

Ref : CB2/H/5

**House Committee of the Legislative Council**

**Minutes of the 8<sup>th</sup> meeting  
held in the Legislative Council Chamber  
at 4:40 pm on Friday, 26 November 1999**

**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 Michael HO Mun-ka  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon LEE Cheuk-yan  
Hon Martin LEE Chu-ming, SC, JP  
Hon Eric LI Ka-cheung, JP  
Hon LEE Kai-ming, SBS, JP  
Dr Hon LUI Ming-wah, JP  
Hon NG Leung-sing  
Hon Margaret NG  
Hon Mrs Selina CHOW LIANG Shuk-yee, JP  
Hon HUI Cheung-ching  
Hon CHAN Kwok-keung  
Hon CHAN Yuen-han  
Hon Bernard CHAN  
Hon CHAN Wing-chan  
Hon CHAN Kam-lam  
Hon Mrs Sophie LEUNG LAU Yau-fun, JP  
Hon Gary CHENG Kai-nam, JP  
Hon SIN Chung-kai  
Dr Hon Philip WONG Yu-hong  
Hon WONG Yung-kan  
Hon Howard YOUNG, JP



Mr Ray CHAN	Assistant Secretary General 3
Ms Bernice WONG	Assistant Legal Adviser 1
Miss Anita HO	Assistant Legal Adviser 2
Mr Stephen LAM	Assistant Legal Adviser 4
Mr Arthur CHEUNG	Assistant Legal Adviser 5
Mrs Vivian KAM	Chief Assistant Secretary (Complaints)
Miss Kathleen LAU	Chief Public Information Officer
Mr LAW Wing-lok	Chief Assistant Secretary (2)5
Mrs Betty LEUNG	Chief Assistant Secretary (3)1
Miss Mary SO	Senior Assistant Secretary (2)8

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**I. Confirmation of the minutes of the 7th meeting held on 19 November 1999 and the special meeting held on 5 November 1999**

*(LC Paper No. CB(2) 451/99-00)*

*(LC Paper No. CB(2) 441/99-00 issued vide LC Paper No. CB(2) 442/99-00 dated 23 November 1999)*

The two sets of minutes were confirmed.

**II. Matters arising**

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

2. The Chairman said that he had told the Administration that the introduction of bills into the Council had been very slow. Acting CS's response was that the Administration was also extremely concerned about the situation and Bureau Secretaries had been reminded to expedite.

3. The Chairman further said that he had conveyed to CS Mr Ambrose CHEUNG's request that the Administration should give an undertaking to proceed with the capital projects which had been approved in principle by the two Provisional Municipal Councils (PMCs), should a decision be taken to dissolve the two PMCs. CS had said that if the Provision of Municipal Services (Reorganization) Bill was passed, a special briefing would be held on Friday, 3 December 1999 from 2:30 pm to about 3:30 pm to enable the Administration to brief members of the Finance Committee on the financial arrangements regarding the capital projects of the two PMCs.

**(b) Monitoring of Disney theme park project**

4. The Chairman sought members' views as to whether the monitoring of the Hong Kong Disneyland (HKD) project should be undertaken by the

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Economic Services Panel (ES Panel) or by a subcommittee formed under the House Committee.

5. Miss Margaret NG said that she had no strong views about the ES Panel assuming the responsibility for monitoring the HKD project. However, she was of the view that upon the completion of the Environment Impact Assessment (EIA) study report, the ES Panel should hold a joint meeting with the Environmental Affairs Panel (EA Panel) to discuss the EIA study report. Other non-Panel members should also be invited to attend the meeting.

6. Mr James TIEN, Chairman of the ES Panel, said that both the Panel and non-Panel members present at the special meeting of the ES Panel on 15 November 1999 were generally in favour of the ES Panel taking the lead in monitoring the HKD project.

7. Mr CHAN Kam-lam, Mrs Miriam LAU and Mrs Selina CHOW were of the view that it would be more appropriate for the monitoring of the HKD project to be undertaken by the ES Panel, with non-Panel members invited to attend meetings of the Panel at which the HKD project would be discussed.

8. Miss Cyd HO said that at the special meeting of the ES Panel held on 15 November 1999 to discuss the HKD project, there were insufficient Panel members present to form a quorum at the scheduled starting time of the meeting, although several non-Panel members had turned up on time. Miss HO therefore expressed doubts as to whether the majority of members of the ES Panel were keen on taking up the monitoring role.

