

立法會
Legislative Council

LC Paper No. CB(2)1190/17-18

Ref : CB2/H/5/17

House Committee of the Legislative Council

**Minutes of the 17th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 23 March 2018**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon James TO Kun-sun
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
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 Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
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
Hon KWOK Wai-keung, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
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
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
Hon Gary FAN Kwok-wai
Hon AU Nok-hin
Hon Vincent CHENG Wing-shun, MH
Hon Tony TSE Wai-chuen, BBS

Members absent :

Hon Dennis KWOK Wing-hang (Deputy Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Frankie YICK Chi-ming, SBS, JP
Dr Hon KWOK Ka-ki
Hon IP Kin-yuen
Hon Andrew WAN Siu-kin
Dr Hon Pierre CHAN

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
Mr Richard WONG	Senior Council Secretary (2)6
Miss Connie AU	Senior Council Secretary (2)8
Mr Clement HAU	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 16th meeting held on 16 March 2018

(LC Paper No. CB(2)1079/17-18)

The minutes were confirmed.

II. Matters arising

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

Updated 2017-2018 Legislative Programme

2. The Chairman informed Members that at her last meeting with the Chief Secretary for Administration ("CS"), CS had indicated that the Administration would provide the updated 2017-2018 Legislative Programme which contained 17 bills, including a number of bills related to measures which would benefit the public and to the implementation of the relevant proposals in the 2018-2019 Budget. CS hoped that the Legislative Council ("LegCo") would complete the scrutiny of these bills at the earliest possible time to facilitate their passage. The Chairman added that the updated Legislative Programme had been issued to Members for reference on 21 March 2018 vide LC Paper No. CB(2)1088/17-18(01).

III. Business arising from previous Council meetings

(a) Legal Service Division reports on bills referred to the House Committee in accordance with Rule 54(4)

(i) Inland Revenue (Amendment) Bill 2018 *(LC Paper No. LS46/17-18)*

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the Bill.

4. Mr Kenneth LEUNG considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Mr WU Chi-wai and Mr Kenneth LEUNG agreed to join the proposed Bills Committee.

(ii) Road Traffic (Amendment) Bill 2018 *(LC Paper No. LS45/17-18)*

5. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the Bill.

6. Mr LAM Cheuk-ting considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The following Members agreed to join the Bills Committee: Mr Charles MOK, Mr KWOK Wai-keung, Mr LAM Cheuk-ting and Mr Jeremy TAM.

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- (b) **Legal Service Division report on subsidiary legislation gazetted on 16 March 2018 and tabled in Council on 21 March 2018**
(*LC Paper No. LS44/17-18*)

7. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the Pharmacy and Poisons (Amendment) (No. 2) Regulation 2018 (L.N. 42) which was gazetted on 16 March 2018 and tabled in Council on 21 March 2018.

8. Members did not raise any question on the Regulation.

9. The Chairman reminded Members that the deadline for amending the Regulation would be the Council meeting of 11 April 2018.

IV. Further business for the Council meeting of 28 March 2018

- (a) **Tabling of papers**
Report No. 9/17-18 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(*LC Paper No. CB(2)1081/17-18*)

10. The Chairman said that the Report covered 11 items of subsidiary legislation and the period for amending them would expire at the Council meeting of 28 March 2018. No Member had indicated intention to speak on any of these items of subsidiary legislation.

- (b) **Questions**
(*LC Paper No. CB(3)440/17-18*)

11. The Chairman informed Members that Mr Alvin YEUNG had replaced his oral question, and that Mr WONG Ting-kwong had given up his oral question slot which had then been allocated to Ir Dr LO Wai-kwok.

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

12. The Chairman said that the Second Reading debate on the Medical Registration (Amendment) Bill 2017 would be resumed at the meeting.

V. The Chief Executive's Question Time on 11 April 2018

13. The Chairman said that the Chief Executive's Question Time would be held from 11:00 am to 11:30 am. The regular Council meeting of 11 April 2018 would be held immediately after the Chief Executive's Question Time ended.

VI. Business for the Council meeting of 11 April 2018

(a) Questions

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

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

15. The Chairman said that the House Committee ("HC") would consider the Inland Revenue (Amendment) (No. 2) Bill 2018 at its meeting on 13 April 2018.

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

(i) Statute Law (Miscellaneous Provisions) Bill 2017

(ii) Stamp Duty (Amendment) (No.2) Bill 2017

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

(d) Government motion

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

(e) Member's Bill - First Reading and moving of Second Reading

18. The Chairman said that Mr Frankie YICK would present the Sailors Home and Missions to Seamen Incorporation (Amendment) Bill 2018 to the Council at the meeting, and HC would consider the Bill at its meeting on 13 April 2018.

