

立法會
Legislative Council

LC Paper No. CB(2) 804/99-00

Ref : CB2/H/5

House Committee of the Legislative Council

**Minutes of the 11th meeting
held in the Legislative Council Chamber
at 3:56 pm on Friday, 7 January 2000**

Members present :

Dr Hon LEONG Che-hung, JP (Chairman)
Dr Hon YEUNG Sum (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Hon James TIEN Pei-chun, JP
Hon David CHU Yu-lin
Hon HO Sai-chu, SBS, JP
Hon Cyd HO Sau-lan
Hon Edward HO Sing-tin, SBS, JP
Hon Albert HO Chun-yan
Hon Michael HO Mun-ka
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Wing-tat
Hon Martin LEE Chu-ming, SC, JP
Hon Eric LI Ka-cheung, JP
Hon LEE Kai-ming, SBS, JP
Dr Hon David LI Kwok-po, JP
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, JP
Hon NG Leung-sing
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, JP
Hon Ronald ARCULLI, JP
Hon MA Fung-kwok
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching
Hon Christine LOH Kung-wai
Hon CHAN Kwok-keung
Hon CHAN Yuen-han
Hon Bernard CHAN

Mr Ray CHAN	Assistant Secretary General 3
Ms Bernice WONG	Assistant Legal Adviser 1
Miss Anita HO	Assistant Legal Adviser 2
Miss Connie FUNG	Assistant Legal Adviser 3
Mr Stephen LAM	Assistant Legal Adviser 4
Mr KAU Kin-wah	Assistant Legal Adviser 6
Mrs Vivian KAM	Chief Assistant Secretary (Complaints)
Miss Kathleen LAU	Chief Public Information Officer
Mrs Constance LI	Chief Assistant Secretary (2)2
Mr LAW Wing-lok	Chief Assistant Secretary (2)5
Mrs Betty LEUNG	Chief Assistant Secretary (3)1
Mrs Mary TANG	Chief Assistant Secretary (1)6 (Acting)
Ms Connie SZETO	Senior Assistant Secretary (1)1
Miss Mary SO	Senior Assistant Secretary (2)8

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I. Confirmation of the minutes of the 10th meeting held on 17 December 1999
(LC Paper No. CB(2) 695/99-00)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on his meeting with the Chief Secretary for Administration (CS)

(a) Introduction of bills

2. The Chairman had again reminded CS that 33 bills listed in the 1999-2000 Legislative Programme had yet to be introduced.

(b) Government Economist's Evaluation Report on 2006 Asian Games
(CS's reply dated 5 January 2000 tabled at the meeting)

3. The Chairman referred members to CS's reply to his letter of 24 December 1999 requesting the Administration to provide the Government Economist's evaluation report for discussion by the Panel on Home affairs on 10 January 2000. He suggested that CS's reply be followed up by the Panel.

4. Miss Emily LAU and Mr Albert HO expressed disappointment at the reply and said that the evaluation report should be released as soon as possible for discussion by LegCo.

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5. Miss CHOY So-yuk, Chairman of the Panel on Home Affairs, agreed to bring up CS's reply for discussion at the Panel meeting on 10 January 2000.

(c) **Year 2000 (Y2K) Compliance Status**

6. The Chairman suggested that the Administration be asked to provide a report on the Y2K compliance status in Government and non-government essential services providers during the millennium rollover period. Mr Eric LI expressed support for the Chairman's suggestion.

7. Miss Emily LAU informed members that the Administration would submit a report to the meeting of the Panel on Information Technology and Broadcasting on 10 January 2000.

III. Business arising from previous Council meetings

(a) **Legal Service Division's report on bills referred to the House Committee in accordance with Rule 54(4)**

Securities (Amendment) Bill 1999
(*LC Paper No. LS 44/99-00*)

8. The Legal Adviser said that the Bill sought to implement measures to regulate short-selling activities. He added that the Legal Service Division was seeking clarification from the Administration on certain drafting points and he had been notified by some Members that some organizations would wish to make representations on the Bill.

