

立法會
Legislative Council

LC Paper No. CB(1)87/04-05

(These minutes have been
cleared with the Chairman)

Ref : CB1/PL/FA/1

Panel on Financial Affairs

Minutes of meeting
held on Tuesday, 12 October 2004 at 3:40 pm
in the Chamber of the Legislative Council Building

Members present : Hon Bernard CHAN, JP (Chairman)
Hon TONG Ka-wah, SC (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Dr Hon David LI Kwok-po, GBS, JP
Hon James TO Kun-sun
Hon CHAN Kam-lam, JP
Hon SIN Chung-kai, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon WONG Ting-kwong, BBS
Hon CHIM Pui-chung
Hon Albert Jinghan CHENG
Hon TAM Heung-man

Member attending : Dr Hon YEUNG Sum

Clerk in attendance : Miss Salumi CHAN
Chief Council Secretary (1)5

Staff in attendance : Ms Pauline NG
Assistant Secretary General 1

Ms Connie SZETO
Senior Council Secretary (1)4

Ms Rosalind MA
Senior Council Secretary (1)8

Ms May LEUNG
Legislative Assistant

Action

I. Election of Chairman and Deputy Chairman

Election of Chairman

Mr James TIEN, the member who had the highest precedence in the Council, presided over the election of the Chairman of the Panel for the 2004-2005 session. He invited nominations for the chairmanship.

2. Mr Bernard CHAN was nominated by Mr Abraham SHEK and the nomination was seconded by Mr Albert CHENG. Mr CHAN accepted the nomination. There being no other nominations, Mr James TIEN declared that Mr Bernard CHAN was elected Chairman of the Panel for the 2004-2005 session. Mr CHAN then took over the chair.

3. Mr Albert CHENG indicated his support for Mr Bernard CHAN to take up the chairmanship of the Panel. Referring to the Chief Executive's announcement of his appointment of Mr CHAN as a member of the Executive Council (ExCo) earlier on the same day, Mr CHENG was concerned whether there was any role conflict between the Chairman of a Legislative Council (LegCo) Panel and an ExCo Member. The Chairman considered that there should be no role conflict between the two. He also quoted a precedent case in which Mr James TIEN served as Chairman of the LegCo Panel on Economic Services and an ExCo Member at the same time.

4. Ms Emily LAU said that while she considered it not so appropriate in principle for a LegCo Member who was also an ExCo Member to serve as the Chairman of a Panel, she did not have strong views about the arrangement. She however stressed the importance for the Chairman of a Panel to conduct business of the Panel in a fair and impartial manner.

5. The Chairman assured members that he would conduct business of the Panel in a fair and impartial manner.

Election of Deputy Chairman

6. The Chairman invited nominations for the deputy chairmanship. Mr TONG Ka-wah was nominated by Mr SIN Chung-kai and the nomination was seconded by Ms Emily LAU. Mr TONG accepted the nomination. There being no other nominations, the Chairman declared that Mr TONG Ka-wah was elected Deputy Chairman of the Panel for the 2004-2005 session.

II. Application for late membership

7. The Chairman informed members of Mr LEE Cheuk-yan's request for joining the Panel after the deadline for signifying membership. According to Mr LEE, he had not signified his membership for the Panel in the reply slip due to an inadvertent omission. The Chairman pointed out that in accordance with House Rule 23(c), it was for the Panel to decide whether Mr LEE's application for late membership should be accepted.

8. Members accepted Mr LEE's application for late membership.

III. Schedule of meetings for the 2004-2005 session

9. Members agreed that regular meetings of the Panel for the 2004-2005 session be held on the first Monday of each month at 10:45 am. As the first Monday of February 2005 was close to the Chinese New Year Holidays, and the first Monday of May 2005 was a public holiday for the Labour Day, the Chairman invited members to consider re-scheduling the regular meetings for these two months to Thursday, 3 February 2005 at 2:30 pm, and Friday, 6 May 2005 at 10:45 am respectively. Upon enquiry of Ms Emily LAU, the Clerk to the Panel (the Clerk) confirmed that the two proposed timeslots did not clash with the regular meetings already scheduled by other Panels. Members agreed that the regular meetings for February 2005 and May 2005 be rescheduled as proposed. Members also endorsed the proposed schedule of regular meetings tabled at the meeting.

