

立法會
Legislative Council

LC Paper No. CB(2)2556/07-08
(These minutes have been
seen by the Administration)

Ref : CB2/BC/4/07

Bills Committee on Statute Law
(Miscellaneous Provisions) Bill 2008

Minutes of the 4th meeting
held on Thursday, 22 May 2008, at 4:30 pm
in Conference Room B of the Legislative Council Building

Members present : Hon Margaret NG (Chairman)
Hon Martin LEE Chu-ming, SC, JP
Hon James TO Kun-sun
Hon Miriam LAU Kin-ye, GBS, JP
Hon LI Kwok-ying, MH, JP

Member absent : Hon Ronny TONG Ka-wah, SC

Public Officers attending : Item I
Department of Justice

Mr Michael Scott
Senior Assistant Solicitor General

Ms Vicki LEE
Senior Government Counsel
Law Drafting Division

Ms Kitty FUNG
Senior Government Counsel
Law Policy Division

Ms Stella CHAN
Senior Government Counsel (Ag.)
Legal Policy Division

**Attendance
by invitation** : Item I

The Law Society of Hong Kong

Ms Emily LAM
Chairman of the Property Committee

Ms Angela LEE
Member of the Property Committee

Ms Christine W S CHU
Assistant Director of Practitioners Affairs

**Clerk in
attendance** : Miss Betty MA
Chief Council Secretary (2) 4

**Staff in
attendance** : Mr Timothy TSO
Assistant Legal Adviser 2

Mr Chris LAI
Senior Council Secretary (2) 7

Action

I. Meeting with the Administration

[The Bill, LC Paper Nos. CB(2)1550/07-08(01) to (03),
CB(2)1734/07-08(01) and CB(2)1987/07-08(01) and (03)]

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

Proposed amendments to the Conveyancing and Property Ordinance (CPO) (Cap.
219) (Part 6 of the Bill)

2. Senior Government Counsel (Law Drafting Division)/Department of Justice explained to members the Administration's proposed Committee Stage amendments (CSAs) to the new section 13A of CPO after taking into account members' views. She added that the Law Society of Hong Kong had indicated its agreement to the revised new section 13A.

Action

3. Members noted that the Law Society had provided additional information on issues relating to the effect of the proposed new section 13A(4) on the right or interest of third parties, as well as the relevant extract from its Senior Counsel's advice (LC Paper No. CB(2)1987/07-08(03)).

Admin

4. While expressing support for the Administration's proposed CSAs to the new section 13A, members requested the Administration to review the use of the word "的" in the revised new section 13A(1) of CPO.

Proposed amendments under Parts 5, 7 and 8 of the Bill

Admin

5. Assistant Legal Adviser 2 referred members to clause 66 of the Bill and advised that following the passage of the Pneumoconiosis (Compensation) (Amendment) Bill 2008 at the Council meeting on 9 April 2008, the title of the Pneumoconiosis (Compensation) Ordinance (Cap. 360) had been amended as the Pneumoconiosis and Mesothelioma (Compensation) Ordinance. In this connection, the reference to the Pneumoconiosis (Compensation) Appeal Rules (Cap. 360 sub. leg. C) in clause 66 should be amended accordingly. The Administration agreed to make a CSA to this effect.

ALA2

6. The Bills Committee raised no further questions on the proposed amendments under Parts 5, 7 and 8 of the Bill. The Chairman instructed the legal adviser to the Bills Committee to study the Chinese version of these proposed amendments, and alert the Bills Committee if any problems were identified.

II. Any other business

7. Members noted that the Administration would need more time to prepare a consolidated response to issues of concern raised at the last meeting regarding the drafting formula "to the satisfaction of" under Parts 2 to 4 of the Bill, and agreed that the meeting originally scheduled for 27 May 2008 would be cancelled. The Chairman said that the next meeting of the Bills Committee would be held on 30 May 2008 at 8:30 am.

8. There being no other business, the meeting ended at 5:03 pm.

Council Business Division 2
Legislative Council Secretariat
8 July 2008

**Proceedings of the 4th meeting of the
Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2008
on Thursday, 22 May 2008, at 4:30 pm
in Conference Room B of the Legislative Council Building**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Meeting with the Administration</i>			
000000 - 000230	Chairman	Opening remarks	
<i>Proposed amendments under Part 6 of the Bill</i>			
000231 - 000900	Chairman Admin Ms Angela LEE of the Law Society	The Administration's proposed Committee Stage amendments (CSAs) to the new section 13A of the Conveyancing and Property Ordinance (CPO) (Cap. 219) The Law Society of Hong Kong's submission on Part 6 of the Bill	
000901 - 001424	Chairman Admin ALA2 Ms Miriam LAU	Clause 65 of the Bill Admin to review the use of the word "的" in the proposed new section 13A(1) of CPO	Admin to consider
<i>Proposed amendments under Part 4 of the Bill</i>			
001425 - 001714	Chairman ALA2 Admin	Proposed amendments under Part 4 of the Bill	
<i>Proposed amendments under Parts 5, 7 and 8 of the Bill</i>			
001715 - 002910	Chairman ALA2 Admin Ms Miriam LAU	Clauses 56 to 63 (Part 5 of the Bill)	
002911 - 003200	Chairman ALA2 Admin Mr Martin LEE	Clauses 66 to 74 (Part 7 of the Bill) Need for making consequential amendments to the reference to the Pneumoconiosis (Compensation) Appeal Rules (Cap. 360 sub. leg. C) in clause 66	Admin to move a CSA
003201 - 003245	Chairman	Clause 75 (Part 8 of the Bill) Chinese version of the proposed amendments under Parts 5, 7 and 8 of the Bill	ALA2
<i>Any Other Business</i>			
003246 - 003339	Chairman Admin	Date of next meeting	