9. Mr Eric LI suggested that a Bills Committee be formed as a group of international financial institutions had expressed views on the proposals in the Bill. Mr Ronald ARCULLI and Miss Margaret NG expressed support for Mr LI's suggestion.

10. Members agreed that a Bills Committee be formed. The following members agreed to join : Mr Eric LI Ka-cheung, Dr David LI Kwok-po, Mr Ronald ARCULLI, Dr Philip WONG Yu-hong and Mr FUNG Chi-kin.

(b) **Legal Service Division's reports on subsidiary legislation tabled in Council on 5 January 2000 (gazetted on 17, 24 and 30 December 1999)**

(LC Papers No. LS 48, LS 50 and LS 55/99-00)

11. Members did not raise any query on the subsidiary legislation detailed in LC Paper Nos LS 48, 50 and 55/99-00.

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12. The Chairman reminded members that the deadline for amending the subsidiary legislation was 26 January 2000, or 16 February 2000 if extended by resolution.

IV. Further reports by the Legal Service Division on outstanding bills

(a) **Adaptation of Laws (No. 8) Bill 1999**
(*LC Paper No. LS 56/99-00*)

13. The Legal Adviser introduced the paper and highlighted the Legal Service Division's views on certain issues as detailed in paragraphs 2 to 7 of the paper. He added that the Legal Service Division was satisfied that the legal and drafting aspects of the Bill were in order.

14. Members did not raise objection to the resumption of the Second Reading debate on the Bill.

(b) **Education (Amendment) Bill 1999**
(*LC Paper No. LS 52/99-00*)

15. The Chairman said that four educational bodies had made a joint submission expressing disagreement with the proposals in the Bill. He considered that a Bills Committee should be formed to study the Bill in detail.

16. Mr YEUNG Yiu-chung suggested that a Bills Committee be formed. Members agreed. The following members agreed to join : Mr CHEUNG Man-kwong, Mr LEUNG Yiu-chung, Mr YEUNG Yiu-chung and Mr SZETO Wah.

17. Mr YEUNG Yiu-chung said that the Administration should be asked to accord priority to the Bill in the light of the court judgment in June 1999. The Chairman said that he would raise this at his next meeting with CS.

V. Further business for the Council meeting on 12 January 2000

(a) **Questions**
(*LC Paper No. CB(3) 392/99-00*)

18. Members noted that 20 questions (five oral and 15 written) had been scheduled.

19. The Chairman said that only five oral questions had been scheduled as one Member had given notice to change his oral question to a written one after the deadline for giving notice of questions had expired. He reminded

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members that notice of withdrawal of an oral question should be given as early as possible in order that another oral question could be asked in its place.

(b) Bills - resumption of debate on Second Reading, Committee Stage and Third Reading

(i) Stamp Duty (Amendment) Bill 1999

(ii) Merchant Shipping (Safety) (Amendment) Bill 1999

(iii) Hong Kong Sports Development Board (Amendment) Bill 1999

20. The Chairman said that members agreed at the meeting on 17 December 1999 that the Second Reading debates on the above Bills be resumed.

(c) Government motions

(i) Resolution under section 31 of the Organized and Serious Crimes Ordinance (Cap. 455) - to be moved by the Secretary for Trade and Industry
(LC Paper No. LS 49/99-00)

21. The Chairman said that the subcommittee formed to study the Organized and Serious Crimes Ordinance (Amendment of Schedule 1) Order 1999 would report under agenda item IX(g) below.

(ii) Resolution under sections 3, 4 and 6 of the Trading Funds Ordinance (Cap. 430) - to be moved by the Secretary for Information Technology and Broadcasting
(LC Paper No. LS 54/99-00)

22. The Chairman referred to the paper and said that the proposed amendment to Schedule 1 to the Post Office Trading Fund Resolution was consequential upon the passage of the Electronic Transactions Bill on 5 January 2000. He added that the Legal Service Division was of the view that the legal and drafting aspects of the proposed resolution were in order.