9. Mr James TIEN said that the quorum for a ES Panel meeting was seven members. Six Panel members and four non-Panel members were already present by 8:30 am on 15 November 1999, and a quorum was soon formed when more Panel members turned up. Mr TIEN further said that it was likely that environmental issues relating to the HKD project would be brought up whenever the ES Panel discussed the HKD project. If joint meetings with the EA Panel were to be held every time such issues were raised, it would mean that joint meetings of the two Panels would need to be convened on a fairly frequent basis.

10. Miss Margaret NG reiterated her view that a joint meeting of the ES and EA Panels should be held to discuss the EIA study report with particular emphasis on whether the procedures for carrying out EIA studies set out in the EIA Ordinance were fully complied with.

11. Mrs Selina CHOW said that other issues might become the focus of attention in different stages of the HKD project. She opined that the Chairman of the ES Panel could consider consulting the chairmen of the relevant Panels as to whether joint meetings should be held.

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12. Miss Emily LAU agreed that the ES Panel should take the lead in monitoring the HKD project. She further said that all relevant papers relating to the HKD project to be discussed at meetings of the ES Panel should be circulated to non-Panel members for information. It would be up to individual Members to decide whether they would attend the meetings concerned.

13. The Chairman suggested that the ES Panel should take the lead in monitoring the HKD project and that notices of meetings of the ES Panel at which the HKD project would be discussed, together with the relevant papers, should be circulated to all non-Panel members. Members agreed.

**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)**

**Industrial Training (Clothing Industry) (Amendment) Bill 1999**  
(LC Paper No. LS 31/99-00)

14. The Legal Adviser said that the object of the Amendment Bill was to remove lodgement in person as a method of lodging export declarations for clothing items. He explained that after the amendment was brought into force, the only method left would be lodgement by electronic data interchange (EDI). He further said that the Amendment Bill, if passed, would come into operation on a day to be appointed by the Secretary for Trade and Industry by notice in the Gazette. He added that the Administration intended to bring the amendment into force on 1 April 2000 so as to achieve compulsory EDI lodgement as from that date.

15. The Legal Adviser said that the Legal Service Division was of the view that the legal and drafting aspects of the Bill were in order.

16. Mr James TIEN said that Members belonging to the Liberal Party supported the amendments proposed in the Bill.

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

**(b) Legal Service Division's report on subsidiary legislation tabled in Council on 24 November 1999 (gazetted on 19 November 1999)**  
(LC Paper No. LS 30/99-00)

18. The Chairman introduced the paper which detailed the 12 items of subsidiary legislation gazetted on 19 November 1999.

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19. The Chairman said that the three items of election-related subsidiary legislation warranted detailed study by a subcommittee. They were the Legislative Council (Registration of Electors) (Appeals) (Amendment) Regulation 1999, the Declaration of Geographical Constituencies (Legislative Council) Order 1999 and the Electoral Affairs Commission (Registration of Electors) (Geographical Constituencies) (Legislative Council) (Amendment) Regulation 1999.

20. The Chairman suggested and members agreed that a subcommittee should be formed. The following members agreed to join : Miss Cyd HO Sau-lan, Mr Martin LEE Chu-ming and Miss Emily LAU Wai-hing. Members further agreed that the subcommittee should also study other subsidiary legislation to be made relating to the Legislative Council election in 2000.

21. Members did not raise any query on the remaining nine items of subsidiary legislation covered in the paper.

22. The Chairman reminded members that the deadline for amending the subsidiary legislation was 15 December 1999, or 5 January 2000 if extended by resolution.

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

**(a) Adaptation of Laws (No. 7) Bill 1998**  
*(LC Paper No. LS 3/99-00)*

23. The Legal Adviser said that the Bill dealt with the adaptation of seven ordinances relating to land matters. He highlighted the issues involved in the adaptation of the term "Crown" to "Government" in the Lands Resumption Ordinance which were detailed in paragraphs 2-8 of the paper. He further said that the Administration had proposed Committee Stage amendments (CSAs) to replace the term "Governor" with "Chief Executive" in line with similar amendments involving the power to make subsidiary legislation made to other adaptation of laws bills. He added that the Legal Service Division was of the view that the legal and drafting aspects of the Bill were in order.

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

**(b) Adaptation of Laws (No. 11) Bill 1998**  
*(LC Paper No. LS 4/99-00)*

25. The Legal Adviser said that the Bill dealt with the adaptation of nine ordinances relating to land and building matters. He added that the provisions

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in the Bill relating to the adaptation of the term "Crown" to "Government" also involved issues similar to those raised in the Adaptation of Laws (No. 7) Bill 1998.

