

立法會
Legislative Council

Ref : CB2/BC/5/06

LC Paper No. CB(2)2103/06-07
(These minutes have been seen by
the Administration)

**Bills Committee on
Shenzhen Bay Port Hong Kong Port Area Bill**

**Minutes of meeting
held on Wednesday, 11 April 2007, at 2:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon LAU Kong-wah, JP (Chairman)
Hon KWONG Chi-kin (Deputy Chairman)
Hon James TO Kun-sun
Hon Bernard CHAN, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
- Members absent** : Hon Margaret NG
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, JP
Hon Miriam LAU Kin-yeet, GBS, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon CHIM Pui-chung
- Public Officers attending** : Mr Clement CHEUNG
Commissioner of Insurance
- Mr Ros LAM
Assistant Commissioner of Insurance
- Ms Grace LUI
Deputy Secretary for Security
- Miss Ada CHAN
Assistant Secretary for Security

Ms Fanny IP
Senior Assistant Law Draftsman

Mrs Rita WONG
Senior Assistant Law Officer (Civil Law) (Acting)

Mr Paul TSANG
Senior Assistant Solicitor General (Acting)

Ms Cindy YAU
Senior Government Counsel

Clerk in attendance : Mrs Sharon TONG
Chief Council Secretary (2) 1

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Mr Timothy TSO
Assistant Legal Adviser 2

Mr Raymond LAM
Senior Council Secretary (2) 5

Ms Camy YOONG
Clerical Assistant (2) 1

I. Meeting with the Administration

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

2. The Bills Committee requested the Administration to provide, before the House Committee meeting on 13 April 2007 and before 16 April 2007, an update on the consultation by the Hong Kong Federation of Insurers with its member companies on the proposed market agreement on motor vehicle third party risks insurance and employees' compensation insurance.

3. Mr James TO said that he was considering proposing Committee Stage amendments to the Bill, including reflecting the market agreement in the Bill.

4. Mr James TO expressed reservations about the date of 13 April 2007 for the Bills Committee to report to the House Committee and resumption of

Second Reading debate on the Bill on 25 April 2007, given that the market agreement had not been finalised.

5. The meeting ended at 4:25 pm.

Council Business Division 2
Legislative Council Secretariat
7 June 2007

**Proceedings of meeting of the
Bills Committee on
Shenzhen Bay Port Hong Kong Port Area Bill
on Wednesday, 11 April 2007, at 2:30 pm
in Conference Room A of the Legislative Council Building**

| Time marker | Speaker | Subject(s) | Action Required |
|--------------------|--|---|------------------------|
| 000000 - 000212 | Chairman | Opening remarks | |
| 000213 - 001337 | Admin | Briefing on the Administration's paper entitled "Insurance Arrangement After the Opening of the Shenzhen Bay Port Hong Kong Port Area ("HKPA")" (LC Paper No. CB(2)1530/06-07(01)) | |
| 001338 - 002025 | Deputy Chairman Admin | Making reference in the Bill to the proposed market agreement; whether the market agreement was legally binding | |
| 002026 - 003435 | Hon James TO Admin | Whether individual policy holders could draw reference to the market agreement in court proceedings; worries of the insurance industry over the proposed unilateral deed | |
| 003436 - 005918 | Hon Bernard CHAN Hon Emily LAU Chairman Admin | Examples of market agreements adopted in Hong Kong in the past; number of insurance companies which had indicated support for the market agreement; timetable for firming up the market agreement | |
| 005919 - 011902 | Hon James TO Hon Bernard CHAN Hon Howard YOUNG Hon Emily LAU Admin Chairman | Providing in the market agreement that a breach of it would be seen as a contravention of certain insurance laws; legal implications referred to in paragraph 19 of the Administration's paper | |

| Time marker | Speaker | Subject(s) | Action Required |
|--------------------|--|--|--|
| 011903 - 015400 | Hon James TO Chairman Admin Clerk Hon Bernard CHAN Hon Emily LAU Deputy Chairman | Date of resumption of Second Reading debate on the Bill; deadline for giving notice to move Committee Stage amendments (CSAs) to the Bill; deadline for giving notice for resumption of Second Reading debate on the Bill; way forward | Admin to provide, before the House Committee meeting on 13 April 2007 and before 16 April 2007, an update on the consultation by the Hong Kong Federation of Insurers with its member companies on the proposed market agreement on motor vehicle third party risks insurance and employees' compensation insurance |
| 015401 - 015431 | Chairman | Progress regarding seeking the views of the Hong Kong Bar Association and the Law Society of Hong Kong on the CSAs to clause 6 proposed by the Administration | |
| 015432 015513 | Hon James TO | Reservations about the date for the Bills Committee to report to the House Committee | |