

立法會
Legislative Council

LC Paper No. CB(1)2073/07-08
(These minutes have been seen
by the Administration)

Ref : CB1/BC/3/07/2

**Bills Committee on Mandatory Provident Fund Schemes
(Amendment) (No.2) Bill 2007**

**Minutes of the ninth meeting
held on Friday, 16 May 2008, at 8:30 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon James TIEN Pei-chun, GBS, JP (Chairman)
Hon CHAN Kam-lam, SBS, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon SIN Chung-kai, SBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon WONG Kwok-hing, MH
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Ronny TONG Ka-wah, SC
- Members absent** : Hon Albert HO Chun-yan
Hon CHAN Yuen-han, SBS, JP
Hon Alan LEONG Kah-kit, SC
- Public officers attending** : Mr Patrick HO
Deputy Secretary for Financial Services and the
Treasury (Financial Services)
- Ms Jenny CHAN
Principal Assistant Secretary for Financial Services and
the Treasury (Financial Services)

Mr Ryan CHIU
Assistant Secretary for Financial Services and the
Treasury (Financial Services)

Miss Monica LAW
Senior Assistant Law Draftsman
Department of Justice

Attendance by invitation : Mandatory Provident Fund Schemes Authority

Mr Darren MCSHANE
Executive Director (Regulation & Policy)

Ms Gabriella YEE
Chief Manager (Policy Development & Research)

Clerk in attendance : Miss Polly YEUNG
Chief Council Secretary (1)5

Staff in attendance : Mr KAU Kin-wah
Assistant Legal Adviser 6

Ms Rosalind MA
Senior Council Secretary (1)8

Ms Sharon CHAN
Legislative Assistant (1)8

Action

I Confirmation of minutes and matters arising

(LC Paper No. CB(1)1526/07-08 —Minutes of meeting on 24 April
2008)

The minutes of the meeting held on 24 April 2008 were confirmed.

II Meeting with the Administration/Mandatory Provident Fund Schemes Authority (MPFA)

Follow-up to issues raised at the meeting on 9 May 2008

- (LC Paper No. CB(1)1496/07-08(01) —List of follow-up actions arising from the meeting held on 9 May 2008 prepared by the Legislative Council Secretariat
- LC Paper No. CB(1)1525/07-08(01) —Paper from the Administration/MPFA
- LC Paper No. CB(1)1459/07-08(01) —MPFA's paper on recovery of arrears
- LC Paper No. CB(1)1490/07-08(01) —Marked-up copy of further draft Committee Stage amendments (version as at 8 May 2008) prepared by the Legal Service Division
- LC Paper No. CB(1)1366/07-08(03) —Draft Committee Stage amendments on liability of officers, managers and partners and civil liability of company directors and shareholders prepared by the Legal Service Division
- LC Paper No. CB(3)261/07-08 —The Bill
- LC Paper No. CB(1)654/07-08(01) —Marked-up copy of the Bill prepared by the Legal Service Division
- FSB CRG4/51C(2007) —The Legislative Council Brief issued by the Financial Services and the Treasury Bureau)

2. The Bills Committee deliberated (Index of proceedings attached at **Appendix**).

Way forward and legislative timetable

3. The Chairman concluded that the Bills Committee had completed scrutiny of the Bill. The Chairman also recapped that as agreed at the meeting held on 9 May 2008, the Deputy Chairman would move two sets of Committee Stage amendments

(CSAs) to the Bill on behalf of the Bills Committee. The wordings of the CSAs (LC Paper No. CB(1)1366/07-08(03)) had been endorsed by members at the meeting held on 9 May 2008. Members noted that the Bills Committee would report to the House Committee at the meeting on 30 May 2008 for resumption of the Second Reading debate of the Bill at the Council meeting to be held on 18 June 2008.

(Post-meeting note: As the Bills Committee had completed scrutiny of the Bill, the meeting on 29 May 2008 which had been notified vide LC Paper No. CB(1)679/07-08 dated 25 January 2008 would not be held. Members were informed of the cancellation of the meeting and the legislative timetable vide LC Paper No CB(1)1559/07-08 on 16 May 2008)

III Any other business

4. There being no other business, the meeting ended at 8:43 am.

Council Business Division 1
Legislative Council Secretariat
27 June 2008

**Proceedings of the
Bills Committee on Mandatory Provident Fund Schemes
(Amendment) (No.2) Bill 2007
Ninth meeting on Friday, 16 May 2008, at 8:30 am
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 – 000248	Chairman	Confirmation of minutes of the 7 th meeting held on 24 April 2008 (LC Paper No. CB(1)1526/07-08).	
000249 – 000808	Chairman Mandatory Provident Fund Schemes Authority (MPFA)	Briefing by the MPFA on its written response to members' concern about the enforcement of court judgment raised at the meeting held on 9 May 2008 (LC Paper No. CB(1)1525/07-08(01))	
000809 – 000949	Mr WONG Kwok-hing	Mr WONG Kwok-hing welcomed the MPFA's clarification of the timeframes for the procedures set out in paragraphs 4 and 5 of LC Paper No. CB(1)1459/07-08(01). He called on the MPFA to take necessary enforcement actions for recovery of arrears in accordance with the specified timeframes.	
000950 – 001256	Chairman Clerk	Way forward and legislative timetable	
001257 – 001422	Mr WONG Ting-kwong Chairman Administration	(a) Mr WONG Ting-kwong's enquiry about the progress of a separate proposal to improve portability of MPF accrued benefits. (b) The Administration's advice that the Panel on Financial Affairs had been briefed on the proposal to increase employees' control over MPF investment. As the Panel had decided to receive deputations' views at a special Panel meeting to be held on 30 June 2008, the Administration and	

Time Marker	Speaker	Subject(s)	Action Required
		the MPFA would review the situation after that meeting.	

Council Business Division 1
Legislative Council Secretariat
27 June 2008