

立法會
Legislative Council

LC Paper No. CB(2)630/11-12
(These minutes have been seen
by the Administration)

Ref : CB2/BC/7/10

Bills Committee on Guardianship of Minors (Amendment) Bill 2011

Minutes of meeting
held on Monday, 5 December 2011, at 2:30 pm
in Conference Room 2A of the Legislative Council Complex

Members present : Hon Cyd HO Sau-lan (Chairman)
Hon Miriam LAU Kin-ye, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon CHEUNG Kwok-che
Hon WONG Sing-chi

Member absent : Hon TAM Yiu-chung, GBS, JP

Public Officers attending : Item I

Ms Wendy LEUNG
Principal Assistant Secretary for Labour and
Welfare (Welfare) 1

Mr Parson LAM
Assistant Secretary for Labour and Welfare (Welfare) 1A

Ms Caran WONG
Assistant Director of Social Welfare (Family and
Child Welfare)

Ms Karmen KWOK
Government Counsel
Department of Justice

Clerk in attendance : Mrs Sharon TONG
Principal Council Secretary (2)

Staff in attendance : Ms Clara TAM
Assistant Legal Adviser 9

Mr Jove CHAN
Senior Council Secretary (2) 8

Ms Camy YOONG
Clerical Assistant (2) 7

I. Meeting with the Administration

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

2. The Bills Committee requested the Administration to consider deleting "7 or" in the proposed section 8C(2) and provide its further amendment to members. The Chairman said that if the legal advisor to the Bills Committee considered the Administration's amendment in order and members did not have comments on it, no further meeting would be held. Subject to the feedback from members on the amendment, the Bills Committee completed scrutiny of the Bill.

3. The Bills Committee agreed that a report on the deliberations of the Bills Committee would be submitted to the House Committee at its meeting on 16 December 2011, and the resumption of the Second Reading debate on the Bill would take place at the Council meeting of 11 January 2012. The Bills Committee noted that the deadline for the Administration to issue the consultation letter to the Chairman of the House Committee was 13 December 2011, and the deadline for giving notice to resume the Second Reading debate on the Bill was 23 December 2011. The Bills Committee also noted that the deadline for giving notice to move Committee Stage amendments to the Bill was 31 December 2011.

II. Any other business

4. There being no other business, the meeting ended at 3:19 pm.

Council Business Division 2
Legislative Council Secretariat
16 December 2011

**Proceedings of meeting of
Bills Committee on Guardianship of Minors (Amendment) Bill 2011
held on Monday, 5 December 2011, at 2:30 pm
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action Required
000225 - 000245	Chairman	Opening remarks	
000246 - 000413	Ms Miriam LAU Chairman ALA9	The use of the terms "best interests" and "welfare" in the Bill	
000414 - 001358	Chairman Admin	Examination of the draft Committee Stage amendments ("CSA") proposed by the Administration (LC Paper No. CB(2)457/11-12(01)); Draft CSAs to the existing section 3(1)(a)(i) and section 3(1)(a)(i)(A); and The use of the term "welfare" in the existing section 9	
001359 - 001513	Chairman Admin	Draft CSA to the proposed section 5	
001514 - 001623	Chairman Admin	Draft CSAs to the proposed section 6(5) and to add the proposed section 6(8)	
001624 - 001802	Chairman Admin	Draft CSA to the proposed section 7(a)	
001803 - 001923	Chairman Admin	Draft CSA to add the proposed section 8B(4A)	
001924 - 003042	Chairman Admin ALA9	Draft CSAs to add the proposed section 8C(1), amend the originally proposed section 8C(1) as 8C(2) and the originally proposed section 8(C)2 as 8C(2A); and Whether the guardian appointed via automatic assumption of guardianship should be excluded from the requirement for guardian to disclaim the appointment by notifying the appointing parent or appointing guardian of the disclaimer	

Time marker	Speaker	Subject(s)	Action Required
003043 - 003125	Chairman Admin	Draft CSA to the Chinese text of the proposed section 8D(2)(a)	
003126 - 003319	Chairman Admin	Draft CSA to the proposed section 8E	
003320 - 003359	Chairman Admin	Draft CSA to the proposed section 8G	
003400 - 003839	Chairman Admin	The use of the terms "in the best interests" versus "for the best interests" and "符合...最佳利益" versus "可促進...最佳利益" in Chinese text of the draft CSA to the proposed section 8E	
003840 - 003951	Chairman Admin	Draft CSA to the proposed section 8H	
003952 - 004021	Chairman Admin	Draft CSA to the proposed section 9A(5)	
004022 - 004036	Chairman Admin	Draft CSA to the existing section 10(1)	
004037 - 004052	Chairman Admin	Draft CSA to the existing section 11(1)(a)	
004053 - 004409	Chairman Admin	Draft CSA to the existing section 12(a); and Briefing by the Administration on the amendment proposals of the existing section 12	
004410 - 004559	Chairman Admin Mr WONG Sing-chi Ms Miriam LAU	Request for the Administration to further amend the draft CSA to the proposed section 8C(2)	The Administration to consider deleting "7 or" in the proposed section 8C(2).
004600 - 004714	Chairman Clerk Ms Miriam LAU	Completion of scrutiny of the Bill; Date of reporting the deliberation of the Bills Committee to the House Committee; Date of resumption of Second Reading debate on the Bill; Deadline for giving notice to move CSAs to the Bill; and	

Time marker	Speaker	Subject(s)	Action Required
		Deadline for giving notice for resumption of Second Reading debate on the Bill	
004715 - 004926	Chairman Ms Miriam LAU Admin Mr WONG Sing-chi	The commencement of the Ordinance after its enactment	
004927 - 004942	Chairman	Closing remark	

Council Business Division 2
Legislative Council Secretariat
16 December 2011