

LC Paper No. CB(2) 1511/10-11

Ref : CB2/H/5/10

House Committee of the Legislative Council

Minutes of the 19th meeting held in the Legislative Council Chamber at 2:30 pm on Friday, 8 April 2011

Members present:

Hon Miriam LAU Kin-yee, GBS, JP (Chairman) Hon Fred LI Wah-ming, SBS, JP (Deputy Chairman) Hon Albert HO Chun-yan Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP Hon LEE Cheuk-yan Dr Hon David LI Kwok-po, GBM, GBS, JP Dr Hon Margaret NG Hon James TO Kun-sun Hon CHEUNG Man-kwong 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 WONG Yung-kan, SBS, JP Hon LAU Kong-wah, JP Hon Andrew CHENG Kar-foo Hon Timothy FOK Tsun-ting, GBS, JP Hon TAM Yiu-chung, GBS, JP 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 Vincent FANG Kang, SBS, JP Hon WONG Kwok-hing, MH Hon LEE Wing-tat Dr Hon Joseph LEE Kok-long, SBS, JP Hon Jeffrey LAM Kin-fung, SBS, JP Hon Andrew LEUNG Kwan-yuen, GBS, JP

Hon CHEUNG Hok-ming, GBS, JP Hon WONG Ting-kwong, BBS, JP Hon Ronny TONG Ka-wah, SC Hon CHIM Pui-chung 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 Dr Hon Priscilla LEUNG Mei-fun Dr Hon LEUNG Ka-lau Hon CHEUNG Kwok-che Hon WONG Sing-chi Hon WONG Kwok-kin, BBS Hon IP Wai-ming, MH Hon IP Kwok-him, GBS, JP Hon Mrs Regina IP LAU Suk-yee, GBS, JP Dr Hon PAN Pey-chyou Hon Paul TSE Wai-chun Hon Alan LEONG Kah-kit, SC Hon LEUNG Kwok-hung Hon Tanya CHAN Hon Albert CHAN Wai-yip Hon WONG Yuk-man

Members absent :

Hon LAU Wong-fat, GBM, GBS, JP Hon Emily LAU Wai-hing, JP Dr Hon Samson TAM Wai-ho, JP

Clerk in attendance :

Miss Odelia LEUNG Clerk to the House Committee

Staff in attendance :

Mr Jimmy MA, JP Legal Adviser

Mrs Constance LI Mrs Justina LAM Mrs Percy MA Ms Connie FUNG Mr Kelvin LEE Mr KAU Kin-wah Mr Stephen LAM	Assistant Secretary General 1 Assistant Secretary General 3 Assistant Secretary General 4 Senior Assistant Legal Adviser 1 Acting Senior Assistant Legal Adviser 2 Senior Assistant Legal Adviser 3 Principal Council Secretary (Complaints)
1	
Mr Simon WONG	Chief Public Information Officer
Ms Amy YU Miss Kitty CHENG	Chief Council Secretary (2)6 Assistant Legal Adviser 5
Ms Wendy KAN	Assistant Legal Adviser 6
Mr YICK Wing-kin	Assistant Legal Adviser 8
Miss Josephine SO	Senior Council Secretary (2)7
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)8

Action

I. Confirmation of the minutes of the 18th meeting held on 1 April 2011 (LC Paper No. CB(2) 1437/10-11)

The minutes were confirmed.

II. Matters arising

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

Formulation of policy concerning sick leave of Principal Officials and the work arrangements

2. <u>The Chairman</u> said that she had relayed to CS Members' concern about the failure of the Administration to explain to the public the recent hospitalization of Mrs Rita LAU, Secretary for Commerce and Economic Development ("SCED"), and the work arrangements during her sick leave. On behalf of Mrs LAU, CS thanked Members for their concern for and regards to her. CS had pointed out that the Administration had announced Mrs LAU's sick leave and the appointment of Mr Gregory SO, Under Secretary for Commerce and Economic Development ("USCED"), as Acting SCED during her sick leave. Mr SO would attend Council meetings in his capacity as Acting SCED during the period of acting appointment.

