the evacuation plan for adults, pregnant women and new born babies in case of nuclear emergency according to IAEA's generic criteria.

43. Apart from making reference to the international standards which might be set decades ago, the Deputy Chairman considered that the Administration should also take into account the concerns of members of the public when insisting on the maintenance of a 20 km radius for EZP1. Given that only a small number of additional residents would be involved if EPZ1 was to be extended up to 30 km and the low probability of the outbreak of a nuclear incident, he urged the Administration to reconsider extending the EPZ radius to 30 km.

44. In response, DS for S reiterated that the Administration had examined the international standards and practices for nuclear contingency plans as generally accepted by the international community and updated the contingency plan for Hong Kong. According to international standards, evacuation was not the only most appropriate method. Sheltering and iodine thyroid blocking could also be adopted and measures would be taken in view of the circumstances as appropriate.

45. Mr LEUNG Kwok-hung said that Germany discontinued the use of nuclear energy after the Fukushima incident. He enquired whether the Administration would re-consider setting EZP1 up to a 30 km radius within Daya Bay and asked about the resources implication involved. In response, D/CP said that it would depend on the intervention levels and the seriousness of the nuclear incident. The Chairman strongly requested the Administration to re-consider extending the coverage of EPZ up to a 30 km radius within Daya Bay.

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46. Referring to the submission from Greenpeace, Ms Emily LAU queried why an effective dose of 100 mSv but not 50 mSv in the first seven days was adopted as the threshold for sheltering and evacuation.

47. SP/DH responded that according to the latest IAEA generic criteria recommended by the Radiological Protection Advisory Group, an effective dose of 100 mSv in the first seven days was the threshold for sheltering/evacuation, whereas an equivalent dose of 50 mSv in the first seven days was the threshold for iodine thyroid blocking. DS for S supplemented that the latest generic criteria for protective action and other response actions as published by IAEA had been followed.

48. Noting that some milk in Japan had been contaminated by nuclear elements, Mr CHAN Hak-kan enquired about the mechanism for monitoring food supply to Hong Kong in case of nuclear emergency.

49. Given that the Mainland was the important food source for Hong Kong, Ms Emily LAU enquired about the ingestion pathway countermeasures for food and water in case of nuclear emergency. D/CP responded that a range of 85 km covering the whole territory of Hong Kong had been set as EPZ2 with controls over food, live food animals and water imported from areas close to the nuclear power stations, locally produced or supplied. Following the Fukushima incident, random check of some 50 000 food samples from Japan had been conducted by the Centre for Food Safety of the Food and Health Bureau. As three samples had been found contaminated, a prohibition against food imported from four prefectures in Fukushima had been implemented. Similar prohibition against food produced near Daya Bay nuclear power stations would be implemented in the event of a nuclear emergency. Agreement had been made with the Mainland authorities to implement protective measures for export of food produced within 50 km of the nuclear power stations at Daya Bay to Hong Kong for food safety.

50. Ms Emily LAU expressed concern about the supply of food and water in case of a nuclear emergency at Daya Bay and the possible impact on Hong Kong. In response, D/CP said that while the Mainland was the most important source of food supply to Hong Kong, especially for fresh food items, only a small proportion of food imported from places in the vicinity of the Daya Bay nuclear power stations. Ms LAU requested the Administration to provide supplementary information on food supply during a nuclear emergency.

(Post-meeting note: The Administration's supplementary information on Emergency Planning Zones and food supply during

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emergency was issued to members vide LC Paper No. CB(2)1091/11-12 on 15 February 2012.)

51. Dr PAN Pey-chyou enquired about the likelihood of the occurrence in Hong Kong of an incident similar to the Fukushima nuclear incident. In response, DS for S advised that a nuclear incident similar to that in Fukushima would unlikely occur in Hong Kong in view of the different geography and design of the nuclear facility in Daya Bay. SP/DH supplemented that according to a risk assessment conducted by UKAEA in 1987, the probability of a nuclear emergency happening in Hong Kong similar to that in Fukushima would be around three incidents in 100 million years. With the improvement in the design of the nuclear facility in Daya Bay over the years, the probability might be lowered.