(f) Members' motions

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

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)1080/17-18)

20. The Chairman said that as at 22 March 2018, there were six Bills Committees, nine subcommittees under HC and four subcommittees on policy issues under Panels in action. Eight subcommittees on policy issues were on the waiting list.

VIII. Proposed joint-Panel duty visit to the Guangdong-Hong Kong-Macao Bay Area by the Panel on Economic Development, Panel on Financial Affairs, Panel on Commerce and Industry, and Panel on Information Technology and Broadcasting

(LC Paper No. CB(4)725/17-18)

21. Mr Jeffrey LAM, delegation leader of the proposed joint-Panel duty visit cum Chairman of the Panel on Economic Development, said that the Panel on Economic Development, Panel on Financial Affairs, Panel on Commerce and Industry, and Panel on Information Technology and Broadcasting ("the four relevant Panels") proposed to conduct a joint-Panel duty visit to five cities in the Guangdong-Hong Kong-Macao Bay Area ("the Bay Area") (namely Guangzhou, Shenzhen, Foshan, Dongguan and Zhongshan) from 20 to 22 April 2018 to better understand the Bay Area development. Mr LAM further said that the Constitutional and Mainland Affairs Bureau had assisted in the arrangement for the visit. The four relevant Panels had agreed to invite non-Panel Members to join the visit, and a total of 35 Members had indicated interest in participating in the visit as set out in Appendix II to the paper. Besides, relevant Government officials would be invited to join the visit to exchange views and facilitate future follow-up, and the expenses incurred by the Government officials participating in the visit would be borne by the Administration.

22. Members agreed that permission be given for the four relevant Panels to conduct the proposed duty visit.

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23. Regarding the programme of the proposed duty visit, Mr Christopher CHEUNG said that in his view, the visit programme should cover the Shenzhen Stock Exchange so that the visit would be even more fruitful, adding that he had previously made such suggestion but to no avail. Ir Dr LO Wai-kiwok considered that the current programme was appropriate given the short duration of the visit. He added that some suggestions previously raised by individual Members were not covered too, such as visiting a golf course in the Bay Area. Mr YIU Si-wing said that his suggestion of visiting the Chimelong Safari Park was also not covered in the visit programme. Ir Dr LO and Mr YIU hoped that another duty visit would be arranged in the future to accommodate Members' various requests.

24. Mr Jeffrey LAM said that Members expressed various views and made many suggestions on the tentative programme at the joint meeting of the four relevant Panels held on 1 March 2018, and thereafter. However, as the visit would last for only three days and the programme was already very tight, a number of suggestions made by individual Members had not been covered in the visit programme. He also hoped that another duty visit would be arranged in the future.

25. Mr Kenneth LEUNG, Chairman of the Panel on Financial Affairs, considered it understandable that the visit programme could not cover all the suggestions made by individual Members. He added that he would proactively consider Mr Christopher CHEUNG's suggestion of visiting the Shenzhen Stock Exchange if Mr CHEUNG put forward such suggestion to the Panel on Financial Affairs for consideration.

26. The Chairman concluded that Members in general supported the proposed duty visit, notwithstanding their various views on the visit programme. She further said that she hoped that various Panels would propose to conduct duty visits on various subject matters in the future.

IX. Senior judicial appointments

(Director of Administration's letter dated 21 March 2018)

27. The Chairman said that the Chief Executive had announced on 21 March 2018 her acceptance of the recommendations of the Judicial Officers Recommendation Commission to appoint: (a) the Honourable Mr Justice Andrew CHEUNG Kui-nung as a Permanent Judge of the Court of

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Final Appeal ("CFA"); (b) the Honourable Mr Justice Robert TANG Ching as a non-permanent Hong Kong judge of CFA; and (c) the Right Honourable the Baroness Brenda Hale of Richmond and the Right Honourable Beverley McLachlin, PC, as non-permanent judges from other common law jurisdictions of CFA.

28. The Chairman informed Members that in accordance with the procedure for endorsement of appointment of judges by LegCo which was endorsed by HC on 16 May 2003, it was for HC to decide whether it was necessary to form a subcommittee to consider the recommended appointments.

29. Dr Junius HO and Mr Holden CHOW considered it necessary to form a subcommittee to consider the recommended appointments. Members agreed. The following Members agreed to join the subcommittee: Mr Alvin YEUNG, Dr Junius HO, Mr Holden CHOW and Mr CHEUNG Kwok-kwan.

30. Members noted that the Administration would move a motion to seek LegCo's endorsement of the recommended appointments after the subcommittee had reported its deliberations to HC.

X. Any other business

31. There being no other business, the meeting ended at 2:49 pm.