

立法會
Legislative Council

LC Paper No. CB(2)458/17-18

Ref : CB2/H/5/17

House Committee of the Legislative Council

**Minutes of the 7th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 1 December 2017**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon Dennis KWOK Wing-hang (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung, JP

Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho

Members absent :

Hon James TO Kun-sun
Hon Abraham SHEK Lai-him, GBS, JP
Hon SHIU Ka-chun

Clerk in attendance :

Miss Flora TAI

Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
Ms Connie FUNG	Legal Adviser
Miss Odelia LEUNG	Deputy Secretary General
Ms Anita SIT	Assistant Secretary General 1
Ms Dora WAI	Assistant Secretary General 3
Mr Matthew LOO	Assistant Secretary General 4
Mr Timothy TSO	Senior Assistant Legal Adviser 1
Mr YICK Wing-kin	Senior Assistant Legal Adviser 2
Mr Kelvin LEE	Senior Assistant Legal Adviser 3
Ms Amy YU	Principal Council Secretary 1
Ms Hallie CHAN	Head (Public Information)
Ms Alice LEUNG	Chief Council Secretary (2)6
Mr Bonny LOO	Assistant Legal Adviser 4
Ms Wendy KAN	Assistant Legal Adviser 6
Ms Clara TAM	Assistant Legal Adviser 9
Mr Richard WONG	Senior Council Secretary (2)6
Ms Jasmine TAM	Senior Council Secretary (2)8
Miss Connie AU	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 minutes of meeting

Minutes of 6th meeting held on 24 November 2017
(LC Paper No. CB(2)412/17-18)

The minutes were confirmed.

II. Matters arising

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

2. The Chairman said that she had relayed to the Chief Secretary for Administration ("CS") the views and concerns raised by various Members at the last House Committee ("HC") meeting. CS had responded that it was not that the Administration did not wish to take legislative work forward, but the Administration was caught in a dilemma at present. Individual Members of the non-establishment camp had publicly indicated that they would obstruct the proposed amendments to the Rules

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of Procedure ("RoP") by way of filibustering, thus leading to a situation that any legislative proposals introduced by the Administration at the present stage would not yield any substantial results. CS hoped that Members would understand the difficulties encountered by the Administration, and he also genuinely hoped that Members of different parties and political groupings could reach a consensus on the work in respect of amending RoP as soon as possible, so that the work of the Legislative Council ("LegCo") would go forward.

3. Mr Jeremy TAM said that CS should have long been aware that LegCo would need to deal with the proposals to amend RoP. While CS had publicly indicated earlier that the Administration would continue to introduce bills into LegCo, he seemed to suggest in his latest response that the Administration would not do so given the current situation in the Council. Mr TAM requested the Chairman to inform CS at their next meeting that Members of the pro-democracy camp were strongly dissatisfied that CS had gone back on his words.

4. Dr KWOK Ka-ki considered that CS should have condemned Members of the pro-establishment camp for pushing through their proposed amendments to RoP while six Members of the pro-democracy camp had been disqualified from office. Dr KWOK further said that CS should be well aware that withholding the introduction of bills into LegCo to facilitate LegCo's handling of amendments to RoP proposed by Members of the pro-establishment camp would only have a detrimental effect on the relationship between the Executive Authorities and the Legislature. In his view, the Chairman should seek to make things right by advising Members of the pro-establishment camp to withdraw their proposed amendments to RoP and urging CS to introduce bills into LegCo for its scrutiny.

5. The Chairman said that while she did not agree with the views expressed by Dr KWOK Ka-ki, she would not debate such views with Dr KWOK at this meeting.

6. Ms Claudia MO commented that LegCo should condemn CS for arguing that the Administration was caught in a dilemma about whether to introduce bills into LegCo given the current situation in the Council. She stressed that matters relating to the proposed amendments to RoP were LegCo's internal business and they had nothing to do with the Administration. In her view, the Administration should introduce bills into LegCo as soon as ready.

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7. Mr WU Chi-wai considered that the Administration should not get involved in the current dispute between Members of the pro-democracy camp and Members of the pro-establishment camp over the proposed amendments to RoP and should introduce bills into LegCo in the usual manner. He urged the Administration not to withhold the introduction of bills into LegCo in a bid to facilitate the passage of amendments to RoP proposed by Members of the pro-establishment camp, as doing so would completely ruin the relationship between the Executive Authorities and the Legislature.

