

立法會
Legislative Council

LC Paper No. CB(2) 387/07-08

Ref : CB2/H/5/07

House Committee of the Legislative Council

**Minutes of the 4th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 16 November 2007**

Members present :

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
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, GBM, GBS, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, 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 WONG Yung-kan, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum, JP
Hon LAU Chin-shek, JP
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon TAM Yiu-chung, GBS, JP

Mrs Constance LI	Principal Council Secretary (Complaints)
Mr Simon WONG	Chief Public Information Officer
Mr Andy LAU	Chief Council Secretary (1)2
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

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I. Confirmation of the minutes of the 3rd meeting held on 9 November 2007
(*LC Paper No. CB(2) 328/07-08*)

The minutes were confirmed.

II. Matters arising

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

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

III. Further business for the Council meeting on 21 November 2007

Questions

(*LC Paper No. CB(3) 134/07-08*)

3. The Chairman said that Mr CHEUNG Hok-ming and Mr Martin LEE had replaced their oral questions.

IV. Business for the Council meeting on 28 November 2007

(a) Questions

(*LC Paper No. CB(3) 135/07-08*)

4. 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

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

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(c) **Government motion**

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

(d) **Members' motions**

(i) **Motion to be moved by Hon Margaret NG**

(Wording of the motion issued vide LC Paper No. CB(3) 148/07-08 dated 15 November 2007.)

7. The Chairman said that the subject of the motion to be moved by Ms Margaret NG was "Maintaining the political neutrality of the civil service".

(ii) **Motion on "Responding to the problem of climate change"**

(Wording of the motion issued vide LC Paper No. CB(3) 143/07-08 dated 15 November 2007.)

8. The Chairman said that the above motion would be moved by Miss CHOY So-yuk and the wording of the motion had been issued to Members.

9. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 21 November 2007.

V. Report of Bills Committees and subcommittees

(a) **Report of the Subcommittee on Subsidiary Legislation to Implement the Obligations under the United Nations Convention Against Corruption**

(LC Paper No. CB(2) 336/07-08)

10. Ms Margaret NG, Chairman of the Subcommittee, said that the Subcommittee was formed to study three items of subsidiary legislation for implementing the obligations under the United Nations Convention Against Corruption in Hong Kong, namely, the Fugitive Offenders (Corruption) Order (the FO Order), the Organized and Serious Crimes Ordinance (Amendment of Schedule 2) Order 2007 (the OSCO Order) and the Mutual Legal Assistance in Criminal Matters (Corruption) Order (the MLA Order). The Subcommittee had already reported its deliberations on the FO Order at the House Committee meeting on 5 October 2007.

11. Ms NG further said that the Subcommittee had completed its scrutiny of the OSCO Order and the MLA Order, and supported the two Orders. Ms NG referred Members to the Subcommittee's report for its detailed deliberations,

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and added that the Administration would give fresh notices for moving the motions to seek the Council's approval of the two Orders.

**(b) Report of the Subcommittee on Rail Merger Ordinance
(Commencement) Notice**

(LC Paper No. CB(1) 241/07-08)

12. The Chairman, in her capacity as Chairman of the Subcommittee, said that the Commencement Notice appointed 2 December 2007 as the day on which the Rail Merger Ordinance would come into operation.

13. The Chairman reported that the Subcommittee had examined the final preparations for implementing the rail merger, including integration of ticketing and fare systems, staff arrangement, alignment of safety management systems and publicity arrangements. The two railway corporations had advised that they were ready to effect the merger on 2 December 2007.

14. The Chairman further reported that in the course of its deliberations, the Subcommittee had called on the post-merger corporation to align the best practices of the two railway corporations to provide better services to the public. The Subcommittee had also requested the post-merger corporation to improve the services of Light Rail and consider the provision of fare reductions.

15. The Chairman added that the Subcommittee supported the Commencement Notice.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 329/07-08)

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

VII. Activation of the Subcommittee on Elderly Services under the Panel on Welfare Services

(LC Paper No. CB(2) 334/07-08)

17. Dr Fernando CHEUNG, Chairman of the Panel on Welfare Services, said that at its meeting on 12 November 2007, the Panel decided to appoint a Subcommittee on Elderly Services to study issues relating to elderly services, such as the provision of financial assistance and support services for the needy elders and residential care places for the elderly. In accordance with the arrangements agreed by Members, the House Committee's approval was sought for the activation of the Subcommittee.

