立法會 Legislative Council

Ref: CB2/BC/11/06 LC Paper No. CB(2)805/07-08

(These minutes have been seen by

the Administration)

Bills Committee on Domestic Violence (Amendment) Bill 2007

Minutes of the 6th meeting held on Friday, 7 December 2007, at 10:45 am in Conference Room A of the Legislative Council Building

Members : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)

Hon LEE Cheuk-yan present

Hon Margaret NG

Hon James TO Kun-sun

Hon CHAN Yuen-han, SBS, JP Hon Bernard CHAN, GBS, JP Dr Hon YEUNG Sum, JP

Hon Miriam LAU Kin-yee, GBS, JP

Hon Emily LAU Wai-hing, JP

Hon CHOY So-yuk, JP

Hon TAM Yiu-chung, GBS, JP Hon LI Fung-ying, BBS, JP

Hon Audrey EU Yuet-mee, SC, JP Hon WONG Kwok-hing, MH Hon Alan LEONG Kah-kit, SC Hon LEUNG Kwok-hung

Hon KWONG Chi-kin

Members : Hon Albert HO Chun-yan

Hon Ronny TONG Ka-wah, SC absent

Hon TAM Heung-man

Public Officers: Miss Eliza LEE

attending Deputy Secretary for Labour and Welfare (Welfare)1

Miss Hinny LAM

Principal Assistant Secretary for Labour and Welfare (Welfare)2

Ms Winnie LEUNG

Assistant Secretary for Labour and Welfare (Welfare)2A

Mrs Anna MAK

Assistant Director (Family and Child Welfare)

Social Welfare Department

Mr Gilbert MO

Deputy Law Draftsman (Bilingual Drafting & Administration)

Department of Justice

Clerk in : Miss Mary SO

attendance Chief Council Secretary (2) 5

Staff in : Mr LEE Yu-sung

attendance Senior Assistant Legal Adviser 1

Ms Maisie LAM

Council Secretary (2) 2

Ms Sandy HAU

Legislative Assistant (2) 5

Action

I. Confirmation of minutes of meeting

[LC Paper No. CB(2)522/07-08)]

The minutes of the meeting held on 16 October 2007 were confirmed.

II. Meeting with the Administration

[LC Paper No. CB(3)709/06-07 and CB(2)2456/06-07(02)]

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

<u>Action</u>

Clause-by-clause examination of the Bill

- 3. The Administration was requested to provide a response in writing to the following issues raised by members -
 - (a) to specify that the Director of Social Welfare could be the "next friend" referred to in the Bill;
 - (b) to continue to cover a child living with the applicant under the Domestic Violence Ordinance (Cap. 189);
 - (c) to align "excluding" in the amended section 3(1)(c) with "enter and remain" in the amended section 3(1)(d); and
 - (d) to provide further details on the anti-violence programme referred to in new section 3(1A), such as the duration of the whole programme; whether it would be fee charging, if so, what was the amount; and method to be used to evaluate the effectiveness of the programme.

III. Date of next meeting

- 4. <u>Members</u> agreed to hold the meeting within two weeks to continue clause-by-clause examination of the Bill.
- 5. There being no other business, the meeting ended at 12:45 pm.

Council Business Division 2
<u>Legislative Council Secretariat</u>
11 January 2008

Proceedings of the sixth meeting of Bills Committee on Domestic Violence (Amendment) Bill 2007 on Friday, 7 December 2007, at 10:45 am in Conference Room A of the Legislative Council Building

Time marker	Speaker	Subject	Action required
000000 - 000216	Chairman	Confirmation of minutes of meeting on 16 October 2007	
000217 - 000348	Chairman Admin	Awaiting the Administration's response to the including same sex couples in the Domestic Violence Ordinance (Cap. 189)	
000349 - 000428	Chairman	Clause-by-clause examination of the Bill	
000429 - 002341	Admin Chairman Mr TAM Yiu-chung Ms Audrey EU	Long title of the Bill The Administration was requested to specify that the Director of Social Welfare could be the "next friend" referred to in the Bill	(Admin to provide a written response)
002342 - 002400	Admin	Clause 1- Short title	
002401 - 002618	Admin	Clause 2 - Commencement	
002619 - 003323	Admin	Clause 3 - Interpretation	
003324 - 015642	Admin Chairman Miss Margaret NG Mr TAM Yiu-chung Ms Miriam LAU Dr YEUNG Sum Mr LEUNG Kwok-hung Ms LI Fung-ying Ms Emily LAU SALA1 Ms Audrey EU	Clause 4 - Power of District Court to grant injunction The Administration was requested - (a) to continue to cover a child living with the applicant under the Domestic Violence Ordinance (Cap. 189); (b) to align "excluding" in the amended section 3(1)(c) with "enter and remain" in the amended section 3(1)(d); and (c) to provide further details on the antiviolence programme referred to in new section 3(1A), such as the duration of the whole programme; whether it would be fee charging, if so, what was the amount; and method to be used to evaluate the effectiveness of the programme.	(Admin to provide a written response)
015643 - 015758	Chairman Admin	Date of next meeting	

Council Business Division 2
Legislative Council Secretariat

11 January 2008