

立法會  
*Legislative Council*

LC Paper No. CB(2) 1088/03-04

Ref : CB2/H/5

**House Committee of the Legislative Council**

**Minutes of the 13th meeting  
held in the Legislative Council Chamber  
at 2:30 pm on Friday, 16 January 2004**

**Members present :**

Hon Miriam LAU Kin-yee, JP (Chairman)  
Hon Kenneth TING Woo-shou, JP  
Hon Cyd HO Sau-lan  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon LEE Cheuk-yan  
Dr Hon David LI Kwok-po, GBS, JP  
Dr Hon LUI Ming-wah, JP  
Hon Margaret NG  
Hon James TO Kun-sun  
Hon HUI Cheung-ching, JP  
Hon Bernard CHAN, JP  
Hon CHAN Kam-lam, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP  
Hon LEUNG Yiu-chung  
Hon SIN Chung-kai  
Hon Andrew WONG Wang-fat, JP  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Howard YOUNG, SBS, JP  
Hon LAU Chin-shek, JP  
Hon LAU Kong-wah, JP  
Hon LAU Wong-fat, GBS, JP  
Hon Ambrose LAU Hon-chuen, GBS, JP  
Hon SZETO Wah  
Hon TAM Yiu-chung, GBS, JP  
Dr Hon TANG Siu-tong, JP  
Hon Henry WU King-cheong, BBS, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Michael MAK Kwok-fung  
Hon Albert CHAN Wai-yip  
Hon IP Kwok-him, JP  
Hon LAU Ping-cheung



Miss Kathleen LAU  
Mrs Betty LEUNG  
Miss Kitty CHENG  
Miss Lolita SHEK

Chief Public Information Officer  
Chief Council Secretary (3)1  
Assistant Legal Adviser 5  
Senior Council Secretary (2)7

---

Action

**I. Confirmation of the minutes of the 12th meeting held on 9 January 2004**  
*(LC Paper No. CB(2) 967/03-04)*

The minutes were confirmed.

**II. Matters arising**

**Report by the Chairman on her meeting with the Chief Secretary for Administration (CS)**

---

**Task Force on Constitutional Development headed by CS**

2. The Chairman said that she had requested CS to provide details on the following -

- (a) the timetable for the work of the Task Force; and
- (b) consultation with Members before the Task Force visited Beijing on the matter.

3. The Chairman further said that CS had responded that he would address the above issues at the policy briefing for the Panel on Constitutional Affairs on 15 January 2004. The Chairman added that CS had said that he would, in his future meetings with Members, keep them posted of developments.

**Special House Committee meeting on 27 February 2004**

4. The Chairman said that the following items had been proposed for the special meeting -

- (a) long term accommodation for the Legislative Council (LegCo);
- (b) co-operation between Guangdong and Hong Kong; and
- (c) work progress of the Task Force on Constitutional Development.

Members agreed to the proposed discussion items.

### III. Business arising from previous Council meetings

#### **Legal Service Division report on bills referred to the House Committee in accordance with Rule 54(4)**

##### **Vocational Training Council (Amendment) Bill 2003** (LC Paper No. LS 32/03-04)

5. The Legal Adviser explained that the Bill sought to amend the Vocational Training Council Ordinance (Cap. 1130) (VTCO) to -

- (a) enable the Vocational Training Council (VTC) to perform its statutory functions outside Hong Kong; and
- (b) provide that any one of the Deputy Chairmen of VTC might sign the statement of income and expenditure and balance sheet if the Chairman was absent from Hong Kong or was for any other reason unable to exercise the powers or perform the duties of a Chairman.

6. The Legal Adviser further explained that the effect of the proposed section 6(3) and (4) of the Bill seemed to be that VTC might utilize the capital and income accumulated under section 12(b), (c) and (d) of the VTCO to finance the extra-territorial activities which might or might not be for the education and training of Hong Kong persons.

7. The Legal Adviser said that at its meeting on 20 November 2003, the Panel on Manpower was consulted on the Administration's proposals. Members had not raised specific concern about the policy aspects of the proposals.

8. The Legal Adviser further said that the Legal Service Division found that the Bill involved certain policy issues which had not been fully addressed, and the Division was still considering the legal and drafting aspects of the Bill. The Legal Adviser added that in view of the policy issues which had not been addressed, Members might wish to set up a Bills Committee to scrutinize the Bill.

9. The Chairman proposed that a Bills Committee be formed. Members agreed. The following Members agreed to join: Mr James TIEN (as advised by Ms Miriam LAU) and Mr CHAN Kwok-keung (as advised by Mr CHAN Kam-lam).