23. Members did not raise any query on the proposed resolution.

(d) Members' motions

(i) Motion on "Political reforms"

24. Members noted the wording of the motion to be moved by Miss Emily LAU Wai-hing as well as the wording of the amendments to Miss LAU's

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motion proposed by Mr James TIEN and Dr YEUNG Sum.

(ii) **Motion on “Demand for Compensation from Japan”**

25. Members noted the wording of the motion to be moved by Mr Albert HO Chun-yan and the wording of the amendment to Mr HO's motion proposed by Mr YEUNG Yiu-chung.

26. The Chairman reminded members that the speaking time limits stipulated in rule 17(c) of the House Rules would apply.

VI. Chief Executive's Question and Answer Session on 13 January 2000

27. The Chairman reminded members that the session would be from 3:00 pm to 4:00 pm. He added that the Chief Executive (CE) would start the session with some introductory remarks, after which CE would answer Members' questions.

28. The Chairman said that he would request CE to stay a bit longer. Dr YEUNG Sum suggested that the duration of the session should be extended by at least half an hour. Miss Emily LAU proposed that political reforms and the role of Chief Executive's Special Adviser should be among the topics for questions at the session.

VII. Business for the Council meeting on 19 January 2000

(a) **Questions**
(LC Paper No. CB(3) 393/99-00)

29. Members noted that 20 questions (six oral and 14 written) had been tentatively scheduled.

(b) **Bills - First and Second Readings**

(i) **Companies (Amendment) Bill 2000**

(ii) **Medical and Health Care (Miscellaneous Amendments) Bill 2000**

30. Members noted that the above Bills would be introduced into the Council on 19 January 2000 and considered by the House Committee on 21 January 2000.

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(c) **Bills - resumption of debate on Second Reading, Committee Stage and Third Reading**

31. Members noted that no notice had been received.

(d) **Government motions**

- (i) **Resolution under section 59 of the Electricity Ordinance (Cap. 406) - to be moved by the Secretary for Economic Services**
(*LC Paper No. LS 53/99-00*)

32. The Legal Adviser said that the proposed resolution sought the Council's approval of the Electricity Supply Lines (Protection) Regulation (the Regulation) made under section 59 of the Electricity Ordinance. The purpose of the Regulation was to prescribe certain requirements designed to ensure that works activities carried out in the vicinity of underground electricity cables or overhead electricity lines do not prejudice safety or the continuity of the supply of electricity. He added that the Bills Committee formed to study the Electricity (Amendment) Bill 1999 had proposed that the Regulation be subject to the positive vetting procedure of the Legislative Council.

33. Mr Fred LI proposed that a subcommittee be formed to study the Regulation. Members agreed. The following members agreed to join : Mr Fred LI Wah-ming, Miss Margaret NG and Dr YEUNG Sum.

- (ii) **Two resolutions under section 4 of the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) - to be moved by the Secretary for Security**

34. The Chairman said that the Chairman of the subcommittee formed to study the Italy, South Korea and Switzerland Orders would report under agenda item IX(f) below.

(e) **Members' motions**

- (i) **Resolution under Article 159 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China - to be moved by Hon LEUNG Yiu-chung**

35. The Chairman said that Mr LEUNG Yiu-chung's proposed resolution sought to amend Article 74 and Item II of Annex II of the Basic Law. The Legal Adviser added that the President had given approval for Mr LEUNG's proposed resolution to be included in the agenda for the next Council meeting on 19 January 2000.

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36. The Chairman said that there were three issues that needed to be considered in relation to Mr LEUNG's proposed resolution. They were -

- (a) whether the passage of the proposed resolution required the consent of two-thirds of all the Members of the Council;
- (b) whether the House Committee should make a recommendation as regards the speaking time for Members other than the mover of the proposed resolution; and
- (c) how the matter should be taken forward if the proposed resolution was carried by two-thirds of all the Members of the Council.

