

立法會
Legislative Council

Ref : CB2/BC/12/02

LC Paper No. CB(2) 1952/03-04
(These minutes have been seen by
the Administration)

Bills Committee on Adoption (Amendment) Bill 2003

**Minutes of the fifth meeting
held on Thursday, 11 March 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 Audrey EU Yuet-mee, SC, JP
- Members absent** : Dr Hon LAW Chi-kwong, JP
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Michael MAK Kwok-fung
- 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 Grace WONG
Senior Social Work Officer (Child Welfare)
Social Welfare Department

Ms Fanny IP
Law Drafting Division
Senior Assistant Law Draftsman
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 -

- (a) to consider allowing licensed bodies, in addition to the Social Welfare Department, to make arrangements for local adoption so as to give more choices to parents;
- (b) to explain whether and why adoption was currently allowed only in cases where both the adoptive parent and the child resided in Hong Kong;
- (c) in relation to the situation where a child was brought to the Mainland by his or her birth parents who subsequently died, to explain whether the child's relatives in Hong Kong or relatives in the Mainland had priority in the adoption of the child; and
- (d) to provide its response to issues raised in the further submission from the Hong Kong Family Law Association.

3. The Chairman suggested that the Administration should consider providing arrangements for the adoption of Mainland children by Hong Kong adoptive parents. She said that the matter and other matters not within the scope of the Bill should, after

the Bills Committee had concluded its deliberations, be referred to the relevant Panel for follow-up.

II. Date of next meeting

4. The Bills Committee noted that the next meeting had been scheduled for 18 March 2004 at 4:30 pm.

5. The meeting ended at 6:00 pm.

Council Business Division 2
Legislative Council Secretariat
7 April 2004

**Proceedings of the meeting of the
Bills Committee on Adoption (Amendment) Bill 2003
on Thursday, 11 March 2004 at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000559	Chairman Clerk Admin	Opening remarks, papers tabled and timing for provision of papers by the Administration	
000600 - 003155	Admin Chairman	Briefing on the Administration's papers entitled "Consultations made for the proposed amendments in the Adoption (Amendment) Bill 2003" (LC Paper No. CB(2)1637/03-04(01) and "Response to the Submission from the Mother's Choice" (LC Paper No. CB(2)1637/03-04(02))	
003156 - 005838	Hon Audrey EU Hon Miriam LAU Hon Cyd HO Hon CHAN Yuen-han Chairman Admin SALA1	Allowing licensed bodies, in addition to the Social Welfare Department (SWD), to make arrangements for local adoption so as to give more choices to parents; whether such an option was provided in the United Kingdom	Admin to consider allowing licensed bodies, in addition to SWD, to make arrangements for local adoption so as to give more choices to parents
005839 - 010038	Admin Chairman	Briefing on the Administration's paper entitled "Breakdown on Categories of Relatives" (LC Paper No. CB(2)1661/03-04(02))	
010039 - 010855	Admin Chairman	Briefing on the Administration's paper entitled " Arrangements for Adoption between the HKSAR and the Mainland " (LC Paper No. CB(2)1661/03-04(01))	

Time marker	Speaker	Subject(s)	Action Required
010856 - 011704	Chairman Admin	Whether and why adoption was currently allowed only in cases where both the adoptive parent and the child resided in Hong Kong; providing arrangements for the adoption of Mainland children by Hong Kong adoptive parents	Admin to explain whether and why adoption was currently allowed only in cases where both the adoptive parent and the child resided in Hong Kong; to consider providing arrangements for the adoption of Mainland children by Hong Kong adoptive parents
011705 - 012212	Hon Cyd HO Admin Chairman	In relation to the situation where a child was brought to the Mainland by his or her birth parents who subsequently died, whether the child's relatives in Hong Kong or relatives in the Mainland had priority in the adoption of the child; communication with the Mainland authorities in cases where one of the birth parents of an adopted child was untraceable; referral of issues not within the scope of the Bill to the relevant Panel for follow-up	Admin to explain whether the child's relatives in Hong Kong or relatives in the Mainland had priority in the adoption of the child; Clerk to follow up referral to relevant Panel
012213 - 012341	Chairman Admin	Submission from the International Social Service Hong Kong Branch (LC Paper No. CB(2)1661/03-04(03)), further submission from the Hong Kong Family Law Association (LC Paper No. CB(2)1669/03-04(01)) and the Administration's response	Admin to provide its response to issues raised in the further submission from the Hong Kong Family Law Association
012342 - 012509	Chairman	Date of next meeting	