

立法會
Legislative Council

LC Paper No. CB(2)1205/15-16

(These minutes have been
seen by the Administration)

Ref : CB2/SS/3/15

**Subcommittee on Smoking (Public Health) Ordinance
(Amendment of Schedule 2) Order 2015**

**Minutes of the fourth meeting
held on Tuesday, 15 March 2016, at 4:45 pm
in Conference Room 2B of the Legislative Council Complex**

Members present : Hon SIN Chung-kai, SBS, JP (Chairman)
Hon WONG Ting-kwong, SBS, JP
Hon James TIEN Pei-chun, GBS, JP
Dr Hon KWOK Ka-ki

Members absent : Hon Alan LEONG Kah-kit, SC
Hon Albert CHAN Wai-yip
Hon KWOK Wai-keung
Dr Hon Helena WONG Pik-wan

Public Officers attending : Professor Sophia CHAN Siu-chee, JP
Under Secretary for Food and Health
Food and Health Bureau

Ms Wendy AU Wan-sze
Deputy Secretary for Food and Health (Health) 2 (Acting)
Food and Health Bureau

Dr Sarah CHOI Mei-yee, JP
Assistant Director of Health (Special Health Services)
Department of Health

Dr Jeff LEE Pui-man
Head (Tobacco Control Office)
Department of Health

Clerk in attendance : Ms Maisie LAM
Chief Council Secretary (2) 5

Staff in attendance : Mr Alvin CHUI
Assistant Legal Adviser 3

Ms Priscilla LAU
Council Secretary (2) 5

Ms Louisa YU
Legislative Assistant (2) 5

Action

I. Meeting with the Administration

[File Ref: L.N. 237 of 2015, Legislative Council Brief issued by the Food and Health Bureau and the Department of Health in December 2015, LC Paper Nos. CB(2)564/15-16(02), CB(2)719/15-16(02), CB(2)875/15-16(01) and CB(2)1078/15-16(01) to (02)]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. Members expressed strong dissatisfaction that despite members' request for having a direct discussion with the Government departments concerned, such as the Transport Department, at this meeting on the technical feasibility of various options to provide areas where smoking was not prohibited at the Shing Mun Tunnels Bus Interchange and the Cross-Harbour Tunnel Bus Interchange, representatives of the relevant Government departments did not attend the meeting.

3. Taking into consideration that discussion on the above subject, which was technical in nature, could not be held without the attendance of representatives of the relevant Government departments, the Chairman suggested that the Subcommittee should hold another meeting and request again the relevant Government departments to attend the meeting to answer questions from members. In the event that the relevant Government departments still declined to attend the meeting, the Subcommittee should write to the Chief Secretary for Administration conveying the Subcommittee's dissatisfaction on the matter. Members raised no objection.

Action

II. Any other business

4. The Chairman said that the Clerk would follow up with the Administration on the arrangements for the next meeting and members would be informed of the details in due course. The Administration said that it hoped that the meeting could be held before the commencement date of the Smoking (Public Health) Ordinance (Amendment of Schedule 2) Order 2015 which, as gazetted, was 31 March 2016.

(Post-meeting note: With the concurrence of the Chairman, the fifth meeting of the Subcommittee has been scheduled for 30 March 2016 at 4:30 pm.)

5. There being no other business, the meeting ended at 4:57 pm.

Council Business Division 2
Legislative Council Secretariat
1 April 2016

**Proceedings of the fourth meeting of the
Subcommittee on Smoking (Public Health) Ordinance
(Amendment of Schedule 2) Order 2015
on Tuesday, 15 March 2016, at 4:45 pm
in Conference Room 2B of the Legislative Council Complex**

Time marker	Speaker	Subject(s)/Discussion	Action required
<i>Agenda item I: Meeting with the Administration</i>			
000329 - 001329	Chairman Admin Dr KWOK Ka-ki Mr James TIEN	<p>The Chairman and Dr KWOK Ka-ki's expression of strong dissatisfaction with the non-attendance of representatives of the relevant Government departments at the meeting to answer questions from members on the feasibility of the various options to provide at the Cross Harbour Tunnel Bus Interchange and the Shing Mun Tunnels Bus Interchange areas where smoking was not prohibited.</p> <p>The Chairman and Mr James TIEN's enquiry about the reasons why the relevant Government departments did not attend the meeting.</p> <p>The Administration's response that the Government departments concerned, such as the Transport Department, had provided technical advice on the feasibility of members' suggestions of setting up at the bus interchanges concerned areas where smoking was not prohibited, details of which were set out in paragraphs 2 and 3 of the Administration's paper (LC Paper No. CB(2)1078/15-16(02)). Since the Food and Health Bureau ("FHB") was the policy bureau responsible for tobacco control policy, it was better-positioned to address the various issues of concern raised by the Subcommittee on the designation of statutory no smoking areas at the bus interchanges located at the portal area of eight tunnels. FHB would review the implementation of the said designated non-smoking areas after 12 months and, where necessary, seek the advice from the relevant Government departments.</p> <p>The Chairman's view that discussion on the subject could not be held without the attendance of representatives of the relevant Government departments. Against the above, the Subcommittee should hold another meeting and request again the relevant Government departments to attend the meeting. In the event that the relevant Government departments still declined to attend the meeting, the Subcommittee should write to the Chief Secretary for Administration conveying its dissatisfaction on the matter. Members raised no objection.</p>	
<i>Agenda item II: Any other business</i>			
001330 - 001347	Chairman Admin	Date of next meeting	