

立法會
Legislative Council

LC Paper No. CB(2)12/13-14

Ref : CB2/H/5/12

House Committee of the Legislative Council

**Minutes of the 34th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 4 October 2013**

Members present:

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)

Hon Ronny TONG Ka-wah, SC (Deputy Chairman)

Hon Albert HO Chun-yan

Hon LEE Cheuk-yan

Hon James TO Kun-sun

Hon CHAN Kam-lam, SBS, JP

Hon LEUNG Yiu-chung

Dr Hon LAU Wong-fat, GBM, GBS, JP

Hon Emily LAU Wai-hing, JP

Hon TAM Yiu-chung, GBS, 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, BBS, MH

Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN

Hon Jeffrey LAM Kin-fung, GBS, JP

Hon WONG Ting-kwong, SBS, JP

Hon Cyd HO Sau-lan

Hon Starry LEE Wai-king, JP

Dr Hon LAM Tai-fai, SBS, JP

Hon CHAN Hak-kan, JP

Hon CHAN Kin-por, BBS, JP

Dr Hon Priscilla LEUNG Mei-fun, SBS, JP

Dr Hon LEUNG Ka-lau

Hon CHEUNG Kwok-che

Hon WONG Kwok-kin, BBS

Hon IP Kwok-him, GBS, JP

Hon Mrs Regina IP LAU Suk-yea, GBS, JP

Hon Paul TSE Wai-chun, JP

Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK
Hon CHAN Chi-chuen
Hon CHAN Han-pan
Dr Hon Kenneth CHAN Ka-lok
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, JP
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen

Members absent:

Hon Abraham SHEK Lai-him, GBS, JP
Hon WONG Yuk-man
Hon CHAN Yuen-han, SBS, JP

Clerk in attendance :

Miss Flora TAI

Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Mrs Justina LAM	Deputy Secretary General
Mr Andy LAU	Assistant Secretary General 1
Miss Odelia LEUNG	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
Ms Dora WAI	Principal Council Secretary 1
Mr Simon WONG	Head (Public Information)
Ms Amy YU	Chief Council Secretary (2)6
Miss Kitty CHENG	Assistant Legal Adviser 5
Ms Wendy KAN	Assistant Legal Adviser 6
Mr YICK Wing-kin	Assistant Legal Adviser 8
Ms Clara TAM	Assistant Legal Adviser 9
Mr Jove CHAN	Senior Council Secretary (2)2
Miss Josephine SO	Senior Council Secretary (2)6
Miss Jasmine TAM	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

Action

I. Confirmation of the minutes of the 33rd meeting held on 12 July 2013

(LC Paper No. CB(2)1828/12-13)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on his 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

Legal Service Division reports on bills referred to the House Committee in accordance with Rule 54(4)

(a) Child Abduction Legislation (Miscellaneous Amendments) Bill 2013

(LC Paper No. LS76/12-13)

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the Bill. LA informed Members that LSD was scrutinizing the legal and drafting aspects of the Bill.

4. Ms Cyd HO considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Ms Cyd HO agreed to join the proposed Bills Committee.

(b) Toys and Children's Products Safety (Amendment) Bill 2013

(LC Paper No. LS77/12-13)

5. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the Bill. LA informed Members that LSD had written to the Administration on certain drafting issues. The Administration had replied that they would prepare a Committee stage amendment to amend a Chinese expression.

6. Mr SIN Chung-kai considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Ms Cyd HO and Mr SIN Chung-kai agreed to join the proposed Bills Committee.

IV. Legal Service Division report on subsidiary legislation gazetted between 12 July and 27 September 2013

(LC Paper No. LS78/12-13)

7. At the invitation of the Chairman, LA briefed Members on the 14 items of subsidiary legislation which were gazetted between 12 July and 27 September 2013. Of these, two items were tabled in Council on 17 July 2013, three items would be tabled in Council on 9 October 2013 and nine items were not required to be tabled in Council.

