

立法會
Legislative Council

Ref : CB2/BC/12/02

LC Paper No. CB(2)1712/03-04
(These minutes have been seen by
the Administration)

Bills Committee on Adoption (Amendment) Bill 2003

**Minutes of the third meeting
held on Thursday, 26 February 2004 at 4:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon Margaret NG (Chairman)
Hon Cyd HO Sau-lan
Hon CHAN Yuen-han, JP
Hon Miriam LAU Kin-yee, JP
Hon LI Fung-ying, JP
Hon Michael MAK Kwok-fung
Hon Audrey EU Yuet-mee, SC, JP

Members absent : Dr Hon LAW Chi-kwong, JP
Hon Ambrose LAU Hon-chuen, GBS, JP

Public Officers attending : Ms Susie HO, JP
Deputy Secretary for Health, Welfare and Food (Welfare)

Miss Diane WONG
Principal Assistant Secretary for Health, Welfare and Food
(Welfare)

Mr FUNG Pak-yan
Assistant Director (Family and Child Welfare)
Social Welfare Department

Mr Peter NG
Chief Social Work Officer (Family and Child Welfare) 2
Social Welfare Department

Ms Fanny IP
Senior Assistant Law Draftsman
Department of Justice

Ms LEE Sau-kong
Senior Government Counsel (Treaties and Law)
Department of Justice

Clerk in attendance : Mrs Sharon TONG
Chief Council Secretary (2)1

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Mr Raymond LAM
Senior Council Secretary (2)5

I. Meeting with the Administration

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

2. The Bills Committee requested the Administration to -

- (a) in relation to the adoption of a child by overseas adoptive parents, provide statistics on adoptions where the overseas adoptive parents came/did not come to visit the children concerned, and the respective successful adoption rate;
- (b) explain the psychological impact on the child in cases where the child had to be escorted by representatives of non-governmental organisations to join overseas adopters who did not come to visit the child in the matching process;
- (c) provide information on the arrangements for intercountry adoptions in other countries in respect of whether a prospective adopter was required to visit the child in the matching process;
- (d) provide information on the adoption of a child from another place, including places in the Mainland, by local adoptive parents, and the role of the Social Welfare Department in such an adoption; and
- (e) provide a response to the issues raised in the submissions received by the

Bills Committee.

3. Regarding the submission from the Hong Kong Family Law Association, the Bills Committee agreed that the Association should be invited to -

- (a) explain why it supported the Administration's proposal to prohibit privately arranged adoption, with the exception of adoption of a child by his/her birth parent or relative, or save in pursuance of an order of the court, as referred to in the fourth paragraph of its submission; and
- (b) clarify whether it considered that the adoption of a child by a relative under private arrangements should continue to be allowed.

II. Date of next meeting

4. The Bills Committee noted that the next meeting had been scheduled for 4 March 2004 at 2:30 pm.

5. The meeting ended at 6:20 pm.

Council Business Division 2
Legislative Council Secretariat
15 March 2004

**Proceedings of the meeting of the
Bills Committee on Adoption (Amendment) Bill 2003
on Thursday, 26 February 2004 at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 – 000638	Chairman	Opening remarks	
000639 - 003304	Admin Chairman	Briefing on the Administration's paper on "Adoption : Current Arrangements" (LC Paper No. CB(2) 1474/03-04(01))	
003305 - 003704	Hon CHAN Yuen-han Chairman Admin	Statistics on adoptions by relatives under private arrangements	
003705 - 003749	Hon LI Fung-ying Admin	Whether there were adoptions by overseas adopters from countries other than the six countries referred to in paragraph 12 of the Administration's paper	
003750 - 004513	Hon Michael MAK Admin Chairman	Differences between local and overseas adoptions	
004514 - 004949	Hon Cyd HO Admin Chairman	Role of the Social Welfare Department (SWD) in private adoptions	
004950 - 005419	Hon Miriam LAU Admin Chairman	Statistics on overseas adoptions in 2002/03; whether it was desirable to separate children available for adoption into "local adoption" and "overseas adoption" groups	
005420 - 005609	Hon Michael MAK Admin	How matching was conducted in adoptions	
005610 - 012217	Admin Chairman	Briefing on the Administration's paper on "Changes arising from the Adoption (Amendment) Bill 2003 - Impact on the current arrangements on Intercountry Adoption" (LC Paper No. CB(2)1474/03-04(02))	

Time marker	Speaker	Subject(s)	Action Required
012218 - 013514	Hon Miriam LAU Admin Chairman Hon Cyd HO	Statistics on adoptions where the overseas adoptive parents came/did not come to visit the child concerned, and the respective successful adoption rate; psychological impact on the child in cases where the child had to be escorted by representatives of non-governmental organisations to join overseas adopters who did not come to visit the child in the matching process; mechanism/arrangements for intercountry adoptions in other countries; information on the arrangements for intercountry adoptions in other countries in respect of whether a prospective adopter was required to visit the child in the matching process	Admin to provide a response
013515 - 014000	Hon Michael MAK Admin	Monitoring of intercountry adoptions in overseas countries	
014001 - 014342	Hon LI Fung-ying Admin	Information on the adoption of a child from another place, including places in the Mainland, by local adoptive parents; role of the Social Welfare Department in such an adoption	Admin to provide the requested information
014343 - 014424	Chairman Admin	Main difference between Convention adoptions and non-Convention adoptions	
014425 - 015102	Chairman Admin Clerk	Submissions received on the Bill; seeking clarifications on certain issues raised in the submission from Hong Kong Family Law Association; Administration's response to issues raised in the submissions	Clerk to seek clarification from Hong Kong Family Law Association; Admin to provide a response to issues raised in the submissions
015103 - 015135	Chairman	Date of next meeting	