

**立法會**  
**Legislative Council**

Ref : CB2/BC/12/02

LC Paper No. CB(2)2974/03-04  
(These minutes have been seen by  
the Administration)

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

**Minutes of the thirteenth meeting  
held on Monday, 7 June 2004 at 10:45 am  
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Margaret NG (Chairman)  
Hon Cyd HO Sau-lan  
Hon Miriam LAU Kin-yee, JP  
Hon Ambrose LAU Hon-chuen, GBS, JP  
Dr Hon LAW Chi-kwong, JP  
Hon LI Fung-ying, JP
- Members absent** : Hon CHAN Yuen-han, JP  
Hon Michael MAK Kwok-fung  
Hon Audrey EU Yuet-mee, SC, 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 Grace WONG  
Senior Social Work Officer (Child Welfare)  
Social Welfare Department

Ms Alice CHAU  
Assistant District Social Welfare Officer  
(Central, Western/Islands) 1  
Social Welfare Department

Ms Fanny IP  
Senior Assistant Law Draftsman  
Law Drafting Division  
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**

1. The Bills Committee deliberated (index of proceedings attached at **Annex**).
2. The Bills Committee requested the Administration -
  - (a) to reconsider whether maintaining the maximum imprisonment term at six months in the proposed section 22 of the Adoption Ordinance (AO) was appropriate;
  - (b) to give an undertaking in the speech to be given by the Secretary for Health, Welfare and Food at the resumption of Second Reading debate on the Bill that the Administration would study the establishment of formal arrangements on adoption between Hong Kong and the Mainland and

consult the relevant Panel in due course;

- (c) to consider establishing a mechanism for the provision of criminal record of an adoptive parent by the Police to an accredited body in adoption cases certified by the Director of Social Welfare;
- (d) to consider setting out the respective situations under which the proposed section 29A(2) and (3) of AO would apply;
- (e) to consider setting out the accreditation principles in the proposed Schedule 4 to AO in more specific terms; and
- (f) to consider revising the proposed consequential amendment to section 2(1)(b) of the Employment Ordinance and similar consequential amendments to other Ordinances referred to in the full set of Committee Stage amendments proposed by the Administration.

3. In connection with paragraph 2(b) above, the Bills Committee suggested that the subject of establishing formal arrangements on adoption between Hong Kong and the Mainland be referred to the Panel on Welfare Services for follow-up.

4. The meeting ended at 12:40 pm.

Council Business Division 2  
Legislative Council Secretariat  
29 June 2004

**Proceedings of the meeting of the Bills Committee on  
Adoption (Amendment) Bill 2003  
on Monday, 7 June 2004 at 10:45 am  
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 - 000441	Chairman Admin SALA1	Papers provided by the Administration and marked-up copy of the relevant Ordinances prepared by the Legal Service Division on the basis of the Committee Stage amendments (CSAs) provided by the Administration	
000442 - 001314	Chairman Admin SALA1	Examination of the CSAs proposed by the Administration to the proposed sections 2, 4A and 5 of the Adoption Ordinance (AO)	
001315 - 001402	Chairman Admin	Examination of the CSAs proposed by the Administration to the proposed section 5AA of AO	
001403 - 002437	Chairman Admin SALA1	Examination of the CSAs proposed by the Administration to the proposed sections 20A and 20J of AO	
002438 - 002817	Chairman Hon Miriam LAU Admin SALA1	Examination of the CSAs proposed by the Administration to the proposed section 22 of AO	<b>Admin to reconsider whether maintaining the maximum imprisonment term at six months in the proposed section 22 of AO was appropriate</b>
002818 - 003929	Chairman Admin Dr Hon LAW Chi-kwong SALA1	Examination of the CSAs proposed by the Administration to the proposed section 23A of AO; referral of the subject of establishing formal arrangements between Hong Kong and the Mainland to the Panel on Welfare Services for follow-up	<b>Admin to give an undertaking in the speech to be given by the Secretary for Health, Welfare and Food at the resumption of Second Reading debate on the Bill that the Administration would study the establishment of</b>

			<b>formal arrangements on adoption between Hong Kong and the Mainland and consult the relevant Panel in due course</b>
003930 - 004323	Admin Chairman Dr Hon LAW Chi-kwong SALA1	Examination of the CSAs proposed by the Administration to the proposed section 23C of AO	
004324 - 004608	Admin Chairman Hon Miriam LAU	Examination of the CSAs proposed by the Administration to the proposed sections 25, 26, 26A, 27 and 27A of AO	
004609 - 004626	Chairman Admin	Examination of the CSAs proposed by the Administration to the proposed section 28 of AO	
004627 - 010418	Dr Hon LAW Chi-kwong Chairman Hon LI Fung-ying Hon Miriam LAU Admin SALA1	Provision of information on the criminal record of an adoptive parent by the Police to an accredited body	<b>Admin to consider establishing a mechanism for the provision of criminal record of an adoptive parent by the Police to an accredited body in adoption cases certified by the Director of Social Welfare</b>
010419 - 011059	Admin Chairman Dr Hon LAW Chi-kwong SALA1	Examination of the CSAs proposed by the Administration to the proposed sections 29 and 29A of AO	<b>Admin to consider setting out the respective situations under which the proposed section 29A(2) and (3) of AO would apply</b>
011100 - 011619	Admin Chairman SALA1	Examination of the CSAs proposed by the Administration to the proposed section 29B of AO	
011620 - 011828	Admin Chairman	Examination of the CSAs proposed by the Administration to the proposed sections 29C, 29D, 29E, 31 and 32 of AO	

011829 - 012628	Admin Chairman	Examination of the CSAs proposed by the Administration to the proposed sections 34 and 35 of AO	
012629 - 015008	Admin Chairman Hon LI Fung-ying Dr Hon LAW Chi-kwong Hon Miriam LAU SALA1	Examination of the CSAs proposed by the Administration to the proposed Schedule 3 and Schedule 4 of AO and consequential amendments	<b>Admin to consider setting out the accreditation principles in the proposed Schedule 4 to AO in more specific terms; to consider revising the proposed consequential amendment to section 2(1)(b) of the Employment Ordinance and similar consequential amendments to other Ordinances referred to in the full set of CSAs proposed by the Administration</b>
015009 - 015104	Chairman	Date of next meeting	

Council Business Division 2  
Legislative Council Secretariat  
29 June 2004