

立法會
Legislative Council

LC Paper No. CB(2)756/17-18

Ref : CB2/H/5/17

House Committee of the Legislative Council

**Minutes of the 11th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 19 January 2018**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon Dennis KWOK Wing-hang (Deputy Chairman)
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, GBS, JP
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-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Claudia MO
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 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 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 SHIU Ka-chun
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
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho

Members absent :

Hon Michael TIEN Puk-sun, BBS, JP
Hon CHAN Han-pan, JP
Hon Andrew WAN Siu-kin
Hon Kenneth LAU Ip-keung, BBS, MH, JP

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
Miss Joyce CHAN	Assistant Legal Adviser 1
Miss Rachel DAI	Assistant Legal Adviser 2
Mr Alvin CHUI	Assistant Legal Adviser 3
Ms Vanessa CHENG	Assistant Legal Adviser 5
Mr Richard WONG	Senior Council Secretary (2)6
Miss Connie AU	Senior Council Secretary (2)8
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 10th meeting held on 12 January 2018

(LC Paper No. CB(2)713/17-18)

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 at her last meeting with the Chief Secretary for Administration ("CS"), CS thanked Members for the passage of the Stamp Duty (Amendment) Bill 2017, and hoped that Members could expeditiously complete the scrutiny of other bills introduced by the Administration into the Council. Particularly, CS called on Members to

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support the passage of the Inland Revenue (Amendment) (No. 7) Bill 2017 as early as possible, so that a two-tiered profits tax rates regime could be introduced starting from the next tax year to reduce the tax burden on small and medium enterprises. The Chairman further said that CS also advised that in the remainder of this legislative session, the Administration would submit not fewer than 30 funding proposals to the Finance Committee ("FC") and the Establishment Subcommittee respectively, as well as more than 80 funding proposals to the Public Works Subcommittee that involved a total amount of public works exceeding \$130 billion which was expected to generate 44 000 jobs in total. CS hoped that FC and its subcommittees could complete scrutinizing the backlog of many outstanding funding proposals so as to create employment opportunities and benefit the general public. CS had already encouraged officials of various bureaux and departments to have more communication with Members and respond to Members' questions and views so as to facilitate FC's early approval of the funding proposals.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 12 January 2018 and tabled in Council on 17 January 2018

(LC Paper No. LS23/17-18)

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the Exemption from Profits Tax (Non-Renminbi Sovereign Bonds) Order (L.N. 2) which was gazetted on 12 January 2018 and tabled in Council on 17 January 2018.

4. Members did not raise any questions on the above Order.

5. The Chairman reminded Members that the deadline for amending the above Order would be the Council meeting of 7 February 2018.

IV. Further business for the Council meeting of 24 January 2018

(a) Questions

(LC Paper No. CB(3)270/17-18)

6. The Chairman said that Mr Paul TSE had replaced his oral question.

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

7. The Chairman said that the House Committee ("HC") would consider the Financial Reporting Council (Amendment) Bill 2018 at its meeting on 26 January 2018.

(c) **Bills - resumption of debate on Second Reading, Consideration by Committee of the Whole Council and Third Reading**

(i) **Companies (Amendment) Bill 2017**

(ii) **Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) (Amendment) Bill 2017**

(iii) **Inland Revenue (Amendment) (No. 5) Bill 2017**

(iv) **Banking (Amendment) Bill 2017**

8. The Chairman said that the Second Reading debates on the above Bills would be resumed at the meeting.

V. The Chief Executive's Question Time on 31 January 2018

9. The Chairman said that the first Chief Executive's Question Time ("the CE's Question Time") would be held on 31 January 2018 from 11:00 am to 11:30 am. The CE's Question Time and a regular Council meeting would be conducted as two separate Council meetings, and no other business would be transacted at the Council meeting for the CE's Question Time. The regular Council meeting of 31 January 2018 would be held immediately after the CE's Question Time ended, i.e. after CE had left the Chamber.

10. The Chairman further said that the procedure and arrangements for Members to put questions to CE during the CE's Question Time were generally made with reference to the current arrangements for the CE's Question and Answer Sessions ("the CE's Q&A Sessions"), and the accumulative number of questions that Members had asked in the previous CE's Q&A Sessions within the current term would also apply to the CE's Question Time. As the CE's Question Time would last for only 30 minutes, in order to allow more Members to put questions to CE, CE would not make any opening remarks at the Question Time. Furthermore, the CE's Question Time would be conducted in a "short

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question, short answer" format, the time allowed for the asking and answering of each question should not exceed three minutes, and a Member who had asked a question would not be allowed to ask follow-up questions.