The Chairman further said that CS had stressed the need to strike a 3. balance between the public's right to know and protection of privacy. He respected privacy and hence would not disclose details about Mrs LAU's illness. CS had highlighted that the acting appointment was made in accordance with the established mechanism, i.e. when a Government official was on leave, an acting appointment would be made to cover his/her temporary absence. The acting official was empowered to exercise the statutory powers and functions of the relevant office. CS did not consider it necessary to collect information on the practices adopted by other countries in this regard. Nevertheless. the Administration would be happy to make reference to relevant information obtained by the Legislative Council ("LegCo").

4. <u>Mr Ronny TONG</u> noted that Mr Stephen LAM, Secretary for Constitutional and Mainland Affairs, had disclosed his undergoing of an operation the day before the House Committee meeting. He sought confirmation on whether it was Mr LAM's voluntary disclosure and this did not represent any change in the Administration's policy in respect of disclosure of illness of Principal Officials.

5. <u>The Chairman</u> replied in the affirmative. She said that according to CS's response, it was the Administration's policy not to disclose to the public details of illness of Principal Officials on sick leave. The Administration would only make a formal announcement on the sick leave of the Principal Official and the acting appointment during his/her sick leave. It was for individual officials on sick leave to decide whether to disclose their illness to the public.

6. <u>Mr Abraham SHEK</u> opined that in demanding Principal Officials to disclose details of their illness, Members should consider whether they would do the same.

7. While noting Mr Abraham SHEK's view, <u>the Chairman</u> said that it was not the issue under discussion.

Non-attendance of officials of the relevant bureaux and departments at the joint Panel meeting

8. <u>The Chairman</u> said that she had relayed to CS the great dissatisfaction of members of the Panel on Financial Affairs and the Panel on Transport with the non-attendance of officials of the relevant bureaux and departments at the joint meeting on 28 February 2011 and their request for relevant bureau officials to attend meetings to discuss the matter in future. CS had responded that it was the Administration's

understanding that the difficulties encountered by the transport sector in obtaining insurance coverage were attributed to a number of factors involving operational and technical issues. CS had reiterated that if the discussion involved policy matters, bureau officials would certainly attend the relevant meetings.

9. In response to Mr CHAN Kam-lam's enquiry on whether CS's response reflected the established practice of the Administration in fielding officials to LegCo committee meetings, the Chairman said that when a similar concern was raised with CS earlier concerning the non-attendance of bureau officials at the special meetings of the Panel on Health Services on 17 January and 15 February 2011, CS had already made clear the Administration's stance that if the Administration considered that a discussion item involved only technical issues, bureau officials would not attend the relevant meeting. In the case of the joint Panel meeting, CS had made a similar response. Given the Administration's view that the difficulties encountered by the transport sector in obtaining insurance coverage involved only technical issues, it had not fielded bureau officials to attend the joint meeting.

10. <u>Mr CHAN Kam-lam</u> said that while certain matters might seemingly involve only technical or operational issues, policy issues might arise in the course of discussion at committee meetings. He considered that, as a pragmatic approach, the relevant bureau could field a Deputy Secretary, or a Principal Assistant Secretary, or even an Assistant Secretary to attend such committee meetings to respond to Members' questions on policy issues or bring such issues to the attention of the bureau after the meeting. He requested the Chairman to relay his views to CS.

11. <u>The Chairman</u> said that the crux of the matter lay in the difference in views between Members and the Administration on the nature of the issues to be discussed by committees. In her view, should committees consider that policy issues were involved, they should make clear their view to the Administration and requested the attendance of relevant bureau officials at the meetings.

12. <u>Mr LEUNG Kwok-hung</u> stressed that it should be for Members to decide whether a discussion item involved policy issues. He considered it rude on the part of the Administration not to field bureau officials to attend committee meetings. In his view, it was incumbent upon politically appointed officials including Under Secretaries and Political Assistants to attend committee meetings.

13. <u>Dr PAN Pey-chyou</u> agreed with the Chairman's view. He said that there had been instances in the past where the Administration held different views with Members on whether policy issues were involved and had fielded only departmental officials but not bureau officials to attend the relevant committee meetings. He found the discussions at those meetings not fruitful. He queried whether it was a tactic adopted by bureaux to avoid addressing matters falling within their ambit and considered this unacceptable. He stressed the importance of establishing a clear mechanism on the attendance of bureau officials at committee meetings.

