

立法會
Legislative Council

LC Paper No. CB(2) 2144/06-07

Ref : CB2/H/5/06

House Committee of the Legislative Council

**Minutes of the 28th meeting
held in the Legislative Council Chamber
at 8:30 pm on Friday, 8 June 2007**

Members present :

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHAN Kam-lam, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon WONG Kwok-hing, MH
Dr Hon Joseph LEE Kok-long, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Dr Hon Fernando CHEUNG Chiu-hung
Hon WONG Ting-kwong, BBS
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon TAM Heung-man

Members absent :

Hon Fred LI Wah-ming, JP (Deputy Chairman)

Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
Hon Martin LEE Chu-ming, SC, JP
Dr Hon David LI Kwok-po, GBS, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, JP
Hon Bernard CHAN, GBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LEUNG Yiu-chung
Hon SIN Chung-kai, JP
Hon LAU Chin-shek, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon Frederick FUNG Kin-kee, SBS, JP
Hon LEE Wing-tat
Hon LI Kwok-ying, MH, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon MA Lik, GBS, JP
Dr Hon KWOK Ka-ki
Hon CHEUNG Hok-ming, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Hon Albert Jinghan CHENG
Hon KWONG Chi-kin

Clerk in attendance :

Mrs Vivian KAM Clerk to the House Committee

Staff in attendance :

Mr Ricky C C FUNG, JP	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Ms Pauline NG	Assistant Secretary General 1
Mrs Justina LAM	Assistant Secretary General 3
Mr Simon WONG	Chief Public Information Officer
Miss Odelia LEUNG	Chief Council Secretary (2)6

Ms Amy YU

Senior Council Secretary (2)3

Action

The Chairman thanked Members for staying behind after the Council meeting to attend the meeting.

I. Confirmation of the minutes of the 27th meeting held on 1 June 2007
(LC Paper No. CB(2) 2074/06-07)

2. The minutes were confirmed.

II. Matters arising

Report by the Chairman on the meeting with the Chief Secretary for Administration (CS)

Meeting with leaders of Central Government visiting Hong Kong

3. The Chairman said that the Deputy Chairman had conveyed to CS Members' wish to invite State leaders visiting Hong Kong during the 10th anniversary of the handover of sovereignty to a meeting and banquet. The Deputy Chairman had also written to the Chief Executive on the matter. CS had remarked that State leaders would have limited time during their visit, and there would be opportunities for Members to see the State leaders.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 1 June 2007 and tabled in Council on 6 June 2007

(LC Paper No. LS 84/06-07)

4. The Chairman said that four items of subsidiary legislation were gazetted on 1 June 2007 and tabled in Council on 6 June 2007.

5. Members did not raise any queries on these four items of subsidiary legislation.

6. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 4 July 2007.

Action

IV. Further business for the Council meeting on 13 June 2007

(a) Questions

(LC Paper No. CB(3) 648/06-07)

7. The Chairman informed Members that Mr Jasper TSANG and Miss CHOY So-yuk had replaced their oral questions, whereas Mr LEE Wing-tat, Mr James TO and Mr LAU Kong-wah had replaced their written questions.

(b) Bills - resumption of debate on Second Reading, Committee Stage and Third Reading

(i) Housing (Amendment) Bill 2007

(ii) Revenue Bill 2007

8. The Chairman said that the Bills Committees on the above two Bills had presented their reports to the House Committee at the last meeting, and Members did not raise objection to the resumption of the Second Reading debate on the Bills.

(c) Members' Bill - resumption of debate on Second Reading, Committee Stage and Third Reading

City University of Hong Kong (Amendment) Bill 2006

9. The Chairman said that the Bills Committee on the above Bill had presented its report to the House Committee at the last meeting, and Members did not raise objection to the resumption of the Second Reading debate on the Bill.

10. The Chairman informed Members that if it was unlikely that the business on the Agenda of the Council meeting on 13 June 2007 could be finished by about midnight on that day, the meeting would be suspended at about 10:00 pm and resumed at 9:00 am on 14 June 2007.

V. Business for the Council meeting on 20 June 2007

(a) Questions

(LC Paper No. CB(3) 649/06-07)

11. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the meeting.