11. In response to Dr Helena WONG's enquiries, the Chairman explained that the aforesaid arrangements would only apply to the CE's Question Time, while the current arrangements for the CE's Q&A Sessions would remain unchanged. At the invitation of the Chairman, Secretary General ("SG") added that the arrangements relating to the CE's Question Time had been discussed by the Committee on Rules of Procedure, and the President and CE had noted and agreed to the arrangements.

12. Mr LAM Cheuk-ting enquired whether the President would allow a Member to ask supplementary questions on his/her own question if the time for asking and answering of the original question did not exceed three minutes. Mr LAM and Mr James TO considered it more desirable if Members would be allowed to do so, as in the case of Panel meetings. Mr KWONG Chun-yu concurred, and added that the Member who had been called upon to ask a question by the President during the CE's Question Time should be given complete control of how the three minutes were used. Dr Helena WONG also asked whether the President would take into consideration Members' political affiliation when deciding whom to be called upon to ask questions during the CE's Question Time.

13. In response to Members' enquiries and views, the Chairman said that from her understanding with the President, if the three minutes were not used up, the President might allow the Member to ask supplementary questions. SG added that as the CE's Question Time was a new arrangement, the President would exercise his discretion in relation to the asking of questions by Members at the CE's Question Time having regard to the actual circumstances. In conclusion, the Chairman said that Members' views would be relayed to the President for his consideration.

VI. Business for the Council meeting of 31 January 2018

(a) Questions *(LC Paper No. CB(3)271/17-18)*

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

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

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

(c) **Government motions**

(i) **Proposed resolution to be moved by the Secretary for Home Affairs under section 7(a) of the Legal Aid Ordinance (Cap. 91)**

(LC Paper No. CB(3)282/17-18)

16. The Chairman said that the above proposed resolution would be dealt with at the meeting.

(ii) **Two proposed resolutions to be moved by the Secretary for Labour and Welfare under the following two Ordinances:**

- **Employees' Compensation Ordinance (Cap. 282);**
and

- **Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360)**

(LC Paper No. CB(3)264/17-18)

(LC Paper No. LS24/17-18)

17. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the above two proposed resolutions.

18. Members did not raise any questions on the above two proposed resolutions and had no objection to the Administration moving these two proposed resolutions at the meeting.

(d) **Members' motions**

Motion to be moved by Hon Charles Peter MOK under Articles 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

(LC Paper No. CB(3)286/17-18)

19. The Chairman said that Members' motions which had stood over from previous Council meetings and the above motion would be dealt with at the meeting.

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20. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above motion would be Wednesday, 24 January 2018.

VII. Reports of Bills Committees and subcommittees

(a) **Report of the Bills Committee on Employment (Amendment) Bill 2017**

(LC Paper No. CB(2)716/17-18)

21. Mr WONG Ting-kwong, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr WONG said that both the Administration and the Bills Committee would not propose any Committee stage amendments ("CSAs") to the Bill. Members noted that the Bills Committee had no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 31 January 2018.

(b) **Report of the Bills Committee on Protection of Endangered Species of Animals and Plants (Amendment) Bill 2017**

(LC Paper No. CB(1)491/17-18)

22. Mr Kenneth LEUNG, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr LEUNG said that both the Administration and the Bills Committee would not propose any CSAs to the Bill. Members noted that the Bills Committee had no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 31 January 2018.

(c) **Report of the Bills Committee on Employment (Amendment) (No. 2) Bill 2017**

(LC Paper No. CB(2)717/17-18)

23. Mr KWOK Wai-keung, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr KWOK said that the Administration would propose to move a CSA to the Bill in response to the suggestion of members of the Bills Committee and the Bills Committee members in general had no objection to the proposed CSA. Members noted that the Bills Committee would not propose any CSAs to the Bill and that subject to the moving of the proposed CSA by the Administration, the Bills Committee supported the resumption of the Second Reading debate on the Bill at the Council meeting of 31 January 2018.

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24. The Chairman reminded Members that the deadline for giving notice of CSAs, if any, proposed to be moved to the above three Bills would be Monday, 22 January 2018.

VIII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)714/17-18)

25. The Chairman said that as at 18 January 2018, there were 15 Bills Committees, six subcommittees under HC and two subcommittees on policy issues under Panels in action. Eleven subcommittees on policy issues were on the waiting list.

IX. Report of the delegation of the Panel on Commerce and Industry on the duty visit to Israel to study the country's experience in promoting the development of innovation and technology industry and re-industrialization

(LC Paper No. CB(1)492/17-18)

26. At the invitation of the Chairman, Mr WU Chi-wai, Chairman of the Panel on Commerce and Industry and delegation leader, briefed Members on the findings and observations of the delegation of the Panel after its duty visit to Israel from 22 to 28 July 2017 to study the country's experience in promoting the development of innovation and technology industry and re-industrialization, the details of which were set out in its report.

X. Any other business

27. There being no other business, the meeting ended at 2:56 pm.