

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1947/15-16

(These minutes have been  
seen by the Administration)

Ref : CB2/BC/9/13

**Bills Committee on Private Columbaria Bill**

**Minutes of the thirty-second meeting  
held on Tuesday, 24 May 2016, at 2:30 pm  
in Conference Room 2B of the Legislative Council Complex**

**Members present** : Hon IP Kwok-him, GBS, JP (Chairman)  
Dr Hon Kenneth CHAN Ka-lok (Deputy Chairman)  
Hon LEE Cheuk-yan  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Hon Cyd HO Sau-lan, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Hon Albert CHAN Wai-yip  
Hon WU Chi-wai, MH  
Hon CHAN Han-pan, JP  
Hon CHAN Yuen-han, SBS, JP  
Hon LEUNG Che-cheung, BBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Dr Hon Helena WONG Pik-wan  
Dr Hon Elizabeth QUAT, JP  
Hon Tony TSE Wai-chuen, BBS

**Members absent** : Hon James TO Kun-sun  
Hon CHAN Hak-kan, JP  
Hon CHEUNG Kwok-che  
Hon Paul TSE Wai-chun, JP  
Hon WONG Yuk-man  
Hon Steven HO Chun-yin, BBS  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

**Public Officers : Item I**  
**attending**

Mr Christopher WONG, JP  
Deputy Secretary for Food and Health (Food)1  
Food and Health Bureau

Miss Diane WONG  
Principal Assistant Secretary for Food and Health  
(Food)2  
Food and Health Bureau

Ms Phyllis KO  
Senior Assistant Law Draftsman  
Department of Justice

Miss Cindy CHEUK  
Government Counsel  
Department of Justice

Mr CHIU Yu-chow  
Assistant Director (Grade Management and  
Development)  
Food and Environmental Hygiene Department

Mr HUI Fai-wing  
Senior Superintendent (Cemeteries & Crematoria)  
Special Duties  
Food and Environmental Hygiene Department

Mr Thomas LEUNG  
Assistant Director/New Buildings 1  
Buildings Department

Ms Doris CHOW  
Assistant Director (Estate Management)  
(Lands Administration Office/Headquarters)  
Lands Department

Ms Christine TSE  
Assistant Director of Planning (Special Duties)  
Planning Department

**Clerk in attendance** : Mr Colin CHUI  
Chief Council Secretary (2) 4

**Staff in attendance** : Ms Wendy KAN  
Assistant Legal Adviser 6

Ms Catherina YU  
Senior Council Secretary (2) 4

Miss Maggie CHIU  
Legislative Assistant (2) 4

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Action

**I. Meeting with the Administration**

[File Ref.: FH CR 2/3751/07, LC Paper Nos. CB(3)740/13-14, CB(2)2141/13-14(01), CB(2)2338/13-14(08), CB(2)431/14-15(01), CB(2)630/14-15(01), CB(2)367/15-16(01) to (04), CB(2)486/15-16(02)(Revised), CB(2)548/15-16(02)(Revised), CB(2)548/15-16(03) to (05), CB(2)721/15-16(02) and CB(2)1399/15-16(01)]

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

2. The Bills Committee requested the Administration to:

- (a) consider revising the proposed clause 64(5B) to the effect that a person who had operated, kept, managed or in any other way had control of the columbarium would be required under the Bill to produce information for facilitating a person in possession to carry out the work on ash disposal. Similar consideration applied in the context of clause 65(5A);
- (b) consider including in Part 8 of the Bill the term of appointment and resignation arrangements of members of the panel of persons under the Private Columbaria Appeal Board ("the Appeal Board");
- (c) consider including in the Bill provisions about giving public access to information on appeals;

