

**立法會**  
**Legislative Council**

Ref : CB2/SS/4/02

LC Paper No. CB(2) 1049/02-03  
(These minutes have been seen by  
the Administration)

**Subcommittee on  
Appeal Board on Closure Orders (Immediate Health Hazard) Rules**

**Minutes of meeting  
held on Thursday, 16 January 2003 at 9:30 am  
in Conference Room B of the Legislative Council Building**

**Members present** : Hon Fred LI Wah-ming, JP (Chairman)  
Hon WONG Yung-kan  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Michael MAK Kwok-fung

**Members absent** : Dr Hon TANG Siu-tong, JP  
Dr Hon LO Wing-lok

**Public Officers attending** : Mrs Lily YEW  
Chairman  
Appeal Board on Closure Orders (Immediate Health Hazard)

Mr Edward LAW  
Principal Assistant Secretary (Food and Environmental Hygiene) 2  
Health, Welfare and Food Bureau

Mr HUNG Chi-pai  
Assistant Director (Operations) 1  
Food and Environmental Hygiene Department

Ms Marie SIU  
Senior Government Counsel  
Department of Justice

**Clerk in attendance** : Mrs Constance LI  
Chief Assistant Secretary (2)5

**Staff in attendance** : Ms Bernice WONG  
Assistant Legal Adviser 1  
  
Ms Joanne MAK  
Senior Assistant Secretary (2)2

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**I. Confirmation of minutes of meeting**

[LC Paper No. CB(2)892/02-03]

The minutes of meeting held on 3 January 2003 were confirmed.

**II. Meeting with the Administration**

[LC Paper Nos. CB(2) 772/02-03(03), CB(2) 835/02-03(01)-(02) and CB(2) 893/02-03(01)]

2. The Subcommittee deliberated (Index of proceedings attached at **Annex**).
3. Members agreed to the following amendments to the Rules proposed by the Administration -
  - (a) replacing "clear working days" with "working days" in the relevant sections of the Rules;
  - (b) substituting "affected" for "bound" in section 4(b); and
  - (c) revising section 10 to expressly provide that the appellant had the right to apply to the person who was to preside at a hearing for the hearing to be conducted in Chinese, English or both.
4. At the request of the Subcommittee, the Administration agreed to amend the Rules to provide that the Appeal Board should, as soon as practicable and in any event not later than ten working days after the hearing of an appeal, deliver its decision on the appeal.
5. The Chairman said that the Subcommittee would report its deliberations to the House Committee on 24 January 2003. He reminded the Administration that the deadline for giving notice to move amendments to the Rules was 5 February 2003.
6. There being no other business, the meeting ended at 10:10 am.

Council Business Division 2  
Legislative Council Secretariat  
27 January 2003

**Subcommittee on  
Appeal Board on Closure Orders (Immediate Health Hazard) Rules  
Meeting on Thursday, 16 January 2003 at 9:30 am  
in Conference Room B of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action Required</b>
0000-0057	Chairman	Confirmation of minutes of meeting	
0058-0715	Administration Chairman ALA1	Administration's response to issues raised at the last meeting on 3 January 2003 and proposed amendments to the Rules [LC Paper No. CB(2)893/02-03(01)]	
0716-3310	Hon Tommy CHEUNG Chairman Hon WONG Yung-kan Administration Chairman of Appeal Board Hon Michael MAK ALA1	Time limit for the Appeal Board to deliver its decision on an appeal	<b>Admin to revise amendments to the Rules</b>
3311-3443	Chairman	Report to the House Committee and deadline for giving notice to move amendments to the Rules	

**Note : The audio records of the above proceedings are kept at the LegCo Library**

Council Business Division 2  
Legislative Council Secretariat  
27 January 2003