

Panel on Commerce and Industry

List of outstanding items for discussion

(position as at 10 October 2005)

**Proposed timing
for discussion**

1. Progress report on the Sixth Ministerial Conference (MC6) of the World Trade Organization

MC6 will be held in December 2005. The Administration briefed the Panel on progress of preparation of MC6 on 16 November 2004, 15 February 2005 and 19 July 2005. It has also briefed the Panel on Security on 3 May 2005. The Administration proposes to give an update to Panel members at the Panel meeting on 18 October 2005.

October 2005

2. Proposals on various copyright-related issues

Last discussed on 19 July 2005. The Administration undertook to brief the Panel in October 2005 on the proposed thresholds for the new business end-user copying/distribution offence for certain printed works and other refinements, if any, to the preliminary proposals. The Administration proposes to brief members at the Panel meeting in November.

November 2005

3. Draft Copyright (Prescription of Copyright Registers) Regulation

At the Panel meeting on 12 May 2003, members noted the Administration's proposal of prescribing the copyright registers maintained by the United States, Canada and India with a view to simplifying the proof of copyright ownership in legal proceedings under section 121(2) of the Copyright Ordinance (Cap.528). Members asked the Administration to consider the setting up of a copyright register in Hong Kong. The Administration undertook to consider members' views and revert to the Panel in due course.

To be confirmed

4. Progress and impact of the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA)

The Panel has been briefed on the key findings of a study on the economic impact of CEPA I on Hong Kong's economy on 19 April 2005. The Administration has advised that it will brief the Panel on issues related to the implementation of CEPA from time to time. Members have also agreed that the Administration should report the progress and impact of CEPA to the Panel periodically, say, on an annual basis.

April/May 2006

**Proposed timing
for discussion**

5. Measures for monitoring the operation of the AsiaWorld-Expo (AWE)

At the Panel meeting on 12 July 2004, it was proposed that the Panel might consider exploring the subject further with the Administration in the next term having regard to members' concern about the measures in place for monitoring and ensuring the effective operation of the AsiaWorld-Expo.

To be confirmed

6. New Strategic Framework for Innovation and Technology Development

Last discussed on 17 May 2005. The Administration undertook to report on the operation and performance of the Research and Development centres and the implementation of the new framework to the Panel annually.

End 2006

7. Review of the effectiveness of the Professional Services Development Assistance Scheme

Last discussed on 17 May 2005. The Panel requested the Administration to revert to the Panel in the legislative session of 2005-06 on members' proposals.

2005 – 06
session

8. Proposed amendments to clarify certain transitional matters under the Trade Marks Ordinance (Cap. 559)

The Administration plans to make legislative amendments to clarify certain transitional matters under the Trade Marks Ordinance (Cap. 559). The concerned amendment bill will be introduced into the Legislative Council in the 2005-06 legislative session. The Administration proposes to consult the Panel at its meeting in December.

December 2005
(Tentative)

9. Proposed legislative amendments for enhanced electronic services of the trade marks registry

The Intellectual Property Department has launched electronic services for filing of applications for trade marks which enables more efficient and cost effective applications for trade mark registration. The Department plans to extend the electronic services to cover other aspects such as registering assignments. Some amendments to the Trade Marks Rules need to be made to facilitate the launching of these electronic services. The Administration proposes to consult the Panel on the proposed amendments in January 2006.

January 2006
(Tentative)

**Proposed timing
for discussion**

10. Consultation on the Review of Copyright Protection in the Digital Environment

The Administration is examining whether amendments to the Copyright Ordinance are necessary for more effective protection of copyright works in the digital environment. The Administration intends to conduct a consultation exercise after completing the examination and will provide a briefing to the Panel.

First half of 2006
(Tentative)

11. Improving the business environment

Issues relating to improving the business environment were discussed at the Panel meeting on 10 June 2002 and on 10 May 2004. A Motion Debate on "Actively Improving the Business Environment for Small and Medium Enterprises" moved by Hon Vincent FANG, as amended by Hon Fred LI and Hon CHAN Kam-lam was carried on 8 June 2005. The progress report has been issued to all Members on 31 August 2005 vide LC Paper No. CB(3)831/04-05.

To be confirmed

The same subject was covered in paragraphs 16 to 18 and paragraph 61 of the Chief Executive's 2004 and 2005 Policy Address respectively. Hon Mrs Sophie LEUNG expressed the view that the Government should strive to provide the business and industrial sectors with an "enabling environment".

Under the steer of the Economic and Employment Council, the Subgroup on Business Facilitation and its dedicated task forces have been studying ways to remove outdated or unnecessary regulations on business sectors that have significant impact on the economy and employment. Concrete recommendations have been made to simplify and improve the regulatory regimes impacting on the real estate, construction, retail and entertainment business sectors. The concerned government bureaux and departments are taking forward the improvement measures where consensus has been reached, including simplification of lease conditions, setting up of an enquiry system on land matters, parallel processing the modification and ordinance-related issues pertaining to land leases; and simplifying and improving the food retail and cinema licensing regimes.

At the Panel meeting held on 12 October 2004, Hon Mrs Sophie LEUNG recapped her concern about the importance of an "enabling" business environment. She said that the Panel might wish to explore the subject further with the Administration and

**Proposed timing
for discussion**

that in due course, the Panel might consider requesting the Research and Library Services Division of the Secretariat to conduct some research on the subject.

Council Business Division 1
Legislative Council Secretariat
10 October 2005