

立法會
Legislative Council

LC Paper No. CB(2)2410/10-11
(These minutes have been seen by
the Administration)

Ref : CB2/SS/7/10

**Subcommittee on Order made under Section 78B of the
Public Health and Municipal Services Ordinance**

**Minutes of meeting
held on Friday, 27 May 2011, at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Fred LI Wah-ming, SBS, JP (Chairman)
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Cyd HO Sau-lan
Hon Alan LEONG Kah-kit, SC

Members absent : Hon WONG Yung-kan, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Vincent FANG Kang, SBS, JP

Public Officers attending : Item I

Mr Kevin YEUNG Yun-hung
Principal Assistant Secretary for Food and Health (Food) 1

Dr Constance CHAN, JP
Controller, Centre for Food Safety
Food and Environmental Hygiene Department

Dr LEE Siu-yuen
Assistant Director (Food Surveillance and Control), Centre
for Food Safety
Food and Environmental Hygiene Department

Dr SO Ping-man
Assistant Director (Fisheries)
Agriculture, Fisheries and Conservation Department

Dr Shirley Veronica CHUK Sheung-ying
Senior Veterinary Officer (Animal Health)
Agriculture, Fisheries and Conservation Department

Attendance : Item I
by invitation

Institution of Dining Art

Mr Simon WONG
Chairman

Hong Kong, Kowloon, New Territories and
Overseas Fish Wholesalers Association

Mr HUI Hon-man
Director

The Marine Products Association

Miss Josephine CHOY Mei-kuen
Chairman

Hong Kong Japanese Restaurant Association

Mr Frankie WU
President

Hong Kong Imported Vegetable Wholesale
Merchants Association Ltd.

Mr SZETO Chi-wa
Secretary

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

Staff in attendance : Miss Carrie WONG
Assistant Legal Adviser 4

Mr Jove CHAN
Senior Council Secretary (2) 8

Ms Camy YOONG
Clerical Assistant (2) 7

I. Meeting with deputations and the Administration

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

2. The Chairman reminded members that under section 78B(6) of the Public Health and Municipal Services Ordinance (Cap. 132), an order made under section 78B of Cap. 132 ("the Order") was not subsidiary legislation. Accordingly, the Order was not required to be tabled before the Legislative Council ("LegCo") and was not subject to amendment by LegCo.

3. The Subcommittee received views from the following organizations on the impact of the Order -

- (a) Institution of Dining Art;
- (b) Hong Kong, Kowloon, New Territories and Overseas Fish Wholesalers Association;
- (c) The Marine Products Association;
- (d) Hong Kong Japanese Restaurant Association; and
- (e) Hong Kong Imported Vegetable Wholesale Merchants Association Ltd.

4. The deputations hoped that the Government would provide financial assistance by way of a loan scheme or subsidy on utilities expenses to help them survive the financial difficulties caused by the Daiichi nuclear power plant incident. Some deputations requested the Government to revoke the Order.

5. The Subcommittee agreed that the views of deputations and the Subcommittee on the provision of financial assistance to the affected trades should be referred to the Panel on Commerce and Industry for follow-up.

6. In response to the deputations' view on revocation of the Order, the Administration advised that it would, among others, make reference to the discussions and recommendations of the International Atomic Energy Agency on the Daiichi nuclear power plant incident at its special meeting to be held in June 2011 in its consideration of whether the Order should be revoked.

7. At the request of the Subcommittee, the Administration agreed to inform LegCo of its decision to revoke the Order once it was made.

II. Any other business

8. The Subcommittee completed the discussion on the Order. The report on the deliberations of the Subcommittee would be submitted to the House Committee on 10 June 2011.

9. There being no other business, the meeting ended at 11:46 am.

**Proceedings of meeting of the Subcommittee on Order made under Section 78B
of the Public Health and Municipal Services Ordinance
held on Friday, 27 May 2011, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000430	Chairman	Opening remarks	
000431 - 000655	Institution of Dining Art	Presentation of views (LC Paper No. CB(2)1854/10-11(03))	
000656 - 001013	The Marine Products Association	Presentation of views (LC Paper No. CB(2)1898/10-11(02))	
001014- 001459	Hong Kong Japanese Restaurant Association	Presentation of views	
001500 - 001647	Hong Kong, Kowloon, New Territories and Overseas Fish Wholesalers Association	Presentation of views (LC Paper No. CB(2)1898/10-11(01))	
001648 - 001708	Hong Kong Imported Vegetable Wholesale Merchants Association Ltd.	Presentation of views	
001709 - 002035	Chairman Admin	The Administration's responses to views and enquiries of the deputations and the considerations of revocation of the Order	
002036 - 002657	Mr Tommy CHEUNG Admin	The factors in the consideration of revocation of the Order and the review on long-term manpower needs of the Centre for Food Safety ("CFS")	
002658 - 002733	Chairman	The need for financial assistance (loan scheme) from the Government to help the affected trades survive the financial difficulties caused by the Daiichi nuclear power plant incident	The Clerk to refer to the Panel on Commerce and Industry the views of the deputations and the Subcommittee on the provision of financial assistance to the affected trades
002734 - 003525	Chairman Institution of Dining Art Mr Tommy CHEUNG Admin	The impact of the Order on the supply of food products from Japan and the restoration of public confidence by the revocation of the Order	

Time marker	Speaker	Subject(s)	Action Required
003526 - 003955	Ms Cyd HO Chairman Admin Mr Tommy CHEUNG	Publicity on the effectiveness of radiation monitoring of food products by CFS; and the need for financial assistance (loan scheme) from the Government to help the affected trade survive the financial difficulties caused by the Daiichi nuclear power plant incident	
003956 - 010019	Hong Kong Japanese Restaurant Association Chairman Admin Mr Alan LEONG	Suggestion of possible relaxation of the Order to exclude its application to Tochigi and Chiba; and impact of the Order on the long-term supply of marine products to Chinese restaurants	
010019 - 010101	Chairman	Closing remarks	The Administration to inform the Legislative Council of its decision to revoke the Order once it was made

Council Business Division 2
Legislative Council Secretariat
18 July 2011