

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2910/05-06  
(These minutes have been  
seen by the Administration)

Ref : CB2/BC/11/04

**Bills Committee on  
Smoking (Public Health) (Amendment) Bill 2005**

**Minutes of the 30<sup>th</sup> meeting  
held on Friday, 12 May 2006 at 8:30 am  
in the Chamber of the Legislative Council Building**

**Members present** : Hon Andrew CHENG Kar-foo (Chairman)  
Hon Albert CHAN Wai-yip (Deputy Chairman)  
Hon James TIEN Pei-chun, GBS, JP  
Hon LEE Cheuk-yan  
Hon Martin LEE Chu-ming, SC, JP  
Hon Howard YOUNG, SBS, JP  
Dr Hon YEUNG Sum  
Hon Abraham SHEK Lai-him, JP  
Hon LI Fung-ying, BBS, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon Vincent FANG Kang, JP  
Hon LI Kwok-ying, MH  
Hon Alan LEONG Kah-kit, SC  
Dr Hon KWOK Ka-ki  
Hon WONG Ting-kwong, BBS  
Hon KWONG Chi-kin

**Members absent** : Hon Fred LI Wah-ming, JP  
Hon Emily LAU Wai-hing, JP  
Dr Hon Joseph LEE Kok-long  
Hon LEUNG Kwok-hung  
Hon Albert Jinghan CHENG

**Public Officers attending** : Mrs Ingrid YEUNG  
Deputy Secretary for Health, Welfare and Food (Health)

Ms Julina CHAN  
Principal Assistant Secretary for Health, Welfare and Food  
(Health)

Dr Cindy LAI  
Assistant Director of Health  
(Special Health Service)

Miss Shandy LIU  
Senior Government Counsel  
Department of Justice

Mr Alan CHONG Ka-ning  
Government Counsel  
Department of Justice

**Clerk in attendance** : Ms Doris CHAN  
Chief Council Secretary (2) 4

**Staff in attendance** : Miss Monna LAI  
Assistant Legal Adviser 7

Miss Mary SO  
Senior Council Secretary (2)8

Mr Ken WONG  
Legislative Assistant (2) 8

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**I. Meeting with the Administration**  
(LC Paper Nos. CB(2)1904/05-06(01) and CB(2)1924/05-06(01))

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. At the request of the Bills Committee, the Administration agreed to provide a response in writing to the following requests made by members at the meeting -

- (a) provide examples of overseas legislation, if any, allowing the grandfathering approach of using words, such as “light”, “lights”, “mild”, “milds”, “low tar”, on either the packet or retail container of cigarettes, including as a brand name, which implied or suggested that the cigarettes contained therein were less harmful than others to have retrospective effect;
- (b) confirm whether the Administration would conduct and conclude

public consultation on the introduction of fixed penalty for smoking offences within the current legislative session by next week;

- (c) reconsider the stance on not making communal accommodation provided by employers to employees and outdoor areas of all specified educational establishments smokefree, and provide a reply by next week; and
- (d) provide information on which areas within the premises of correctional institutions would be subject to and exempted from the smoking ban respectively.

3. At the request of the Bills Committee, the Administration agreed to provide copies of the replies received from the specified educational establishments on the proposal of imposing a smoking ban on the outdoor areas within their premises.

## **II. Dates of next meetings**

4. The Bills Committee would next meet on 16 May 2006 from 2:30 pm to 6:30 pm.

5. Members agreed to hold additional meetings on the following dates -

- (a) 2 June 2006 at 8:30 am;
- (b) 5 June 2006 at 10:45 am; and
- (c) 6 June 2006 at 8:30 am.

6. There being no other business, the meeting ended at 10:38 am.

Council Business Division 2  
Legislative Council Secretariat  
7 August 2006

**Proceedings of the 30<sup>th</sup> meeting of the  
Bills Committee on  
Smoking (Public Health) (Amendment) Bill 2005  
on Friday, 12 May 2006 at 8:30 am  
in the Chamber of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
000000 – 000405	Chairman	Opening remarks	
000406 – 004904	Admin Mr Tommy CHEUNG ALA7 Ms Audrey EU Mr LEE Cheuk-yan Dr YEUNG Sum Ms LI Fngg-ying Mr Howard YOUNG Mr Martin LEE Mr Vincent FANG Chairman	<u>Part 2 of new Schedule 5</u>  The Administration agreed to provide examples of overseas legislation, if any, allowing the grandfathering approach of using words, such as “light”, “lights”, “mild”, “milds”, “low tar”, on either the packet or retail container of cigarettes, including as a brand name, which implied or suggested that the cigarettes contained therein were less harmful than others to have retrospective effect.	✓ (Admin to provide a written response)
004905 – 011427	Admin Mr Howard YOUNG Chairman Mr Tommy CHEUNG Mr Martin LEE Dr YEUNG Sum Dr KWOK Ka-ki	<u>Tentative schedule for the fixed penalty information system (LC Paper No. CB(2)1903/05-06(01))</u>  The Administration agreed to confirm whether it would conduct and conclude public consultation on the introduction of fixed penalty for smoking offences within the current legislative session by next week.	✓ (Admin to provide a written response)
011428 – 020341	Admin Mr Tommy CHEUNG Dr YEUNG Sum Mr Martin LEE Mr LEE Cheuk-yan Ms Audrey EU Dr KWOK Ka-ki Mr Albert CHAN	<u>Administration’s response to outstanding issues</u>  The Administration agreed to -  (a) reconsider the stance on not making communal accommodation provided by employers to employees and outdoor areas of all specified educational establishments smokefree, and provide a reply by next week; and  (b) provide information on which areas within the premises of correctional institutions would be subject to and exempted from the smoking ban respectively.  The Administration also agreed to provide copies of the replies received from the specified educational establishments on the proposal of imposing a smoking ban on the outdoor areas within their premises.	✓ (Admin to provide a written response)  ✓ (Admin to provide the letters)
020342 – 020739	Chairman Admin Mr Tommy CHEUNG	Dates of next meetings	