

**立法會**  
**Legislative Council**

Ref : CB2/BC/12/02

LC Paper No. CB(2)2053/03-04  
(These minutes have been seen by  
the Administration)

**Bills Committee on Adoption (Amendment) Bill 2003**

**Minutes of the sixth meeting**  
**held on Thursday, 18 March 2004 at 4:30 pm**  
**in Conference Room A of the Legislative Council Building**

- Members present** : Hon Margaret NG (Chairman)  
Hon CHAN Yuen-han, JP  
Hon Miriam LAU Kin-ye, JP  
Hon Ambrose LAU Hon-chuen, GBS, JP  
Hon LI Fung-ying, JP  
Hon Michael MAK Kwok-fung  
Hon Audrey EU Yuet-mee, SC, JP
- Members absent** : Hon Cyd HO Sau-lan  
Dr Hon LAW Chi-kwong, 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  
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

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## **I. Meeting with the Administration**

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

2. The Bills Committee requested the Administration -

- (a) to advise on the arrangements of other places for adoption of children not residing in those places by their residents;
- (b) to consider moving a Committee Stage amendment to the effect of not repealing section 5(3) of the Adoption Ordinance (AO) (Cap. 290); and
- (c) in relation to the penalty for an offence under AO, to consider whether provision for a continuing offence should be added.

3. The Chairman asked the Clerk to provide Ms Amelia ROBERTS with the Administration's response to the submission from Ms ROBERTS and inform her of the relevant deliberations of the Bills Committee.

## **II. Dates of subsequent meetings**

4. The Bills Committee noted that the next meeting had been scheduled for 25 March 2004 at 2:30 pm and agreed that the following meetings would be scheduled to continue discussion with the Administration -

- (a) Thursday, 15 April 2004 at 4:30 pm;
- (b) Friday, 30 April 2004 at 10:45 am;
- (c) Thursday, 6 May 2004 at 2:30 pm;
- (d) Thursday, 13 May 2004 at 4:30 pm;
- (e) Thursday, 20 May 2004 at 4:30 pm;
- (f) Thursday, 27 May 2004 at 4:30 pm; and
- (g) Monday, 31 May 2004 at 2:30 pm.

5. The meeting ended at 5:55 pm.

Council Business Division 2  
Legislative Council Secretariat  
16 April 2004

**Proceedings of the meeting of the  
Bills Committee on Adoption (Amendment) Bill 2003  
on Thursday, 18 March 2004 at 4:30 pm  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
000000 - 000508	Chairman Hon LI Fung-ying	Dates of meetings in April and May 2004	
000509 - 000947	Admin Chairman Hon Miriam LAU Hon CHAN Yuen-han	Allowing licensed bodies, in addition to the Social Welfare Department, to make arrangements for local adoption so as to give more choices to parents	
000948 - 001039	Hon CHAN Yuen-han Admin	Arrangements of other places for adoption of children not residing in those places by their residents	<b>Admin to provide a response</b>
001040 - 001539	Admin Chairman	Briefing on the Administration's paper entitled "Adoption of a female child by a sole male applicant only as an exceptional measure justified by special circumstances (section 5(3) of the Adoption Ordinance)" (LC Paper No. CB(2)1747/03-04(02))	
001540 - 001653	Chairman Admin	Policy intent of repealing section 5(3) of the Adoption Ordinance (AO)	
001654 - 003446	Hon LI Fung-ying Hon Miriam LAU Hon Michael MAK Hon Audrey EU Hon Ambrose LAU Admin SALA1 Chairman	Whether section 5(3) of AO should be repealed; whether the section was in contravention of the Sex Discrimination Ordinance; whether there had been complaints that the section was discriminatory	<b>Admin to consider moving a Committee stage amendment to the effect of not repealing section 5(3) of AO</b>
003447 - 003526	Chairman	Administration's paper entitled "Effects of Adoption Order" (LC Paper No. CB(2)1747/03-04(01))	

Time marker	Speaker	Subject(s)	Action Required
003527 - 003919	Admin Chairman	Briefing on the Administration's paper entitled "Policy on Overseas Adoption and Measures for Facilitating Overseas Adoption" (LC Paper No. CB(2)1729/03-04(01))	
003920 - 005038	Admin Chairman	Briefing on the Administration's paper entitled "Response to the Submission from the Hong Kong Family Law Association" (LC Paper No. CB(2)1729/03-04(02))	
005039 - 005415	Hon Audrey EU Chairman Admin	Penalty for an offence under AO	<b>Admin to consider, in relation to the penalty for an offence under AO, whether provision for a continuing offence should be added</b>
005416 - 005721	Hon LI Fung-ying Admin Chairman	Disclosure of information about an adopted person under the proposed root-tracing system	
005722 - 010226	Admin Chairman	Briefing on the Administration's paper entitled "Response to the Submission from Ms Amelia ROBERTS" (LC Paper No. CB(2)1729/03-04(03))	
010227 - 011009	Hon Audrey EU Hon Miriam LAU Admin Chairman	Whether the requests of birth parents to maintain ongoing contacts with the adoptee after an adoption order had been granted should be made a legally binding and enforceable agreement	<b>Clerk to provide Ms Amelia ROBERTS with the Administration's response to the submission from Ms ROBERTS and inform her of the relevant deliberations of the Bills Committee</b>

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
011010 - 011217	Chairman Clerk Admin	Timing for provision of the Administration's response to outstanding issues raised by the Bills Committee; commencement of clause-by-clause examination of the Bill at the next meeting	

Council Business Division 2  
Legislative Council Secretariat  
16 April 2004