

立法會
Legislative Council

LC Paper No. CB(4)1114/18-19
(These minutes have been seen
by the Administration)

Ref: CB4/SS/7/18

Subcommittee on Toys and Children's Products Safety Ordinance
(Amendment of Schedules 1 and 2) Notice 2019

Minutes of first meeting
held on Monday, 29 April 2019, at 4:30 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon Jimmy NG Wing-ka, JP (Chairman)
Hon Paul TSE Wai-chun, JP
Hon Steven HO Chun-yin, BBS
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon LEUNG Che-cheung, SBS, MH, JP
Dr Hon KWOK Ka-ki
Hon Dennis KWOK Wing-hang
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon Alvin YEUNG
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon Holden CHOW Ho-ding
Hon Jeremy TAM Man-ho

Public Officers attending : Agenda item II
Commerce and Economic Development Bureau

Miss Erica NG
Deputy Secretary for Commerce and Economic
Development (Commerce and Industry)

Ms Jacko TSANG
Principal Assistant Secretary for Commerce and
Economic Development (Commerce and
Industry)

Department of Justice

Ms Angie LI Sau-lee
Senior Government Counsel

Customs and Excise Department

Ms Teresa FU Lai-ha
Head of Trade Controls

Mr Kenny CHAN Kwok-kee
Principal Trade Controls Officer

Government Laboratory

Mr TANG Po-on
Senior Chemist

Dr LAM Chi-ho
Chemist

Dr POON Chun-ting
Chemist

Clerk in attendance : Mr Anthony CHU
Chief Council Secretary (4)1

Staff in attendance : Ms Clara TAM
Assistant Legal Adviser 9

Ms Mina CHAN
Senior Council Secretary (4)7

Ms Prima LAI
Legislative Assistant (4)1

I. Election of Chairman

Mr Jimmy NG was elected Chairman of the Subcommittee.

2. Members agreed that there was no need to elect a Deputy Chairman.

II. Meeting with the Administration

[L.N. 49 of 2019, CITB CR 08/18/3, LC Paper Nos. LS64/18-19 and CB(4)804/18-19(02) to (03)]

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

4. Members agreed that it was not necessary to hold a meeting to receive public views on the Toys and Children's Products Safety Ordinance (Amendment of Schedules 1 and 2) Notice 2019 ("the Notice").

5. The Subcommittee had completed the scrutiny of the Notice and supported the amendments contained therein.

6. Members noted that the Notice, which was gazetted on 29 March 2019 and tabled in the Legislative Council on 3 April 2019, would come into operation on 1 October 2019. The Chairman advised that as the motion to extend the scrutiny period of the Notice could not be dealt with at the Council meeting of 17 April 2019, the period for amending the Notice expired at that Council meeting. The Chairman would report the Subcommittee's deliberations to the House Committee in due course.

(Post-meeting note: The Chairman reported the Subcommittee's deliberations to the House Committee on 24 May 2019.)

III. Any other business

7. There being no other business, the meeting ended at 5:41 pm.

**Subcommittee on Toys and Children's Products Safety Ordinance
(Amendment of Schedules 1 and 2) Notice 2019**

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Time Marker	Speaker(s)	Subject(s)	Action required
Agenda Item I - Election of Chairman			
000404 – 000519	Mr Steven HO Mr Christopher CHEUNG Mr LEUNG Che-cheung Mr Jimmy NG	Election of Chairman	
Agenda Item II - Meeting with the Administration			
000520 – 000857	Chairman Administration	Briefing by the Administration on the Toys and Children's Products Safety Ordinance (Amendment of Schedules 1 and 2) Notice 2019 ("the Notice")	
000858 – 001705	Chairman Dr KWOK Ka-ki Administration	Dr KWOK Ka-ki's concerns about the effectiveness of the Toys and Children's Products Safety Ordinance (Cap. 424) ("the Ordinance") in protecting children from unsafe toys and children's products, and the inspection and enforcement work carried out by the Customs and Excise Department ("C&ED")	
001706 – 002345	Chairman Mr Jeremy TAM Administration	Mr Jeremy TAM's enquiries about the applicability of the Ordinance to the toys and children's products exported from Hong Kong, transitional matters arising from the updates on or amendments to the safety requirements as stipulated in the Ordinance and the offences involved in non-compliance cases	
002346 – 003212	Chairman Dr Fernando CHEUNG Administration	Dr Fernando CHEUNG's concern about the transitional matters arising from the updates on or amendments to the safety requirements as stipulated in the Ordinance, and his enquiry about the follow-up actions taken by C&ED in response to an overseas accident involving a folding chair, which was also available for sale in Hong Kong and the recommendation of the Child Fatality Review Report released in 2015 that the Administration should step up the	

Time Marker	Speaker(s)	Subject(s)	Action required
		control over the import and sale of folding tables without safety locking devices	
003213 – 004037	Chairman Dr KWOK Ka-ki Administration	Dr KWOK Ka-ki's enquiries about the follow-up actions taken by C&ED in response to accidents involving children injured by unsafe products, the recall of unsafe toys and children's products and the Administration's public education and publicity efforts to disseminate the latest information on the safety requirements for toys and children's products	
004038 – 004535	Chairman Mr Jeremy TAM Administration	Mr Jeremy TAM's enquiry about the applicability of the Ordinance to used toys and children's products as well as those toys and children's products which were donated for free or offered as a form of sponsorship to charitable or political organizations and would in turn be given to the public	
004536 – 005156	Chairman Dr Fernando CHEUNG Administration	Dr Fernando CHEUNG's follow-up question on whether the imported and domestically manufactured folding tables without safety locking devices had been prohibited	
005157 – 005329	Chairman Mr YIU Si-wing Administration	Mr YIU Si-wing's enquiry about the applicability of the Ordinance to used toys and children's products	
005330- 010104	Chairman Dr Helena WONG Administration	Dr Helena WONG's concern about how the safety of those children's products that were not included in Schedule 2 to the Ordinance could be ensured and her suggestion of expanding the scope of the Ordinance to better protect children from unsafe products	
010105- 010745	Chairman Dr Fernando CHEUNG Administration	Dr Fernando CHEUNG's enquiry about the follow-up actions taken by the Administration in response to the detection of certain bacteria in some models of soap bubble toys by the Consumer Council	
010746 – 011057	Chairman Administration	Examination of the provisions of the Notice Completion of scrutiny of the Notice The need to invite public views on the Notice	

Time Marker	Speaker(s)	Subject(s)	Action required
011058 – 011144	Chairman	Legislative timetable	
Agenda Item III - Any other business			
011145 – 011200	Chairman	Closing remarks	

Council Business Division 4
Legislative Council Secretariat
17 July 2019