

立法會
Legislative Council

LC Paper No. CB(1)2827/10-11
(These minutes have been seen
by the Administration)

Ref : CB1/SS/10/10

**Subcommittee on
Public Revenue Protection (Dutiable Commodities) Order 2011**

**Minutes of the second meeting
held on Saturday, 2 April 2011, at 9:00 am
in the Chamber of the Legislative Council Building**

Members present : Dr Hon Joseph LEE Kok-long, SBS, JP (Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Andrew CHENG Kar-foo
Hon Vincent FANG Kang, SBS, JP
Hon KAM Nai-wai, MH
Hon CHAN Kin-por, JP
Dr Hon LEUNG Ka-lau
Hon Alan LEONG Kah-kit, SC
Hon Albert CHAN Wai-yip

Members absent : Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon CHEUNG Kwok-che
Hon LEUNG Kwok-hung

Public officers attending : Agenda item I

Professor Gabriel LEUNG, JP
Under Secretary for Food and Health

Mr Thomas CHAN, JP
Deputy Secretary for Food & Health (Health)2

Miss Monica CHEN
Principal Assistant Secretary for Food and Health
(Health) Special Duties 1

Dr Raymond HO
Head of Tobacco Control Office
Department of Health

**Attendance by
invitation**

: Agenda item I

Hong Kong Council on Smoking and Health

Ms Lisa LAU
Chairman

School of Public Health, The University of Hong
Kong

Professor LAM Tai-hing
Director

The Green Environmental Health Group

Mr George CHAN
Advisor

South Tokwawan Concern Group

Mr Edwin TOWN
Chairman

Tobacco Control Concern Group

Ms Deanna CHEUNG
Chairperson

Coalition of Hong Kong Newspaper and Magazine
Merchants

Mr LIU Sair-ching
Chairperson

Asian Consultancy on Tobacco Control

Professor Judith MACKAY
Director

Momentum107

Mr NG Kin-wah
Member

Individual

Mr Eric CHEUNG

United Christian Nethersole Community Health
Service

Dr Joyce TANG
Medical Director

I Smoke Alliance

Ms LEE Mei
Chairman

School of Nursing, The University of Hong Kong

Professor Sophia CHAN
Professor and Head

The Hong Kong College of Family Physicians and
Hong Kong Academy of Medicine

Dr Ruby LEE Siu-yin
President of The Hong Kong College of Family
Physicians and
Council Member of Hong Kong Academy of
Medicine

Hong Kong College of Community Medicine

Dr CHAN Wai-man
Council Member

Individual

Mr Raymond HO Man-kit
Sai Kung District Council Member

Votes Against Tax Hikes Alliance

Ms HU Wene
Member

Pok Oi Hospital

Mr Henry TONG Sau-chai
Chairman

Community Child Health Unit, Department of
Paediatrics & Adolescent Medicine, The University
of Hong Kong

Dr CHOW Chun-bong
Honorary Clinical Professor

TWGHs Integrated Centre on Smoking Cessation

Miss Helen CHAN Ching-han
Centre Supervisor

Individual

Mr LEUNG Siu-hang

Clerk in attendance : Ms YUE Tin-po
Chief Council Secretary (1)3

Staff in attendance : Ms Clara TAM
Assistant Legal Adviser 9

Miss Rita YUNG
Council Secretary (1)3

Ms May LEUNG
Legislative Assistant (1)3

Action

I. Meeting with deputations and the Administration

Meeting with deputations/individuals and the Administration

1. Hong Kong Council on Smoking and Health
(LC Paper No. CB(1)1768/10-11(01) – submission)
2. School of Public Health, The University of Hong Kong
(LC Paper No. CB(1)1768/10-11(02) – submission)
3. The Green Environmental Health Group
4. South Tokwawan Concern Group
5. Tobacco Control Concern Group
(LC Paper No. CB(1)1782/10-11(01) – submission)
6. Coalition of Hong Kong Newspaper and Magazine Merchants
(LC Paper No. CB(1)1759/10-11(01) – submission)
7. Asian Consultancy on Tobacco Control
(LC Paper No. CB(1)1759/10-11(02) – submission)
8. Momentum107
(LC Paper No. CB(1)1768/10-11(03) – submission)
9. Mr Eric CHEUNG
(LC Paper No. CB(1)1792/10-11(01) – submission)
(tabled at the meeting and subsequently issued via email on 6 April 2011)
10. United Christian Nethersole Community Health Service
(LC Paper No. CB(1)1759/10-11(03) – submission)
11. I Smoke Alliance
12. School of Nursing, The University of Hong Kong
(LC Paper No. CB(1)1792/10-11(02) – submission)
(tabled at the meeting and subsequently issued via email on 6 April 2011)