8. Mr HUI Chi-fung said that the Chairman should request CS to admit frankly that the Administration would not introduce bills into LegCo at the present stage because they had to facilitate LegCo's handling of amendments to RoP proposed by Members of the pro-establishment camp. Mr HUI also urged the Chairman to make it clear to CS that the current serious dispute in LegCo was mainly attributed to the attempt of the pro-establishment camp to amend RoP.

9. Mr CHEUNG Kwok-kwan said that it should be noted that not only Members of the pro-establishment camp but also Members of the pro-democracy camp had proposed various amendments to RoP. As it could be seen over the past two months that LegCo had taken much longer time than normal to complete the scrutiny procedures on uncontroversial government bill and proposed resolutions, he appreciated that the Administration was indeed caught in a dilemma about whether to introduce legislative proposals into LegCo at the present stage. In his view, any legislative proposals put forward by the Administration at the present stage would only be used as a tool by Members of the pro-democracy camp to obstruct the passage of the proposed amendments to RoP.

10. Mr KWOK Wai-keung said that while parliamentary assemblies of many places around the world all worked towards achieving greater efficiency in transacting their business, it was regrettable that the opposition camp in Hong Kong had sought to slow down the conduct of business by LegCo through frequent abuses of RoP. He stressed that making necessary amendments to RoP was the right course of action that must and would be taken by Members of the pro-establishment camp for the benefit of the community.

11. Using an analogy of a football match, Mr CHAN Chi-chuen commented that the Administration and Members of the pro-establishment camp were acting in concert to accomplish "the historic

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mission" of amending RoP. He requested the Chairman to inform CS at their next meeting that the scrutiny and passage of the legislative proposals which were to be introduced into LegCo after the passage of the proposed amendments to RoP would not be fast-tracked as the Administration had wished.

12. Mr Alvin YEUNG said that if Members of the pro-establishment camp were willing to withdraw their proposed amendments to RoP, Members of the pro-democracy camp would also withdraw their proposed amendments to RoP, thus resolving the dilemma faced by the Administration. On Mr KWOK Wai-keung's earlier remarks, Mr YEUNG considered that the public would not expect that efficiency in transacting its business should be the only concern of LegCo. Echoing Mr Alvin YEUNG's view, Mr Kenneth LEUNG pointed out that effectiveness in monitoring the Government's work should take precedence over efficiency in transacting its business in LegCo. Mr LAM Cheuk-ting expressed a similar view that LegCo should not compromise the quality of work in scrutinizing legislative proposals and only strive for efficiency.

13. Dr CHIANG Lai-wan said that both Members of the pro-establishment camp and Members of the pro-democracy camp had proposed amendments to RoP. She pointed out that the reason for Members of the pro-establishment camp to propose amendments to RoP was to avoid abuses of RoP by some Members. In her view, the Administration's act of not introducing any legislative proposals into LegCo was in fact a show of respect for LegCo.

14. Mr LEUNG Yiu-chung said that at the last HC meeting, he had requested the Chairman to ask CS to respond to his view regarding whether CS wished to improve the relationship between the Executive Authorities and the Legislature and, if CS wished, how CS would demonstrate CS's sincerity to do so. He asked whether the Chairman had conveyed his view and what was CS's response.

15. The Chairman responded that she had conveyed to CS the views and concerns expressed by Members at the last HC meeting and provided CS with a note prepared by the Secretariat which set out clearly such views and concerns. CS's response was that the Administration had all along sincerely hoped to improve the relationship between the Executive Authorities and the Legislature but the Administration was caught in a dilemma at present.

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16. Mr Steven HO said that putting himself in the position of the Administration, he would also choose not to introduce any legislative proposals into LegCo as LegCo had taken much longer time than normal to complete the scrutiny procedures on bills and subsidiary legislation recently. He added that he would condemn the Administration if it would introduce bills and subsidiary legislation into LegCo at the present stage given the current dispute over the proposed amendments to RoP.