14. Mr Andrew CHENG expressed dissatisfaction with the Executive Authorities for belittling the Legislature. He opined that LegCo was very different from District Councils; and matters discussed at Panel meetings invariably involved policy issues. He pointed out that it had all along been the practice that even for matters falling within the purview of technical departments, the relevant decisions had to be endorsed by bureau officials. He stressed that he was not rank conscious but bureau officials and departmental officials should have different roles. He recalled that when the Administration introduced the Political Appointment System, it had claimed that politically appointed officials would attend LegCo committee meetings to explain the Government's policy decisions. He said that insurance coverage of the transport sector involved policy issues and considered it unacceptable for the Administration not to have fielded bureau officials to attend the joint Panel meeting. In his view, the Executive Authorities' response was disrespectful to LegCo. He requested the Chairman to relay to CS Members' strong view that accountable and bureau officials, albeit at the rank of Assistant Secretary, should attend LegCo committee meetings to discuss issues of concern with Members.

15. <u>Mr Albert CHAN</u> said that he did not accept the fielding of only an Assistant Secretary of a bureau to attend committee meetings. He pointed out that it was rare for the Administration to have fielded only Assistant Commissioners of departments to attend a joint meeting of the two Panels to discuss an issue of wide public concern. Citing a recent meeting between Miss CHAN Yuen-han, a former LegCo Member, and the Secretary for Labour and Welfare ("SLW"), he considered it absurd and an affront to LegCo that Principal Officials were ready to meet with representatives of individual political parties but bureau officials had not attended the joint Panel meeting. In his view, the matter concerned the relationship between the Executive Authorities and the Legislature. He stressed that Members had the responsibility to maintain the dignity of In his view, should a committee chairman consider the LegCo.

non-attendance of bureau officials at a meeting unacceptable, the chairman should cancel the meeting. If the committee chairman failed to do so, he would condemn the chairman and walk out from the meeting. He requested the Chairman to follow up the matter with the committee chairmen.

16. Mr LAU Kong-wah said that given the diverse nature of public issues, different Members might have different views on how they should be handled. While members of the two Panels considered it necessary for bureau officials to attend the joint meeting, it might not be the case for every other committee meeting. By way of illustration, he cited the special meeting of the Panel on Security held in the morning of the day of the House Committee meeting. He pointed out that the discussion item on "Enforcement against the smuggling and sale of illicit cigarettes" was not attended by any officials from the Security Bureau. As the matter concerned enforcement issues, the Assistant Commissioner from the Customs and Excise Department was in a position to answer members' questions and the non-attendance of bureau officials had not affected the discussion at the meeting. He requested the Chairman to relay Members' views and concerns to CS again.

17. <u>Mr CHAN Kam-lam</u> said that the Administration usually provided an explanation for not fielding bureau officials to attend a committee meeting, as was the case for the joint Panel meeting. He did not consider it appropriate for a committee chairman to decide whether a meeting should be cancelled merely on the basis of the non-attendance of bureau officials at the meeting. In his view, while some members might find the non-attendance of bureau officials unacceptable and decide not to attend the meeting, other members might hold a different view. He stressed the need to take into account the views of different members.

18. <u>The Chairman</u> said that she would relay Members' views to CS again.

19. <u>Mr Albert CHAN</u> said that it would be pointless for the Chairman to relay Members' views to CS again if there was no consensus among themselves on the matter. He reiterated that the non-attendance of bureau officials at committee meetings was an affront to LegCo and disrespect for the constitutional relationship between the Executive Authorities and the Legislature. He appealed to Members to maintain the dignity and status of LegCo.

20. <u>Mr WONG Kwok-kin</u> clarified that Miss CHAN Yuen-han and other representatives of the Hong Kong Federation of Trade Unions ("HKFTU") had met with SLW in the afternoon of the day before the

- 8 -

House Committee meeting to discuss labour issues in their capacity as representatives of a trade union and not a political party. The meeting had not been attended by any of the four LegCo Members belonging to HKFTU.

21. <u>Mr Ronny TONG</u> said that the role of a committee chairman was to ensure the smooth conduct of committee meetings. He did not consider it appropriate for a committee chairman to decide whether a meeting should be cancelled on the basis of the non-attendance of bureau officials. Neither did he consider it necessary for a committee to specify the attendance of certain officials for each meeting. In his view, it should be for members of a committee to decide whether the Administration had fielded appropriate officials to attend a meeting on a case-by-case basis.