Action

12. Dr Joseph LEE said that to his understanding, he had been allocated an oral question slot at the Council meeting on 20 June 2007. He noted from the paper on the questions scheduled for the Council meeting (LC Paper No. CB(3)649/06-07) that he had been allocated a written question slot, whereas the revised version of the paper tabled at the meeting showed that he had given up the written question slot. Dr LEE sought clarification on the matter.

13. The Chairman said that the Secretariat would follow up on the matter and revert to Dr LEE.

(b) Bills - First Reading and moving of Second Reading

14. The Chairman said that no notice had been received yet.

(c) Government motions

(i) Proposed resolution to be moved by the Chief Secretary for Administration under the Organized and Serious Crimes Ordinance

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 630/06-07 dated 30 May 2007.)
(*LC Paper No. LS 83/06-07*)

(ii) Proposed resolution to be moved by the Secretary for Security under the Mutual Legal Assistance in Criminal Matters Ordinance

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 629/06-07 dated 30 May 2007.)
(*LC Paper No. LS 83/06-07*)

15. The Chairman said that the purpose of the two proposed resolutions was to implement in Hong Kong the requirements in relation to confiscation of proceeds of crime and mutual legal assistance under the United Nations Convention Against Corruption (the Convention).

16. The Chairman further said that at the last House Committee meeting, Members formed a subcommittee to study the Fugitive Offenders (Corruption) Order, and agreed that the Subcommittee would also study the two proposed resolutions if considered necessary. The Chairman invited Members' views on whether they considered the Subcommittee should also examine the two proposed resolutions.

17. In response to Ms Margaret NG's enquiry on the content of and the reason for making the Order under section 31 of the Organized and Serious Crimes Ordinance (the OSCO Order), the Legal Adviser referred Members to the third paragraph of the Legal Service Division Report and explained that the

Action

OSCO Order would add to Schedule 2 to OSCO certain offences on soliciting or accepting bribes, with the effect that the proceeds or property derived from those offences might be subject to a restraint order, charging order or confiscation order made under OSCO.

18. Ms Margaret NG considered it appropriate for the Subcommittee to examine the proposed resolution to be made under the Mutual Legal Assistance in Criminal Matters Ordinance as the nature of the resolution and the Fugitive Offenders (Corruption) Order was similar. However, she questioned the basis for the Subcommittee to examine also the OSCO Order, given its different nature from the Fugitive Offenders (Corruption) Order.

19. The Legal Adviser explained that the Fugitive Offenders (Corruption) Order and the two proposed resolutions were made to implement relevant articles of the Convention. They were related pieces of subsidiary legislation, and the Administration had set out their background information in one Legislative Council (LegCo) Brief. It was on that basis that the House Committee decided at the last meeting that the Subcommittee should also study the two proposed resolutions if considered necessary.

20. The Chairman said that Members could propose alternative means to deal with the two proposed resolutions if it was considered inappropriate for the Subcommittee to also study them.

21. Members agreed that the Subcommittee should study also the two resolutions.

22. The Chairman said that the Administration would be requested to withdraw its notices for moving the proposed resolutions.

(d) Members' motions

(i) Motion on "Policy on nursing manpower"

(Wording of the motion issued vide LC Paper No. CB(3) 658/06-07 dated 6 June 2007.)

23. The Chairman said that the above motion would be moved by Dr Joseph LEE and the wording of the motion had been issued to Members.

(ii) Motion to be moved by Hon James TO Kun-sun

24. The Chairman said that the subject of the motion to be moved by Mr James TO was "Demonstrating the people's power on 1 July".

25. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Tuesday, 12 June 2007.

VI. Report of Bills Committees and subcommittees

(a) Report of the Bills Committee on Copyright (Amendment) Bill 2006 (*LC Paper No. CB(1) 1844/06-07*)

26. Dr YEUNG Sum presented the report of the Bills Committee on behalf of its Chairman, Mr SIN Chung-kai, who was not able to attend the meeting.

27. Dr YEUNG referred members to the report, and said that the Bills Committee had held 24 meetings with the Administration and had considered the views of some 80 organizations, including copyright owners associations, copyright users associations and professional bodies.