17. The Chairman said that the dispute over the proposed amendments to RoP had been going on since the commencement of this session. Members who supported the proposed amendments to RoP and those who opposed the proposed amendments had different stance and had put forth their views about the matter. She would, as in the past, instruct the Secretariat to set out in writing the key views and concerns expressed by Members at this meeting and relay to CS at their next meeting. However, Members should understand that the Administration would have its own consideration on whether to introduce legislative proposals into LegCo given the current situation in the Council.

III. Further business for the Council meeting of 6 December 2017

Members' motions

(a) **Twelve proposed resolutions under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China to amend the Rules of Procedure to be moved by the following Members:**

- (i) **Hon Paul TSE**
- (ii) **Hon Alvin YEUNG**
- (iii) **Hon Tanya CHAN**
- (iv) **Hon WU Chi-wai**
- (v) **Hon Charles Peter MOK**
- (vi) **Hon Kenneth LEUNG**
- (vii) **Dr Hon Fernando CHEUNG**
- (viii) **Hon Jeremy TAM**
- (ix) **Hon Dennis KWOK**
- (x) **Dr Hon KWOK Ka-ki**
- (xi) **Hon CHAN Chi-chuen**
- (xii) **Hon Martin LIAO**

(LC Paper No. CB(3)176/17-18)

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(b) Five motions under Rule 49B(1A) of the Rules of Procedure to be moved by the following Members:

- (i) Hon Andrew WAN**
- (ii) Hon CHU Hoi-dick**
- (iii) Hon WU Chi-wai**
- (iv) Dr Hon KWOK Ka-ki**
- (v) Hon Charles Peter MOK**

(LC Paper No. CB(3)169/17-18)

(LC Paper No. CB(3)170/17-18)

(c) Twelve motions under Articles 73(5) and 73(10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China to be moved by the following Members:

- (i) Hon Jeremy TAM (two motions)**
- (ii) Dr Hon Fernando CHEUNG**
- (iii) Hon Kenneth LEUNG (two motions)**
- (iv) Hon Tanya CHAN**
- (v) Hon James TO (two motions)**
- (vi) Hon WU Chi-wai**
- (vii) Hon HUI Chi-fung (two motions)**
- (viii) Hon KWONG Chun-yu**

(LC Paper No. CB(3)168/17-18)

18. The Chairman said that the above Members' motions would be dealt with at the meeting. The Chairman informed Members that she received a letter from Mr Alvin YEUNG in the evening of the day before this meeting attaching a letter issued earlier to the President by 22 Members ("the letter from 22 Members") in respect of the order of the business on the Agenda for the Council meeting of 6 December 2017 ("the next Council meeting") and requesting to discuss the matter at this meeting. She further said that Members should understand that the President would decide on the Agenda for the Council meeting with reference to the Basic Law ("BL"), RoP and past practices. The Secretary General ("SG") would relay to the President Members' views to be raised at this meeting for the President's consideration before he made a final decision on the Agenda.

(Post-meeting note: Mr Alvin YEUNG's letter which was tabled at the meeting was issued to Members vide LC Paper No. CB(2)451/17-18(01) by email after the meeting.)

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19. At the invitation of the Chairman, Mr Alvin YEUNG said that according to the Preliminary Agenda, among various Members' motions to be dealt with at the next Council meeting, those to amend RoP would first be dealt with, followed by those to censure individual Members and those to summon individual public officers. Given his understanding that motions to amend RoP were not intended to have legislative effect but the other two types of motions to be moved under the relevant articles of BL were intended to have legislative effect, Mr YEUNG questioned whether the order of business on the Agenda for the next Council meeting deviated from the past practices, i.e. motions intended to have legislative effect were placed on the Agenda before those not intended to have legislative effect, as set out in paragraph 7.92 of *A Companion to the history, rules and practices of the Legislative Council of the Hong Kong Special Administrative Region* ("the Companion").