13. The Hong Kong College of Family Physicians and Hong Kong Academy of Medicine
(LC Paper Nos. CB(1)1768/10-11(04) and (05) – submission)
14. Hong Kong College of Community Medicine
(LC Paper No. CB(1)1792/10-11(03) – submission)
(tabled at the meeting and subsequently issued via email on 6 April 2011)
15. Mr Raymond HO Man-kit, Sai Kung District Council Member
(LC Paper No. CB(1)1768/10-11(06) – submission)
16. Votes Against Tax Hikes Alliance
17. Pok Oi Hospital
(LC Paper No. CB(1)1792/10-11(04) – submission)
(tabled at the meeting and subsequently issued via email on 6 April 2011)
18. Community Child Health Unit, Department of Paediatrics & Adolescent Medicine, The University of Hong Kong
(LC Paper No. CB(1)1768/10-11(07) – submission)
19. TWGHs Integrated Centre on Smoking Cessation
(LC Paper No. CB(1)1792/10-11(05) – submission)
(tabled at the meeting and subsequently issued via email on 6 April 2011)
20. Mr LEUNG Siu-hang

Submission from deputations/individuals not attending the meeting

1. Mr Martin OEI, Political Commentator
(LC Paper No. CB(1)1782/10-11(02) – submission)
2. Clear the Air
(LC Paper No. CB(1)1759/10-11(04) – submission)
3. School of Public Health, The University of Hong Kong
(LC Paper No. CB(1)1768/10-11(08) – submission)
4. Dr YANG Mo, Southern District Council Member
(LC Paper No. CB(1)1768/10-11(09) – submission)

5. Mr YEUNG Wai-sing, Eastern District Council Member
(LC Paper No. CB(1)1792/10-11(06) – submission)
(tabled at the meeting and subsequently issued via email on 6 April 2011)

Meeting with the Administration

- (LC Paper No. CB(1)1782/10-11(03) -- List of follow-up actions arising from the discussion at the meeting on 24 March 2011
- LC Paper No. CB(1)1782/10-11(04) -- Guidelines for implementation of Article 5.3 of the World Health Organization Framework Convention on Tobacco Control
(English version only)
- LC Paper No. CB(2)1419/10-11(01) -- Administration's paper on enforcement against the smuggling and sale of illicit cigarette

Other relevant papers

- L.N. 32 of 2011 -- Public Revenue Protection (Dutiable Commodities) Order 2011
- LC Paper No. LS33/10-11 -- Legal Service Division Report
- LC Paper No. CB(1)1660/10-11(01) -- Marked-up copy of the Public Revenue Protection (Dutiable Commodities) Order 2011)

At the invitation of the Chairman, 20 deputations/individuals as listed in the **Appendix** presented their views.

2. The Subcommittee deliberated (Index of proceedings attached at Appendix).

- Admin 3. The Administration was requested to provide information on the enforcement actions taken by the Customs and Excise Department against illicit cigarette activities in respect of street peddling (in particular by distribution of leaflets in residential areas and telephone order) and the relevant figures to justify the effectiveness of such enforcement actions.

(Post-meeting note: The information provided by the Administration was issued via LC Paper No. CB(1)1819/10-11(04) on 7 April 2011.)

Meeting arrangements

4. The Chairman reminded members that the third meeting would be held on Friday, 8 April 2011 at 8:30 am.

II. Any other business

5. There being no other business, the meeting ended at 11:15 am.

Council Business Division 1
Legislative Council Secretariat
28 July 2011

**Proceedings of the second meeting of
Subcommittee on Public Revenue Protection (Dutiable Commodities) Order 2011
on Saturday, 2 April 2011, at 9:00 am
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000200 – 000524	Chairman	Opening remarks by the Chairman	
000525 – 000835	Hong Kong Council on Smoking and Health	Presentation of views (LC Paper No. CB(1)1768/10-11(01))	
000836 – 001142	School of Public Health, The University of Hong Kong (HKU)	Presentation of views (LC Paper No. CB(1)1768/10-11(02))	
001143 – 001301	The Green Environmental Health Group	Presentation of views	
001302 – 001608	South Tokwawan Concern Group	Presentation of views	
001609 – 001937	Tobacco Control Concern Group	Presentation of views (LC Paper No. CB(1)1782/10-11(01))	
001938 – 002253	Coalition of Hong Kong Newspaper and Magazine Merchants (CHKNMM)	Presentation of views (LC Paper No. CB(1)1759/10-11(01))	
002254 – 002611	Asian Consultancy on Tobacco Control (ACTC)	Presentation of views (LC Paper No. CB(1)1759/10-11(02))	
002612 – 002910	Momentum107	Presentation of views (LC Paper No. CB(1)1768/10-11(03))	
002911 – 003200	Mr Eric CHEUNG	Presentation of views (LC Paper No. CB(1)1792/10-11(01))	
003201 – 003512	United Christian Nethersole Community Health Service	Presentation of views (LC Paper No. CB(1)1759/10-11(03))	