10. Regarding the regular meeting to be held on Monday, 6 December 2004 at 10:45 am, Ms Emily LAU pointed out that it would clash with a meeting of the Economic and Employment Council (EEC) chaired by the Financial Secretary (FS). As some members of the Panel were also members of EEC, Ms LAU suggested that the Administration be invited to consider re-scheduling the meeting of EEC. The Chairman said that he would convey the suggestion to FS.

IV. Items for discussion at the next meeting

11. The Chairman referred members to the “List of issues suggested to be considered” and “List of follow-up actions arising from discussions in previous sessions” tabled at the meeting.

(Post-meeting note: The two lists were issued to members vide LC Paper No. CB(1)30/04-05 on 13 October 2004.)

12. Members noted that Dr David LI and the Administration had proposed one and four items for discussion in November 2004 respectively. To allow sufficient time for members to discuss the five items, the Chairman proposed and members agreed that the regular meeting on 1 November 2004 would be held from 9:00 am to 12:45 pm, and that a special meeting would be held on Wednesday, 10 November 2004 from 10:45 am to 12:45 pm. Upon enquiry of Ms Emily LAU, the Clerk confirmed that the timeslot for the special meeting did not clash with meetings already scheduled by other committees.

Regular meeting on 1 November 2004

13. Members agreed that the following discussion items be placed on the agenda for the regular meeting to be held on 1 November at 9:00 am:

- (a) The 2005-06 Budget consultation;
- (b) Briefing on the work of the Hong Kong Monetary Authority; and
- (c) Briefing on the draft Citibank (Hong Kong) Limited (Merger) Bill.

14. On paragraph 13(a), members noted that FS would conduct a briefing for LegCo Members to kickstart the consultation process for the 2005-06 Budget. On paragraph 13(b), members noted that it was the practice in previous sessions for the Chief Executive of the Hong Kong Monetary Authority (CE/HKMA) to brief the Panel on the work of HKMA at the regular meetings in November, February and May. As regards paragraph 13(c), members noted that Dr David LI would brief the Panel on the draft of the Citibank (Hong Kong) Limited (Merger) Bill which he planned to introduce into LegCo in early 2005.

15. Ms Emily LAU suggested that HKMA be invited to discuss with the Panel on the policy issues arising from the recent incident concerning destruction of rented safe deposit boxes at a branch of DBS Bank (Hong Kong) Limited. The Clerk advised that according to HKMA, CE/HKMA would brief members on the follow-up actions taken by HKMA on the incident at his briefing at the regular Panel meeting on 1 November 2004.

Special meeting on 10 November 2004

16. Members agreed that the following discussion items be placed on the agenda for the special meeting to be held on Wednesday, 10 November 2004 at 10:45 am:

- (a) Briefing on proposed amendments to the Securities and Futures Ordinance; and
- (b) Briefing on the Personalized Vehicle Registration Marks Scheme (PVRMS) to be contained in the Revenue Bill 2005.

17. On paragraph 16(a) above, members noted that the Administration would brief the Panel on its proposal to enhance the governance of the Securities and Futures Commission by splitting the post of the Chairman into a Chairman post and a Chief Executive Officer post. As regards paragraph 16(b), the Administration would brief the Panel on the major features of the PVRMS to be contained in the Revenue Bill 2005. The Administration planned to introduce the Bill into LegCo in January/February 2005.

Proposed discussion items for the 2004-2005 session

18. Miss TAM Heung-man considered that it was high time for the Administration to conduct an overall review of the Inland Revenue Ordinance (Cap. 112). She suggested that the Panel should discuss the item in the 2004-2005 session. The Chairman invited Miss TAM, and other members who would like to propose items for discussion by the Panel in the 2004-2005 session, to forward the details of the items in writing to the Clerk by 29 October 2004.

V. Any other business

19. There being no other business, the meeting ended at 3:55 pm.

Legislative Council Secretariat
21 October 2004