20. At the invitation of the Chairman, SG advised that in accordance with the explanation already given publicly by the President, the four types of Members' motions to be dealt at the next Council meeting were in the following order: (a) motions to be moved under BL 75 to amend RoP; (b) motions to be moved under RoP 49B(1A) to censure individual Members ("censure motions"); (c) motions to be moved under BL 73(5) and 73(10) to summon individual public officers ("motions under BL 73(5) and 73(10)"), which the President considered to be of the same nature as motions moved under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) ("the P&P Ordinance"); and (d) motions not intended to have legislative effect. SG further said that Members' motions were dealt with in a similar order at the following previous Council meetings: (a) at the Council meeting of 4 July 2012, the motion moved under BL 75 to amend RoP was put on the Agenda before the motion moved under BL 159 by Mr James TO to propose an amendment to BL; and (b) at the Council meeting of 19 March 2014, the motion moved under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) to extend the scrutiny period of subsidiary legislation was put on the Agenda before the take-note motion moved under RoP 49E(2), followed by the motion moved under BL 75 to amend RoP, and the motion moved under the P&P Ordinance by Ms Claudia MO.

21. Mr Alvin YEUNG reiterated his view that motions to amend RoP were not intended to have legislative effect, and therefore, such motions should not be placed on the Agenda before motions intended to have legislative effect (i.e. censure motions and motions under BL 73(5) and 73(10)).

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22. Dr KWOK Ka-ki concurred with Mr Alvin YEUNG, adding that as the two Council meetings cited by SG had not dealt with any censure motions, they were not the same case as the next Council meeting. He considered that given the importance of the censure motion and the censure motion to be moved by Ms Claudia MO had been a stand-over item since the Council meeting of 18 October 2017, Ms MO's motion should be the first Members' motion to be dealt with at the next Council meeting.

23. At the invitation of the Chairman, SG said that the order of business on the Agenda for the next Council meeting followed the past practices. He referred Members to paragraph 7.91 of the Companion which stated that motions moved under BL 75 to amend RoP were intended to have legislative effect. SG further said that the President would issue a written reply to the letter from 22 Members providing a more detailed account on his decision on the arrangements of Agenda items for the next Council meeting early next week.

24. Ms Claudia MO questioned whether the President had decided on the Agenda arbitrarily. Given that her motion to censure Dr Junius HO had been a stand-over item since the Council meeting of 18 October 2017 and should be on the Agenda for the Council meeting after Government motions, she wondered when her motion would be dealt with.

25. SG said that Ms Claudia MO's motion to censure Dr Junius HO had remained a stand-over item from previous Council meetings, and would be placed on the Agenda for the next Council meeting before Members' motions not intended to have legislative effect.

26. Mr Charles MOK remained unconvinced that the order of business on the Agenda for the next Council meeting followed the past practices, adding that it was undesirable that Members had not yet been informed of the debate and voting arrangements in respect of various amendments to RoP proposed by Members, as well as whether motions under RoP 91 proposed to be moved by Members would be given consent by the President. In his view, it was unreasonable if the President would eventually decide that there would be only one joint debate session on all the amendments to RoP proposed by Members and Members could only vote on all the amendments proposed by each individual Member at one go irrespective of the number of amendments proposed by the Member. He therefore considered that if the President needed more time to decide on the above matters, the item on the 12 Members' motions to amend RoP should be postponed to the Council meeting of 13 December 2017.

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27. The Deputy Chairman considered that RoP was not legislation and had no legal effect, and therefore queried why SG said that Members' motions to amend RoP were intended to have legislative effect. He sought clarification from the Legal Adviser ("LA") as to whether the Court of Final Appeal's judgment in the case of *Leung Kwok Hung v the President of the Legislative Council of the Hong Kong Special Administrative Region and Another* [2014] HKCFA 74 had ruled that RoP had no legal effect.

28. LA said that in the case of *Leung Kwok Hung v President of Legislative Council* [2007] 1 HKLRD 387, where the Court of First Instance was asked to decide whether RoP 57(6) was inconsistent with BL, it was held that, in the context of BL 73(1) which provided that LegCo had the power and function to enact laws in accordance with the provisions of BL and legal procedures, the phrase "in accordance with ... legal procedures" meant that LegCo must act not only in accordance with BL itself but also in accordance with RoP. LA further said that she was studying the points of law raised in the letter from 22 Members and would listen to Members' views raised at this meeting, and thereafter, she would give her advice to the President.

29. Mr CHAN Chi-chuen considered it undesirable that Members had not yet been informed of the justifications for deciding the order of business on the Agenda for the next Council meeting, the debate and voting arrangements on various Members' motions, whether their proposed amendments to Members' motions were admissible, and whether Members would be given consent to move motions under RoP 91 at the next Council meeting. In his view, if the above matters could not be finalized by next Monday, the President should consider following the past practice of postponing the item on the 12 Members' motions to amend RoP to the Council meeting of 13 December 2017. He also added that HC should consider requesting the President to re-arrange the order of the items on the Agenda for the next Council meeting.

