

立法會
Legislative Council

LC Paper No. CB(2) 980/11-12

Ref : CB2/H/5/11

House Committee of the Legislative Council

**Minutes of the 12th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 3 February 2012**

Members present:

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon Fred LI Wah-ming, SBS, JP (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
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 LAU Kong-wah, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, SBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, MH
Dr Hon Joseph LEE Kok-long, SBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon CHIM Pui-chung
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
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 LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS
Hon IP Wai-ming, MH
Hon Mrs Regina IP LAU Suk-yea, GBS, JP
Dr Hon PAN Pey-chyou
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Tanya CHAN
Hon Albert CHAN Wai-yip

Members absent:

Hon Albert HO Chun-yan
Dr Hon David LI Kwok-po, GBM, GBS, JP
Hon WONG Yung-kan, SBS, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Abraham SHEK Lai-him, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon LEE Wing-tat
Hon CHEUNG Hok-ming, GBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Starry LEE Wai-king, JP
Dr Hon Priscilla LEUNG Mei-fun, JP
Hon IP Kwok-him, GBS, JP
Dr Hon Samson TAM Wai-ho, JP
Hon WONG Yuk-man

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 KAU Kin-wah	Senior Assistant Legal Adviser 3
Mr Stephen LAM	Principal Council Secretary (Complaints)
Mr Simon WONG	Chief Public Information Officer
Ms Amy YU	Chief Council Secretary (2)6
Mr Bonny LOO	Assistant Legal Adviser 3
Miss Carrie WONG	Assistant Legal Adviser 4
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 11th meeting held on 13 January 2012

(LC Paper No. CB(2) 910/11-12)

The minutes were confirmed.

II. Matters arising

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

Legislative Programme

2. The Chairman said that CS had indicated that a small number of bills including those on the Legislative Programme 2011-2012 would be introduced shortly to the Council. She had reminded CS that the Administration should introduce the bills on the Legislative Programme as early as possible and avoid bunching of bills at the end of the current term of the Legislative Council. She had also requested CS to introduce all the remaining bills within February 2012.

III. Business arising from previous Council meetings

(a) Legal Service Division report on subsidiary legislation gazetted on 13 January 2012 and tabled in Council on 18 January 2012

(LC Paper No. LS 23/11-12)

Action

3. The Chairman said that only one item of subsidiary legislation, i.e. the Undesirable Medical Advertisements (Amendment) Ordinance 2005 (Commencement) Notice 2012 (L.N. 3), was gazetted on 13 January 2012 and tabled in the Council on 18 January 2012.

4. Members did not raise any queries on the Notice.

5. The Chairman reminded Members that the deadline for amending the Notice was 15 February 2012.

(b) Legal Service Division report on subsidiary legislation gazetted on 20 January 2012 and tabled in Council on 1 February 2012
(*LC Paper No. LS 25/11-12*)

6. The Chairman said that a total of 10 items of subsidiary legislation were gazetted on 20 January 2012 and tabled in the Council on 1 February 2012.

7. Regarding the six Orders made under the Public Bus Services Ordinance (Cap. 230) (L.N. 4 to L.N. 9), the Chairman said that they sought to update the schedules of non-exclusive bus routes operated by five franchised bus companies.

8. Mr KAM Nai-wai considered it necessary to form a subcommittee to study the six Orders in detail. Members agreed. Mr KAM Nai-wai and Mr LEE Wing-tat (as advised by Mr KAM Nai-wai) agreed to join the subcommittee.

9. The Chairman said that the Secretariat would issue a circular to invite Members to join the proposed subcommittee. Should less than three Members join the subcommittee by the deadline for signification of membership, the subcommittee would not be formed in accordance with the House Rules. Members noted the arrangement.

10. Members did not raise any queries on the other four items of subsidiary legislation made under the Public Health and Municipal Services Ordinance (Cap. 132) (L.N. 10 to L.N. 13).

11. The Chairman reminded Members that the deadline for amending the subsidiary legislation was 29 February 2012.

IV. Business for the Council meeting of 8 February 2012

(a) **Tabling of papers**

Report No. 11/11-12 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(*LC Paper No. CB(2) 912/11-12 issued vide LC Paper No. CB(3) 384/11-12 dated 1 February 2012*)

12. The Chairman said that the Report covered four items of subsidiary legislation, the period for amendment of which would expire on 8 February 2012. No Member had indicated intention to speak on the subsidiary legislation.