37. As regards paragraph 36(c), the Secretary General said that there was no established mechanism for amending the Basic Law. In the event that Mr LEUNG's proposed resolution was carried, he would notify CE and the local deputies to the National People's Congress (NPC) of the resolution passed by the Council.

38. Miss Emily LAU said that the issue on establishing a mechanism for amending the Basic Law had been discussed by the Panel on Constitutional Affairs on a number of occasions. She asked the Secretariat to circulate the relevant papers to Members for information.

39. Mr LEUNG Yiu-chung asked whether his proposed resolution, if carried by two-thirds of all the Members of the Council, would have any legal effect.

40. The Legal Adviser explained that Article 159 of the Basic Law (BL 159) did not spell out in comprehensive terms the mechanism for proposing amendments to the Basic Law. However, BL 159 stipulated that bills for amendments to the Basic Law should be submitted to the NPC by the delegation of the HKSAR to the NPC after obtaining the consent of two-thirds of the local NPC deputies, two-thirds of all the Members of the Council, and CE of the HKSAR.

41. The Legal Adviser was of the view that if Mr LEUNG's proposed resolution was carried by a two-thirds majority of the Members of the Legislative Council, it would have established a legal fact to that effect. Also, one of the necessary conditions for proposing amendments to the Basic Law stipulated in BL 159 could be regarded as having been met.

42. Mr LEUNG further asked whether his proposed resolution, if carried, would need to be published in the Gazette. The Legal Adviser responded that there was no legal requirement for such a resolution to be gazetted.

43. Mr CHAN Kam-lam asked what voting procedure would apply to Mr

LEUNG's proposed resolution.

44. The Chairman said that the requirement of the consent of two-thirds of all the Members of the Council stipulated in BL 159 would apply. Mr Andrew WONG concurred with the Chairman and said that Annex II(II) to the Basic Law stated that unless otherwise provided in the Basic Law, the Council should adopt the voting procedure on bills and motions set out in the Annex.

45. Mr Martin LEE said that the 15-minute speaking time limit stipulated in Rule 36(5) of the Rules of Procedure should apply. He failed to see why a recommendation on speaking time needed to be made in the case of Mr LEUNG's proposed resolution.

46. The Legal Adviser said that the House Committee could, under Rule 37 of the Rules of Procedure, recommend to the President the speaking time limit for motion debates unless the motion was intended to have legislative effect or the motion was one to which Part JA (Procedures for Particular Motions) of the Rules of Procedure applied.

47. Mr Andrew WONG said that his interpretation of Rule 37 differed from that of the Legal Adviser. Mr WONG considered that since Rule 37 was applicable to any motion other than a motion intended to have legislative effect or to which Part JA of the Rules of Procedure applied, Mr LEUNG's proposed resolution was clearly a "particular motion" as its passage required the consent of two-thirds of all the Members of the Council although there was no mechanism for LegCo to amend the Basic Law on its own. Mr WONG was therefore of the view that there was no need for such a recommendation to be made under Rule 37. Miss Margaret NG concurred with Mr WONG.

48. Miss Emily LAU said that in her view, the usual speaking time of 15 minutes for motions having legal effect, such as those on resumption of the Second Reading debates on Bills, should apply to Mr LEUNG's resolution.

49. The Legal Adviser reiterated that if Mr LEUNG's proposed resolution was carried by two-thirds of all the Members of the Council, it would have established a legal fact which might be regarded as fulfilment of one of the conditions for introducing a bill to amend the Basic Law stipulated in BL 159. The Legal Adviser pointed out that under the Rules of Procedure the House Committee was not in a position to recommend a speaking time shorter than 15 minutes for debates during the resumption of Second Reading debate stage.