26. The Legal Adviser pointed out that the adaptation of the term "Crown" to "State" in the First Schedule to the Land Development Corporation Ordinance in Schedule 1 of the Bill raised issues similar to those to be considered by the Bills Committee on Adaptation of Laws (No. 16) Bill 1999 which had yet to start work.

27. The Chairman suggested that a decision on the Bill be deferred pending the completion of work by the Bills Committee on Adaptation of Laws (No. 16) Bill 1999. Members agreed.

(c) **Adaptation of Laws (No. 30) Bill 1999**  
(*LC Paper No. LS 33/99-00*)

28. The Legal Adviser said that the Bill dealt with the adaptation of 24 ordinances relating to statutory bodies and trust funds. He highlighted the technical issues in the Church of England Trust Ordinance and the Spiritual Assembly of the Baha'is of Hong Kong Incorporation Ordinance detailed in paragraphs 2-5 of the paper. He added that with the CSAs proposed by the Administration to deal with some minor omissions of a technical nature, the Legal Service Division was of the view that the legal and drafting aspects of the Bill were in order.

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

**V. Business for the Council meeting on 8 December 1999**

(a) **Questions**  
(*LC Paper No. CB(3) 242/99-00*)

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

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

(i) **Consular Relations Bill**

(ii) **Road Traffic Legislation (Amendment) Bill 1999**

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31. Members noted that the above Bills would be introduced into the Council on 8 December 1999 and considered by the House Committee on 17 December 1999.

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

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(i) **Adaptation of Laws (No. 20) Bill 1999**

(ii) **Order of Friars Minor in Hong Kong Incorporation Bill**

32. Members agreed at previous meetings that the Second Reading debates on the above Bills be resumed.

(d) **Government motion**

**Resolution under section 22 of the Industrial Training (Construction Industry) Ordinance (Cap. 317) - to be moved by the Secretary for Education and Manpower**  
*(LC Paper No. LS 32/99-00)*

33. The Chairman said that the motion proposed that the rate of construction industry training levy imposed on the value of construction works undertaken in Hong Kong be raised from 0.25% to 0.4% of such value.

34. The Chairman further said that the Panel on Manpower was briefed by the Administration on the proposed increase on 28 October 1999. Panel members had raised no objection to the proposal. He added that the Construction Industry Advisory Board, the Hong Kong Construction Association and the Real Estate Developments Association of Hong Kong had also expressed support for the proposal.

35. Members did not raise any query on the motion.

36. The Chairman reminded members that the deadline for giving notice of amendments to the motion was 1 December 1999.

(e) **Members' motions**

(i) **Motion on "Urban Renewal Authority White Bill"**

37. Members noted the wording of the motion to be moved by Dr LEONG Che-hung.



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(ii) **Motion on "Child Support Agency"**

38. The Chairman reminded members that Miss CHOY So-yuk had changed the topic of her motion from "Child Support Agency" to "Establishing an organization for recovering alimony".

39. The Chairman said that the deadline for giving notice of amendments (if any) to Miss CHOY's motion was 1 December 1999.

**VI. Advance information on business for the Council meeting on 15 December 1999**

(a) **Bill - First and Second Readings**

**Drug Trafficking and Organized Crimes (Amendment) Bill 1999**

40. Members noted that the above Bill would be introduced into the Council on 15 December 1999 and considered by the House Committee on 17 December 1999.

(b) **Members' motions**

(i) **Motion on "Long-term transport strategy"**

41. Members noted that Mrs Miriam LAU Kin-ye had been allocated a debate slot.

(ii) **Motion on "Education reform"**

42. Members noted that Mr YEUNG Yiu-chung had been allocated a debate slot.

43. The Chairman said that the deadlines for giving notice of the above motions and notice of amendments (if any) to the motions were 30 November 1999 and 8 December 1999 respectively. The speaking time limits stipulated in rule 17(c) of the House Rules would apply.

**VII. Report**

**Position report on Bills Committees/subcommittees**  
(LC Paper No. CB(2) 460/99-00)

44. The Chairman said that there were 15 Bills Committees and eight subcommittees in action, including the subcommittee formed earlier at the

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meeting to study the election-related subsidiary legislation. In addition, 11 Bills Committees were on the waiting list.

**VIII. Any other business**

45. There being no further business, the meeting ended at 5:10 pm.

Legislative Council Secretariat

1 December 1999