

立法會
Legislative Council

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Paper for the House Committee meeting on 8 April 2011

Activation of Subcommittees on policy issues on the waiting list

Purpose

This paper reports on the outcome of consultation conducted by the Secretariat with the Subcommittees on policy issues in operation on their progress of work with a view to assessing their expected timeframe for completion of work; and invites Members to consider the proposed timing for the activation of the Subcommittees on policy issues on the waiting list.

Background

2. At the House Committee meeting on 18 March 2011, Members considered the proposal for the activation of the Subcommittee on Registration of Proprietary Chinese Medicines ("the Subcommittee on PCM") under the Panel on Health Services. Members noted that as the Subcommittees on policy issues currently in operation had reached 10, the Subcommittee on PCM had been put on the waiting list and would not be able to commence work within the next three months in view of the anticipated large number of legislative proposals to be introduced into the Council. The Secretariat had undertaken to consult the Subcommittees on policy issues currently in operation to assess whether any of them would expect to complete their work within a short time and to report to the House Committee. Noting that the consultation was underway, Members agreed at the House Committee meeting on 1 April 2011 to defer consideration of the proposal for the activation of the Joint Subcommittee on Issues relating to Insurance Coverage for the Transport Sector ("the Joint Subcommittee") appointed under the Panel on Financial Affairs and Panel on Transport to the House Committee meeting on 8 April 2011.

Consideration for activation of subcommittees

3. In accordance with Rule 26(b) of the House Rules, if the number of Bills Committees in operation is less than 16, the House Committee may activate the subcommittees on the waiting list after having considered the following –

- (a) the number of vacant slots for Bills Committees;
- (b) the number of bills likely to be introduced to the Council in the next three months;
- (c) the number of subcommittees on subsidiary legislation already or likely to be appointed by the House Committee and by Bills Committees; and
- (d) the availability of resources in the Secretariat.

Bills Committees

4. At present, 11 Bills Committees are in operation. Having regard to their progress of scrutiny, three of these Bills Committees are expected to complete work by end of May 2011. Based on the updated 2010-2011 Legislative Programme and the consultation with the relevant Panels on the legislative proposals, 17 bills are likely to be introduced into the Council in the next three months, i.e. before the end of the current session, and on which Bills Committees are expected to be formed. Details of the expected timing for completion of work of existing Bills Committees and formation of anticipated Bills Committees are in **Appendix I**.

Subcommittees on subsidiary legislation/other instruments

5. A total of six Subcommittees on subsidiary legislation/other instruments are currently in operation. Having regard to the deadline for amending the items of subsidiary legislation under scrutiny, five Subcommittees will complete their work by mid May 2011. Nine items of subsidiary legislation are likely to be introduced in the next three months and on which subcommittees are expected to be formed. Details of the expected timing for completion of work of existing Subcommittees on subsidiary legislation/other instruments and formation of anticipated Subcommittees are in **Appendix II**.

Subcommittees on policy issues and other Council business

6. At present, there are two Subcommittees on policy issues and three Subcommittees on other Council business¹ formed under the House Committee, and eight Subcommittees on policy issues formed under Panels currently in operation. As at 6 April 2011, four Subcommittees formed by Panels are on the waiting list. Consultation had been conducted with the respective Chairmen of the 10 Subcommittees on policy issues in action on the expected timing for completion of their work. Three Subcommittees expect to complete their work in June/July 2011. Details of the expected timing for completion of work of the Subcommittees on policy issues in operation and the Subcommittees on the waiting list are in **Appendix III**.

