

立法會
Legislative Council

LC Paper No. CB(2) 314/11-12

Ref : CB2/H/5/11

House Committee of the Legislative Council

**Minutes of the 4th meeting
held in Conference Room 1 of the Legislative Council Complex
at 4:00 pm on Friday, 11 November 2011**

Members present:

Hon Miriam LAU Kin-ye, 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
Dr Hon Margaret NG
Hon CHAN Kam-lam, SBS, JP
Hon LEUNG Yiu-chung
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, 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 Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, SBS, JP
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, GBS, 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
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 Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man

Members absent:

Hon LEE Cheuk-yan
Dr Hon David LI Kwok-po, GBM, GBS, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon WONG Kwok-hing, MH
Dr Hon Joseph LEE Kok-long, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, JP
Dr Hon LEUNG Ka-lau
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
Dr Hon Samson TAM Wai-ho, JP
Hon LEUNG Kwok-hung
Hon Tanya CHAN

Clerk in attendance :

Miss Odelia LEUNG

Clerk to the House Committee

Staff in attendance :

Ms Pauline NG	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Mrs Constance LI	Assistant Secretary General 1
Mrs Justina LAM	Assistant Secretary General 3
Mrs Percy MA	Assistant Secretary General 4
Ms Connie FUNG	Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
Mr Stephen LAM	Principal Council Secretary (Complaints)
Mr Simon WONG	Chief Public Information Officer
Ms Amy YU	Chief Council Secretary (2)6
Mr Timothy TSO	Assistant Legal Adviser 2
Miss Evelyn LEE	Assistant Legal Adviser 10
Miss Josephine SO	Senior Council Secretary (2)7
Ms Judy TING	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)8

Action

I. Confirmation of the minutes of the 3rd meeting held on 4 November 2011

(LC Paper No. CB(2) 256/11-12)

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 bill referred to the House Committee in accordance with Rule 54(4)

Fisheries Protection (Amendment) Bill 2011

(LC Paper No. LS 5/11-12)

Action

3. The Chairman said that the Bill sought to provide for the registration of local fishing vessels, the regulation of fishing within waters of Hong Kong, the designation of fisheries protection areas and the appointment of an authority to manage and control fishing in those areas and for related matters. The Panel on Food Safety and Environmental Hygiene had been consulted on the legislative proposals at its meeting on 8 March 2011.

4. Mr TAM Yiu-chung considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The following Members agreed to join the Bills Committee: Mr Fred LI and Mr WONG Yung-kan (as advised by Mr TAM Yiu-chung).

5. The Chairman said that the Bills Committee on this Bill would be placed on the waiting list. Upon the activation of the Bills Committee, the Secretariat would issue a circular to invite Members to join the Bills Committee. Should less than three Members join the Bills Committee by the deadline for signification of membership, the Bills Committee would not be formed in accordance with the House Rules. Members noted the arrangement.

(b) Legal Service Division report on subsidiary legislation gazetted on 4 November 2011 and tabled in Council on 9 November 2011

(LC Paper No. LS 4/11-12)

6. The Chairman said that two items of subsidiary legislation were gazetted on 4 November 2011 and tabled in the Council on 9 November 2011.

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

8. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was 7 December 2011.

IV. Business for the Council meeting of 23 November 2011

(a) Questions

(LC Paper No. CB(3) 117/11-12)

9. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the meeting.

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

General Holidays and Employment Legislation (Substitution of Holidays) (Amendment) Bill 2011

10. The Chairman said that the Administration had given notice to present the above Bill to the Council on 23 November 2011. The House Committee would consider the Bill at its meeting on 25 November 2011.

(c) **Government motion**

Proposed resolution to be moved by the Secretary for Financial Services and the Treasury under section 48 of the Mandatory Provident Fund Schemes Ordinance relating to the Mandatory Provident Fund Schemes Ordinance (Amendment of Schedule 3) Notice 2011

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 120/11-12 dated 9 November 2011.)

11. The Chairman said that the proposed resolution was for seeking the approval of the Legislative Council to increase the prescribed Maximum Relevant Income Level for contribution purpose under the Mandatory Provident Fund Schemes Ordinance from \$20,000 to \$25,000 per month. The relevant Subcommittee had reported at the last House Committee meeting. The Administration had given fresh notice to move the proposed resolution at the Council meeting.

(d) **Members' motions**

(i) **Motion to be moved by Hon Emily LAU**

12. The Chairman said that Ms Emily LAU had been allocated a debate slot.

(ii) **Motion to be moved by Hon Cyd HO**

13. The Chairman said that the subject of the motion to be moved by Ms Cyd HO was "Improving further education and employment of sub-degree students".

14. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 16 November 2011.

Report on study of subsidiary legislation

15. The Chairman invited Members to note the list of seven items of subsidiary legislation tabled at the meeting, the scrutiny period of which would expire on 23 November 2011. Members who wished to speak on the subsidiary legislation should indicate their intention by 5:00 pm on Tuesday, 15 November 2011.

V. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 257/11-12)

16. The Chairman said that there were 16 Bills Committees, eight subcommittees under the House Committee (i.e. three subcommittees on subsidiary legislation, two subcommittees on policy issues and three subcommittees on other Council business) and eight subcommittees under Panels in action. Three Bills Committees and one subcommittee on policy issues were on the waiting list.

17. There being no other business, the meeting ended at 4:06 pm.