

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2911/05-06  
(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 31<sup>st</sup> meeting  
held on Tuesday, 16 May 2006 at 2:30 pm  
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 Fred LI Wah-ming, JP  
Hon Howard YOUNG, SBS, JP  
Hon Emily LAU Wai-hing, JP  
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  
Dr Hon Joseph LEE Kok-long  
Hon Alan LEONG Kah-kit, SC  
Dr Hon KWOK Ka-ki  
Hon WONG Ting-kwong, BBS  
Hon Albert Jinghan CHENG

**Members absent** : Dr Hon YEUNG Sum  
Hon LI Kwok-ying, MH  
Hon LEUNG Kwok-hung  
Hon KWONG Chi-kin

**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

Miss Maggie CHIU  
Legislative Assistant (2) 4

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**I. Meeting with the Administration**

(LC Paper Nos. CB(2)1976/05-06(02), CB(2)2019/05-06(01) to (03) and CB(2)2041/05-06(01) to (02))

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

2. The Administration was requested to provide a response in writing to the following issues raised by members -

- (a) find out whether the Occupational Safety and Health Ordinance (Cap. 509) could be used by employees to sue their employers for requiring them to live in communal accommodation where they were forced to be exposed to secondhand smoking; and
- (b) provide information about where the smoking rooms inside the Hong Kong International Airport were located, what protection was provided

to staff assigned to clean these smoking rooms, and the adequacy of such protection to safeguard the staff against secondhand smoking.

3. The Administration undertook to report to the Panel on Health Services in due course the Administration's stance on prohibiting the use of tobacco brand name and/or logo on non-tobacco products which had not existed prior to the enactment of the Bill.

## **II. Date of next meeting**

4. The Bills Committee would next meet on 19 May 2006 from 8:30 am to 12:30 pm to discuss the revised Committee Stage amendments (CSAs) proposed by the Administration.

5. The Chairman suggested to decide at the meeting on 30 May 2006 which CSAs proposed by members should be moved by the Bills Committee and the members concerned. Members agreed.

6. There being no other business, the meeting ended at 5:13 pm.

Council Business Division 2  
Legislative Council Secretariat  
7 August 2006

**Proceedings of the 31<sup>st</sup> meeting of the  
Bills Committee on  
Smoking (Public Health) (Amendment) Bill 2005  
on Tuesday, 16 May 2006 at 2:30 pm  
in the Chamber of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
000000 – 000437	Chairman	Introduction	
000438 – 011738	Admin Ms Emily LAU Mr LEE Cheuk-yan Dr KWOK Ka-ki Mr Tommy CHEUNG Ms Audrey EU Ms LI Fung-ying Mr Martin LEE ALA7	Administration's response to outstanding issues (LC Paper No. CB(2)2041/05-06(01))  The Administration was requested to find out whether the Occupational Safety and Health Ordinance (Cap. 509) could be used by employees to sue their employers for requiring them to live in communal accommodation where they were forced to be exposed to secondhand smoking  The Administration undertook to report to the Panel on Health Services in due course the Administration's stance on prohibiting the use of tobacco brand name and/or logo on non-tobacco products which had not existed prior to the enactment of the Bill  Proposed Committee Stage amendments (CSAs) to be moved by the Bills Committee to require communal accommodation provided by employers to their employees smokefree, including those located within the premises of "specified educational establishment"	✓ (Admin to provide a written response)  ✓ (Admin to report to the Panel on Health Services)
011739 – 012649	Chairman Ms LI Fung-ying Mr Tommy CHEUNG Mr Albert CHAN ALA7 Admin	CSAs proposed by the Chairman (LC Paper No. CB(2)1976/05-06(02))	
012650 – 024042	Mr Tommy CHEUNG Ms Emily LAU ALA7 Mr LEE Cheuk-yan Ms Audrey EU Dr KWOK Ka-ki Mr Albert CHAN Mr Vincent FANG Mr Howard YOUNG Mr Martin LEE	CSAs proposed by Mr Tommy CHEUNG (LC Paper No. CB(2)2019/05-06(01) Revised)  The Administration was requested to provide information about where the smoking rooms inside the Hong Kong International Airport were located, what protection was provided to staff assigned to clean these smoking rooms, and the adequacy of such protection to safeguard the staff against secondhand smoking.	✓ (Admin to provide a written response)
024043 – 024110	Chairman	Closing remarks	