Action

8. Regarding the six Regulations made under the United Nations Sanctions Ordinance (Cap. 537) (i.e. L.N. 123, L.N. 136, L.N. 137, and L.N. 144 to L.N. 146) which were not required to be tabled in Council, Members agreed that they be referred to the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions.

9. Regarding the Pilotage (Amendment) Regulation 2013 (L.N. 142) which would be tabled in Council on 9 October 2013, Mr SIN Chung-kai considered it necessary to form a subcommittee to study it in detail. The Chairman suggested that the Pilotage (Amendment) Ordinance 2013 (Commencement) Notice (L.N. 143) be studied by the proposed subcommittee as well. Members agreed. Mr SIN Chung-kai agreed to join the proposed subcommittee.

10. Members did not raise any question on the other six items of subsidiary legislation (i.e. L.N. 121, L.N. 122, and L.N. 138 to L.N. 141).

V. Business for the Council meeting of 9 October 2013

(a) Questions

(LC Paper No. CB(3)18/13-14)

11. The Chairman said that 22 questions (six oral and 16 written) had been scheduled for the meeting.

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

Peak Tramway (Amendment) Bill 2013

12. The Chairman said that the Administration had given notice to present the above Bill to the Council on 9 October 2013. The House Committee ("HC") would consider the Bill at its meeting on 11 October 2013.

(c) Government motion

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

(d) **Members' motions**

- (i) **Proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Solicitors (General) Costs (Amendment) Rules 2013 to be moved by Hon Dennis KWOK**
(Wording of the proposed resolution issued vide LC Paper No. CB(3)15/13-14 dated 30 September 2013)
- (ii) **Proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Arbitration (Appointment of Arbitrators and Mediators and Decision on Number of Arbitrators) Rules to be moved by Hon Dennis KWOK**
(Wording of the proposed resolution issued vide LC Paper No. CB(3)13/13-14 dated 27 September 2013)

14. The Chairman said that Mr Dennis KWOK, Chairman of the two subcommittees to study respectively the above two Rules, would move proposed resolutions at the Council meeting to extend the scrutiny period of the above Rules to 6 November 2013.

- (iii) **Motion under the Legislative Council (Powers and Privileges) Ordinance to be moved by Dr Hon KWOK Ka-ki**
(Wording of the motion issued vide LC Paper No. CB(3)10/13-14 dated 26 September 2013)
- (iv) **Motion on "Formulating long-term infrastructure planning to promote sustainable development" to be moved by Ir Dr LO Wai-kwok**
(Wording of the motion issued vide LC Paper No. CB(3)8/13-14 dated 25 September 2013)
- (v) **Motion on "Formulating a target ratio of housing expenses and a standard for the average living space per person" to be moved by Hon Tony TSE**
(Wording of the motion issued vide LC Paper No. CB(3)9/13-14 dated 25 September 2013)

15. The Chairman informed Members that the deadline for giving notice of amendments to the above three motions had expired on 2 October 2013.

VI. Business for the Council meeting of 16 October 2013

(a) Questions

(LC Paper No. CB(3)17/13-14)

16. The Chairman said that 22 questions (six oral and 16 written) had been scheduled for the meeting.

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

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

(c) Government motion

Proposed resolution under section 29 of the Pharmacy and Poisons Ordinance (Cap. 138) to be moved by the Secretary for Food and Health

(Wording of the proposed resolution issued vide LC Paper No. CB(3)14/13-14 dated 27 September 2013)

(LC Paper No. LS1/13-14)

18. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the proposed resolution.

19. Members did not raise objection to the Administration moving the proposed resolution at the Council meeting of 16 October 2013.

(d) Members' motions

(i) Motion on "Vote of no confidence in the Chief Executive" to be moved by Dr Hon KWOK Ka-ki

(Wording of the motion issued vide LC Paper No. CB(3)19/13-14 dated 30 September 2013)

(ii) Motion to be moved by Hon Kenneth LEUNG

20. The Chairman said that the subject of the motion to be moved by Mr Kenneth LEUNG was "Optimizing public finances and enhancing the impetus for innovation in Hong Kong's economy". The wording of the motion had been issued to Members.

21. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Tuesday, 8 October 2013.

Report of HC on Consideration of Subsidiary Legislation

22. The Chairman invited Members to note that a list containing five items of subsidiary legislation, the period for amendment of which would expire on 16 October 2013, had been tabled at the meeting. Members who wished to speak on the subsidiary legislation should indicate their intention by 5:00 pm on Tuesday, 8 October 2013.

VII. The Chief Executive's Question and Answer Session on 17 October 2013

23. The Chairman said that the Chief Executive ("CE")'s Question and Answer Session would be held from 9:30 am to 11:00 am. CE had indicated that he had no preference for Members to focus their questions on any particular area.

VIII. Advance information on business for the Council meeting of 23 October 2013

Bills - First Reading and moving of Second Reading

Air Pollution Control (Amendment) (No. 2) Bill 2013

24. The Chairman said that the Administration had given notice to present the above Bill to the Council on 23 October 2013. HC would consider the Bill at its meeting on 25 October 2013.

IX. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)1829/12-13)

25. The Chairman said that as at 3 October 2013, there were seven Bills Committees (three of which would need to work beyond three months since commencement of their work), seven subcommittees under HC (i.e. four subcommittees on subsidiary legislation, one subcommittee on policy issues and two subcommittees on other Council business) and seven subcommittees on policy issues under Panels in action. Four subcommittees on policy issues under Panels were on the waiting list.

X. Determination of a date for the election of members of The Legislative Council Commission

(LC Paper No. AS3/13-14)

26. Members agreed that the election of members of The Legislative Council Commission be held at HC meeting on 18 October 2013.

Action

XI. Proposal of Dr Hon KWOK Ka-ki to discuss the setting up of a select committee to inquire into issues relating to the possible conflict of interest arising from the Secretary for Development, Mr Paul CHAN Mo-po's alleged ownership of agricultural land in the areas covered by the North East New Territories New Development Areas Project; and the authorization of the select committee to exercise the powers under section 9(1) of the Legislative Council (Powers and Privileges) Ordinance

(Letter dated 5 September 2013 from Dr Hon KWOK Ka-ki (LC Paper No. CB(2) 1825/12-13(01)))

27. The Chairman said that Dr KWOK Ka-ki had given notice to move a motion at the Council meeting of 9 October 2013 to seek the Council's authorization to appoint the proposed select committee. Should HC agree to Dr KWOK's proposal, the motion for the appointment of the proposed select committee would be moved by the HC Chairman instead, subject to the President's permission to dispense with the requisite notice for moving the motion.

28. At the invitation of the Chairman, Dr KWOK Ka-ki said that it had been some three months since media reports revealed possible conflict of interest arising from the Secretary for Development ("SDEV"), Mr Paul CHAN's alleged ownership of three plots of land amounting to 18 000 square feet within the ambit of the North East New Territories New Development Areas ("NENT NDAs") Project. Mr CHAN was given ample opportunities to clearly explain the matter at the special meetings of the Panel on Development held in July 2013, but he only provided information little by little without telling the whole truth. Given that Mr CHAN was in charge of the NENT NDAs Project and he and his family could stand to gain substantially from the Government's decision on the planning and compensation of the areas covered by the Project, Dr KWOK considered it incumbent upon LegCo to inquire into the matter. As the three shareholders of the company which held the three plots of land were all overseas companies, the only way for LegCo to find out details of the companies' shareholders and whether there was any conflict of interest involved was to exercise the powers under the Legislative Council (Powers and Privileges) Ordinance ("P&P Ordinance") to conduct an inquiry. Dr KWOK appealed to Members to support his proposal.

29. Ms Emily LAU said that Members belonging to the Democratic Party supported Dr KWOK Ka-ki's proposal, and many Hong Kong people considered that Mr Paul CHAN should not continue to serve as SDEV and called for him to step down. Should HC support Dr KWOK's proposal, it would send a clear message to Mr CHAN that he should step down, without having to wait for LegCo to actually conduct the inquiry.