28. Dr YEUNG reported that while members agreed that it was important for the Administration to develop a sound and effective copyright protection regime in Hong Kong, they were gravely concerned that the free-flow and dissemination of information arising from the use of copyright works should not be unduly affected. The Bills Committee had discussed in depth various controversial proposals, including business end-user criminal liability, anti-circumvention provisions, liberalisation in the use of parallel imports, copyright exemption and fair dealing, and rental rights for films and comic books. Dr YEUNG pointed out that members were fully aware of the divergent views held by copyright owners and users over many of the proposals in the Bill, and generally considered that the proposals and the proposed amendments to be made by the Administration had struck a reasonable balance of their interests.

29. Dr YEUNG further said that the Administration would move a number of Committee Stage amendments (CSAs) to address the issues of concern raised by members and the organizations concerned. The Bills Committee would not move any CSAs, and supported the resumption of the Second Reading debate on the Bill on 27 June 2007.

30. Ms Margaret NG said that the Law Society of Hong Kong had raised concern about the proposed definition of "lawfully made" in relation to parallel imports. She asked whether the issue had been dealt with by the Bills Committee.

31. Dr YEUNG said that the issue had been discussed by the Bills Committee. There had been written correspondence between the Administration and the Law Society, and members were aware of the different views held by them on the matter. In its latest submission to the Bills Committee, the Law Society indicated that it did not accept the Administration's response to its concerns. Dr YEUNG further said that the Administration informed him on the day of the meeting that it had engaged in further discussions with the Law Society. He had requested the

Action

Administration to continue its discussions with the Law Society and provide a written response on its final position on the matter to the Bills Committee.

32. The Chairman reminded members that the deadline for giving notice of CSAs was Saturday, 16 June 2007.

(b) Report of the Bills Committee on Tsing Sha Control Area Bill
(LC Paper No. CB(1) 1823/06-07)

33. Mr LAU Kong-wah, Chairman of the Bills Committee, said that the Bills Committee had completed its scrutiny work. The proposed arrangements for the management, operation and maintenance of the Tsing Sha Control Area were largely similar to those for other control areas. The Bills Committee considered the Bill in order and supported the resumption of the Second Reading debate on the Bill on 27 June 2007.

34. The Chairman reminded Members that the deadline for giving notice of CSAs was Saturday, 16 June 2007.

(c) Report on Elderly in Poverty by the Subcommittee to Study the Subject of Combating Poverty
(LC Paper No. CB(2) 2047/06-07)
(Report on Elderly in Poverty : LC Paper No. CB(2) 2048/06-07)

35. Dr Fernando CHEUNG presented the Report of the Subcommittee on behalf of its Chairman, Mr Frederick FUNG, who was not able to attend the meeting. Dr CHEUNG said that the Subcommittee had completed its study on the subject of elderly in poverty, and had made 25 recommendations for the Administration's consideration and response.

36. Dr CHEUNG further said that in view of the ageing population, elderly in poverty was an issue of wide public concern. As the subject straddled different policy areas, the Subcommittee considered that an opportunity should be provided for Members to express their views and for the Administration to provide its response. The Subcommittee had, therefore, agreed to request the House Committee for the allocation of a debate slot, under House Rule 14A(h), to the Subcommittee Chairman to move a motion on "Elderly in poverty" for debate at the Council meeting on 27 June 2007. Should the House Committee accede to the Subcommittee's request, the debate slot would not be counted as the Subcommittee Chairman's own slot.

37. Dr CHEUNG added that the Subcommittee also suggested that there should only be one other debate on a Member's motion for the Council meeting on 27 June 2007.

Action

38. Members agreed that the Subcommittee's Report should be forwarded to the Financial Secretary for consideration. Members also agreed that a debate slot should be allocated to Mr Frederick FUNG as Chairman of the Subcommittee to move a motion on the Subcommittee's Report at the Council meeting on 27 June 2007, and there should be only one other debate on a Member's motion for that Council meeting.