30. The Chairman advised that it was the established practice that the final Agenda would be issued on Monday before each Council meeting. To her understanding, the President would inform Members of his decisions on the relevant matters on or before next Monday.

31. Mr Jeremy TAM sought clarification from SG as to whether there were any cases in the past that more than one Members' motion under BL were dealt with at the same Council meeting. In response, SG affirmed that the motion moved under BL 75 to amend RoP and the motion moved under BL 159 to propose an amendment to BL were on the Agenda of the Council meeting of 4 July 2012.

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32. Dr CHIANG Lai-wan said that while it was natural for Members to hope that the motions to be moved by them could be dealt with by the Council as early as possible, she considered it reasonable for the Council to deal with Members' motions relating to the proposed amendments to RoP first as it was a matter of concern of all Members. She added that Members might approach the President direct should they wish to understand more about the arrangements of Agenda items for the next Council meeting.

33. Dr Junius HO did not subscribe to the views raised in the letter from 22 Members that motions to amend RoP were not intended to have legislative effect. In his view, even though amendments made to RoP were not required to be reported to the Standing Committee of the National People's Congress ("NPCSC") for the record in accordance with BL 17, it did not necessarily mean that Members' motions to amend RoP did not have legislative effect. Furthermore, even though common law and customary law were not required to be reported to NPCSC for the record, they were adopted as the laws of Hong Kong unless they were in contravention of BL.

34. Mr Martin LIAO said that as what SG had explained, the proposals to amend RoP were made in accordance with BL 75 and as such, he was surprised that some Members would regard motions to amend RoP to be not intended to have legislative effect. Mr LIAO pointed out that under BL 72(2), the President should exercise the power and function to "decide on the agenda, giving priority to government bills for inclusion in the agenda". As the President was vested with the power to decide on the Agendas for the Council meetings, he considered that it might be in contravention of BL if HC proposed any changes to the Agenda for the next Council meeting as suggested by some Members.

35. Mr Paul TSE said that Members' motions to amend RoP, censure motions and motions under BL 73(5) and 73(10) were all moved in accordance with specific provisions of BL. In accordance with BL 75(2), RoP should be made by the Council on its own, provided that they did not contravene BL. As such, he was convinced that motions to amend RoP were intended to have legislative effect. In his view, the three criteria set out in the letter from 22 Members, i.e. amendments made to RoP were not required to be reported to NPCSC for the record, compliance with RoP was not essential to the validity of the enactment of a law by LegCo, and violation of RoP by a Member did not result in criminal liability, were not necessary conditions for determining whether or not a motion

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moved under BL was intended to have legislative effect. He added that neither censure motions moved under BL 79 nor motions moved under BL 73(5) and 73(10) met the aforesaid three criteria.

36. Referring to the remarks made by Mr Martin LIAO, Dr Fernando CHEUNG said that while BL 72(2) had empowered the President to decide on the Agenda, it had nothing to the effect that the President did not need to follow RoP in scheduling the order of business to be transacted at a Council meeting. Given that there were different views on whether or not motions to amend RoP were intended to have legislative effect, he considered it necessary to seek advice from LA. Therefore, the President should not make his final decision on the Agenda for the next Council meeting pending the LA's advice.

37. At the invitation of the Chairman, LA responded that she would provide legal advice to the President regarding the points of law raised in the letter from 22 Members. To her understanding, the President would inform Members by next Monday, 4 December 2017, of his final decision on the Agenda for the next Council meeting.

38. Mr CHU Hoi-dick said that Members' motions to amend RoP, censure motions and motions moved under BL 73(5) and 73(10) were all moved in accordance with specific provisions of BL, and therefore, considerations might be given to putting these motions on the Agenda for the Council meeting in accordance with their article numbers in BL. He also enquired whether Members' motions under RoP 91 might only be moved with the consent of the President.

