

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1689/04-05  
(These minutes have been  
seen by the Administration)

Ref : CB2/BC/7/04

**Bills Committee on  
Child Care Services (Amendment) Bill 2005**

**Minutes of meeting  
held on Thursday, 12 May 2005 at 4:30 pm  
in Conference Room A of the Legislative Council Building**

**Members present** : Dr Hon YEUNG Sum (Chairman)  
Hon LEE Cheuk-yan  
Hon CHEUNG Man-kwong  
Hon CHAN Yuen-han, JP  
Hon Bernard CHAN, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon Patrick LAU Sau-shing, SBS, JP

**Member absent** : Hon Jasper TSANG Yok-sing, GBS, JP

**Public Officers attending** : Item II  
Health, Welfare and Food Bureau

Ms Linda LAI  
Deputy Secretary for Health, Welfare and Food (Family  
and Women)

Mr Freely CHENG  
Principal Assistant Secretary for Health, Welfare and  
Food (Family)

Mr Gavin KWAI  
Assistant Secretary for Health, Welfare and Food  
(Family) 1

Social Welfare Department

Mr FUNG Pak-yan  
Assistant Director of Social Welfare (Family and Child  
Welfare)

Mr Peter NG  
Chief Social Work Officer (Family and Child Welfare) 2

Education and Manpower Bureau

Mr CHAN Hung-to  
Senior Education Officer (Harmonisation of  
Pre-primary Services)

Ms Jane CHENG Chee-hing  
Principal Education Officer (Quality Assurance)

Department of Justice

Ms Grace LEUNG  
Government Counsel

**Clerk in attendance** : Miss Flora TAI  
Chief Council Secretary (2)2

**Staff in attendance** : Ms Bernice WONG  
Assistant Legal Adviser 1

Mr Stanley MA  
Senior Council Secretary (2)6

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**I. Election of Chairman**

Dr YEUNG Sum was elected Chairman of the Bills Committee.

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**II. Meeting with the Administration**

[Ref : HWF CR2/5091/05 Pt.2, LC Paper Nos. CB(3)505/04-05, LS58/04-05 and CB(2)1536/04-05(01) to (03)]

2. The Bills Committee deliberated (Index of proceedings at **Annex**).

Consultation with the pre-primary services sector

3. Members in general raised no objection to the policy direction of harmonisation of pre-primary services. Some members, however, expressed concern about the possible impact on the operation of pre-primary services providers as well as the long-term planning in respect of the provision of pre-primary services. These members pointed out that upon harmonisation, provision of pre-primary services would become purely market-driven without any long-term Government planning. Pre-primary services providers would also experience fierce competition for student enrolment arising from a declining student population. Kindergartens (KGs) or child care centres (CCCs) would have to extend their service hours and improve quality of services in order to promote enrolment. In addition, the increase of the staff to children ratio from 1:14 to 1:15 upon harmonisation would add financial burden to existing CCCs. They were concerned that many KG-cum-CCCs and CCCs would encounter financial difficulties with the current level of subsidy under the Kindergarten Subsidy Scheme (KSS).

4. The Administration responded that CCCs with reasonable enrolment would receive a higher level of grant under the KSS than the existing direct subsidy equivalent to 5% of the fee approved on the basis of approved capacity from the Social Welfare Department. In the course of the consultation, the Administration had received little opposing views about harmonisation of pre-primary services and its financial implications on the operation of existing CCCs. In fact, more than 200 CCCs had already indicated an intention to register as KGs upon harmonisation. The Steering Committee which was established to steer the progress of the harmonisation would follow up the matter with the pre-primary services sector.

5. Notwithstanding the Administration's response, members agreed that the Bills Committee should receive views from deputations on the effects of harmonisation on the operation, provision of financial assistance and staff management of existing KGs/CCCs.

Follow-up actions to be undertaken

6. The Administration was requested to –
  - (a) explain the background/rationale for setting the threshold of “habitually receiving more than five children” in any premises in

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the definition of “child care centre”;

- (b) consider repealing the phrase “during the hours that a centre is being operated” from Regulation 38 of the Child Care Services Regulations on smoking and spitting; and
- (c) address members’ concerns about the possible impact of harmonisation on the operation of pre-primary service providers as well as the long-term planning in respect of the provision of pre-primary services

7. The legal adviser to the Bills Committee was requested to liaise with the Government Counsel on refining the drafting aspects of the Bill and revert to the Bills Committee if necessary.

**III. Date of next meeting**

8. Members agreed that the next meeting would be held on Monday, 23 May 2005 at 4:30 pm to meet with deputations and the Administration.

9. The meeting ended at 6:10 pm.

Council Business Division 2  
Legislative Council Secretariat  
27 May 2005

**Proceedings of the Bills Committee on  
Child Care Services (Amendment) Bill 2005  
on Thursday, 12 May 2005 at 4:30 pm  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subjects</b>	<b>Action required</b>
000000 - 000254	Mr LEE Cheuk-yan	Election of Chairman	
000255 - 002414	Admin	Power-point presentation on the Bill	
002415 - 003159	Ms Audrey EU Admin Chairman ALA1	Definition of CCCs in respect of the number of children received in the premises at any one time.	<b>See para 6(a) of the minutes</b>
003200 - 004702	Mr LEE Cheuk-yan Chairman Admin Dr Fernando CHEUNG Miss CHAN Yuen-han	Impact of the Bill on provision of financial assistance to KGs/CCCs and the employment of their staff;  Establishment of the Steering Committee and its composition for on-going consultation with the pre-primary services sector.	
004703 - 005334	Mr Patrick LAU Admin Chairman ALA1	Regulation 31 – Area of floor space per child  Interpretation of Regulation 31 and the Second Schedule in respect of the area required per child in non-residential and residential child care centre.	
005335 - 005712	Miss CHAN Yuen-han Chairman Admin Ms Audrey EU	Regulation 38 – Smoking and spitting  Repeal of the phrase “during the hours at a centre is being operated” from Regulation 38.	<b>See para 6(b) of the minutes</b>
005713 - 005909	Ms Audrey EU Chairman Admin	Exclusion of a child of any family ordinarily residing in the premises of a CCC providing overnight accommodation in the calculation of number of children.	
005910 - 010628	Chairman Dr Fernando CHEUNG Admin	Concerns of CCC operators in terms of the provision of care services to children; and the purposes of harmonisation to improve pre-primary education and care services.	
010629 - 011117	Dr Fernando CHEUNG Chairman Admin	Planning and provision of CCCs and KGs after harmonisation.	<b>See para 6(c) of the minutes</b>
011118 - 011546	Mr CHEUNG Man-kwong Chairman Mr Patrick LAU Admin	Consultation on the impact of harmonisation on the operation of CCCs and KGs.	<b>See para 6(c) of the minutes</b>

<b>Time marker</b>	<b>Speaker</b>	<b>Subjects</b>	<b>Action required</b>
011547 - 012424	Mr Patrick LAU Admin Chairman	Planning and provision of CCCs and KGs after harmonisation.	
012425 - 013130	Mr LEE Cheuk-yan Admin Chairman Mr CHEUNG Man-kwong	Demand of child care services and incentives for service providers to change the operation from KGs to CCCs after harmonisation.	
013131 - 013429	Mr CHEUNG Man-kwong Chairman Mr LEE Cheuk-yan	Concerns of operators and staff on the provision of subsidy to KGs arising from competition for enrolment after harmonisation in the light of a declining student population.	
013430 - 014040	Chairman Clerk Admin	Way forward and date of next meeting	

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