Action

30. Mr LEUNG Kwok-hung said that he supported the proposed appointment of a select committee to inquire into the matter to find out whether SDEV had abused his power and told lies. In Mr LEUNG's view, the conduct of an inquiry by LegCo with the powers conferred under the P&P Ordinance was the only way to restore the credibility of the Administration. The proposed inquiry would also provide a platform for SDEV to explain the matter to the public

31. Mr Frederick FUNG said that Mr Paul CHAN, as SDEV, was in charge of planning and lands matters which often involved huge amounts of monies and financial interests, and he was expected to be "whiter than white". Given the many unanswered questions surrounding the ownership of the land concerned, an inquiry should be conducted by LegCo to ascertain the truth of the matter.

32. Mr James TIEN said that Members belonging to the Liberal Party did not want to see the progress of the proposed NENT NDAs Project being delayed by the controversy arising from Mr Paul CHAN's alleged ownership of land in the areas. Mr TIEN pointed out that the land concerned was purchased by Mr CHAN and his family more than 10 years ago, long before he was appointed as SDEV. The amount of compensation for affected landowners would be worked out by the relevant professionals in the Development Bureau and it was not up to SDEV to decide on the matter by himself. He added that it would be a waste of Members' time and LegCo's resources to conduct the proposed inquiry, which would unlikely find out more about the matter. Members belonging to the Liberal Party did not support Dr KWOK Ka-ki's proposal.

33. Mr CHAN Kin-por opposed Dr KWOK Ka-ki's proposal as he did not consider that a case had been made out for invoking the powers under the P&P Ordinance to inquire into the matter. Instead of dwelling on the matter, Members should discuss important matters affecting the economy of Hong Kong and the livelihood of the public, such as the recent launch of the pilot free trade zone scheme in Shanghai.

34. Mr IP Kwok-him said that Members belonging to the Democratic Alliance for the Betterment and Progress of Hong Kong did not consider it necessary to invoke the powers under the P&P Ordinance to conduct an inquiry, as SDEV had already explained the matter at the special meetings of the Panel on Development held in July 2013. Mr IP questioned the need for Dr KWOK Ka-ki to raise the matter for discussion at this HC meeting, given that Dr KWOK had already given notice for moving a motion on the same matter at the next Council meeting.

35. Ir Dr LO Wai-kwok said that the land concerned was lawfully purchased by Mr Paul CHAN and his family more than 10 years ago. After Mr CHAN had taken up the post of SDEV, he had made a declaration of interest to CE regarding the land in October 2012. Ir Dr LO did not consider that the evidence available so far warranted the invocation of the powers under the P&P Ordinance to inquire into the matter.

36. Mr Michael TIEN considered that there was no case for invoking the powers under the P&P Ordinance to inquire into the matter. He pointed out that under the revised development proposals for the NENT NDAs Project, the land allegedly owned by Mr Paul CHAN, which was originally zoned for private development, was rezoned for public housing. This refuted the claim that SDEV had abused his power for personal gain. Furthermore, Mr CHAN had complied with the relevant requirements for declaration of interests by officials under the political appointment system. As regards the allegation that Mr CHAN failed to produce concrete evidence to support his claims on the ownership of the overseas companies concerned, Mr TIEN pointed out that Mr CHAN had explained that legally he was not in a position to provide details of the shareholders who did not want their identities disclosed. Mr TIEN did not consider that the conduct of the proposed inquiry was warranted and therefore opposed the proposal.

37. Mr WONG Kwok-kin said that the allegation of SDEV stockpiling land was unfounded. Members belonging to the Hong Kong Federation of Trade Unions were of the view that the discussion on the allegations arising from Mr Paul CHAN's alleged ownership of land in the areas covered by the NENT NDAs Project should come to an end, given that there was no new development. They opposed the proposal to invoke the powers under the P&P Ordinance to inquire into the matter.

