

立法會
Legislative Council

Ref : CB2/BC/2/07

LC Paper No. CB(2)2080/07-08
(These minutes have been seen
by the Administration)

**Bills Committee on
Prevention and Control of Disease Bill**

**Minutes of the ninth meeting
held on Tuesday, 22 April 2008, at 10:45 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Vincent FANG Kang, JP (Chairman)
Dr Hon Joseph LEE Kok-long, JP (Deputy Chairman)
Hon Margaret NG
Hon WONG Yung-kan, SBS, JP
Hon Andrew CHENG Kar-foo
Hon LI Fung-ying, BBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon LI Kwok-ying, MH, JP
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
- Member absent** : Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
- Public Officers attending** : Mr Patrick NIP, JP
Deputy Secretary for Food and Health(Health)1
- Mr Bruno LUK
Principal Assistant Secretary for Food and Health(Health)3
- Dr T H LEUNG, JP
Acting Controller, Centre for Health Protection
Department of Health
- Dr Sarah CHOI
Principal Medical and Health Officer(4)
Department of Health

Dr Henry KONG
Chief Port Health Officer
Department of Health

Mr Allen LAI
Senior Government Counsel
Department of Justice

Clerk in attendance : Miss Mary SO
Chief Council Secretary (2) 5

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Ms Janet SHUM
Senior Council Secretary (2) 8

Ms Sandy HAU
Legislative Assistant (2) 5

Action

I. Confirmation of minutes of meeting

(LC Paper No. CB(2)1672/07-08)

The minutes of meeting held on 11 April 2008 were confirmed.

II. Meeting with the Administration

2. The Bills Committee deliberated (index of proceedings **to follow**).

3. At the request of the Bills Committee, the Administration undertook to -

- (a) liaise with the Hong Kong Bar Association and the Law Society of Hong Kong before finalising its responses to the views expressed by these two legal professional bodies in their further submissions to the Bills Committee on the issue of compensation, including arbitration, under the Bill;
- (b) consider the need of replacing the characters "走進" in the Chinese text of clause J4 of the draft Prevention and Control of Disease Regulation (draft Regulation) with more appropriate ones;

- (c) provide a comparison of the fees contained in Schedule 1 to the draft Regulation and in the existing Quarantine and Prevention of Disease (Scale of Charges) Regulations (Cap. 141 sub. leg. D); and
 - (d) review the existing procedures in the labelling of infected deadly body to see whether, and if so, what area(s) should be improved to avoid errors.
4. Members noted the Administration's intention to -
- (a) make the permission in clause L2(3) and the condition in L2(4) of the draft Regulation in writing, as suggested by Assistant Legal Adviser 4; and
 - (b) provide draft Committee Stage amendments to the Bill and proposed amendments to the draft Regulation, as well as responses to the views expressed by the two legal professional bodies in their further submissions to the Bills Committee on compensation, issues raised at this meeting, and at the previous meeting on 18 April 2008 concerning power of arrest, prior to the next meeting.

III. Date of next meeting

5. Members agreed to postpone the date of next meeting, originally scheduled for 29 April 2008 at 10:45 am, to early May 2008 to allow more time for the Administration to prepare its papers mentioned in paragraph 4(b) above.
6. There being no other business, the meeting ended at 12 noon.

Council Business Division 2
Legislative Council Secretariat
27 May 2008

**Proceedings of the meeting of
Bills Committee on Prevention and Control of Disease Bill
on Tuesday, 22 April 2008, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000803	Chairman	Confirmation of minutes of meeting held on 11 April 2008	
000804 - 001647	Admin Chairman ALA4	Briefing on the Administration's response to issues raised at the meeting on 18 April 2008 (LC Paper No. CB(2)1687/07-08 (01))	
001648 - 001819	Chairman Admin	Further submission from the Hong Kong Bar Association (LC Paper No. CB(2)1681/07-08 (01))	
001820 - 002144	Ms Audrey EU Chairman Admin	The Administration was requested to liaise with the Hong Kong Bar Association and the Law Society of Hong Kong on the issue of compensation, including arbitration, under the Bill	
002145 - 002933	Chairman Mr WONG Yung-kan Admin	<u>Scrutiny of the draft provisions of the Prevention and Control of Disease Regulation</u> (the draft Regulation) <i>Part I - Declaration and certification in respect of cross-boundary conveyances</i>	
002934 - 004013	Admin ALA4 Mr WONG Yung-kan	<i>Part J - Pratique</i> The Administration was requested to replace the characters "走進" in the Chinese text of clause J4 of the draft Regulation with more appropriate characters	✓ (Admin to provide a written response)
004014 - 004355	Admin Dr KWOK Ka-ki	<i>Part K - Regulation on landing and departure of cross-boundary aircrafts</i>	
004356 - 010209	Admin Dr KWOK Ka-ki Admin ALA4	<i>Part L - Control measures in respect of specified diseases</i>	
010210 - 010429	Admin ALA4	<i>Part M - Miscellaneous</i> <i>Schedule 1 -Fees</i> <i>Schedule 2 - Quarantine signals</i> The Administration was requested to provide a comparison of the fees contained in Schedule 1 to the draft Regulation and in the existing Quarantine and Prevention of Disease (Scale of Charges) Regulations (Cap. 141 sub. leg. D)	✓ (Admin to provide a written response)
010430 - 011122	Ms Margaret NG Admin Chairman	The Administration undertook to review the existing procedures in the labelling of infected deadly body to see whether, and if so, what area(s) should be improved to avoid errors	

Time marker	Speaker	Subject	Action required
011123 - 011210	Admin Chairman	The Administration would provide draft Committee Stage amendments (CSAs) to the Bill and proposed amendments to the draft Regulation, as well as responses to the views expressed by the two legal professional bodies in their further submissions to the Bills Committee on compensation, issues raised at this meeting, and at the previous meeting on 18 April 2008 concerning power of arrest, prior to the next meeting	✓+ (Admin to provide CSAs and written responses)
011211 - 011624	Ms LI Fung-ying Chairman Admin	Date of next meeting	

Council Business Division 2
Legislative Council Secretariat
30 April 2008