



中華人民共和國香港特別行政區政府總部衛生福利及食物局
Health, Welfare and Food Bureau
Government Secretariat, Government of the Hong Kong Special Administrative Region
The People's Republic of China

Our Ref.: () in HWF CR(H) 52/581/89(05)

Tel: 2973 8240
Fax: 2840 0467
2869 4376

29 June 2005

Ms Monna LAI
Assistant Legal Adviser
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Fax: 2877 5029

Dear Ms Lai,

Smoking (Public Health) (Amendment) Bill 2005 (“the Amendment Bill”)

Thank you for your letter of 15 June 2005. Our response to the questions raised is set out as below –

Public Place

As we have set out in our letter of 9 June, we do not intend the definition of “domestic premises” to cover the indoor common parts of any building, which in our view, should be designated as statutory no smoking area. In other words, our policy intent is that the exemption should only apply to individual residential units.

In order to avoid any possible doubt over the said intention, we are considering to refine the definition of “domestic premises” to put it beyond doubt that it covers only individual residential units.

Power of manager of a no smoking area

We will make amendments to align the definition of “manager” in the two areas, namely the lift and other no smoking common parts of the building, for consistency and enforceability.

Yours sincerely,



(Miss Christine Au)
for Secretary for Health, Welfare and Food

c.c.

Department of Justice

(Attn.: Mr WL Cheung)

(Attn.: Ms Amy Chan)

(Attn.: Mr Winson Koo)

Department of Health

(Attn.: Ms Christine Wong)