

立法會
Legislative Council

LC Paper No. CB(2)934/99-00

Ref : CB2/HS/1/99

**Subcommittee to consider the formation of new Panel(s)
in relation to the provision of municipal services**

**Minutes of Meeting
held on Tuesday, 28 December 1999 at 9:00 am
in Conference Room B of the Legislative Council Building**

- Members Present** : Dr Hon TANG Siu-tong, JP (Chairman)
Hon Cyd HO Sau-lan
Hon WONG Yung-kan
Hon Howard YOUNG, JP
Hon CHOY So-yuk
- Absent with Apology** : Hon CHAN Yuen-han
Dr Hon LEONG Che-hung, JP
Hon Gary CHENG Kai-nam, JP
Hon Mrs Miriam LAU Kin-ye, JP
- Member Attending** : Hon Andrew WONG Wang-fat, JP
(Chairman, Panel on Constitutional Affairs)
- Clerk in Attendance** : Mrs Constance LI
Chief Assistant Secretary (2)2
- Staff in Attendance** : Mrs Justina LAM
Assistant Secretary General 2
- Mr LEE Yu-sung
Senior Assistant Legal Adviser
- Miss Mary SO
Senior Assistant Secretary (2)8
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I. Election of Chairman

Dr TANG Siu-tong was elected Chairman of the Subcommittee.

II. Discussion on whether new Panel(s) should be set up and/or whether the existing work of Panels should be adjusted

[LC Paper No. CB(2)631/99-00 for the House Committee meeting on 17 December 1999 and LC Paper No. CB(2) 713/99-00]

2. The Chairman sought members' views on the four options raised at the House Committee meeting on 17 December 1999 [LC Paper No. CB(2)713/99-00] on how Legislative Council (LegCo) Panels should be restructured to monitor issues relating to the provision of municipal services. Members also noted the following papers tabled at the meeting -

- (a) an extract of the draft minutes of the House Committee meeting on 17 December 1999 concerning the monitoring of issues relating to the provision of municipal services by LegCo Panels;
- (b) statistics on Panel meetings held from July 1998 up to 24 December 1999 (**Appendix I**); and
- (c) issues discussed by the Panel on Constitutional Affairs (CA Panel) and the Panel on Health Services (HS Panel) within the current LegCo term (**Appendices II and III**).

3. Referring to the statistics on meetings held by the existing 17 Panels since the beginning of the current legislative term, the Chairman said that the Panel on Environmental Affairs (EA Panel), the Panel on Home Affairs (HA Panel) and the HS Panel had held the highest number of meetings. He asked members to take this into account when considering whether the monitoring of issues relating to the provision of municipal services should be taken up by these Panels.

4. Mr Howard YOUNG did not favour the setting up of a new Panel to monitor issues relating to food safety and environmental hygiene. He considered that the work could be taken up by the existing EA Panel. Mr YOUNG further said that although the EA Panel held the highest number of meetings, 14 out of the 45 meetings were in fact joint meetings held with other Panels. Assistant Secretary General 2 explained that most of these joint meetings were held with the Panel on Transport and the Panel on Planning, Lands and Works.

5. Mr WONG Yung-kan expressed concern that the EA Panel might be over-burdened if its ambit was expanded to cover issues relating to food safety and environmental hygiene.

6. The Chairman was in favour of forming a new Panel on Municipal Services in the meantime to oversee all issues currently undertaken by the two Provisional Municipal Councils, as the operation of the new governmental structure for the provision of municipal services was still at the initial stage. The Chairman said that the experience of this new Panel would serve as useful reference for Members of the new LegCo term to consider whether there was a need to form two separate Panels to deal with food safety and environmental health as well as leisure, culture and sport respectively.

7. Miss Cyd HO was of the view that issues relating to the provision of leisure and cultural services should be taken up by the HA Panel or a subcommittee under the HA Panel, given that the Panel's existing terms of reference already covered the development of arts and culture, public entertainment, sport and recreation. Miss HO added that if the ambit of the HA Panel was expanded to cover issues relating to the provision of leisure and cultural services, the Panel membership should be re-opened.

