

立法會

Legislative Council

LC Paper No. CB(1)2391/06-07
(These minutes have been seen
by the Administration)

Ref: CB1/BC/3/05

Bills Committee on Rail Merger Bill

Minutes of thirty-fifth meeting on Monday, 21 May 2007, at 8:30 am in Conference Room A of the Legislative Council Building

Members present : Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon TAM Yiu-chung, GBS, JP (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon LAU Kong-wah, JP
Hon LI Fung-ying, BBS, JP
Hon WONG Kwok-hing, MH
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon KWONG Chi-kin

Members absent : Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Dr Hon LUI Ming-wah, SBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon LEUNG Yiu-chung
Hon SIN Chung-kai, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon LI Kwok-ying, MH, JP
Hon LEUNG Kwok-hung
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon TAM Heung-man

- Public Officers attending** : Mr Patrick HO
Deputy Secretary for the Environment, Transport and Works
- Miss Ida LEE
Principal Assistant Secretary for the Environment, Transport and Works
- Mr David LAU
Principal Assistant Secretary for Financial Services and the Treasury
- Mr Michael LAM Siu-chung
Senior Assistant Law Draftsman
Department of Justice
- Miss Clara LEUNG
Government Counsel
Department of Justice
- Attendance by invitation** : MTR Corporation Limited
- Mr Leonard TURK
Legal Director & Secretary
- Mr LEUNG Kwok-yiu
Operations Manager – Airport Railway
- Mr Martin HANKS
Manager – Merger Coordination
- Ms Maggie SO
External Affairs & Government Relations Manager
- Mr Richard THORNHILL
Partner, Slaughter & May
(Legal Adviser of MTR Corporation)
- Ms Peggy LEUNG
Associate, Slaughter & May
(Legal Adviser of MTR Corporation)

Kowloon-Canton Railway Corporation

Mr Michael KWAN
Train Operations Manager

Ms Ida LEUNG
Senior Public Affairs Manager

Clerk in attendance : Mr Andy LAU
Chief Council Secretary (1)2

Staff in attendance : Ms Connie FUNG
Assistant Legal Adviser 3

Mr Anthony CHU
Council Secretary (1)2

Miss LAM Yuen-kwan
Clerical Assistant (1)1

Action

I Discussion of draft Committee Stage amendments to be moved by individual members

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

2. The Chairman recapped that in order to enable individual members to brief the Bills Committee on the merits and drafting aspects of the Committee Stage amendments (CSAs) to be moved, the Bills Committee had scheduled a series of meetings for the purpose. Members were reminded at the last two meetings held on 17 and 18 May 2007 that the two meetings scheduled for today at 8:30 am and 5:30 pm would be reserved for individual members to brief the Bills Committee on their proposed CSAs to the Bill. Members were also invited to forward their draft CSAs to the Clerk for onward transmission to the Bills Committee by 19 May 2007, if possible.

3. The Clerk informed members that the Secretariat had issued a circular on 15 May 2007 vide LC Paper No. CB(1)1631/06-07 to members drawing their attention to the arrangements for today's meetings. As at today, the Secretariat had not received any draft CSAs from members.

Action

4. The Chairman further pointed out that the legal adviser to the Bills Committee had received informal notifications from three members, namely, Mr Andrew CHENG, Dr Fernando CHEUNG and Mr Albert CHAN (the three members), that they might move CSAs to the Bill. Since the three members were not present at the meeting, she invited members to express views on the arrangements for the meeting.

5. In response to Mrs Selina CHOW's enquiry on the draft CSAs from the three members, the Assistant Legal Adviser 3 (ALA3) said that the draft CSAs were preliminary and a copy had been forwarded to the Clerk upon request to facilitate his compilation of the Bills Committee report.

6. In view that the three members were not present at the beginning of the meeting and that no other member intended to introduce CSAs to the Bill, members present at the meeting considered that it would be more desirable to end the meeting first. The Clerk was instructed to consult the three members whether they would like to brief the Bills Committee at the meeting to be held this afternoon at 5:30 pm. If so, the meeting should be held as scheduled.

II Any other business

7. There being no other business, the meeting ended at 8:50 am.

**Proceedings of the thirty-fifth meeting of
the Bills Committee on Rail Merger Bill
on Monday, 21 May 2007, at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<i>Agenda Item I – Discussion of draft Committee Stage amendments to be moved by individual members</i>			
000000 - 001805	Chairman Mrs Selina CHOW ALA3 Mr LAU Kong-wah Mr TAM Yiu-chung Administration	<ul style="list-style-type: none"> - Opening remarks - Meeting arrangements - Setting up of a subcommittee to study the draft subsidiary legislation relating to the rail merger 	
<i>Agenda Item II – Any other business</i>			
	Chairman	Date of next meeting	

Council Business Division 1
Legislative Council Secretariat
2 October 2007