

立法會  
*Legislative Council*

LC Paper No. CB(2) 573/10-11

Ref : CB2/H/5/10

**House Committee of the Legislative Council**

**Minutes of the 8th meeting  
held in the Legislative Council Chamber  
at 4:04 pm on Friday, 10 December 2010**

**Members present:**

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)  
Hon Fred LI Wah-ming, SBS, JP (Deputy Chairman)  
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP  
Dr Hon Margaret NG  
Hon James TO Kun-sun  
Hon CHAN Kam-lam, SBS, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP  
Hon LEUNG Yiu-chung  
Dr Hon Philip WONG Yu-hong, GBS  
Hon Abraham SHEK Lai-him, SBS, JP  
Hon LI Fung-ying, SBS, JP  
Hon Tommy CHEUNG Yu-yan, SBS, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon WONG Kwok-hing, MH  
Hon LEE Wing-tat  
Dr Hon Joseph LEE Kok-long, SBS, JP  
Hon CHEUNG Hok-ming, GBS, JP  
Hon WONG Ting-kwong, BBS, JP  
Hon Ronny TONG Ka-wah, SC  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Hon KAM Nai-wai, MH  
Hon Cyd HO Sau-lan  
Hon Starry LEE Wai-king, JP  
Dr Hon LAM Tai-fai, BBS, JP  
Hon CHAN Hak-kan  
Hon Paul CHAN Mo-po, MH, JP  
Hon CHAN Kin-por, JP  
Hon CHEUNG Kwok-che  
Hon WONG Kwok-kin, BBS



Mrs Constance LI	Assistant Secretary General 1
Mrs Justina LAM	Assistant Secretary General 3
Mrs Percy MA	Assistant Secretary General (Special Duties)
Ms Connie FUNG	Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
Mrs Sharon TONG	Principal Council Secretary (Complaints)
Mr Simon WONG	Chief Public Information Officer
Miss Odelia LEUNG	Chief Council Secretary (2)6
Miss Winnie LO	Assistant Legal Adviser 7
Mr YICK Wing-kin	Assistant Legal Adviser 8
Ms Amy YU	Senior Council Secretary (2)3
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)8

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Action

**I. Confirmation of the minutes of the 7th meeting held on 3 December 2010**  
(*LC Paper No. CB(2) 493/10-11*)

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. Business arising from previous Council meetings**

**(a) Legal Service Division report on bills referred to the House Committee in accordance with Rule 54(4)**

**Stamp Duty (Amendment) (No. 2) Bill 2010**  
(*LC Paper No. LS 14/10-11*)

3. The Chairman said that the Bill sought to amend the Stamp Duty Ordinance to impose a special stamp duty on transactions of residential property acquired on or after 20 November 2010 and resold within 24 months after acquisition. The Panel on Housing and the Panel on Financial Affairs had been briefed on the legislative proposals at their joint meeting on 22 November 2010. While members in general welcomed the proposals, they had expressed certain concerns.

Action

4. Mr LEE Wing-tat considered it necessary to form a Bills Committee to study the Bill.

5. The Chairman proposed that a Bills Committee be formed to study the Bill in detail. Members agreed. The following Members agreed to join: Dr Margaret NG, Mr James TO, Mr CHAN Kam-lam, Ms Miriam LAU, Mr Abraham SHEK, Mr WONG Kwok-hing, Mr LEE Wing-tat, Mr WONG Ting-kwong and Ms Starry LEE.

6. The Chairman said that as there were vacant slots, the Bills Committee could commence work immediately.

(b) **Legal Service Division report on subsidiary legislation gazetted on 3 December 2010 and tabled in Council on 8 December 2010**  
(*LC Paper No. LS 12/10-11*)

7. The Chairman said that a total of two items of subsidiary legislation, including one Commencement Notice, were gazetted on 3 December 2010 and tabled in the Council on 8 December 2010.

8. Regarding the Companies Ordinance (Exemption of Companies and Prospectuses from Compliance with Provisions) (Amendment) Notice 2010, the Chairman said that it sought to grant a class exemption from compliance with the statutory requirements for a company seeking to conduct a public offering of shares or debentures to, subject to certain conditions, distribute printed application forms together with electronic form prospectuses, for the purpose of reducing wastage of papers. She added that the Legal Service Division was seeking clarification from the Administration on certain issues and a further report would be made if necessary.

9. At the invitation of the Chairman, Legal Adviser said that the Administration's written reply was still awaited.

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

11. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 5 January 2011.

**IV. Further business for the Council meeting on 15 December 2010**

**(a) Tabling of papers**

**Report No. 8/10-11 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments**

*(LC Paper No. CB(2) 495/10-11 issued vide LC Paper No. CB(3) 293/10-11 dated 8 December 2010)*

12. The Chairman said that the report covered four items of subsidiary legislation the period for amendment of which would expire on 15 December 2010. No Member had requested to speak on the subsidiary legislation.

13. Members noted the report.

**(b) Questions**

*(LC Paper No. CB(3) 287/10-11)*

14. The Chairman said that Mr WONG Yuk-man had given up the oral question slot allocated to him, and the slot had been allocated to Mr WONG Sing-chi.

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

**(i) Chief Executive Election (Amendment) Bill 2010**

**(ii) Legislative Council (Amendment) Bill 2010**

15. The Chairman said that the Administration had given notice to present the above two Bills to the Council on 15 December 2010. The House Committee would consider these Bills at its next meeting on 17 December 2010.

**V. Position on Bills Committees and subcommittees**

*(LC Paper No. CB(2) 494/10-11)*

16. The Chairman said that there were 13 Bills Committees, five subcommittees under the House Committee (i.e. two subcommittees on subsidiary legislation and three subcommittees on policy issues) and eight subcommittees under Panels in action.

Action

**VI. Any other business**

17. There being no other business, the meeting ended at 4:09 pm.

Council Business Division 2  
Legislative Council Secretariat  
15 December 2010