22. <u>Mr WONG Yuk-man</u> said that policy issues were raised during the discussion on enforcement against the smuggling and sale of illicit cigarettes at the special meeting of the Panel on Security. Concern had been raised as to whether the Administration's handling of confiscated illicit cigarettes was in contravention of its anti-smoking policy. <u>Mr WONG</u> pointed out that officials from the Customs and Excise Department were not in a position to answer such questions. In his view, the non-attendance of bureau officials at committee meetings did not only hamper the relationship between the Executive Authorities and the Legislature but also affect the effectiveness in resolving the issues under deliberation.

23. Dr Margaret NG opined that the matter under discussion reflected the courtesy or otherwise of the Principal Officials concerned, and it should be for the public to make a judgement. She said that both the incumbent and the former Secretary for Justice were courteous. When they were invited to attend meetings of the Panel on Administration of Justice and Legal Services ("AJLS Panel") but were unable to attend or considered it more appropriate for another official to attend the meeting, they would inform her, as Chairman of the AJLS Panel, personally. She considered it a matter of courtesy for Principal Officials to communicate with the relevant committee chairmen on the non-attendance of bureau officials at committee meetings. She added that committee chairmen had a role to play in deciding whether the Administration's representatives at a meeting were appropriate.

24. <u>Mrs Sophie LEUNG</u> shared the view that given the diverse nature of public issues, Members should respect the handling of attendance of the Administration's representatives at committee meetings by the committee chairman concerned. She considered it inappropriate to

overplay the rank of the Administration's representatives attending committee meetings. She stressed that Members should respect the officials fielded to attend committee meetings, irrespective of their ranks, and these officials would be held accountable for their advice and responses given at the meeting.

25. <u>Mr IP Kwok-him</u> considered that the matter had nothing to do with the respect or otherwise of the Executive Authorities for the Legislature. He shared the view that the Administration should field appropriate officials to attend committee meetings to answer Members' questions on both policy and technical issues. He requested the Chairman to relay Members' views to CS again.

26. Summing up the discussions, <u>the Chairman</u> said that the crux of the matter was the difference in views held by Members and the Administration on whether a discussion item involved policy issues. She would relay to CS Members' view on the need for both parties to discuss and sort out their differences in this regard. If Members considered that policy issues were involved, the Administration should respect Members' view and field bureau officials to attend the committee meeting to discuss relevant issues with Members.

(b) Inland Revenue (Amendment) (No. 2) Bill 2011

(Paragraphs 5 to 7 of the minutes of the 18th House Committee meeting on 1 April 2011;

letter dated 29 March 2011 from The Association of Chartered Certified Accountants in Hong Kong to Hon Paul CHAN Mo-po (LC Paper No. CB(2) 1469/10-11(01)); and

letter dated 6 April 2011 from the Financial Services and the Treasury Bureau (LC Paper No. CB(2) 1469/10-11(02)))

[Previous papers:

LC Paper No. LS 37/10-11 issued vide LC Paper No. CB(2) 1248/10-11 dated 10 March 2011;

paragraphs 11 and 12 of the minutes of the 16th House Committee meeting on 11 March 2011 (LC Paper No. CB(2) 1277/10-11 issued vide LC Paper No. CB(2) 1287/10-11 dated 16 March 2011);

LC Paper No. LS 42/10-11 *issued vide LC Paper No. CB*(2) 1296/10-11 dated 17 *March* 2011;

paragraphs 5 and 6 of the minutes of the 17th House Committee meeting on 18 March 2011 (LC Paper No. CB(2) 1368/10-11 issued vide LC Paper No. CB(2) 1414/10-11 dated 31 March 2011); and

letter dated 29 March 2011 from Hon Paul CHAN Mo-po to the

- 10 -

Chairman of the House Committee (LC Paper No. CB(2) 1377/10-11(01) issued vide LC Paper No. CB(2) 1377/10-11 dated 30 March 2011)]

27. <u>The Chairman</u> said that Members had considered the Bill at its meetings on 11 and 18 March 2011 and did not find it necessary to form a Bills Committee to study the Bill. At the last House Committee meeting, Members noted a letter addressed to Mr Paul CHAN from the Association of Chartered Certified Accountants in Hong Kong ("ACCA") expressing the concerns of the accounting profession about the Bill, and agreed that the ACCA's letter should be sent to the Administration for a written response. <u>The Chairman</u> referred Members to the Administration's response which had been circulated to them.