(d) Report of the Subcommittee on Legislative Amendments Relating to the Proposed Re-organisation of Policy bureaux of the Government Secretariat

(LC Paper No. CB(2) 2081/06-07)

39. The Chairman said that Mr TAM Yiu-chung, Chairman of the Subcommittee, had given a verbal report at the last House Committee meeting. A written report was provided for the current meeting.

40. The Chairman further said that Mr SIN Chung-kai had given notice to move an amendment to the Resolution to change the name of the Secretary for Commerce and Economic Development to "Secretary for Commerce, Industry, Technology and Economy". Ms Audrey EU had also given notice to move an amendment to the Resolution to change the name of the Secretary for Development to "Secretary for Sustainable Development".

41. Members did not raise any queries on the report.

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 2075/06-07)

42. The Chairman said that there were nine Bills Committees and 10 subcommittees under the House Committee in action.

43. The Chairman invited Members to note that the Bills Committee on Domicile Bill would have to work beyond three months since commencement of its work.

VIII. Attendance of Principal Officials at and provision of papers for Panel meetings

(Letter dated 25 May 2007 from Hon Audrey EU Yuet-mee to the Chairman of the House Committee (LC Paper No. CB(2) 2082/06-07(01))

(LC Paper No. CB(2) 2082/06-07(02))

44. The Chairman referred Members to Ms Audrey EU's letter expressing concern about the low attendance of Principal Officials at Panel meetings and the late provision of papers by the Administration. The Chairman added that

Action

the Secretariat had compiled the relevant information, as set out in LC Paper No. CB(2)2082/06-07(02), for Members' reference.

45. Ms Audrey EU thanked the Secretariat for compiling the information. Ms EU said that she had raised the issues for discussion as it was an opportune time to review the accountability system for Principal Officials when Members were considering the Administration's re-organisation proposal. Ms EU recalled that at the Council meeting on 29 May 2002, Mr Donald TSANG, the then CS, had mentioned that one of the main objectives of introducing the accountability system for Principal Officials was to enhance cooperation between the Executive and the Legislature, and the Principal Officials should be proactive in enhancing communication with LegCo Members.

46. Referring to the information compiled by the Secretariat on the attendance of Principal Officials at Panel meetings in the current term of LegCo (LC Paper No. CB(2)2082/06-07(02)(a)), Ms EU pointed out that the overall attendance rates of Principal Officials at Panel meetings and in terms of the number of discussion items were only 37.37% and 25.2% respectively. The attendance rate of seven Principal Officials, including the Secretary for Justice, Secretary for Health, Welfare and Food (SHWF), Secretary for Home Affairs, Secretary for Security, Secretary for Economic Development and Labour, and Secretary for Environment, Transport and Works, was under 10%. Indeed, the attendance rates of Principal Officials over the past three years had been declining. It was also not uncommon for some Principal Officials to decline the invitations of Panel Chairmen to attend Panel meetings.

47. Ms EU stressed that the declining attendance rates of Principal Officials at Panel meetings did not accord with the Administration's undertaking to enhance cooperation and communication between the Executive and the Legislature. To achieve the spirit of accountability and given that one of the main duties of Principal Officials was to explain policy issues to Panels, Ms EU considered that the Administration should draw up a performance pledge for the attendance of Principal Officials at Panel meetings of say a minimum of 70%-80%. The Secretariat should keep a record of the attendance rate of Principal Officials at Panel meetings to facilitate monitoring. Ms EU requested the Chairman to relay her concern and suggestion to CS.

48. Ms EU also highlighted an increasing trend for the late provision of papers by the Administration for Panel meetings. Furthermore, the content of the papers was increasingly flimsy and not helpful for Members' discussions. Ms EU requested the Chairman to ask CS to remind the bureaux to adhere to the agreed deadlines for the provision of papers. She also urged Panel Chairmen to observe the agreed arrangements and consider removing the relevant item from the agenda after consulting the Panels, if the Administration failed to adhere to the agreed deadlines.