13. Members noted the Report.

(b) **Questions**

(*LC Paper No. CB(3) 374/11-12*)

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

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

(i) **Legislative Council (Amendment) Bill 2012**

(ii) **Electoral Legislation (Miscellaneous Amendments) Bill 2012**

15. The Chairman said that the Administration had given notice to present the above two Bills to the Council on 8 February 2012. The House Committee would consider these Bills at the next meeting on 10 February 2012.

(d) **Bills - resumption of debate on Second Reading, Committee Stage and Third Reading**

Adaptation of Laws (Military References) Bill 2010

16. The Chairman said that the Bills Committee on the above Bill had reported to the House Committee at the last meeting, and Members did not raise objection to the resumption of the Second Reading debate on the Bill.

(e) **Government motion**

17. The Chairman said that no notice had been received yet.

(f) **Members' motions**

(i) **Proposed resolution to be moved by Hon Cyd HO under section 34(4) of the Interpretation and General Clauses Ordinance relating to the Places of Public Entertainment (Exemption) (Amendment) Order 2011**

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 367/11-12 dated 27 January 2012.)

18. The Chairman said that the above motion would be moved by Ms Cyd HO, Chairman of the relevant Subcommittee, to extend the scrutiny period of the above Order to 29 February 2012.

(ii) **Motion on "Seeking papers, books, records or documents in relation to the 2012 tariff adjustments by CLP Power Hong Kong Limited and The Hongkong Electric Company Limited"**

(Wording of the motion issued vide LC Paper No. CB(3) 359/11-12 dated 20 January 2012.)

19. The Chairman said that the above motion would be moved by her in her capacity as Chairman of the House Committee. The speaking time limit for each Member at the debate was 15 minutes.

(iii) **Motion on "Reviewing the education policy for ethnic minority students"**

(Wording of the motion issued vide LC Paper No. CB(3) 360/11-12 dated 27 January 2012.)

(iv) **Motion on "Formulating an industrial policy"**

(Wording of the motion issued vide LC Paper No. CB(3) 361/11-12 dated 27 January 2012.)

20. The Chairman said that the above two motions would be moved by Mr Abraham SHEK and Mr Andrew LEUNG respectively and the wording of the motions had been issued to Members.

21. The Chairman further said that the deadline for giving notice of amendments to the three Members' motions in (ii) to (iv) above had expired on 1 February 2012.

V. Business for the Council meeting of 15 February 2012

(a) Questions

(LC Paper No. CB(3) 373/11-12)

22. 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

23. The Chairman said that no notice had been received yet.

(c) Government motion

Proposed resolution to be moved by the Secretary for Financial Services and the Treasury under the Public Finance Ordinance

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 383/11-12 dated 1 February 2012.)

(LC Paper No. LS 24/11-12)

24. The Chairman said that the proposed resolution was for seeking funds on account to enable the Government to carry on its services between the start of the financial year on 1 April 2012 and the time when the Appropriation Ordinance 2012 came into operation. The aggregate total sum sought under all heads was fixed at 79,594,567,000 this year.

25. Members did not raise objection to the Administration moving the proposed resolution at the Council meeting.

(d) Members' motions

(i) Motion on "Report of the delegation of the Panel on Manpower to study the experience in the implementation of standard working hours in the Republic of Korea"

(Wording of the motion issued vide LC Paper No. CB(3) 380/11-12 dated 31 January 2012.)

26. The Chairman said that the above motion would be moved by Mr LEE Cheuk-yan in his capacity as Chairman of the Panel on Manpower and leader of the delegation.

(ii) Motion to be moved by Hon CHAN Kin-por

27. The Chairman said that the subject of the motion to be moved by Mr CHAN Kin-por was "Government-led promotion of a territory-wide energy conservation campaign".

28. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 8 February 2012.

Report on study of subsidiary legislation

29. The Chairman invited Members to note the list containing one item of subsidiary legislation tabled at the meeting, the scrutiny period of which would expire on 15 February 2012. Members who wished to speak on the subsidiary legislation should indicate their intention by 5:00 pm on Tuesday, 7 February 2012.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2) 911/11-12)

30. The Chairman said that there were 16 Bills Committees, eight subcommittees under 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. One subcommittee on policy issues, i.e. the Subcommittee on Health Protection Scheme under the Panel on Health Services, was on the waiting list.

31. The Chairman invited Members to note that the Bills Committee on Personal Data (Privacy) (Amendment) Bill 2011 would have to work beyond three months since commencement of its work.

32. There being no other business, the meeting ended at 2:43 pm.