8. Mr Howard YOUNG shared Miss HO's view of not setting up a separate Panel on Leisure, Culture and Sport. Mr YOUNG opined that the increase in workload for the HA Panel arising from the monitoring of issues relating to the provision of leisure and cultural services might not be significant, as it was Government's intention to strengthen the role of the District Councils (DCs) in monitoring the provision of such services at the district level. Responding to some members' concern about over-burdening the HA Panel, Mr YOUNG said that a Member's suggestion of transferring the monitoring of human rights issues, currently within the terms of reference of the HA Panel, to the CA Panel, was worth considering.

9. Mr WONG Yung-kan said that he agreed in principle with Miss HO's suggestion of setting up a subcommittee under the HA Panel to deal with issues relating to the provision of cultural and leisure services. As regards issues relating to food safety and environmental hygiene, Mr WONG was of the view that a new Panel might be necessary to deal with such issues.

10. Mr Howard YOUNG clarified that although he had no strong objection to the formation of a new Panel on Food Safety and Environmental Hygiene and one on Leisure, Culture and Sport, he considered it more appropriate to expand the ambit of the existing EA Panel and the HA Panel to deal with issues relating to the provision of municipal services, given that there were only six months left before the current legislative term expired on 30 June 2000. Mr YOUNG suggested that the views of the EA Panel and HA Panel should be sought.

11. Miss Cyd HO echoed Mr YOUNG's view that it was not necessary to form a new Panel on Food Safety and Environmental Hygiene, but considered that issues relating to food safety should be dealt with by the HS Panel. She suggested seeking the views of the HS Panel and EA Panel as to which Panel should take up the issues relating to food safety and environmental hygiene.

12. Assistant Secretary General 2 explained that the delineation of responsibilities of Panels was determined according to the policy areas of the corresponding Bureau Secretaries or other principal officers. One proposal made in LC Paper No. CB(2)631/99-00 was that the monitoring of issues relating to food safety and environmental hygiene should be taken up by a new Panel while the EA Panel would continue to focus on environmental protection and conservation, i.e. broadly following the delineation of work of Divisions A and B of the new Environment and Food Bureau as set out in Appendix II of the paper. An alternative proposal made in the same paper was to expand the ambit of the existing EA Panel to cover food safety and environmental hygiene.

13. With regard to Miss Cyd HO's suggestion in paragraph 11, Assistant Secretary General 2 pointed out that as the new Environment and Food Bureau was set up to lead and co-ordinate Government's overall effort in food safety and environmental hygiene, if issues relating to food safety and environmental hygiene were split between two separate Panels, joint meetings might need to be held frequently.

14. Miss Cyd HO said that to avoid the problem of holding too many joint Panel meetings, she proposed that the monitoring of issues relating to both food safety and environmental hygiene be taken up by the HS Panel. The Chairman pointed out that some policy areas under Division A of the Environment and Food Bureau, such as hawkers and markets, restaurant licensing, liquor licensing, were not related to those under the purview of the HS Panel.

15. Mr Howard YOUNG said that he could see the logic of Miss HO's suggestion. However, he wished to reiterate his view that no new Panels should be formed given that the current LegCo term would end in about six months' time.

16. Assistant Secretary General 2 said that the operational responsibility for food safety would be transferred from the Health and Welfare Bureau to the new Environment and Food Bureau from 1 January 2000. If the principle of the current delineation of Panel responsibilities was to be followed, then issues relating to food safety and environmental hygiene should be taken up by a new Panel to be formed for the purpose, or the EA Panel if its ambit of work was to be expanded to correspond to that of the new Bureau.

17. Miss CHOY So-yuk, who was also the Chairman of the HA Panel, expressed support for expanding the terms of reference of the existing HA Panel to cover issues relating to the provision of leisure and cultural services. She said that past experience had shown that few Panel members turned up for the discussion of issues relating to culture, leisure and sport. It was therefore unnecessary to form a separate Panel to discuss these issues. Miss CHOY was also of the view that the monitoring of issues relating to food safety and environmental hygiene could be taken up by the EA Panel.