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- (d) amend clause 72 so as to allow the transferees and the parties referred to in clause 68 and section 17 of Schedule 5 to lodge appeals to the Appeal Board;
- (e) during the resumption of Second Reading debate on the Bill, provide a policy statement on the appeal mechanism for interment of ashes of religious practitioners in religious ash pagodas;
- (f) convey to the Home Affairs Bureau the need to establish an appeal mechanism for interment of ashes of religious practitioners in religious ash pagodas;
- (g) consider amending the relevant provisions in the Bill to the effect that all notices of the relevant decisions should be given in writing for the purposes of clause 72(2);
- (h) consider whether to upload the status and results of applications for specified instruments (i.e. a licence, an exemption or a temporary suspension of liability) onto the relevant website or provide a reference card to applicants for specified instruments to check the progress of their applications;
- (i) consider amending the proposed clause 94A so that certain documents must not be sent by electronic mail (e.g. notice of appeal) and amending the proposed clause 94A(3) to include persons such as an authorized officer;
- (j) amend clause 120;
- (k) consider providing in the Bill that amendments of Schedule 1 should be made by way of subsidiary legislation subject to positive vetting;
- (l) consider amending section 5(a) of Schedule 1 to require a member of the future Private Columbaria Licensing Board ("the Licensing Board") or a committee who noticed that he/she had a direct or indirect interest in a matter under consideration only after the meeting had begun to disclose to the Licensing Board or the committee the nature of the interest as soon as he/she was aware of the aforesaid interest;
- (m) consider amending section 1(b) of Schedule 2 to include columbarium premises which were acquired through adverse possession as confirmed by the court;

Action

- (n) consider spelling out in Schedule 4 the particulars which must be set out in an agreement for the sale of an interment right as required, for example, under section 1(b)(i), (ii) and (iii) and section 2(b)(v) of Schedule 4; and
- (o) consider deleting "including" from section 2(e) of Schedule 4.

**II. Date of next meeting**

- 3. Members noted that the next meeting would be held on Monday, 30 May 2016 at 8:30 am.

**III. Any other business**

- 4. There being no other business, the meeting ended at 5:55 pm.

Council Business Division 2  
Legislative Council Secretariat  
1 August 2016

**Proceedings of the thirty-second meeting of the  
Bills Committee on Private Columbaria Bill  
on Tuesday, 24 May 2016, at 2:30 pm  
in Conference Room 2B of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Meeting with the Administration</i>			
000456 - 000557	Chairman	Opening remarks	
000558 - 000920	Chairman ALA6 Admin	<p>To follow up the discussion on the proposed clause 64(5B) at the last meeting of the Bills Committee on 17 May 2016, the Administration advised that it would consider revising the proposed clause 64(5B) to the effect that a person who had operated, kept, managed or in any other way had control of the columbarium would be required under the Bill to produce information for facilitating a person in possession to carry out the work on ash disposal. Similar consideration applied in the context of clause 65(5A).</p> <p>ALA6 drew members' attention that under the revised proposals, no criminal sanction would be imposed for failing to produce such information and invited members to consider whether it was acceptable from policy prospective not to impose such sanction.</p>	Admin (paragraph 2(a) of the minutes)
000921 - 000953	Chairman	Suspension of meeting	
000954 - 001744	Chairman ALA6 Deputy Chairman Admin	<p>Discussion of the full set of draft Committee stage amendments ("CSAs") to the Bill proposed by the Administration (updated version) (LC Paper No. CB(2)1399/15-16(01)).</p> <p><u>Clause 71 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>ALA6 invited members to consider whether it was acceptable not to provide in clause 71(3) the term of appointment and resignation arrangements (e.g. whether resignation should be tendered in writing, notification period, etc.) of members of the panel of persons under the Private Columbaria Appeal Board ("the Appeal Board"). The Administration explained that the term of appointment of members of the panel would follow the mainstream arrangements applicable to members of other statutory bodies and resignation of members of the panel could be dealt with administratively.</p>	