28. <u>Mr Paul CHAN</u> said that the main concern of the accounting profession was the anti-avoidance measures proposed in the Bill. He pointed out that apart from ACCA, the Joint Liaison Committee on Taxation, comprising representatives from the commercial, legal and accounting sectors, had also raised various concerns about the Bill, which had not been addressed by the Administration. He noted that the Legal Service Division of the Secretariat had also raised certain queries on the Bill. In the light of all these concerns, he considered it necessary to form a Bills Committee to study the Bill in detail.

29. <u>The Chairman proposed that a Bills Committee be formed to study</u> the Bill in detail. <u>Members agreed</u>. The following Members agreed to join: Ms Miriam LAU, Ms Audrey EU, Mr Paul CHAN and Mrs Regina IP.

30. <u>The Chairman</u> said that as there were vacant slots, the Bills Committee could commence work immediately.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on <u>1 April 2011 and tabled in Council on 6 April 2011</u>

(LC Paper No. LS 46/10-11)

31. <u>The Chairman</u> said that only one item of subsidiary legislation, i.e. the Prevention of Bribery Ordinance (Amendment of Schedule 1) Order 2011, was gazetted on 1 April 2011 and tabled in the Council on 6 April 2011.

32. <u>Members</u> did not raise any queries on the Order.

- 11 -

33. <u>The Chairman</u> reminded Members that the deadline for amending the Order was 4 May 2011.

IV. Further business for the Council meeting of 13 April 2011

Tabling of papers

Report No. 19/10-11 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

(LC Paper No. CB(2) 1439/10-11 issued vide LC Paper No. CB(3) 639/10-11 dated 6 April 2011)

34. <u>The Chairman</u> said that the report covered three items of subsidiary legislation, the period for amendment of which would expire on 13 April 2011. As a Member had notified his intention to speak on the Securities and Futures Ordinance (Amendment of Schedule 5) Notice 2011 and the Securities and Futures (Financial Resources) (Amendment) Rules 2011 contained in the report, she, as Chairman of the House Committee, would move a motion to take note of the report in relation to these two items of subsidiary legislation.

V. Report of Bills Committees and subcommittees

(a) Report of the Bills Committee on Securities and Futures and Companies Legislation (Structured Products Amendment) Bill 2010

(LC Paper No. CB(1) 1804/10-11)

35. <u>Ms Starry LEE</u>, Chairman of the Bills Committee, reported on the deliberations of the Bills Committee. She elaborated that the object of the Bill was to transfer the regulation of public offers of structured products in the form of shares or debentures from the prospectus regime of the Companies Ordinance (Cap. 32) to the offers of investments regime of the Securities and Futures Ordinance (Cap. 571) ("SFO") and to make consequential and related amendments. The Bills Committee had held eight meetings with the Administration and had invited the public to give views on the Bill.

36. <u>Ms Starry LEE</u> highlighted that the prime concern of the Bills Committee was whether the proposals under the Bill could achieve the policy intent of establishing a comprehensive and standardized regulatory regime for public offers of structured products with a view to safeguarding the interests of investors. The major issues deliberated by the Bills Committee included –

- (a) definition of "structured products" and the exclusion provisions in the definition;
- (b) principles and regulations to be followed by the Securities and Futures Commission ("SFC") in authorizing structured products;
- (c) scope of investigatory powers of SFC in relation to structured products;
- (d) scope of application of the offers of investments regime under SFO, in particular whether the concepts of offer to the public and offer documents were clear;
- (e) how the exemptions which currently applied to securities would be extended to structured products under the offers of investments regime;
- (f) proposed exemptions from the authorization requirement for currency-linked instruments, interest rate-linked instruments and currency and interest rate-linked instruments issued by authorized financial institutions, and the regulatory arrangements for these investment products; and
- (g) regulatory arrangements for the disposal of unlisted structured products to intermediaries or persons outside Hong Kong or professional investors.