(Members agreed to extend the meeting to 5:00 pm.)

52. Mr CHEUNG Man-kwong referred to the Chernobyl and Fukushima nuclear disasters, which resulted in a number of deaths. He was of the view that the comparison of everyday risks of death, (including accidental death and fatal cancer) with those arising from the Daya Bay nuclear power stations as stated in the Administration's paper was meaningless and misleading. Based on Japan's experience, he pointed out that the safety design of the nuclear facility had been found vulnerable and the nuclear risk was unpredictable and would cause tragedy. Lesson should be learnt from the Fukushima incident. He enquired about the service life of the nuclear power stations at Daya Bay, in particular Lingao Nuclear Power Station and whether Hong Kong would continue the policy of using nuclear energy upon the expiry of their service life.

53. DS for S replied that in general the nuclear facilities would be used for 40 years. Principal Assistant Secretary for the Environment (Energy) advised that reviews would be conducted on the kinds of the energy to be used in Hong Kong with reference to international standards and those of other countries which were being reviewed following the Fukushima incident.

54. Ms Cyd HO considered that the energy policy of Hong Kong should be changed. She expressed concern about the food supply and the measures to be taken by the Administration to allay fears among members of the public in the event of a nuclear incident. DS for S responded that in relation to nuclear emergency planning, it was important to cover a range of reasonably foreseeable scenarios for prioritising deployment of defined resources. Regarding the food supply,

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the Administration had been communicating with the Mainland authorities and a review had been conducted. During an emergency the Mainland authorities would monitor food produced within a 50 km radius from the nuclear power stations in Daya Bay to prevent the export of contaminated food to Hong Kong. Similar gate-keeping measures would be implemented in Hong Kong. An emergency mechanism had been established to ensure steady supply of fresh food items to Hong Kong throughout the year and to address urgent needs in the event of emergency.

55. The Chairman said that a meeting would be scheduled for further discussion on the review proposals of the DBCP. He requested the Administration to provide supplementary information requested by members.

(Post-meeting note: The supplementary information provided by the Administration was issued to members vide LC Paper No. CB(2) 1291/11-12 on 6 March 2012.)

VII. Proposal to seek the agreement of the House Committee for the priority allocation of a debate slot to the Chairman of the Panel under Rule 14A(h) of the House Rules for moving a motion at a Council meeting to note the Annual Report 2010 to the Chief Executive by the Commissioner on Interception of Communications and Surveillance

56. The Chairman referred to Ms Emily LAU's proposal raised at the Panel meeting on 5 December 2011 that the Chairman move a motion at a Council meeting to note the Annual Report 2010 to the Chief Executive by the Commissioner.

57. Ms Emily LAU said that it would be important to convey a clear message to the Administration and members of the public that most Members agreed that the Interception of Communications and Surveillance Ordinance be amended to empower the Commissioner to listen to the intercept products. She was open to either discussing the legislative amendments at a Council meeting or moving a motion to note the Commissioner's Annual Report 2010 as suggested by the Chairman.

58. The Chairman explained that it would be more appropriate to move a neutral motion in view of the absence of detailed discussion on the subject and voting on the proposal by Panel members. Members might amend the motion at the Council meeting as appropriate.

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59. While expressing support for a neutral motion, the Deputy Chairman considered it more constructive if the debate could be held after the views of deputations, and the two legal professional bodies on the legislative amendments and the direction of the Administration's legislative proposals were available.

60. Noting that the item was scheduled for discussion at the next meeting on 3 January 2012, members agreed that, pending the provision of the requisite information by the Administration before the next meeting on 3 January 2012, the approval of the House Committee be sought for the priority allocation of a debate slot to the Chairman of the Panel for moving a motion at a Council meeting in early January 2012 to note the Annual Report 2010 to the Chief Executive by the Commissioner.

61. The meeting ended at 5:00 pm.

Council Business Division 2
Legislative Council Secretariat
19 September 2012