Time marker	Speaker(s)	Subject(s)	Action required
		Views of the Chairman and Deputy Chairman that for clarity sake, the term of appointment and resignation arrangements of members of the panel should be included in Part 8 of the Bill. The Administration undertook to consider it.	Admin (paragraph 2(b) of the minutes)
001745 - 003806	Chairman Mr Albert CHAN ALA6 Deputy Chairman Admin	<p><u>Clause 72 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>Mr Albert CHAN's enquiry and the Administration's response regarding whether information on appeals, e.g. the name of an appellant, the date of submitting the appeal, etc., would be made public.</p> <p>The Chairman's enquiry and the Administration's response regarding the means of publishing information on appeals and giving public access to information on appeals. The Chairman's view that there should be provisions in the Bill about giving public access to information on appeals. The Administration undertook to consider the Chairman's view.</p> <p>ALA6 invited members to consider whether the Administration's proposed CSA to clause 72(1), which limited the persons who could appeal to applicants for and holders of specified instruments (i.e. a licence, an exemption or a temporary suspension of liability), was acceptable. The Administration's advice that the aforesaid persons were applicants aggrieved by the decisions made, and other parties might apply for judicial review against the decisions of the future Private Columbaria Licensing Board ("the Licensing Board") or the Appeal Board, as the case might be.</p> <p>The Deputy Chairman considered the proposed CSA acceptable if the appeals were made known to the parties who might be affected by the operation of the columbaria concerned.</p> <p>The Chairman considered the Administration's proposal acceptable.</p> <p>ALA6's views that separately, the proposed CSA would give rise to the following concerns:</p> <p>(a) it was unclear whether a transferee could appeal against the refusal of an application for a transfer of a specified instrument referred to in clause 72(1)(b); and</p>	Admin (paragraph 2(c) of the minutes)

Time marker	Speaker(s)	Subject(s)	Action required
		<p>(b) the persons (except applicants for and holders of specified instruments) referred to in clause 68 and section 17 of Schedule 5 could not appeal against a refusal of an application for the issue of a certificate of cessation of columbarium use under clause 68 and a refusal of an application for approval of an ash disposal plan under section 17 of Schedule 5 pursuant to clause 72(1)(g) and (1)(h) respectively.</p> <p>The Administration's response that amendments would be made to clause 72 to allow any applicant and a holder of a specified instrument to appeal to the Appeal Board. In this way, "any applicant" could cover other parties (such as a transferee and a person in possession) making an application under the relevant provisions in the Bill.</p> <p>ALA6's advice that the scope of appeal provided for in clause 72 did not cover the proposed clause 46C which dealt with interment of ashes in religious ash pagodas. She invited members to consider whether the arrangement was acceptable. The Administration's advice that the Home Affairs Bureau ("HAB") was considering establishing a mechanism for handling appeals in relation to matters stipulated in the proposed clause 46C.</p> <p>The Chairman's view that it was appropriate for HAB to handle appeals in relation to interment of ashes in religious ash pagodas.</p> <p>The Deputy Chairman's view that the Administration should, during the resumption of Second Reading debate on the Bill, provide a policy statement on the appeal mechanism for interment of ashes of religious practitioners in religious ash pagodas.</p> <p>The Chairman's request for the Administration to convey to HAB the need to establish an appeal mechanism for interment of ashes of religious practitioners in religious ash pagodas.</p>	<p>Admin (paragraph 2(d) of the minutes)</p> <p>Admin (paragraph 2(e) of the minutes)</p> <p>Admin (paragraph 2(f) of the minutes)</p>
003807 - 004558	Chairman Mr Albert CHAN ALA6 Admin	Mr Albert CHAN's enquiry and the Administration's response in relation to briefing by HAB on the progress of its work under the proposed clause 46C. The Administration's suggestion that the relevant Panel should follow up the matter.	

Time marker	Speaker(s)	Subject(s)	Action required
		<p>Mr CHAN's enquiry and ALA6's response regarding whether there would be any legal interface issue if columbaria in Chinese temples were regulated by HAB rather than by the Licensing Board.</p> <p>Mr CHAN's concern and the Administration's response regarding whether there would be different arrangements for premium payable by operators of columbaria in Chinese temples.</p> <p>ALA6's suggestion that the relevant provisions in the Bill should be amended to the effect that all notices of the relevant decisions should be given in writing so that there would not be ambiguity about the period within which a notice of appeal should be lodged under clause 72(2). The Administration undertook to consider it.</p>	Admin (paragraph 2(g) of the minutes)
004559 - 004646	Chairman Admin	<p><u>Clause 73 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>The Administration's briefing on its proposed CSAs.</p>	
004647 - 004833	Chairman Deputy Chairman Admin	<p><u>Clause 74 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>Views of the Chairman and the Deputy Chairman on the replacement of "着手" by "逕行" in the Chinese text of clause 74(4)(a) as proposed by the Administration.</p>	
004834 - 005055	Chairman Admin	<p><u>Clause 75 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>The Chairman's enquiry and the Administration's response regarding whether any members of the Appeal Board could sign a notice of the Appeal Board if "signed by the presiding officer" was deleted from clause 75(1)(b) as proposed by the Administration. The Administration's advice that under clause 75(3), any notice or order of an Appeal Board hearing an appeal was to be issued by the presiding officer of the Appeal Board.</p>	
005056 - 005203	Chairman Mr Albert CHAN ALA6 Admin	<p><u>Clause 76 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>ALA6's response to Mr Albert CHAN's enquiry that provisions on privileges against disclosure of material before an appeal board were also found in other legislation.</p>	