37. <u>Ms Starry LEE</u> added that the Bills Committee agreed to the Administration's proposed Committee Stage amendments ("CSAs") and supported the resumption of the Second Reading debate on the Bill at the Council meeting of 4 May 2011. She referred Members to the Bills Committee's report for details of its deliberations.

38. <u>The Chairman</u> reminded Members that the deadline for giving notice of CSAs, if any, was Wednesday, 20 April 2011.

(b) Report of the Subcommittee on Securities and Futures Ordinance (Amendment of Schedule 5) Notice 2011 and Securities and Futures (Financial Resources) (Amendment) <u>Rules 2011</u>

(LC Paper No. CB(1) 1793/10-11)

39. <u>The Chairman</u> said that Mr James TO, Chairman of the Subcommittee, had made a verbal report at the last House Committee meeting. She referred Members to the written report of the Subcommittee.

40. <u>Members</u> did not raise any queries on the report.

(c) <u>Activation of Subcommittees on policy issues on the waiting list</u> (*LC Paper No. CB*(2) 1445/10-11)

41. At the invitation of the Chairman, <u>Assistant Secretary General 1</u> ("ASG1") reported, on behalf of Secretary General who was indisposed, on the outcome of the consultation conducted by the Secretariat with the Subcommittees on policy issues in operation regarding their progress of work and expected time frame for completion of work, with a view to assessing the expected timing for the activation of the Subcommittees on policy issues on the waiting list.

42. <u>ASG1</u> advised that consultation had been conducted with the respective Chairmen of the 10 Subcommittees on policy issues in action on the expected timing for their completion of work. Three Subcommittees were expected to complete their work in June/July 2011. In the current review of the progress of work of subcommittees, the Secretariat had also reviewed the number of bills and items of subsidiary legislation likely to be introduced into the Council in the next three months and on which Bills Committees or subcommittees were expected to be formed. She referred Members to the Secretariat's paper for details of the outcome of the consultation and the position of the existing and anticipated Bills Committees and subcommittees.

43. <u>ASG1</u> then highlighted the proposed timing for the activation of the four Subcommittees on the waiting list. She elaborated that at the House Committee meeting on 21 January 2011, Members had agreed that the Subcommittee on Retirement Protection could activate in late April 2011, while the Subcommittee on Improving Barrier Free Access and Facilities for Persons with Disabilities could activate upon the completion of work of the Subcommittee on Residential and Community Care Services for Persons with Disabilities and the Elderly. Having regard to the expected timing for completion of work of the Subcommittee on Residential and Community Care Services for Persons with Disabilities and the Elderly, it was estimated that the Subcommittee on Improving Barrier Free Access and Facilities for Persons with Disabilities could activate in June 2011.

44. <u>ASG1</u> further said that in anticipation of the heavy demand for servicing committees on legislative proposals, The Legislative Council Commission had approved the creation of two temporary teams to strengthen the Secretariat's support to committees and recruitment of new committee staff was underway. The Secretariat would utilize the new team for servicing the Subcommittee on Registration of Proprietary Chinese Medicines which could activate in June 2011 when new staff would be in post.

45. As regards the Joint Subcommittee on Issues relating to Insurance Coverage for the Transport Sector under the Panel on Financial Affairs and Panel on Transport, <u>ASG1</u> explained that it could activate between July and October 2011 upon the completion of work of an existing Subcommittee on policy issues (discounting the Subcommittee on Residential and Community Care Services for Persons with Disabilities and the Elderly).

46. <u>ASG1</u> added that given the anticipated large number of legislative proposals to be introduced into the Council, the Secretariat might not be able to absorb the servicing work should new subcommittees on policy issues be appointed and the Secretariat would need to reassess its coping capacity.

47. <u>Members</u> agreed to the proposed timing for the activation of the four Subcommittees on policy issues on the waiting list.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 1438/10-11)

48. <u>The Chairman</u> said that there were 12 Bills Committees, 11 subcommittees under the House Committee (i.e. six subcommittees on subsidiary legislation/other instruments, two subcommittees on policy issues and three subcommittees on other Council business) and eight subcommittees under Panels in action.

VII. Any other business

49. There being no other business, the meeting ended at 3:08 pm.

Council Business Division 2 Legislative Council Secretariat 13 April 2011