39. The Chairman said that to her understanding, the order of business on the Agenda for the Council meeting would be decided with reference to BL, RoP and past practices, and the article numbers in BL under which Members' motions were moved was not a factor of consideration. On the enquiry of Mr CHU Hoi-dick, SG said that motions under RoP 91 could only be placed on the Agenda for the Council meeting with the consent of the President.

40. The Chairman said that SG would relay to the President Members' views raised at this meeting, and Members might contact the President and/or the Secretariat after this meeting if they wished to seek further clarifications on the Agenda for the next Council meeting. She added that as said earlier, the President would inform Members by next Monday, 4 December 2017, of his final decision on the Agenda for the Council meeting.

IV. Business for the Council meeting of 13 December 2017

(a) Questions

(LC Paper No. CB(3)177/17-18)

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

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

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

(c) Government motion

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

(d) Members' motions

44. The Chairman said that two Members' motions without legislative effect which had stood over from previous Council meetings would be dealt with at the meeting.

V. Reports of Bills Committees and subcommittees

(a) Report of the Subcommittee on Waterworks (Amendment) (No. 2) Regulation 2017

(LC Paper No. CB(1)283/17-18)

45. Mr Tommy CHEUNG, Chairman of the Subcommittee, briefed members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee generally supported the Amendment Regulation.

(b) Report of the Subcommittee on Legislative Amendments to Improve Vessel Traffic Services and Regulate Marine Safety

(LC Paper No. CB(4)297/17-18)

46. Mr Frankie YICK, Chairman of the Subcommittee, briefed members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee generally supported the four items of subsidiary legislation to improve vessel traffic services and enhance marine safety.

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(c) **Report of the Subcommittee on Amendments to Three Regulations under the Electoral Affairs Commission Ordinance**
(LC Paper No. CB(2)415/17-18)

47. Mr CHEUNG Kwok-kwan, Chairman of the Subcommittee, briefed members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee generally supported the three items of subsidiary legislation to amend the three regulations under the Electoral Affairs Commission Ordinance (Cap. 541).

(d) **Report of the Subcommittee on Banking (Capital) (Amendment) Rules 2017, Banking (Liquidity) (Amendment) Rules 2017 and Banking (Specification of Multilateral Development Bank) (Amendment) Notice 2017**
(LC Paper No. CB(1)291/17-18)

48. Mr CHAN Chun-ying, Chairman of the Subcommittee, briefed members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee generally supported the three items of subsidiary legislation made under the Banking Ordinance (Cap. 155).

(e) **Proposed extension of period of work of subcommittees on policy issues and arrangements for activation of subcommittees on the waiting list**
(LC Paper No. CB(2)413/17-18)

49. Members endorsed the proposals put forward by the Joint Subcommittee on Long-term Care Policy and the Subcommittee to Study Issues Relating to Animal Rights to extend their period of work for 12 months respectively, as set out in Appendices III and IV to the paper. The Chairman said that pursuant to HC's agreement to adopt the arrangements for extension of period of work of subcommittees on policy issues ("policy subcommittees") in the Sixth LegCo at its meeting on 7 July 2017, upon expiry of their 12-month period of work (i.e. on 15 December 2017), the two Subcommittees would be put on the waiting list for re-activation of work for another 12 months when a vacant slot arose.

50. Members also noted the timeline for activation of the first four policy subcommittees currently on the waiting list as follows:

- (a) the first policy subcommittee on the waiting list (i.e. the Subcommittee on Issues Relating to Shopping Centres,

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Markets and Carparks in Public Rental Housing Estates and Home Ownership Scheme Estates) would be activated immediately; and

- (b) the Secretariat would take forward the preparatory work, including lining up the first meeting, for the activation of the second to fourth policy subcommittees on the waiting list after the coming Lunar New Year towards the end of February. These three subcommittees are the Subcommittee on Issues Relating to Public Markets, the Subcommittee to Follow Up Issues Relating to the Unified Screening Mechanism for Non-refoulement Claims and the Subcommittee to Follow Up the Issues Related to the Wang Chau Development Project.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)414/17-18)

51. The Chairman said that as at 30 November 2017, there were 16 Bills Committees, 12 subcommittees under HC and four policy subcommittees under Panels in action. Ten policy subcommittees were on the waiting list.

VII. Any other business

52. There being no other business, the meeting ended at 3:24 pm.