

立法會
Legislative Council

LC Paper No. CB(2) 328/07-08

Ref : CB2/H/5/07

House Committee of the Legislative Council

**Minutes of the 3rd meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 9 November 2007**

Members present :

Hon Miriam LAU Kin-yee, GBS, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
Dr Hon LUI Ming-wah, SBS, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, SBS, JP
Hon Bernard CHAN, GBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon LEUNG Yiu-chung
Hon SIN Chung-kai, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon WONG Kwok-hing, MH

Hon LEE Wing-tat
Hon LI Kwok-ying, MH, JP
Dr Hon Joseph LEE Kok-long, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon Ronny TONG Ka-wah, SC
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon KWONG Chi-kin
Hon TAM Heung-man

Members absent :

Hon Albert HO Chun-yan
Hon Martin LEE Chu-ming, SC, JP
Dr Hon David LI Kwok-po, GBM, GBS, JP
Hon WONG Yung-kan, SBS, JP
Dr Hon YEUNG Sum, JP
Hon LAU Chin-shek, JP
Hon CHOY So-yuk, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Albert CHAN Wai-yip
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon LEUNG Kwok-hung
Hon WONG Ting-kwong, BBS
Hon CHIM Pui-chung
Hon Albert Jinghan CHENG, JP

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 LEE Yu-sung	Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2

Mr Simon WONG	Chief Public Information Officer
Miss Odelia LEUNG	Chief Council Secretary (2)6
Mr Timothy TSO	Assistant Legal Adviser 2
Ms Connie FUNG	Assistant Legal Adviser 3
Ms Amy YU	Senior Council Secretary (2)3
Mr Arthur KAN	Legislative Assistant (2)7

Action

I. Confirmation of the minutes of the 2nd meeting held on 2 November 2007
(LC Paper No. CB(2) 267/07-08)

The minutes were confirmed.

II. Matters arising

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

2. The Chairman said that there was nothing special to report.

(b) Securities and Futures (Contracts Limits and Reportable Positions) (Amendment) (No. 2) Rules 2007

(Paragraphs 10 to 12 of the minutes of the 2nd House Committee meeting on 2 November 2007)

(LC Paper No. LS 12/07-08)

[Previous paper:

Paragraphs 16 to 19 of LC Paper No. LS 7/07-08 issued vide LC Paper No. CB(2) 234/07-08 dated 1 November 2007]

3. The Chairman said that at the last House Committee meeting, Members decided to defer a decision on this item of subsidiary legislation to this meeting, pending a further report by the Legal Service Division after seeking clarification from the Securities and Futures Commission (SFC) on some policy and drafting matters.

4. The Chairman further said that notwithstanding SFC's clarification, a number of issues identified by the Legal Service Division had yet to be addressed. In view of the complexity of the Amendment Rules, the Legal Service Division recommended that a subcommittee be formed to study the Amendment Rules in detail.

5. Mr CHAN Kam-lam agreed with the recommendation to form a subcommittee to study the Amendment Rules.

Action

6. The Chairman proposed that a subcommittee be formed to study the Amendment Rules in detail. Members agreed. The following Members agreed to join: Ms Margaret NG, Mr CHAN Kam-lam, Mr SIN Chung-kai and Mr Ronny TONG.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 2 November 2007 and tabled in Council on 7 November 2007

(LC Paper No. LS 11/07-08)

7. The Chairman said that a total of two items of subsidiary legislation were gazetted on 2 November 2007 and tabled in Council on 7 November 2007.

8. Members did not raise any queries on these two items of subsidiary legislation.

9. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 5 December 2007.

IV. Further business for the Council meeting on 14 November 2007

(a) Questions

(LC Paper No. CB(3) 112/07-08)

10. The Chairman said that Mr Jeffrey LAM had replaced his oral question.

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

Attachment of Income Order (Application to Government and Miscellaneous Amendments) Bill 2007

11. 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.

V. Business for the Council meeting on 21 November 2007

(a) **Questions**

(LC Paper No. CB(3) 113/07-08)

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

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

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

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

Patents (Amendment) Bill 2007

14. 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.

(d) **Government motion**

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

(e) **Members' motions**

(i) **Motion on "Preventing cancer"**

(Wording of the motion issued vide LC Paper No. CB(3) 121/07-08 dated 7 November 2007.)

(ii) **Motion on "Consolidating the quality of post-secondary education"**

(Wording of the motion issued vide LC Paper No. CB(3) 122/07-08 dated 8 November 2007.)

16. The Chairman said that the above motions would be moved by Mr LI Kwok-ying and Dr YEUNG Sum respectively, and the wording of the motions had been issued to Members.

17. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 14 November 2007.

Action

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 268/07-08)

18. The Chairman said that there were 11 Bills Committees and nine subcommittees under the House Committee in action.

VII. Any other business

19. There being no other business, the meeting ended at 2:34 pm.

Council Business Division 2
Legislative Council Secretariat
14 November 2007

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