

立法會
Legislative Council

LC Paper No. CB(2)2490/05-06

Ref : CB2/BC/11/04

**Paper for the House Committee meeting
on 30 June 2006**

**Interim report of the Bills Committee on
Smoking (Public Health) (Amendment) Bill 2005**

Purpose

This paper reports on the view of the Bills Committee on Smoking (Public Health) (Amendment) Bill 2005 on the proposed date of resumption of the Second Reading debate on the Bill.

The Bills Committee

2. At the House Committee meeting on 13 May 2005, Members formed a Bills Committee to study the Bill. Under the chairmanship of Hon Andrew CHENG, the Bills Committee has held 45 meetings, comprising 61 two-hour sessions, with the Administration. The Bills Committee has also met with various organisations and individuals, in two rounds of meetings, to listen to their views on the Bill and the proposed amendments to the Bill.

Resumption of Second Reading debate on the Bill

3. At its meeting on 27 June 2006, the Bills Committee reviewed the progress of work and also discussed the date of resumption of the Second Reading debate on the Bill with the Administration.

4. The Administration has informed the Bills Committee that it has given notice to resume the Second Reading debate on the Bill at the Council meeting on 12 July 2006. The Bills Committee, however, considers that the Bill is not ready for resumption of Second Reading debate on that date for the following reasons -

- (a) the complete sets of the Administration's proposed Committee Stage amendments (CSAs) in English and Chinese were only

provided to the Bills Committee on 26 June 2006. The Bills Committee does not have time to go through the CSAs and would not be able to do so before the deadline for giving notice of CSAs on 3 July 2006;

- (b) the Administration's proposed CSAs to clause 11 of the Bill to give effect to its "grandfathering and notation" approach to allow existing trademarks of tobacco products containing misleading words, such as "mild" and "light", to continue to appear on the packets or retail containers of their products were only provided to the Bills Committee on 23 June 2006. In view of the very controversial nature of the proposed amendments, members need more time to consider the Administration's proposal and whether there are alternative solutions; and
- (c) the Bills Committee wishes to seek the view of the World Health Organisation (WHO) as to whether the Administration's "grandfathering and notation" approach referred to in paragraph 4(b) above is in compliance with the requirements of the WHO Framework Convention on Tobacco Control.

5. The Bills Committee has decided not to support the resumption date of 12 July 2006 proposed by the Administration.

6. The Bills Committee will hold further meetings to continue discussion on the Bill. The Bills Committee aims to complete its scrutiny work by September 2006 to enable the Second Reading debate on the Bill to resume at the Council meeting on 18 October 2006.

Advice sought

7. Members are invited to note the view of the Bills Committee on the proposed date of resumption of the Second Reading debate on the Bill in paragraphs 5 and 6 above.

Council Business Division 2
Legislative Council Secretariat
29 June 2006