50. In response to Miss Margaret NG's view that the motion had legislative effect, the Legal Adviser said that he recognised that there could be argument that the debate in Council on Mr LEUNG's proposed resolution was part of the legislative process for the amendment of the Basic Law. However, that argument could only stand if the expression "legislative process" was given a

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broad interpretation. In his view, the debate could be seen as a procedure adopted by the legislature of the HKSAR to ascertain whether the proposed resolution had the support of two thirds majority of all the Members of the Council. He added that, by giving a narrow meaning to the expression "legislative process", that process would only commence after a bill for amendment to the Basic Law was placed on the agenda of the NPC which was the only body competent to amend the Basic Law.

51. Mr Andrew WONG was however of the view that BL 159 already provided an "implicit" mechanism for amending the Basic Law. He considered that, prior to a submission to the NPC, any step taken in accordance with BL 159 could be regarded as the commencement of the legislative process.

52. Miss Emily LAU said that the Council meeting on 19 January 2000 was likely to be a prolonged one. The Chairman said that he would consult the President about its duration should the need arise.

53. In summing up, the Chairman said that the 15-minute speaking time limit would apply to the debate on Mr LEUNG's proposed resolution. In the event of Mr LEUNG's proposed resolution being carried by two-thirds of all the members of the Council, the Secretary General would notify CE and the local NPC deputies of the resolution.

(ii) Motion on "Enhancing the functions of District Councils"

54. Members noted the draft wording of the motion to be moved by Professor NG Ching-fai.

(iii) Motion on "Creating employment opportunities by providing support for the waste recovery and recycling industries"

55. Members noted the draft wording of the motion to be moved by Mr CHAN Kwok-keung.

56. The Chairman reminded members that the deadline for giving notice of amendments (if any) to the motions was 12 January 2000. The speaking time limits stipulated in rule 17(c) of the House Rules would apply.

VIII. Advance information on business for the Council meeting on 26 January 2000

(a) Bills - First and Second Readings

Insurance Companies (Amendment) Bill 2000

57. Members noted that the above Bill would be introduced into the Council on 26 January 2000 and considered by the House Committee on 11 February 2000.

(b) Members' motions

(i) Motion to be moved by Ir Dr Hon Raymond HO Chung-tai

58. Members noted that Dr Raymond HO Chung-tai had been allocated a debate slot.

(ii) Motion on "Assisting Hong Kong businessmen in seizing the opportunities created by China joining the World Trade Organization"

59. Members noted that Mr HUI Cheung-ching would move the above motion on 26 January 2000.

60. The Chairman reminded members that the deadlines for giving notice of the above motions and notice of amendments (if any) to the motions were 11 January 2000 and 19 January 2000 respectively. The speaking time limits stipulated in rule 17(c) of the House Rules would apply.

IX. Reports

(a) Position report on Bills Committees/subcommittees

(LC Paper No. CB(2)757/99-00)

61. The Chairman said that there were 11 Bills Committees in action. Four Bills Committees had completed work and would report under items (b) to (e) below. The four vacant slots would be taken up by the Bills Committee on Witness Protection Bill, the Bills Committee on Adaptation of Laws (No.16) Bill 1999, the Bills Committee on Statute Law (Miscellaneous Provisions) Bill 1999 and the Bills Committee on Legal Practitioners (Amendment) Bill 1999.

62. The Chairman further said that there were eight subcommittees in action, including the subcommittee formed earlier to study the Electricity Supply Lines (Protection) Regulation.

63. The Chairman added that with the formation of two Bills Committees under agenda items III(a) and IV(b), there were 11 Bills Committees on the waiting list.

(b) Report of the Bills Committee on International Organizations (Privileges and Immunities) Bill

64. Mr James TO, Chairman of the Bills Committee, said that at the meeting of the Bills Committee on 4 January 2000, the Administration had agreed to move a Committee Stage amendment (CSA) to delete clause 3(2) of the Bill so that section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) would apply to Orders made by the Chief Executive in Council under clause 3(1) of the Bill. He added that a written report would be submitted to the House Committee recommending that the Second Reading debate on the Bill be resumed.

