

立法會
Legislative Council

LC Paper No. CB(2)444/06-07
(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 51st meeting
held on Tuesday, 19 September 2006, at 8:30 am
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 Martin LEE Chu-ming, SC, 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 LI Kwok-ying, MH, JP
Dr Hon Joseph LEE Kok-long, JP
Dr Hon KWOK Ka-ki
Hon WONG Ting-kwong, BBS
Hon Albert Jinghan CHENG
- Members absent** : Hon James TIEN Pei-chun, GBS, JP
Hon LEE Cheuk-yan
Hon Fred LI Wah-ming, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum
Hon Vincent FANG Kang, JP
Hon Alan LEONG Kah-kit, SC
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)

Dr Christine WONG
Senior Medical and Health Officer
Department of Health

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
Chief Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 4

I. Meeting with the Administration
(LC Paper Nos. CB(2)2976/05-06(01) and CB(2)3055/05-06(01) to (02))

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

2. The Administration was requested to provide layout plan indicating the no smoking and smoking areas in some of the bathing beaches specified by the Bathing Beaches Regulation (Cap. 132 sub. leg. E).

3. At the request of the Bills Committee, the Administration undertook to -

- (a) discuss with the Leisure and Cultural Services Department on the proposal of displaying maps in the bathing beaches under its management showing the locations of smoking and no smoking areas within the beaches; and
- (b) provide a paper before the next meeting setting out the criteria to be adopted for designating an area situated within a public pleasure ground other than a bathing beach to be used as a smoking area, and the Administration's response to the views and suggestions raised by members at the meeting in this regard.

4. The Administration agreed to convey some members' request to the Secretary for Justice that he should come before members to answer questions regarding the proposed amendments to clause 11 of the Bill and related matters. The Administration further agreed to strive to provide a written response to the proposal of imposing a general ban on the misleading words on tobacco packaging without an absolute ban on the prohibited words, such as "light" and "mild", by the next meeting.

II. Date of next meeting

5. The next meeting would be held on 21 September 2006 at 8:30 am.

III. Any other business

6. The Chairman urged members to submit their Committee Stage amendments for consideration by the Bills Committee as soon as possible if they had not done so, as the date of resumption of the Second Reading debate on the Bill was aimed at 18 October 2006.

7. There being no other business, the meeting ended at 10:32 am.

Council Business Division 2
Legislative Council Secretariat
22 November 2006

**Proceedings of the 51st meeting of the
Bills Committee on
Smoking (Public Health) (Amendment) Bill 2005
on Tuesday, 19 September 2006, at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000322	Chairman	Opening remarks	
000323 - 001917	Admin Dr KWOK Ka-ki Ms LI Fung-ying Ms Emily LAU Mr Albert CHAN	Revised draft Committee Stage amendments (CSAs) to Part 1 of Schedule 2 regarding bathing beaches proposed by the <u>Administration</u> The Administration was requested to provide layout plan indicating the no smoking and smoking areas in some of the bathing beaches specified by the Bathing Beaches Regulation (Cap. 132 sub. leg. E) The Administration undertook to discuss with the Leisure and Cultural Services Department (LCSD) on the proposal of displaying maps in the bathing beaches under its management showing the locations of smoking and no smoking areas within the beaches	✓ (Admin to provide the plans) ✓ (Admin to discuss with LCSD)
001918 - 012531	Admin Chairman Dr KWOK Ka-ki Mr Martin LEE Mr Abraham SHEK Mr Albert CHAN Mr LI Kwok-ying Mr WONG Ting-kwong ALA7	Revised draft CSAs to Part 2 of Schedule 2 regarding public <u>pleasure ground proposed by the Administration</u> The Administration was requested to provide a paper before the next meeting setting out the criteria to be adopted for designating an area situated within a public pleasure ground other than a bathing beach to be used as a smoking area, and the Administration's response to the views and suggestions raised by members at the meeting in this regard	✓ (Admin to provide the paper)
012532 - 015799	Admin Mr Martin LEE Dr KWOK Ka-ki ALA7 Chairman	Administration's response to an enquiry raised by Dr KWOK Ka-ki regarding a recent judgment handed down in a case heard in the United States District Court of Columbia in <u>relation to the use of descriptors on cigarette packets</u> The Administration agreed to - (a) convey some members' request to the Secretary for Justice (SJ) that he should come before members to answer questions regarding the proposed amendments to clause 11 of the Bill and related matters; and (b) strive to provide a written response to the proposal of imposing a general ban on the misleading words on tobacco packaging without an absolute ban on the prohibited words, such as "light" and "mild", by the next meeting	✓ (Admin to convey SJ) ✓ (Admin to provide a written response)
015800 - 015836	Chairman	Urged members to submit their CSAs for consideration by the Bills Committee as soon as possible if they had not done so	
015837 - 015924	Chairman Ms Emily LAU	Date of next meeting	