38. Mr CHAN Chi-chuen said that at the special meeting of the Panel on Development held on 26 July 2013, a motion moved by him and Mr Albert CHAN requesting SDEV to resign from office was passed. Members belonging to People Power supported Dr KWOK Ka-ki's proposal, given the many unanswered questions about the matter, such as whether any conflict of interest was involved, whether it was illegal for a dormant company to receive rent, whether there was any intention to stockpile land and whether SDEV and his wife no longer had any interest in the land. Mr CHAN stressed that the conduct of an inquiry by LegCo under the P&P Ordinance could help obtain new information and clear the doubts surrounding the matter.

Action

39. Mr Paul TSE also considered that many doubts about the matter had yet to be cleared, as SDEV had failed to provide concrete evidence to support his explanations. Mr TSE suggested that SDEV should consider giving a full account of the matter under oath, so as to allay public concern about his possible conflict of interest. Mr TSE said that he would abstain from voting on Dr KWOK Ka-ki's proposal at this HC meeting, but would not rule out supporting a similar proposal at a later stage.

40. Mr Albert CHAN said that the series of incidents involving Mr Paul CHAN since his assumption of office as SDEV which included allegations of ownership of sub-divided units, drink driving and stockpiling of land had called into question his integrity and he should have stepped down. Mr CHAN added that SDEV's refusal to step down and his delaying tactic only served to further infuriate the public.

41. Dr KWOK Ka-ki said that Mr Paul CHAN should resign from his office of SDEV immediately; otherwise, his integrity problem would only adversely impact upon the implementation of the NENT NDAs Project. Dr KWOK further said that if the proposed select committee was appointed, Members would be able to invoke the powers under the P&P Ordinance to summon witnesses, including Mr CHAN, to give evidence under oath.

42. The Chairman put to vote the proposal of Dr KWOK Ka-ki to set up a select committee to inquire into issues relating to the possible conflict of interest arising from SDEV Mr Paul CHAN's alleged ownership of agricultural land in the areas covered by the NENT NDAs Project; and the authorization of the select committee to exercise the powers under section 9(1) of the P&P Ordinance. Ms Emily LAU requested a division.

The following Members voted in favour of the proposal:

Mr Albert HO, Mr LEE Cheuk-yan, Mr James TO, Mr LEUNG Yiu-chung, Ms Emily LAU, Mr Frederick FUNG, Prof Joseph LEE, Mr Ronny TONG, Ms Cyd HO, Mr CHEUNG Kwok-che, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Mr Charles MOK, Mr CHAN Chi-chuen, Dr Kenneth CHAN, Mr Kenneth LEUNG, Dr KWOK Ka-ki, Mr Dennis KWOK, Dr Fernando CHEUNG, Mr SIN Chung-kai, Dr Helena WONG and Mr IP Kin-yuen.

(26 Members)

Action

The following Members voted against the proposal:

Mr CHAN Kam-lam, Dr LAU Wong-fat, Mr TAM Yiu-chung, Mr Tommy CHEUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Mr Jeffrey LAM, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Hak-kan, Mr CHAN Kin-por, Dr Priscilla LEUNG, Dr LEUNG Ka-lau, Mr WONG Kwok-kin, Mr IP Kwok-him, Mrs Regina IP, Mr Michael TIEN, Mr James TIEN, Mr NG Leung-sing, Mr Steven HO, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr CHAN Han-pan, Mr LEUNG Che-cheung, Miss Alice MAK, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Dr Elizabeth QUAT, Mr Martin LIAO, Mr POON Siu-ping, Mr TANG Ka-piu, Dr CHIANG Lai-wan, Ir Dr LO Wai-kwok, Mr CHUNG Kwok-pan, Mr Christopher CHUNG and Mr Tony TSE.
(37 Members)

The following Members abstained from voting:

Dr LAM Tai-fai and Mr Paul TSE.
(2 Members)

43. The Chairman declared that 26 Members voted for and 37 Members voted against the proposal and two Members abstained from voting. The Chairman declared that the proposal was negatived.

XII. Election of the Chairman and Deputy Chairman of the House Committee for the 2013-2014 session

Election of Chairman

44. The Chairman called for nominations for the chairmanship of HC for the 2013-2014 session. Mr Andrew LEUNG was nominated by Mr IP Kwok-him and the nomination was seconded by Mr WONG Kwok-kin. Mr Andrew LEUNG accepted the nomination.