(c) Report of the Bills Committee on Hong Kong Arts Development Board (Amendment) Bill 1999

65. Mr Timothy FOK, Chairman of the Bills Committee, said that the Bills Committee had completed scrutiny of the Bill on 6 January 2000. He added that the Bills Committee supported the Bill and would submit a written report to the House Committee on 14 January 2000.

(d) Report of the Bills Committee on Elections (Corrupt and Illegal Conduct) Bill

66. Mr Ronald ARCULLI, Chairman of the Bills Committee, said that the Bills Committee had concluded its deliberations on 6 January 2000 and would submit a written report to the House Committee on 21 January 2000 recommending that the Second Reading debate on the Bill be resumed on 16 February 2000. He said that the Bill contained a number of new provisions which were not covered in the existing Corrupt and Illegal Practices Ordinance. He hoped that Members would study the Bills Committee's report before the resumption of the Second Reading debate on 16 February 2000.

67. Miss Emily LAU said that there was now a tendency for the Administration to take over CSAs initiated by individual Members or a Bills Committee. She considered such a situation unsatisfactory and unfair as it did not reflect accurately the contribution and efforts made by Members in the scrutiny of bills. She was of the view that those CSAs to the Bill proposed by Bills Committee members and supported by both the Administration and the Bills Committee should be moved by the Members concerned. She suggested that the Chairman should raise this at his next meeting with CS. Mr Ronald ARCULLI, Dr YEUNG Sum, Mr LEE Wing-tat and Mrs Selina CHOW shared

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Miss LAU's views.

68. Dr YEUNG Sum said that because of its position on BL 74, the Administration would take over an amendment if the amendment would, in the Administration's estimation, stand a good chance of being carried. However, the passage of an amendment moved by a Member to the Provision of Municipal Services (Reorganization) Bill at the Committee Stage had achieved a breakthrough. Mr HO Sai-chu added that this indicated that the Administration could be persuaded to allow individual Members to move amendments if the various political groupings in LegCo adopted a united front.

69. Mr CHAN Kam-lam said that he did not see any problem with the Administration taking over CSAs initiated by members of a Bills Committee which had the support of both the Administration and the Bills Committee concerned. He added that in cases where the Administration did not support the CSAs proposed by individual Members and supported by a Bills Committee, its Chairman could move the CSAs on behalf of the Bills Committee concerned. Where individual Members' proposed CSAs were not supported by the Bills Committee concerned, they could still proceed with the CSAs on their own if they so wished. He considered it unnecessary that Members should insist on moving CSAs on their own for the sake of confronting the Administration on its position on BL 74.

70. Mr James TO disagreed with Mr CHAN and said that the Administration should take the initiative to invite the Chairman of a Bills Committee to move CSAs initiated by individual Members and supported by both the Administration and the Bills Committee concerned.

71. Mr TAM Yiu-chung echoed that Mr CHAN Kam-lam's views and asked the Chairman to reflect to CS the different views expressed at the meeting.

72. The Chairman said that he would, at his next meeting with CS, reiterate Members' position on BL 74 and reflect to CS members' views on the matter.

(e) **Report of the Bills Committee on Organized and Serious Crimes (Amendment) Bill 1999**

(LC Paper No. CB(2)759/99-00)

73. Mr James TO, Chairman of the Bills Committee, introduced the paper which detailed the Bills Committee's deliberations on the Bill.

74. Members raised no objection to the resumption of the Second Reading debate on the Bill on 19 January 2000.

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- (f) **Report of the Subcommittee to study the Italy Order, the South Korea Order and the Switzerland Order made under section 4 of the Mutual Legal Assistance in Criminal Matters Ordinance (Cap.525)**
(LC Paper No. CB(2)770/99-00)

75. Mr James TO, Chairman of the subcommittee, said that the subcommittee recommended that the Italy Order and the South Korea Order be supported.

76. Mr TO further said that the subcommittee would further deliberate on the Switzerland Order and submit a report in due course.