10. The Chairman said that the Bills Committee would be placed on the waiting list.

Action

**IV. Business for the Council meeting of 4, 5 and 6 February 2004**

**(a) Questions**

11. The Chairman reminded Members that the deadline for giving notice of questions was Monday, 26 January 2004.

**(b) Members' motion**

**Motion of Thanks**

*(Wording of the motion issued vide LC Paper No. CB(3) 302/03-04 dated 12 January 2004.*

*Director of Administration's letter dated 8 January 2004 (LC Paper No. CB(2) 992/03-04(01))*

12. The Chairman said that in her capacity as Chairman of the House Committee, she would move the Motion of Thanks on the Chief Executive's 2004 Policy Address at the Council meeting commencing 4 February 2004.

13. The Chairman referred Members to the Director of Administration's (D of Adm's) letter dated 8 January 2004 which detailed the proposed grouping of policy areas for the debate on the Motion of Thanks. The Chairman said that D of Adm had pointed out that the list of public officers responding in each debate session was tentative. Should there be any change in the final arrangements, the Administration would advise the President before the end of the 10-minute suspension of each debate session.

14. Miss Margaret NG said that it was inappropriate to use "slogan-type" expressions as the debate themes.

15. Mr SIN Chung-kai pointed out that the debate themes were identical to the five guiding principles described in the Policy Agenda.

16. Members agreed to the proposed grouping of policy areas for the debate on the Motion of Thanks.

**V. Report of Bills Committees and subcommittees**

**Report of the Subcommittee on subsidiary legislation relating to 2004 Legislative Council elections**

---

17. Mr HUI Cheung-ching, Chairman of the Subcommittee, said that the Subcommittee had completed scrutiny of the Particulars Relating to Candidates on Ballot Papers (Legislative Council) Regulation. Mr HUI further said that in response to the various concerns raised by the Subcommittee, the Administration would move the following amendments at the Council meeting on 4 February 2004 -

Action

- (a) the deadline for applications for registration of names, abbreviations and emblems would be revised to 1 April in 2004 and to 15 April in subsequent years; and
- (b) for each candidate or candidate list, up to three emblems and the names or abbreviations of three organizations would be allowed to be printed on the ballot paper, subject to the application provisions in the Regulation.

18. Mr HUI further said that the deadline for giving notice of amendments was 28 January 2004. The Subcommittee would provide a written report to the House Committee on 30 January 2004.

19. Mr HUI added that he would move a motion at the Council meeting on 4 February 2004 on behalf of the Subcommittee to extend the scrutiny period of the Electoral Affairs Commission (Financial Assistance for Legislative Council Elections) (Application and Payment Procedure) Regulation to 25 February 2004, to allow more time for the Subcommittee to scrutinize the Regulation and report to the House Committee.

**VI. Position on Bills Committees/subcommittees**  
(*LC Paper No. CB(2) 993/03-04*)

20. The Chairman said that there were 15 Bills Committees and nine subcommittees in action. There were also seven Bills Committees on the waiting list, including the Bills Committee on the Vocational Training Council (Amendment) Bill 2003 formed under agenda item III above.

**VII. Paper of the Committee on Rules of Procedure (CRoP)**

**Cancellation of committee meetings due to absence of a quorum within 15 minutes of the appointed meeting time**  
(*LC Paper No. CROP 17/03-04*)

21. Mr Jasper TSANG, Chairman of CRoP, said that CRoP had completed the review of rule 24(g) of the House Rules regarding whether a committee meeting should be cancelled due to the absence of a quorum within 15 minutes of the appointed meeting time.

22. Mr TSANG further said that CRoP was of the view that it was not necessary to amend rule 24(g). If the meeting venue of a committee was available but a quorum was absent after 15 minutes of the appointed meeting time, rule 24(g) should be strictly observed and the meeting should be cancelled.

Action

23. Mr TSANG pointed out that at the meeting of the Finance Committee (FC) on 7 January 2004, the Chairman of FC suspended the meeting at 10:45 am to enable the Chairman of the Establishment Subcommittee (ESC) to declare the ESC meeting open and then suspend the meeting immediately. The FC meeting then resumed and the ESC meeting was held after the FC meeting had ended. Mr TSANG added that committee chairmen could consider using this procedure in the situation where the venue for a meeting was not available at the appointed meeting time because the meeting held in the same venue in an earlier time slot had overrun.

24. Members agreed to the recommendation of CRoP in paragraph 14 of the paper.

**VIII. Any other business**

25. There being no other business, the meeting ended at 2:50 pm.

Council Business Division 2  
Legislative Council Secretariat  
28 January 2004