

立法會
Legislative Council

LC Paper No. CB(2)908/13-14

Ref : CB2/H/5/13

House Committee of the Legislative Council

**Minutes of the 15th meeting
held in Conference Room 1 of the Legislative Council Complex
at 4:04 pm on Friday, 7 February 2014**

Members present:

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)
Hon Ronny TONG Ka-wah, SC (Deputy Chairman)
Hon Albert HO Chun-yan
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, BBS, MH
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHAN Hak-kan, JP
Hon CHAN Kin-por, BBS, JP
Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man
Hon Claudia MO
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH

Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon Charles Peter MOK
Hon CHAN Chi-chuen
Hon CHAN Han-pan
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Hon Dennis KWOK
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, JP
Hon TANG Ka-piu
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen

Members absent:

Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon LEUNG Yiu-chung
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon MA Fung-kwok, SBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
Hon Christopher CHEUNG Wah-fung, JP
Dr Hon Elizabeth QUAT, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon CHUNG Kwok-pan

Clerk in attendance :

Miss Flora TAI

Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Mrs Justina LAM	Deputy Secretary General
Mr Andy LAU	Assistant Secretary General 1
Miss Odelia LEUNG	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
Ms Dora WAI	Principal Council Secretary 1
Ms Emily PANG	Chief Public Information Officer
Ms Amy YU	Chief Council Secretary (2)6
Mr Kelvin LEE	Assistant Legal Adviser 1
Mr Anthony CHU	Senior Council Secretary (1)6
Mr Jove CHAN	Senior Council Secretary (2)2
Miss Josephine SO	Senior Council Secretary (2)6
Miss Jasmine TAM	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

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I. Confirmation of the minutes of the 14th meeting held on 24 January 2014

(LC Paper No. CB(2)803/13-14)

The minutes were confirmed.

II. Matters arising

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

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

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III. Legal Service Division report on subsidiary legislation gazetted on 30 January 2014

(LC Paper No. LS25/13-14)

3. At the invitation of the Chairman, Legal Adviser briefed Members on the Legal Service Division report on the two items of subsidiary legislation (i.e. L.N. 15 and L.N. 16) which were gazetted on 30 January 2014 and would be tabled in Council on 12 February 2014.

4. Members did not raise any questions on the two items of subsidiary legislation.

5. The Chairman reminded Members that the deadline for amending the subsidiary legislation was the Council meeting of 26 February 2014.

IV. Business for the Council meeting of 12, 13 and 14 February 2014

(a) Questions

(LC Paper No. CB(3)358/13-14)

6. The Chairman informed Members that 22 written questions had been scheduled for the meeting.

(b) Members' motions

(i) Proposed resolution to be moved by Hon Cyd HO under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Air Pollution Control (Marine Light Diesel) Regulation

(Wording of the proposed resolution issued vide LC Paper No. CB(3)364/13-14 dated 7 February 2014)

7. The Chairman said that Ms Cyd HO, Chairman of the Subcommittee on the above Regulation, would move a proposed resolution at the Council meeting to extend the scrutiny period of the Regulation to the Council meeting of 19 March 2014.

(ii) Motion of Thanks to be moved by Hon Andrew LEUNG
(Wording of motion issued vide LC Paper No. CB(3)354/13-14 dated 28 January 2014)

8. The Chairman said that he, as Chairman of the House Committee ("HC"), would move the above motion at the Council meeting.

V. Business for the Council meeting of 19 February 2014

(a) Questions

(LC Paper No. CB(3)357/13-14)

9. The Chairman said that 22 questions (six oral and 16 written) had been scheduled for the meeting.

(b) Bills - First Reading and moving of Second Reading

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

(c) Government motion

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

(d) Members' motions

(i) Motion to be moved by Hon MA Fung-kwok

12. The Chairman said that the subject of the motion to be moved by Mr MA Fung-kwok was "Evaluating the effectiveness of the policy on 'promoting sports in the community, supporting elite sports and developing Hong Kong into a prime destination for hosting major international sports events' and formulating a long-term sports policy". The wording of the motion had been issued to Members.