Proposed timing for activation of Subcommittees on the waiting list

7. Having reviewed the progress of work of existing Bills Committees, Subcommittees on subsidiary legislation/other instruments and Subcommittees on policy issues and taking into account the number of bills and items of subsidiary legislation likely to be introduced in the next three months, the Secretariat has critically reviewed its coping capacity for servicing committees. Based on the available information, the quota of 16 Bills Committees in operation is expected to be reached in the next three months and the number of subcommittees on subsidiary legislation/other instruments will likely far exceed its nominal maximum number of two. However, in anticipation of the heavy demand for servicing committees on legislative proposals, The Legislative Council Commission has approved the creation of two temporary teams to strengthen the Secretariat's support to committees and recruitment of new committee staff is underway. In the current review of the progress of work of subcommittees, the Secretariat has also critically reviewed its coping capacity and considered that it is able to provide servicing to the Subcommittees on the waiting list according to the following time frame:

¹ The three Subcommittees on other Council business are the Subcommittee on Members' Remuneration and Operating Expenses Reimbursement, the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions and the Subcommittee to Study Issues Relating to the Power of the Legislative Council to Amend Subsidiary Legislation.

Month	Subcommittee on waiting list to be activated	Remarks
Late April 2011	Subcommittee on Retirement Protection under the Panel on Welfare Services	By utilizing new servicing team
June 2011	Subcommittee on Improving Barrier Free Access and Facilities for Persons with Disabilities under the Panel on Welfare Services	Upon completion of work of the Subcommittee on Residential and Community Care Services for Persons with Disabilities and the Elderly
June 2011	Subcommittee on PCM under the Panel on Health Services	By utilizing new servicing team
Between July and October 2011	Joint Subcommittee on Issues relating to Insurance Coverage for the Transport Sector under the Panel on Financial Affairs and Panel on Transport	Upon 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)

Advice sought

8. Members are invited to note the outcome of consultation conducted by the Secretariat and to consider the proposed timing for the activation of the Subcommittees on policy issues in paragraph 7 above.

Council Business Division 2
Legislative Council Secretariat
 7 April 2011

**Existing and anticipated Bills Committees
(position as at 6 April 2011)**

Bills Committees in action	Expected timing for completion of work
1. Bills Committee on Communications Authority Bill	Mid-April 2011
2. Bills Committee on Legal Practitioners (Amendment) Bill 2010	May 2011
3. Bills Committee on Stamp Duty (Amendment) (No. 2) Bill 2010	End of May 2011
4. Bills Committee on Buildings (Amendment) Bill 2010	Early/mid-June 2011
5. Bills Committee on Legislation Publication Bill	Mid-June 2011
6. Bills Committee on Residential Care Homes (Persons with Disabilities) Bill	June 2011
7. Bills Committee on University of Hong Kong (Amendment) Bill 2010	June 2011
8. Bills Committee on Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Bill	November 2011
9. Bills Committee on Adaptation of Laws (Military References) Bill 2010	Latter part of the 2011-2012 session
10. Bills Committee on Companies Bill	End of the current term
11. Bills Committee on Competition Bill	End of the current term
Bills Committees likely to be formed on the following Bills	Expected timing for formation
12. Motor Vehicles (First Registration Tax) (Amendment) Bill 2011	15 April 2011
13. Pyramid Selling Prohibition (Amendment) Bill	27 May 2011
14. Immigration (Amendment) Bill 2011	By May 2011
15. Protection of Wages on Insolvency (Amendment) Bill	By May 2011

Bills Committees likely to be formed on the following Bills	Expected timing for formation
16. Copyright (Amendment) Bill	June 2011
17. Fisheries Protection (Amendment) Bill	By June 2011
18. Road Traffic (Amendment) Bill	By June 2011
19. Road Traffic (Amendment) (No.2) Bill	By June 2011
20. The Hong Kong Polytechnic University (Amendment) Bill 2011 (<i>a Member's Bill</i>)	By June 2011
21. Trade Descriptions (Amendment) Bill	July 2011
22. Waste Disposal (Amendment) Bill	By July 2011
23. Lifts and Escalators Bill	By July 2011
24. A bill to improve the regulatory regime for the financial market	By July 2011
25. Enduring Powers of Attorney (Amendment) Bill	By July 2011
26. Personal Data (Privacy) (Amendment) Bill	By July 2011
27. Guardianship of Minors (Amendment) Bill	By July 2011
28. Electoral Arrangements (Miscellaneous Provisions) Bill 2011	By July 2011

