

立法會
Legislative Council

LC Paper No. CB(2)2064/09-10
(These minutes have been
seen by the Administration)

Ref : CB2/BC/9/08

Bills Committee on Arbitration Bill

Minutes of the 12th meeting
held on Friday, 30 April 2010, at 8:30 am
in Conference Room B of the Legislative Council Building

Members present : Dr Hon Margaret NG (Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon Ronny TONG Ka-wah, SC
Prof Hon Patrick LAU Sau-shing, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun

Members absent : Hon Albert HO Chun-yan
Hon LAU Kong-wah, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon CHIM Pui-chung
Hon Paul TSE Wai-chun

Public Officers attending : Item I

Mr Frank POON
Deputy Solicitor General (General)

Ms Phyllis KO
Senior Assistant Law Draftsman

Mr LEE Tin-yan
Senior Government Counsel

Mr Christopher NG
Senior Government Counsel

Mr Peter SZE
Government Counsel

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

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Ms Yvonne YU
Senior Council Secretary (2)5

Miss Maggie CHIU
Legislative Assistant (2)4

Action

I. Meeting with the Administration

[The Bill, LC Paper Nos. CB(2)2261/08-09(02) and CB(2)2469/08-09(02) and CB(2)1404/09-10(01) to (02)]

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

2. The Administration advised that in the light of members' concern, it had reviewed the reference to "contemplated by this Ordinance" in clause 18(2)(a) of the Bill and proposed to amend clause 18(2)(a) as set out in LC Paper No. CB(2)1404/09-10(01). Members considered the proposed amendments acceptable.

Admin

II. Any other business

3. Members noted that the Bills Committee would hold its next meeting on 12 May 2010 at 8:30 am.

4. There being no other business, the meeting ended at 9:05 am.

**Proceedings of the 12th meeting of the
Bills Committee on Arbitration Bill
on Friday, 30 April 2010, at 8:30 am
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 - 000113	Chairman	Opening remarks	
000114 - 001741	Chairman Administration Ms Miriam LAU	Briefing by the Administration on its response to issues raised by members at the meeting on 19 November 2009 [LC Paper No. CB(2)1404/09-10(01)]	
001742 - 002043	Mr Ronny TONG Chairman Ms Miriam LAU	Views of Ms Miriam LAU that the scope of permissible disclosure under the proposed Committee Stage amendments to clause 18(2)(a) of the Bill was narrower than the exception in the UK case of <i>Emmott</i> Views of Mr Ronny TONG that no amendment to clause 18(2)(b) and (c) was considered necessary consequent to the proposed amendment to clause 18(2)(a)	
002044 - 002229	Chairman Ms Miriam LAU	Members' agreement to the Administration's proposed amendments to clause 18(2)(a)	
002230 - 003434	Chairman Administration	Briefing by the Administration on its response to issues raised by members at the meeting on 25 January 2010 [LC Paper No. CB(2)1404/09-10(02)]	
003435 - 003744	Chairman Administration Mr Ronny TONG	The Administration's advice on the consultation with the construction industry and stakeholders on the applicability of the automatic opt-in provisions for subcontracting cases under clause 102 of the draft Bill attached to the Consultation Paper on Reform of the Law of Arbitration in Hong Kong published by the Department of Justice in December 2007	