Action

49. Dr YEUNG Sum said that Members belonging to the Democratic Party shared the concerns of Ms EU. As political officials appointed under the accountability system, it was incumbent upon the Principal Officials to strengthen their accountability to LegCo in a proactive manner and attend Panel meetings. As regards the provision of papers, Dr YEUNG quoted the case of the late provision of papers relating to the Queen's Pier issue by the Administration to the Panel on Planning, Lands and Works and considered this unacceptable. He concurred with Ms EU that Panel Chairmen should observe strictly the agreed arrangements and consider removing from the agenda the relevant item for which papers had not been received by the agreed deadline.

50. Dr Fernando CHEUNG expressed support for Ms EU's suggestion of requesting the Administration to set a performance pledge on the attendance of Principal Officials at Panel meetings. He echoed the view that the attendance of Principal Officials at Panel meetings in the current term of LegCo, particularly in the past two years, was far from satisfactory. He considered the exceedingly low attendance rate of SHWF at meetings of the Panel on Welfare Services entirely unacceptable. Dr CHEUNG said that only after the Chief Executive's Policy Address and the Budget speech delivered by the Financial Secretary had SHWF attended the Panel meetings to brief members on the relevant issues. This apart, SHWF had rarely attended the Panel's meetings, or the relevant subcommittee meetings, to discuss issues of public concern with members.

51. Dr CHEUNG further said that the Permanent Secretaries also seldom attended Panel meetings, which were usually attended by their deputies. As the Government officials attending Panel or subcommittee meetings were often not in a position to make decisions on policy matters, they could only relay members' views and requests to the relevant Directors of Bureaux for consideration. The committees had to invite specifically the relevant Principal Officials or Permanent Secretaries to their meetings to discuss the matters again and often to no avail. Dr CHEUNG was concerned that this had undermined greatly the efficiency of the work of LegCo. He stressed that the Principal Officials had the obligation to explain their policies to Members and the public and should not shy away from such a responsibility.

52. Dr CHEUNG added that it was not the first time for the House Committee to discuss the issue of late provision of papers for Panel meetings, and the Chairman had relayed to CS Members' concern in this regard on several occasions in the past. He felt that there should be an avenue for Members to voice their concern again.

53. The Chairman clarified that a mechanism had already been put in place to deal with the situations where the Administration did not adhere to the deadlines for providing papers. The Panel Chairmen could decide to delete the relevant item from the agenda after consulting the Panels.

Action

54. Dr CHEUNG said that the Panel Chairmen would be in a dilemma, as members might prefer tackling the relevant issue expeditiously to postponing its discussion to a later meeting.

55. Ms Margaret NG said that the problem with attendance of Principal Officials was not unique to Panel meetings but also to Bills Committee meetings. In principle, it was acceptable for Principal Officials not to attend Bills Committee meetings since the proposals in a bill were often to implement the policy already formulated. The officials attending Bills Committee meetings should be those who had the best grasp of the technical issues involved. However, the public officers attending Bills Committee meetings were at times not conversant with the reasons behind the policy formulation as they might not have communication with the Principal Officials, and hence could not answer members' questions. Ms NG considered this unacceptable and suggested that apart from keeping record of the attendance of Principal Officials at Panel meetings, the Secretariat should also record the attendance of public officers attending Bills Committee meetings.

56. Ms NG further said that the Administration did not appear to be committed to enhancing the cooperation of the Executive and the Legislature. A case in point was the Administration's lack of response to the deliberations and proposals of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions, which had been outstanding for more than one year. To her understanding, the Secretary for Justice had given his response, but the response from CS was still awaited.

57. The Chairman said that she had earlier on conveyed the Subcommittee's proposals to CS who had undertaken to provide a detailed response to the Subcommittee within three months.

58. Miss TAM Heung-man said that the Inland Revenue Department had drawn up performance pledges and had done quite well. She supported the suggestion of some Members for drawing up a performance pledge concerning the attendance of Principal Officials at Panel meetings. She expressed dissatisfaction that the Secretary for Home Affairs had not attended the Public Works Subcommittee meeting to discuss the issue concerning the Queen's Pier and had seldom attended meetings of the Panel on Home Affairs. Miss TAM was also concerned about the provision of papers by the Administration shortly before the meetings. She opined that this was unfair to Members who would not have sufficient time to study the papers. She considered that the Administration should be required to provide papers at least seven days before the meetings.