**Existing and anticipated subcommittees on subsidiary legislation/other instruments
(position as at 6 April 2011)**

Subcommittees on subsidiary legislation/other instruments in action	Expected timing for completion of work
1. Subcommittee on Public Revenue Protection (Motor Vehicles First Registration Tax) Order 2011	Reporting to the House Committee on 15 April 2011
2. Subcommittee on Public Revenue Protection (Dutiable Commodities) Order 2011	Reporting to the House Committee on 15 April 2011
3. Subcommittee on Mutual Legal Assistance in Criminal Matters (India) Order	April 2011
4. Subcommittee on Declaration of Constituencies (District Councils) Order 2011	May 2011
5. Subcommittee on Fisheries Protection (Specification of Apparatus) (Amendment) Notice 2011	May 2011
6. Subcommittee on an Order made under section 78B of the Public Health and Municipal Services Ordinance	--
Subcommittees likely to be formed on the following subsidiary legislation	Estimated timing for formation
7. Revised Code of Practice on Employment under the Disability Discrimination Ordinance	April 2011
8. Subsidiary legislation under the Electoral Affairs Commission Ordinance on electoral procedures, voter registration and practical arrangements for the elections in 2011 and 2012	May 2011
9. Amendments to Civil Aviation (Aircraft Noise) (Certification) Regulations and Hong Kong Air Navigation (Fees) Regulations	By June 2011
10. Subsidiary legislation relating to fare increase applications made by the urban, the New Territories and Lantau taxi associations	By June 2011

Subcommittees likely to be formed on the following subsidiary legislation	Estimated timing for formation
11. Subsidiary legislation relating to fare increase application from Hong Kong Tramways Limited	By June 2011
12. Proposed amendments to the subsidiary regulations on discipline to the disciplined services legislation and the Traffic Wardens (Discipline) Regulations	By June 2011
13. Amendments to Air Transport (Licensing of Air Services) Regulations	July 2011
14. Subsidiary legislation to revise the criminal legal aid fees system	By July 2011
15. Subsidiary legislation to revise the minimum and maximum levels of relevant income for Mandatory Provident Fund contributions (subject to positive vetting)	By July 2011

**Subcommittees on policy issues in action
and on the waiting list
(position as at 6 April 2011)**

Subcommittees on policy issues in action	Expected timing for completion of work
1. Subcommittee on Residential and Community Care Services for Persons with Disabilities and the Elderly under the Panel on Welfare Services	June 2011
2. Subcommittee on Harbourfront Planning under the Panel on Development	Tentatively July 2011
3. Subcommittee on Building Safety and Related Issues under the Panel on Development	Tentatively July 2011
4. Subcommittee on Improving Air Quality under the Panel on Environmental Affairs	Continuation of the Subcommittee to be reviewed towards the end of the current session
5. Subcommittee on Combating Fly-tipping under the Panel on Environmental Affairs	Continuation of the Subcommittee to be reviewed towards the end of the current session
6. Subcommittee to Study Issues Relating to Mainland-HKSAR Families under the House Committee	October 2011
7. Joint Subcommittee on Amendments to Land Titles Ordinance under the Panel on Development and the Panel on Administration of Justice and Legal Services	Next session
8. Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project under the Panel on Home Affairs and the Panel on Development	Next session
9. Subcommittee to Study Issues Arising from Lehman Brothers-related Minibonds and Structured Financial Products under the House Committee	End of the current term
10. Subcommittee on Matters Relating to Railways under the Panel on Transport	End of the current term

Subcommittee on policy issues on the waiting list	Expected timing for activation
11. Subcommittee on Retirement Protection under the Panel on Welfare Services	Late April 2011
12. Subcommittee on Improving Barrier Free Access and Facilities for Persons with Disabilities under the Panel on Welfare Services	Upon completion of work of the Subcommittee on Residential and Community Care Services for Persons with Disabilities and the Elderly in June 2011
13. Subcommittee on Registration of Proprietary Chinese Medicines under the Panel on Health Services	---
14. Joint Subcommittee on Issues relating to Insurance Coverage for the Transport Sector under the Panel on Financial Affairs and Panel on Transport	---