

立法會
Legislative Council

LC Paper No. CB(2)2858/02-03
(These minutes have been seen
by the Administration)

Ref : CB2/BC/6/02

**Bills Committee on
Legislative Council (Amendment) Bill 2003**

**Minutes of the sixth meeting
held on Monday, 16 June 2003 at 10:45 am
in Conference Room B of the Legislative Council Building**

- Members present** : Hon Andrew WONG Wang-fat, JP (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching, JP
Hon SIN Chung-kai
Dr Hon Philip WONG Yu-hong
Hon Howard YOUNG, JP
Hon Miriam LAU Kin-yea, JP
Hon SZETO WAH
Hon Henry WU King-cheong, BBS, JP
Hon LEUNG Fu-wah, MH, JP
Hon IP Kwok-him, JP
Hon Audrey EU Yuet-mee, SC, JP
- Members absent** : Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-yea, GBS, JP
Hon WONG Yung-kan
Hon Emily LAU Wai-hing, JP
Dr Hon LO Wing-lok
- Public Officers attending** : Mr Joseph LAI Yee-tak
Deputy Secretary for Constitutional Affairs
- Ms Eva YAM Ya-ling
Principal Assistant Secretary (Constitutional Affairs) 4

Mr Bassanio SO
Principal Assistant Secretary (Constitutional Affairs)5

Mrs N D DISSANAYAKE
Senior Assistant Law Draftsman

Mr Vidy CHEUNG
Senior Government Counsel

Clerk in attendance : Mrs Percy MA
Chief Assistant Secretary (2)3

Staff in attendance : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2

Mr Paul WOO
Senior Assistant Secretary (2)3

I. Meeting with the Administration
(LC Paper No. CB(2)2480/02-03(01) and (02))

The Bills Committee deliberated (index of proceedings attached at **Annex**).

Matters arising from the last meeting

Delineation of franchise for the Hong Kong & Mainland Software Industry Cooperation Association (HMSICA)
(LC Paper No. CB(2)2480/02-03(01))

2. The Bills Committee noted that the Administration had revised its proposal so that only the following two categories of corporate members of HMSICA might become electors of the Information Technology functional constituency (IT FC) -

- (a) Full Members of the Association which were represented in the Association's Council; and
- (b) Full Members of the Association which had been in the IT business for at least five years.

Under the new proposal, individual Council Members of the Association would not be eligible for registration as electors in IT FC.

3. Dr Raymond HO remained opposed to the revised proposal, under which a Full Member of HMSICA with less than five years' experience in the IT business might still be eligible to register as an elector in IT FC. He considered that this was not consistent with the stated criterion that electors in the FC should be representative bodies with considerable experience in the relevant field.

4. Mr SIN Chung-kai supported the revised proposal. He indicated that he would not support imposing more stringent criteria for registration as electors in IT FC. Some members considered that the eligibility criteria could be further simplified, and the "five-year requirement" might be relaxed. Ms Miriam LAU considered that the eligibility criteria for registration as electors in the same FC should be consistent.

(Post-meeting note : On 19 June 2003, the Administration advised the Bills Committee that it would revise the eligibility criteria by (a) deleting members of the council or governing bodies of the four umbrella associations (organizations (d) - (g) listed in paragraph 3 of LC Paper No. CB(2)2436/02-03(02)) from the electorate; and (b) reducing the relevant period for full members or fellows of these four umbrella organizations to be included in the electorate of IT FC from "five years" to "four years". The Administration's letter explaining the revised proposal was circulated vide LC Paper No. CB(2)2574/02-03(01) on 19 June 2003.)

Clause 39 - Proposed Part VIA of the Legislative Council Ordinance (LCO)

5. The Chairman informed members that Ms Cyd HO had to attend another meeting and left him a note saying that the proposed section 60D(2)(a) of LCO on financial assistance payable to candidates returned through uncontested elections should be deleted, as the calculation formula was illogical.

6. Mr LEUNG Fu-wah said that he supported the views of some deputations that the Government should not implement the proposed financial assistance scheme to subsidize LegCo candidates. He would oppose the introduction of the proposed scheme.

II. Any other business

7. Members agreed that the Second Reading debate on the Bill should be resumed at the Council meeting on 2 July 2003. The Bills Committee would submit its written report to the House Committee on 20 June 2003. The deadline for giving notice of Committee Stage amendments was 21 June 2003.

8. As the Bills Committee had concluded its deliberation on the Bill, members agreed that the meeting scheduled for 8:30 am on 17 June 2003 should be cancelled.

9. The meeting ended at 12:30 pm.

Council Business Division 2
Legislative Council Secretariat
17 July 2003

Annex

**Proceedings of the sixth meeting of the
Bills Committee on Legislative Council (Amendment) Bill 2003
on Monday, 16 June 2003 at 10:45 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker(s)	Subject(s)	Action Required
000000-001004	Chairman Admin	Admin's responses to the issues raised at the last meeting on 12 June 2003 (LC Paper Nos. CB(2)2480/02-03(01) and (02)).	
001005-003505	Mr SIN Chung-kai Dr Raymond HO Admin Chairman Mr HUI Cheung-ching Mr SZETO Wah	Admin's revised proposal concerning the delineation of franchise for the Hong Kong & Mainland Software Industry Cooperation Association which Admin proposed to include in the Information Technology functional constituency (IT FC). Consistency across all trade associations eligible for registration as electors in IT FC and representativeness of electors in IT FC. (LC Paper No. CB(2)2480/02-03(01))	
003506-004515	Dr Raymond HO Admin Chairman Mr IP Kwok-him Mr SIN Chung-kai	Rationale for Admin's proposal which enabled Full Members of certain umbrella organizations which were represented in the organizations' councils to become electors of IT FC, even though such Members might have less than five years' experience in the IT business.	
004516-004616	Chairman	Possibility of simplifying the eligibility criteria for registration as electors in IT FC and relaxing the "five-year" requirement.	
004617-005537	Ms Miriam LAU Admin Chairman Mr LEUNG Fu-wah	Necessity to ensure consistency in eligibility criteria for registration as electors in the same FC.	
005538-010142	Dr Raymond HO Chairman Admin Mr SIN Chung-kai	Necessity to ensure representiveness of organizations eligible for registration as electors in IT FC.	

Time marker	Speaker(s)	Subject(s)	Action Required
010143-010854	Chairman Admin Mr SIN Chung-kai Dr Raymond HO Mr LEUNG Fu-wah	Review of delineation of franchise for four newly included umbrella organizations in IT FC (i.e. HMSICA; Information Systems Audit and Control Association (HK Chapter) Limited; Professional Information Security Association; and Internet Professionals Association Limited).	
010855-011456	Chairman Admin	Ms Cyd HO's proposal to delete proposed section 60D(2)(a) of Legislative Council Ordinance (LCO) in proposed Part VIA of LCO.	
011457-011609	Mr LEUNG Fu-wah Chairman	Objection to the proposed financial assistance scheme.	
011610-011715	Mr SIN Chung-kai	Possibility of a candidate exercising an option between getting two rounds of free mailing service and financial assistance under the proposed financial assistance scheme.	
011716-013019	Chairman Ms Miriam LAU Admin	Proposed section 60D(2) of LCO.	
013020-013515	Chairman SALA2 Admin	Draft Committee Stage amendments (CSAs) proposed by Admin (LC Paper No. CB(2)2480/02-03(02)).	
013516-014027	Chairman Admin	CSAs proposed by individual members of Bills Committee.	
014028-014210	Chairman	Resumption of Second Reading debate on the Bill and report of Bills Committee to House Committee.	