

**立法會**  
**Legislative Council**

LC Paper No. CB(2)3007/05-06  
(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 42<sup>nd</sup> meeting  
held on Thursday, 22 June 2006 at 2:30 pm  
in Conference Room A 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 Fred LI Wah-ming, JP  
Hon Howard YOUNG, SBS, JP  
Dr Hon YEUNG Sum  
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  
Hon LI Kwok-ying, MH  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Dr Hon KWOK Ka-ki  
Hon WONG Ting-kwong, BBS  
Hon Albert Jinghan CHENG

**Members absent** : Hon LEE Cheuk-yan  
Hon Martin LEE Chu-ming, SC, JP  
Dr Hon Joseph LEE Kok-long  
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)

Ms TO Kit-lai, Priscilla  
Principal Assistant Secretary for Commerce, Industry and  
Technology (Commerce and Industry) 3

Dr Cindy LAI  
Acting Deputy Director of Health

Miss Shandy LIU  
Senior Government Counsel  
Department of Justice

Mr MUI Kei-fat, Llewellyn  
Senior Government Counsel  
Department of Justice

Mr WONG Hing-hong, Peter  
Senior Assistant Solicitor General  
Department of Justice

Mr CHONG Ka-ning, Alan  
Government Counsel  
Department of Justice

Mr CHEUNG Kam-fai, Peter, JP  
Deputy Director of Intellectual Property  
Intellectual Property Department

Ms PANG Shuk-fan, Fanny  
Assistant Director of Intellectual Property (Registration) (Ag.)  
Intellectual Property Department

**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

Miss Jenny HO  
Legislative Assistant (2) 9

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**I. Meeting with the Administration**

(LC Paper Nos. CB(2)901/05-06(03), CB(2)1726/05-06(01) to (02), CB(2)1897/05-06(01), CB(2)1976/05-06(01), CB(2)2406/05-06(01) to (02), CB(2)2434/05-06(04), CB(2)2456/05-06(01), CB(2)2467/05-06(03), CB(2)2469/05-06(02) to (03) and CB(2)2511/05-06(01))

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

2. The Administration undertook to provide plans of some beaches specified in the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) by the next meeting.

3. At the request of the Bills Committee, the Administration agreed to provide the following information in writing -

(a) the size of the proposed four designated smoking areas within the Ocean Park and the reasons for designating these four areas as smoking area; and

(b) the impact of secondhand smoke on visitors by having these four designated spots.

4. The Administration was also requested to provide a full set of the Committee Stage amendments to be moved by the Administration by the next meeting.

5. The Chairman said that he would make a verbal report on the deliberations of the Bills Committee at the House Committee (HC) meeting on 23 June 2006, to be followed by a written report for the HC meeting on 30 June 2006, in order to enable the Bill to resume Second Reading debate at the Council meeting on 12 July 2006. Members did not raise any query.

**II. Date of next meeting**

6. The Bills Committee would next meet on 26 June 2006 at 10:45 am.

7. There being no other business, the meeting ended at 6:30 pm.

Council Business Division 2  
Legislative Council Secretariat  
8 September 2006

**Proceedings of the 42<sup>nd</sup> meeting of the  
Bills Committee on  
Smoking (Public Health) (Amendment) Bill 2005  
on Thursday, 22 June 2006 at 2:30 pm  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
000000 – 000449	Chairman	Opening remarks	
000450 – 000604	Admin Chairman	Draft Committee Stage amendments (CSAs) proposed by the Administration (LC Paper No. CB(2)2531/05-06(01))	
000605 – 001333	Mr Tommy CHEUNG Chairman Admin Dr YEUNG Sum Mr Howard YOUNG Ms Emily LAU	Imposition of smoking ban on bathing beaches should be confined to any part of the land that was completely covered by sand	
001334 – 002048	Ms LI Fung-ying Mr Albert CHAN Mr Vincent FANG Ms Emily LAU Dr YEUNG Sum	Concerned about lack of time to scrutinise the Bill and the CSAs to the Bill in time to enable the Bill to resume Second Reading debate on 12 July 2006	
002049 – 002549	Mr LI Kwok-ying Chairman Dr YEUNG Sum ALA7 Admin	Whether the proposed expansion of statutory no smoking areas was beyond the scope of the Bill	
002550 – 002745	Chairman Admin	The Administration was urged to make clear to the public which part of the bathing beaches was designated no smoking area and smoking area respectively	
002746 – 004435	Mr Albert CHAN Chairman Admin Mr Vincent FANG Mr Albert CHENG Mr Howard YOUNG Dr KWOK Ka-ki	The Administration undertook to provide plans of some popular bathing beaches specified in the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132)	
004436 – 005154	Mr Tommy CHEUNG Chairman Mr James TIEN	Frequent late submission of papers by the Administration had forced members to scrutinise the Bill and the CSAs to the Bill in haste	
005155 – 005647	Chairman Mr Albert CHAN Mr Tommy CHEUNG Ms Emily LAU Dr YEUNG Sum Admin	Date of next meeting to be held on 26 June 2006 at 10:45 am  The Administration undertook to provide plans of some beaches specified in the Fourth Schedule to Cap. 132 for the next meeting	✓ (Admin to provide the plans)

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
005648 – 015449	Mr Albert CHAN Chairman Mr Tommy CHEUNG Ms LI Fung-ying Dr KWOK Ka-ki Ms Emily LAU ALA7 Mr WONG Ting-kwong Mr Howard YOUNG Mr Vincent FANG	Draft CSAs proposed by Mr Albert CHAN (LC Paper No. CB(2)2434/05-06(06))	
015450 – 021225	Dr KWOK Ka-ki Admin Dr YEUNG Sum Ms Emily LAU Mr Howard YOUNG Chairman	Administration's response to the CSAs proposed by Dr KWOK Ka-ki to ban smoking in the Ocean Park  The Administration was requested to provide -  (a) the size of the proposed four designated smoking areas within the Ocean Park and the reasons for designating these four areas as smoking area; and  (b) the impact of secondhand smoke on visitors by having these four designated spots.	✓ (Admin to provide the information)
021226 – 021844	ALA7	Draft CSAs to be moved by the Chairman on behalf of the Bills Committee (LC Paper No. CB(2)2469/05-06(01) Revised)	
021845 – 023105	Break		
023106 – 034959	Admin Chairman Dr YEUNG Sum Dr KWOK Ka-ki Mr Alan LEONG Mr Howard YOUNG Mr WONG Ting-kwong Ms Emily LAU Mr Vincent FANG Mr Tommy CHEUNG Mr Abraham SHEK	Administration's response to questions raised by members of the Bills Committee on 19 June 2006 (LC Paper No. CB(2)2511/05-06(01))	
035000 – 035414	Chairman Ms Emily LAU Mr Tommy CHEUNG	The Administration was requested to provide a full of CSAs to be moved by the Administration for the next meeting to be held on 26 June 2006	✓ (Admin to provide the CSAs)
035415 – 035726	Dr YEUNG Sum Admin	Queried serious risk posed to the Government if clause 11 was passed in the present form	
035727 – 035922	Chairman Mr Tommy CHEUNG	Closing remarks	