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18. Dr CHEUNG further said that there were currently two subcommittees in operation under the Panel, namely, the Subcommittee on Review of the Comprehensive Social Security Assistance Scheme and the Subcommittee on Strategy and Measures to Tackle Family Violence. As the former was concluding its work and was expected to present its report to the Panel soon, the activation of the Subcommittee on Elderly Services should not aggravate the workload of the Secretariat. Dr CHEUNG appealed to Members to support its activation.

19. The Chairman explained the agreed arrangements for the appointment, operation and servicing of subcommittees. In accordance with the decision of the House Committee on 2 March 2007, the maximum number of subcommittees on policy issues and Council business other than subsidiary legislation, other instruments and senior judicial appointments should be eight. When eight such subcommittees were in operation, a waiting list would be formed for newly appointed subcommittees.

20. The Chairman pointed out that currently, seven subcommittees under the House Committee and seven under the Panels were in operation. Of these 14 subcommittees, 12 were subcommittees on policy issues. As the number of subcommittees on policy issues in operation had exceeded eight, the Subcommittee on Elderly Services had been put on the waiting list. According to the arrangements agreed by Members, if the total number of Bills Committees in action was less than 16, the House Committee might consider activating subcommittee(s) on the waiting list. Since the number of Bills Committee in action was 11, the House Committee was invited to consider whether the Subcommittee should be activated.

21. While appreciating the heavy workload of the Secretariat, Dr KWOK Ka-ki supported the activation of the Subcommittee. He said that the appointment of the Subcommittee was necessary as it would provide a dedicated forum for studying issues relating to elderly services which were of growing importance. In addition to studying welfare services, the Subcommittee would also study health services for the elderly, such as the trial scheme of providing health care vouchers.

22. Mr Howard YOUNG said that while the availability of Bills Committee slots was a prerequisite for the consideration of activation of subcommittee(s) on the waiting list, the number of bills expected to be introduced to the Council was one of the factors which should be considered by the House Committee. He was concerned whether the activation of the Subcommittee would impact on the activation of Bills Committees. In his view, priority should be accorded to the scrutiny of bills as these were usually time-critical.

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23. The Chairman said that the activation of the Subcommittee would not affect the activation of Bills Committees. The maximum number of Bills Committees in action at any one time was 16. So long as this quota was not reached, newly formed Bills Committees could be activated and commence their scrutiny work.

24. In response to the Chairman, the Secretary General (SG) said that the impending completion of work of the Subcommittee on Review of the Comprehensive Social Security Assistance Scheme would relieve the workload of the Secretariat to a certain extent. Nevertheless, he drew Members' attention to the Administration's 2007-2008 Legislative Programme which listed 15 bills to be introduced to the Council.

25. Mr James TIEN said that although there were currently five Bills Committee vacant slots, 15 new bills were expected to be introduced to the Council in the current session. Given the long duration of subcommittees on policy issues in general, he enquired if subcommittees on policy issues in operation would be held in abeyance should there be newly appointed Bills Committees awaiting activation.

26. SG answered in the negative. He explained that once subcommittees on policy issues had been activated, the Secretariat would provide support service until their dissolution. Even if the quota for Bills Committees in action was reached subsequently, the work and the servicing of such subcommittees would not be suspended, although the Secretariat would then have to cope with a heavier workload.

27. In response to Mr James TIEN's enquiry, the Chairman clarified that there were separate quotas for Bills Committees and subcommittees on policy issues in operation. A subcommittee on policy issues activated by the House Committee would not take up any vacant Bills Committee slots. She reiterated that the activation of such subcommittees would not affect the activation of Bills Committees.

28. Dr Philip WONG said that since it was the last session in the legislative term, Members should consider whether the scrutiny of a bill could be completed before the end of the term when deciding whether to start the scrutiny work. Otherwise, the bill would lapse and Members' efforts would be wasted.

29. The Chairman said that Members would take note of Dr WONG's concern.

30. Members agreed to activate the Subcommittee.

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VIII. Any other business

31. There being no other business, the meeting ended at 2:43 pm.

Council Business Division 2
Legislative Council Secretariat
21 November 2007

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