Time marker	Speaker	Subject(s)	Action required
003513 – 003839	I Smoke Alliance	Presentation of views	
003840 – 004202	School of Nursing, The University of Hong Kong	Presentation of views (LC Paper No. CB(1)1792/10-11(02))	
004203 – 004341	The Hong Kong College of Family Physicians and Hong Kong Academy of Medicine	Presentation of views (LC Paper Nos. CB(1)1768/10-11(04) and (05))	
004342 – 004659	Hong Kong College of Community Medicine	Presentation of views (LC Paper No. CB(1)1792/10-11(03))	
004700 – 005015	Mr Raymond HO Man-kit, Sai Kung District Council Member	Presentation of views (LC Paper No. CB(1)1768/10-11(06))	
005016 – 005341	Votes Against Tax Hikes Alliance	Presentation of views	
005342 – 005630	Pok Oi Hospital	Presentation of views (LC Paper No. CB(1)1792/10-11(04))	
005631 – 010003	Community Child Health Unit, Department of Paediatrics & Adolescent Medicine, The University of Hong Kong (CCHU, DPAM, HKU)	Presentation of views (LC Paper No. CB(1)1768/10-11(07))	
010004 – 010149	TWGHs Integrated Centre on Smoking Cessation (TWGHs ICSC)	Presentation of views (LC Paper No. CB(1)1792/10-11(05))	
010150 – 010455	Mr LEUNG Siu-hang	Presentation of views	

Time marker	Speaker	Subject(s)	Action required
010456 – 011439	Chairman Administration	<p>The Administration responded that:</p> <ul style="list-style-type: none"> (a) over the years, the Administration had been strengthening its tobacco control in an effort to minimize the harmful effects of tobacco. To achieve this, the Administration adopted a step-by-step and multi-pronged approach comprising legislation, taxation, publicity, education, enforcement and promotion of smoking cessation; (b) it was a long term target for Hong Kong to become a smoke-free city for the health of Hong Kong people; (c) according to international and local researches, cigarette price was a key factor influencing tobacco consumption and smoking prevalence, and therefore price and tax measures were effective and important means of reducing tobacco consumption by various segments of the population, in particular young persons; (d) the resources for smoking prevention and cessation services in the Department of Health, Hospital Authority and relevant non-governmental organizations had been increasing over the years. The Administration welcomed any views or suggestions on further improving the current services; (e) the Customs and Excise Department (C&ED) had been closely monitoring illicit cigarette activities, and would strengthen its enforcement actions against such activities, including smuggling, storage, distribution and peddling. 	
011440 – 012124	Chairman Mr KAM Nai-wai School of Public Health, HKU TWGHs ICSC Administration	<p>Discussion on the enforcement actions against illicit cigarette activities, the effectiveness of the increase in tobacco duty in reducing tobacco consumption and smoking prevalence, and the resources for the smoking cessation services.</p> <p>The Subcommittee noted that the Panel on Security would hold a special meeting on Friday, 8 April 2011 at 10:45 am to discussion the item "Enforcement against the smuggling and sale of illicit cigarettes" with the Administration. Deputations had been invited to attend the meeting to present their views on the subject.</p>	
012125 – 013021	Chairman Mr Vincent FANG	Discussion on the time frame for achieving the Administration's target for Hong Kong to become a	

Time marker	Speaker	Subject(s)	Action required
	Administration	smoke-free city, the effectiveness of the smoking cessation services, and the impact of the increase in tobacco duty on the livelihood of licensed newspaper hawkers.	
013022 – 013713	Chairman Mr Andrew CHENG Administration	Mr Andrew CHENG expressed support for the increase in tobacco duty. He expressed concern about enforcement actions taken by C&ED against illicit cigarette activities in respect of street peddling (in particular by distribution of leaflets in residential areas and telephone order) and the relevant figures to justify the effectiveness of such enforcement actions.	The Administration to follow up as stated in paragraph 3 of the minutes.
013714 – 014510	Chairman Mr CHAN Kam-lam Administration	Discussion on the effectiveness of the increase in tobacco duty in reducing tobacco consumption and smoking prevalence, and the enforcement actions against illicit cigarette activities.	
014511 – 015623	Chairman Mr Alan LEONG TWGHs ICSC Pok Oi Hospital ACTC Administration	Discussion on the multi-pronged approach of tobacco control, in particular smoking cessation services.	
015624 – 020927	Chairman Mr Albert CHAN School of Public Health, HKU CCHU, DPAM, HKU CHKNMM Mr Raymond HO Man-kit ACTC Mr LEUNG Siu-hang Administration	Discussion on the different policies on duty rates of tobacco products and wine, beer and all other alcoholic beverages.	
020928 – 021454	Chairman Dr LEUNG Ka-lau School of Public Health, HKU Administration	Discussion on the different medications for quitting smoking. In response to Dr LEUNG Ka-lau's enquiry, the Administration advised that all the medications for quitting smoking were provided free of charge to clients utilizing the smoking cessation services.	
021455 – 021625	Chairman	Meeting arrangements	

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