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005204 - 005300	Chairman Admin	<p><u>Clause 78 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>The Administration's briefing on its proposed CSAs.</p>	
005301 - 011150	Chairman ALA6 Deputy Chairman Mr LEUNG Kwok-hung Mr CHAN Han-pan Admin	<p><u>Clause 79 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>ALA6's enquiry and advice, and the Administration's response regarding providing that the rules made under clause 79 were not subsidiary legislation. The Chairman's view that the Administration's proposal was acceptable.</p> <p>In response to ALA6's enquiry, the Administration advised that it would make reference to the relevant provisions in the Telecommunications Ordinance (Cap. 106) in considering how to disseminate information on rules, practice and procedure of the Appeal Board to the public.</p> <p>At the Deputy Chairman's request, the Administration explained the procedures relating to the hearing of appeals by the Appeal Board.</p> <p>Mr LEUNG Kwok-hung's enquiry and the Administration's response regarding the steps to be taken to ensure that the parties concerned were aware of the procedures of the appeal mechanism.</p> <p>Concerns of Mr LEUNG' Kwok-hung and the Chairman that a person might miss the deadline for lodging an appeal if he/she did not receive the Licensing Board's decision of refusing his/her application in respect of a specified instrument. Mr LEUNG's suggestion of stipulating in the Bill that the Licensing Board's refusal of applications in respect of specified instruments should be sent by registered post. The Administration explained the proposed clause 94A(3) which concerned notifying decisions made by the Licensing Board.</p> <p>Mr CHAN Han-pan's suggestion of sending a reference card to applicants for specified instruments to facilitate them to check the progress of their applications. The Administration responded that it would consider whether to upload the status and results of applications for specified instruments onto the relevant website or consider Mr CHAN's suggestion.</p>	Admin (paragraph 2(h) of the minutes)

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011151 - 011718	Chairman Admin	<u>Clauses 80 to 82, 84, 87 to 88 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  The Administration's briefing on its proposed CSAs.	
011719 - 011807	Chairman Deputy Chairman Admin	<u>Clause 90 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  The Administration's response to the Deputy Chairman's enquiry that the fees under clause 90 would be charged on a full cost recovery basis.	
011808 - 011937	Chairman ALA6 Admin	<u>Clause 91 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  ALA6 invited members to consider whether it was acceptable that Schedule 1 could be amended by way of subsidiary legislation subject to negative vetting. No members raised objection in this regard.	
011938 - 011958	Chairman Admin	<u>Clause 92 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  The Administration's briefing on its proposed CSAs.	
011959 - 012535	Chairman Mr Albert CHAN ALA6 Admin	<u>Clause 94 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  Mr Albert CHAN's enquiry and the Administration's response regarding whether, in addition to acting in good faith, a person covered in clause 94(2) was required to meet other conditions in order to be immune from civil liability. The Administration explained that clause 94(4) provided that clause 94(1) did not affect any liability of the Government in respect of an act or omission of a public officer. Mr CHAN's view that there should be more stringent requirements for giving public officers immunity from civil liability.  At Mr CHAN's request, ALA6 would provide examples of legislation which contained provisions which were similar to clause 94(1).	
012536 - 013041	Chairman Mr Albert CHAN ALA6 Admin	<u>The proposed clause 94A (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  Mr Albert CHAN's enquiry and the Administration's response in relation to submitting plans with large file size by electronic mail.	