18. Mr Andrew WONG, Chairman of the CA Panel, was not in favour of forming new Panels. He considered that issues relating to food safety and environmental hygiene could be taken up by the EA Panel, while issues relating to provision of leisure and cultural services could be taken up by the HA Panel. Mr WONG further said that as the current legislature term would last only six more months, it would not be worthwhile to make changes to the existing structure of Panels. Mr WONG Yung-kan concurred with Mr WONG.

19. In summing up, the Chairman said that members were unanimous that a new Panel on Leisure, Cultural and Sport needed not be formed. Instead, the ambit of work of the HA Panel should be amended to cover these areas. As regards food safety and environmental hygiene, the Chairman concluded that most members were of the view that they should be taken up by the EA Panel, and not a new Panel.

20. There being no other business, the meeting ended at 10:00 am.

(Post-meeting note : The Chairman instructed that the proposed amendments to the terms of the reference of the EA Panel and the HA Panel be circulated to Subcommittee members and the Chairmen of the relevant Panels for consideration. Subject to Members' views, a report would be submitted to the House Committee on 7 January 2000.)

Legislative Council Secretariat
3 January 2000

Number of Panel meetings held from July 1998 to 24 December 1999

Panel	* Regular meetings	Special meetings	Joint meetings	Informal meetings	(Total)
Administration of Justice & Legal Services	17	5	0	0	22
Constitutional Affairs	20	8	4	0	32
Economic Services	19	4	1	0	24
Education	20	5	1	0	26
Environmental Affairs	20	5	14	6	45
Financial Affairs	16	9	2	1	28
Health Services	19	9	5	1	34
Home Affairs	20	11	4	1	36
Housing	19	10	2	1	32
Information Technology & Broadcasting	17	8	1	0	26
Manpower	23	2	3	0	28
Planning, Lands & Works	19	3	9	0	31
Public Service	15	4	2	0	21
Security	21	6	3	0	30
Trade & Industry	17	1	0	0	18
Transport	19	2	8	1	30
Welfare Services	20	7	1	0	28

(* Including meetings of the Subcommittees under the Panels)

**Issues Studied by the Panel on Constitutional Affairs
(from 1998-99 to present)**

Application of laws to the Chief Executive

Basic Law

- Articles 50 and 51 of the Basic Law
- Mechanism for amending the Basic Law

Constitutional Conventions

District Councils election

- 1999 District Councils election

Engagement in public offices

Legislative Council election

- -1998 Legislative Council election
- -2000 Legislative Council election

Making of subsidiary legislation

Relationship between the Executive and the Legislature

**Relationship between the Hong Kong Special Administrative Region
Government (HKSARG) and the Central People's Government (CPG)**

Review of district organizations

Right of abode

Others

- Adaptation of laws programme
- Designation of officials to attend LegCo meetings
- Disqualification of LegCo Members
- Y2K compliance

**Issues Studied by the Panel on Health Services
(from 1998-99 to present)**

Control of drugs

- Control of unregistered pharmaceuticals, blood supply and blood products
- Monitoring of sale of drugs

Dental health policy

Food safety

- Food related diseases and food safety issues
- Proposed new structure for food safety and environmental hygiene

Health care system and health care financing

- Hong Kong's health care system and health care financing

Health services for the elderly

Hospitals

- Monitoring of private hospitals
- Public hospitals

Infectious diseases

Legislative issues

Mental health

Registration of health care professionals

Staffing matters and enhanced productivity programmes

- Implementation of Enhanced Productivity Programme in the Hospital Authority and the Department of Health
- Manpower needs/staffing matters of the Hospital Authority and the Department of Health

Others

- Healthy Living Campaign
- The Health and Medical Development Advisory Committee
- Use of Health Care Laser Systems and other health care equipment
- Y2K compliance
- Medical advertisements