(ii) Motion on "Encouraging the return of the industrial sector for development to make Hong Kong's industries more diversified" to be moved by Hon CHUNG Kwok-pan

(Wording of the motion issued vide LC Paper No. CB(3)363/13-14 dated 6 February 2014.)

13. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above two motions was Wednesday, 12 February 2014.

Report of HC on Consideration of Subsidiary Legislation

14. The Chairman invited Members to note the list containing eight items of subsidiary legislation tabled at the meeting (LC Paper No. CB(3)362/13-14), the period for amendment of which would expire at the Council meeting of 19 February 2014. He reminded Members to indicate their intention by 12:00 midnight on Tuesday, 11 February 2014 should they wish to speak on the subsidiary legislation.

VI. Reports of Bills Committees and subcommittees

(a) Report of the Bills Committee on Stamp Duty (Amendment) Bill 2012

(LC Paper No. CB(1)838/13-14)

15. Ms Starry LEE, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Ms LEE informed the meeting that she, as Chairman of the Bills Committee, would move on behalf of the Bills Committee various Committee stage amendments ("CSAs") to the Bill relating to, among others, the arrangements for exemption from the Buyer's Stamp Duty and inclusion of a sunset clause to the Bill. Mr James TO and Mr Dennis KWOK had also indicated their intention to move CSAs to the Bill respectively. Furthermore, the Administration would also move CSAs to the Bill. Members noted that the Bills Committee did not object to the resumption of the Second Reading debate on the Bill at the Council meeting of 19 February 2014.

16. The Chairman reminded Members that the deadline for giving notice of CSAs, if any, was Monday, 10 February 2014.

(b) Report of the Subcommittee on Antiquities and Monuments (Declaration of Historical Buildings) (No. 2) Notice 2013

17. On behalf of Dr KWOK Ka-ki, Chairman of the Subcommittee, Mr Gary FAN made a verbal report on the deliberations of the Subcommittee. Mr FAN said that the Subcommittee supported the Notice, which sought to declare Fat Tat Tong at Sha Tau Kok and Tat Tak Communal Hall at Ping Shan, Yuen Long, to be historical buildings and provide them with statutory protection under the Antiquities and Monuments Ordinance (Cap. 53) ("the Ordinance").

18. Mr Gary FAN further said that the Subcommittee noted that Fat Tat Tong was the first statutory historical building which was still being used as a residence and the costs for its restoration and maintenance works would be borne by public funds. Members of the Subcommittee expressed concern about the arrangements for public access to Fat Tat Tong and how the Administration would ensure that the owners of the building would follow such arrangements. The Subcommittee was also concerned that under the existing Ordinance, emphasis was put on the conservation of a specific historical building, rather than that of its surrounding areas. The Subcommittee considered that the Administration should adopt a dot-line-plane approach in heritage conservation and expand the scope of conservation from individual heritage buildings to streets and surrounding areas, as well as enhance

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the cross-departmental coordination work involved. The Subcommittee hoped that the Chairman of HC would convey members' concerns about the heritage conservation policy to the Chief Secretary for Administration for consideration.

19. The Chairman said that as heritage conservation fell within the policy purview of the Development Bureau, it was more appropriate for the Subcommittee to refer the relevant policy issues raised by members to the Panel on Development for follow-up. Members agreed.

20. The Chairman reminded Members that as the deadline for amending the Notice was the Council meeting of 26 February 2014, the deadline for giving notice of amendments, if any, was Wednesday, 19 February 2014.

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)804/13-14)

21. The Chairman said that as at 6 February 2014, there were eight Bills Committees, six subcommittees under HC and eight subcommittees on policy issues under Panels in action. Four subcommittees on policy issues were on the waiting list.

VIII. Any other business

22. There being no other business, the meeting ended at 4:13 pm.