

立法會
Legislative Council

LC Paper No. CB(1) 2126/02-03
(These minutes have been seen
by the Administration)

Ref: CB1/BC/7/02/2

Bills Committee on Revenue Bill 2003

Minutes of fifth meeting
held on Friday, 30 May 2003, at 10:45 am
in Conference Room B of the Legislative Council Building

- Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon HUI Cheung-ching, JP
Hon CHAN Kam-lam, JP
Hon Andrew WONG Wang-fat, JP
Hon Miriam LAU Kin-yee, JP
Hon MA Fung-kwok, JP
- Members absent** : Hon Cyd HO Sau-lan
Hon SIN Chung-kai
Hon Emily LAU Wai-hing, JP
- Public officers attending** : Financial Services and the Treasury Bureau

Mr Martin GLASS
Deputy Secretary

Miss Erica NG
Principal Assistant Secretary

Mr Edward MAK
Assistant Secretary

Department of Justice

Ms Monica LAW
Senior Assistant Law Draftsman

Customs and Excise Department

Mr CHOW Kwong
Assistant Commissioner

Mr HO Pei-lok
Staff Officer

Transport Department

Ms Amy CHOW
Principal Executive Officer

Clerk in attendance : Miss Becky YU
Chief Assistant Secretary (1)1

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Miss Mandy POON
Legislative Assistant 4

I. Confirmation of minutes

- (LC Paper No. CB(1) 1754/02-03 -- Minutes of the meeting held on
16 May 2003
LC Paper No. CB(1) 1808/02-03 -- Minutes of the meeting held on
20 May 2003)

The minutes of the meetings held on 16 and 20 May 2003 were confirmed.

II. Meeting with the Administration

- (LC Paper No. CB(1) 1817/02-03(01) -- List of follow-up actions arising
from the discussion on
23 May 2003
LC Paper No. CB(1) 1817/02-03(02) -- Administration's response to
CB(1) 1817/02-03(01)
LC Paper No. CB(1) 1817/02-03(03) -- Further submission from the Motor
Traders Association of Hong Kong
(English version only)

- LC Paper No. CB(1) 1817/02-03(04) -- Committee Stage amendments to be moved by the Administration
- LC Paper No. CB(1) 1817/02-03(05) -- Committee Stage amendments to be moved by the Bills Committee)

2. The Committee deliberated (Index of proceedings attached at **Annex A**).
3. The Administration was requested to -
 - (a) advise the charging effect of the Committee Stage amendment (CSA) to clause 11 proposed by the Bills Committee;
 - (b) advise whether the old tax system could tie in with other provisions in the Bill in the event that the marginal tax rates for private cars pertaining to the Bill, the Administration's revised proposal and the Bills Committee's counter-proposal were not passed at the resumption of Second Reading debate on the Bill. To also advise the possible impact on the trade and the market under such circumstances;
 - (c) reflect in the CSA to clause 10 regarding section 4(I) the policy intent that, where a registered distributor had authorized an employee or agent under section 4D(3), the authorized employee or agent rather than the registered distributor should be held liable for failure to deliver a declaration; and
 - (d) consider exempting registered owners from the custodial sentence under new section 4I(1A).
4. There being no other business, the meeting ended at 12:30 pm.

**Proceedings of the meeting of the
Bills Committee on Revenue Bill 2003
Meeting on Friday, 30 May 2003, at 10:45 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 - 000108	Chairman	Confirmation of minutes of the meetings held on 16 and 20 May 2003 (LC Paper No. CB(1) 1754/02-03 and 1808/02-03))	
000109 - 000518	Chairman Administration	Administration's response to the concerns raised at the meeting on 23 May 2003 (LC Paper No. CB(1) 1817/02-03(02))	
000519 - 001002	Chairman Administration	Estimated additional revenue under Government's proposal and members' counterproposal and the effective tax rate	
001003 - 001049	Chairman Administration	Letter from the Motor Traders Association of Hong Kong dated 27 May 2003 (LC Paper No. CB(1) 1817/02-03(03))	
001050 - 002151	Ms Miriam LAU Administration Chairman	The assumptions used in arriving at the additional revenue yielded under Government's proposal and Bills Committee's counterproposal; and impact of first registration tax (FRT) proposals on motorcycles	
002152 - 004659	Chairman Mrs Selina CHOW Administration	Impact of FRT increases on retail car sales, in particular, cars at the mid and higher end of the price	

Time marker	Speaker	Subject(s)	Action required
		range; and the actual transactions as compared to the assumptions used	
004700 - 004837	Chairman Mr HUI Cheung-ching	Impact of Severe Acute Respiratory Syndrome on car sales and support of Bills Committee's counter-proposal	
004838 - 005411	Chairman Ms Miriam LAU Administration	Impact of FRT increases on motorcycle sales; and the reliability of the assumptions which were subject to pricing strategies and market behaviour	
005412 - 010321	Chairman Administration ALA4 Mr Andrew WONG Mrs Selina CHOW Ms Miriam LAU	Charging effect of the Bills Committee's counter-proposal and the order in which the Committee Stage amendments (CSAs) would be moved at the Council meeting	The Administration to advise the charging effect of CSAs to clause 11 to be moved by the Bills Committee
010322 - 010931	Chairman Administration Mrs Selina CHOW Ms Miriam LAU ALA4 Mr Andrew WONG	Charging effect of the Bills Committee's counter-proposal on motorcycles	
010932 - 011332	Chairman Administration	Whether the old tax system could tie in with other provisions in the Bill in the event that the marginal tax rates for private cars pertaining to the Bill, the Government's revised proposal and the Bills Committee's counter-proposal were not passed at the resumption of Second Reading debate on the Bill	The Administration to advise whether the old tax system could tie in with other provisions in the Bill in the event that the marginal tax rates for private cars pertaining to the Bill, the Administration's revised proposal and the Bills Committee's counter-proposal were not passed at the resumption of Second Reading debate on the Bill. To also advise the possible impact on the trade and the market

Time marker	Speaker	Subject(s)	Action required
			under such circumstances
011333 - 012331	Chairman Administration Ms Miriam LAU ALA4	Liability of employee or agent authorized by registered distributor	The Administration to reflect in the CSA to clause 10 regarding section 4(I) the policy intent that, where a registered distributor had authorized an employee or agent under section 4D(3), the authorized employee or agent rather than the registered distributor should be held liable for failure to deliver a declaration
012332 - 012537	Chairman Mr CHAN Kam-lam	Support of Government's revised proposal	
012538 - 013532	Chairman Administration Mrs Selina CHOW Mr CHAN Kam-lam	Penalty for failing to keep record	The Administration to consider exempting registered owners from the custodial sentence under new section 4I(1A)
013533 - 013831	Chairman Administration ALA4	Calculation of FRT on replaced accessories	
013832 - 014654	Chairman Administration ALA4	Examination of CSAs to be moved by the Administration (LC Paper No. CB(1) 1817/02-03(04))	
014655 - 014905	Chairman Ms Miriam LAU	Legislative timetable	