- (g) **Report of the Subcommittee on the Organized and Serious Crimes Ordinance (Amendment of Schedule 1) Order 1999**
(LC Paper No. CB(1)702/99-00)

77. Mrs Selina CHOW, Chairman of the subcommittee, highlighted the subcommittee's views detailed in paragraphs 16 and 17 of the paper and said that the subcommittee recommended that the Order be supported.

- (h) **Report of the Subcommittee to consider the formation of new Panel(s) in relation to the provision of municipal services**
(LC Paper No. CB(1)768/99-00)

78. Dr TANG Siu-tong, Chairman of the subcommittee, introduced the paper which detailed the deliberations of the subcommittee to consider the formation of new Panel(s) in relation to the provision of municipal services.

79. Members raised no objection to the subcommittee's recommendation of the Panel on Home Affairs taking on the monitoring of issues relating to the provision of leisure and cultural services.

80. Mr Fred LI was in favour of forming a new Panel on Food Safety and Environmental Hygiene. He said that given the already heavy workload of the existing Panel on Environmental Affairs (EA Panel), it would not be possible for the EA Panel to cope with the additional responsibilities of monitoring issues relating to food safety and environmental hygiene. Moreover, policy areas such as hawkers and markets, restaurant licensing and liquor licensing, etc., which were under Division A of the new Environment and Food Bureau as shown in Appendix II to the paper, did not fall readily within the ambit of any existing Panel. He further said that issues relating to the provision of municipal services required close monitoring by LegCo following the dissolution of the two Provisional Municipal Councils.

81. The Chairman suggested to put to vote the following four options dealing with monitoring of issues relating to food safety and environmental

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hygiene -

- (a) a new Panel on Food Safety and Environmental Hygiene be formed;
- (b) the terms of reference of the existing EA Panel be expanded to cover food safety and environmental hygiene;
- (c) the terms of reference of the existing Panel on Health Services (HS Panel) be expanded to cover food safety and environmental hygiene; and
- (d) the HS Panel to take up public health education and food safety matters, and the EA Panel to deal with the remaining responsibilities for environmental hygiene.

Members agreed to the Chairman's suggestion. Members further agreed that the voting of the four options should be by a process of elimination.

82. The results of the first round of voting were that 18 members voted for the option in paragraph 81(a); 1 member voted for the option in paragraph 81(b); no member voted for the option in paragraph 81(c); and 20 members voted for the option in paragraph 81(d). The Chairman declared that the option in paragraph 81(c) was eliminated.

83. The meeting then proceeded to the second round of voting. The results were 19 members voted in favour of the option in paragraph 81(a); no member voted for the option in paragraph 81(b); and 20 members voted in favour of the option in paragraph 81(d). The Chairman said that there was no need to proceed to a further round of voting. The Chairman declared that the option in paragraph 81(d) was agreed to.

84. The Chairman said that he would move a motion on behalf of the House Committee on 26 January 2000 to seek the Council's approval. He added that any Member who disagreed with the House Committee's decision could move an amendment to his motion.

85. Mr Martin LEE pointed out that following the Council's decision on the restructuring of Panels, membership of the relevant Panels should be re-opened.

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X. Arrangements for Meetings-cum-luncheons with District Council Members and Proposed Amendments to Rule 32 of House Rules

(LC Paper No. CB(2) 584/99-00 issued vide LC Paper No. CB(2) 637/99-00 dated 15 December 1999. Revised Appendix to LC Paper No. CB(2) 584/99-00)

(LC Paper No. CB(2) 746/99-00 on Proposed Amendments to Rule 32 of House Rules)

86. Members endorsed the proposals set out in LC Paper No. CB(2) 584/99-00 and the proposed amendments to rule 32 of the House Rules in LC Paper No. CB(2) 746/99-00.

XI. Any other business

Election of a Member to the Committee on Rules of Procedure

87. The Chairman said that an election of a Member to the Committee on Rules of Procedure would be held at the next House Committee meeting on 14 January 2000 to fill the seat vacated by Mr Ambrose CHEUNG.

88. There being no further business, the meeting ended at 5:39 pm.

Legislative Council Secretariat

12 January 2000