Action

59. Mr WONG Kwok-hing said that the Chairman should ask CS to explain the low attendance rate of Principal Officials at Panel meetings, come up with improvement measures, and give an undertaking to improve.

60. Mr Howard YOUNG agreed with the need for a performance pledge concerning the attendance of Principal Officials at Panel meetings. He said that the attendance of Principal Officials at Panel meetings was important in rationalising the relationship between the Executive and the Legislature. While he appreciated that the Principal Officials might not be able to attend special Panel meetings with short notice, he did not see why they could not attend the regular Panel meetings the schedule of which was normally decided at the first meeting of the Panel in a session. As regards Bills Committee meetings, Mr YOUNG considered that the Principal Officials should attend the initial meetings to explain the policy aspects of the bill, and public officers conversant with the technical aspects should attend subsequent meetings to examine the bill clause-by-clause.

61. Ms Audrey EU shared the view of Ms Margaret NG and Mr Howard YOUNG that it was also important for the Principal Officials to attend Bills Committee meetings, particularly initial meetings when the policy aspects of a bill were discussed. Ms EU further said that the late provision of papers by the Administration would not only result in insufficient time for members to study the papers, it would also render it difficult for the relevant organisations, who could access the discussion papers via the LegCo website, to provide timely feedback to members on the Administration's papers before the meetings. Ms EU requested the Chairman to convey to CS the importance of ensuring that the public could have early access to the Administration's discussion papers via the LegCo website, which was highly popular.

62. Mr LEUNG Kwok-hung was of the view that it should be the Administration's responsibility to upload their discussion papers onto the Government website. He also suggested uploading the attendance rate of Principal Officials at Panel meetings onto the LegCo website for public information.

63. Ms Margaret NG recalled that before the implementation of the accountability system for Principal Officials, the Directors of Bureaux would normally attend the meetings of the corresponding Panels, unless they considered it more appropriate to field their subordinates who were more conversant with the subject. Ms NG said that Ms Elsie LEUNG, the former Secretary for Justice, would personally inform her as Chairman of the Panel on Administration of Justice and Legal Services every time if she could not attend the Panel's meetings. However, many Principal Officials did not seem to be aware that it was their duty to attend LegCo committee meetings. She suggested that the Panel Chairmen should send an invitation at the beginning of

Action

a session to the Directors of their corresponding bureaux to invite them to attend all Panel meetings, and that the same be done by the Chairmen of Bills Committees.

64. The Chairman made the following proposals for dealing with the concerns raised by Members:

- (a) on the attendance of Principal Officials at committee meetings, she would provide CS with the statistics compiled by the Secretariat concerning the attendance of Principal Officials at Panel meetings, and request the Administration to draw up a performance pledge on the attendance of Principal Officials at Panel and Bills Committee meetings; and
- (b) on the provision of papers by the Administration, she would reiterate to CS the decision of the House Committee as set out in LC Paper No. CB(2) 2082/06-07(02)(c). In gist, the Administration was required to provide papers at least five clear days before the relevant Panel meeting for items with at least three weeks' notice. For items with less than three weeks' notice or involving time critical proposals, the Administration was required to provide papers at least two clear days before the relevant Panel meeting.

65. The Chairman further proposed that the Secretariat should remind the Panel Chairmen to observe the agreed arrangements concerning ways to deal with the late submission of papers by the Administration. The Panel Chairman should consult the Panel if he wanted to leave the item on the agenda or to remove it.

66. Ms Margaret NG agreed with the Chairman's proposals. She added that not all Principal Officials' attendance rates were unsatisfactory, and some had very good attendance records.

67. Dr YEUNG Sum expressed support for the Chairman's proposals.

68. Ms Audrey EU said that CS should also be asked of the reasons for the low attendance rates of the Principal Officials at Panel meetings. The Clerks to Panels should remind the Administration when the deadline for the provision of papers came close, and draw the attention of the Panel Chairmen if the Administration was late in providing papers.

69. Members agreed to the Chairman's proposals and those of Ms EU as set out in paragraph 68.

Action

IX. Any other business

70. There being no other business, the meeting ended at 9:22 pm.

Council Business Division 2
Legislative Council Secretariat
13 June 2007

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