

**Extract from the draft minutes of the
House Committee meeting on 13 December 2002**

Action

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III. Business arising from previous Council meetings

(b) Legal Service Division report on subsidiary legislation gazetted on 6 December 2002

(LC Paper No. LS 29/02-03)

26. As regards the Appeal Board on Closure Orders (Immediate Health Hazard) Rules, the Legal Adviser explained that the Rules sought to -

- (a) regulate the making of appeals to the Appeal Board on Closure Orders (Immediate Health Hazard);
- (b) specify the documents to be served in relation to an appeal; and
- (c) provide for the hearing and determination of those appeals.

27. The Legal Adviser said that the Legal Service Division was studying the Administration's reply on certain technical points on the Rules.

28. Mr Tommy CHEUNG said that when the proposal of establishing the Appeal Board was studied by the Bills Committee on the Public Health and Municipal Services (Amendment) Bill 2001, the food business trade had raised concerns about the operation of the proposed Appeal Board, and the Administration had undertaken to adopt measures to address these concerns. Mr CHEUNG suggested that the scrutiny period of these Rules should be extended to allow more time for the trade to examine the Rules. Mr Fred LI suggested that a subcommittee should be formed to study the Rules in detail.

29. The Chairman proposed that a subcommittee be formed. Members agreed. The following Members agreed to join : Mr Fred LI, Mr WONG Yung-kan, Mr Tommy CHEUNG and Dr LO Wing-lok.

30. The Chairman said that to allow time for the subcommittee to scrutinize the Rules and then report to the House Committee, she would move a motion at the Council meeting on 18 December 2002 to extend the scrutiny period of the Rules to 12 February 2003. Members agreed.

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