45. The Deputy Chairman, Mr Ronny TONG, took over from Mr Andrew LEUNG to preside over the election. As there was no other nomination, Mr Ronny TONG declared Mr Andrew LEUNG elected as the Chairman of HC for the 2013-2014 session.

Election of Deputy Chairman

46. The Chairman called for nominations for the deputy chairmanship of HC for the 2013-2014 session. Mr Ronny TONG was nominated by Mr Alan LEONG and the nomination was seconded by Mr SIN Chung-kai. Mr Ronny TONG accepted the nomination.

Action

47. As there was no other nomination, the Chairman declared Mr Ronny TONG elected as the Deputy Chairman of HC for the 2013-2014 session.

XIII. Any other business

- (a) **Hon Emily LAU's letter dated 18 September 2013 regarding Members' acceptance of invitations for overseas visits**
(Letter dated 18 September 2013 from Hon Emily LAU (LC Paper No. CB(2) 1825/12-13(02)))

48. At the invitation of the Chairman, Ms Emily LAU said that in view of the recent public concern about eight Members' acceptance of Cathay Pacific Airways' invitation for a visit to France in August 2013, she considered it necessary for LegCo to review the existing arrangements for Members' acceptance of invitations for overseas visits. She noted that the Chairman had written to the Chairman of the Committee on Members' Interests ("CMI"), referring her letter to CMI for follow-up. Given that CMI consisted of only seven members, she was concerned that not all Members could participate in the discussion of the matter. She also considered that there might be a need for Members to receive public views on the matter. To facilitate Members' discussion, she requested the LegCo Secretariat to provide Members with relevant information including practices of overseas parliaments.

49. The Chairman said that the Chairman of CMI, Mr IP Kwok-him, had agreed to follow up the matter. After CMI had studied the matter, Members could consider whether any further follow-up action was necessary.

50. Mr IP Kwok-him said that he had also received requests from other Members for discussion of the matter, which had been included in CMI's list of outstanding issues. CMI would follow up the matter in accordance with the relevant rules of the Rules of Procedure ("RoP") and, where necessary, would revert to HC and the Council on the outcome of its deliberations.

51. The Deputy Chairman said that while he had no objection to referring the matter to CMI, not all Members could participate in the discussion of the matter as it comprised only seven members. He had been invited to attend or give speeches at conferences and seminars held overseas. He considered it necessary for CMI to come up with a clear definition of "overseas visits" in discussing the matter.

Action

52. Ms Emily LAU suggested that all Members be invited to attend the CMI meetings for discussion of the matter. Non-CMI Members could also write to CMI to express their views. The Deputy Chairman could give his views on the definition of "overseas visits" when the matter was considered by CMI.

53. The Chairman said that Members belonging to different political parties and groupings were broadly represented on CMI. He trusted that CMI would follow up the matter in a fair and impartial manner, and seek Members' views where necessary.

54. At the invitation of the Chairman, Secretary General ("SG") advised that under RoP 83(5), "registrable interests" included, among others, overseas visits made by a Member or his spouse relating to or arising out of membership of the Council where the cost of any such visit had not been wholly borne by the Member or public funds. SG further advised that CMI of the Fourth LegCo had reviewed the requirements for Members' registration of interests under RoP 83 and had come up with a proposal which involved amendments to RoP. The proposed resolution to amend RoP, however, could not be dealt with before the Council's prorogation. CMI of the current term of LegCo could re-visit the matter as appropriate. In response to Ms Emily LAU, SG added that the Secretariat would research information on the relevant rules and practices of overseas parliaments for Members' reference.

55. Members agreed that the matter be referred to CMI for follow-up.

(b) Up-to-date position on the signification of membership of Panels

56. The Chairman reminded Members that the deadline for signification of membership of Panels was 12:00 noon, Saturday, 5 October 2013.

57. There being no other business, the meeting ended at 3:28 pm.