Time marker	Speaker(s)	Subject(s)	Action required
		ALA6's view that the proposed clause 94A should be amended so that certain documents must not be sent by electronic mail (e.g. notice of appeal) and the proposed clause 94A(3) should be amended to include persons such as an authorized officer. The Administration undertook to consider it.	Admin (paragraph 2(i) of the minutes)
013042 - 013539	Chairman Admin	<u>Clauses 96 to 98 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  The Administration's briefing on its proposed CSAs.	
013540 - 015215	Chairman Mr Albert CHAN ALA6 Admin	<u>Clause 99 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  Mr Albert CHAN's enquiry and the Administration's response regarding regulation of non-compliant structures of columbaria operated in private buildings (e.g. structures on land licences or New Territories ("NT") small buildings) to which section 14 of the Buildings Ordinance (Cap. 123) did not apply. The Administration's explanation of sections 3 and 4 of Schedule 2 which concerned compliance with building-related requirements and the meanings of certifiable building, non-compliant structures and structures certifiable for a pre-Bill columbarium. Cap. 123 did not apply to structures on land licences.  Enquiries of the Chairman and Mr Albert CHAN regarding whether modifications under clause 99 in respect of Cap. 123 would also be applicable to NT small buildings. ALA6's view that the aforesaid modifications would not be applicable to buildings other than those covered by Cap. 123.  Mr CHAN's view that the same modifications should apply to non-compliant structures of buildings covered by Cap. 123 and NT small buildings.  The Administration's response that Schedule 2 also covered how NT small buildings should be handled under the regulatory regime. Insofar as the relevant provisions of Cap. 123 were applicable to them, NT small buildings were not treated unequally with other buildings that were subject to Cap. 123 in terms of the provision on "effect of Buildings Ordinance modified" under clause 99.	

Time marker	Speaker(s)	Subject(s)	Action required
015216 - 020600	Chairman	Break	
020601 - 020737	Chairman Admin	<p><u>Clauses 100, 102, 111 and 112 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>The Administration's briefing on its proposed CSAs.</p>	
020738 - 021616	Chairman ALA6 Deputy Chairman Admin	<p><u>The proposed clause 113A of the Public Health and Municipal Services Ordinance (Cap. 132) added by clause 112 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>ALA6 invited members to consider whether it was acceptable not to impose criminal sanction for contravening the proposed section 113A(2) and (5) of Cap. 132 as added by clause 112 and not to specify in the Bill other particulars of each columbarium a specified person must provide to the Authority under the proposed section 113A(5) of Cap. 132. The Administration's response that for non-compliance with the proposed section 113A(2) or (5) of Cap. 132, the implications were that the columbarium concerned ran the risk of being subject to the Private Columbaria Ordinance ("the Ordinance"). If no licence was obtained, the columbarium was operated without a specified instrument and the operator would be subject to the enforcement actions provided for in the Bill. The Administration's advice that the Authority should be allowed the flexibility to decide the particulars it required having regard to the applicable circumstances.</p> <p>The Administration's response to the Deputy Chairman's enquiry that clauses 8 (restriction on operating columbarium) and 9 (offences relating to section 8) would be relevant in this context.</p> <p>ALA6's concern about whether non-compliance with the proposed section 113A(2) or (5) of Cap. 132 would make the operation of a columbarium subject to the Ordinance automatically, given that the Ordinance was not applicable to a columbarium under the management and control of a person specified in Part 2A of the Fifth Schedule to Cap. 132. The Administration's advice that the proposed section 113(4) of Cap. 132 provided for, inter alia, deleting the person from Part 2A of Fifth Schedule to Cap. 132.</p>	

Time marker	Speaker(s)	Subject(s)	Action required
021617 - 022208	Chairman	Suspension of meeting	
022209 - 022647	Chairman Mr Albert CHAN ALA6 Admin	<p><u>Clause 99 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>The Administration's explanation that insofar as the relevant provisions of Cap. 123 were applicable to them, NT small buildings were not treated unequally with other buildings that were subject to Cap. 123 in terms of the provision on "effect of Buildings Ordinance modified" under clause 99.</p> <p>In response to Mr Albert CHAN, the Administration explained by way of the example of clause 99(3) read together with clause 99(1), whereby sections 24(1) and 24C(1) of Cap. 123 did not apply to NT small buildings that were non-compliant structures in existence (without a certificate of exemption) during the applicable period where the relevant instrument-related condition was met and the extent of relevant breach condition was met.</p> <p>At Mr Albert CHAN's request, ALA6 confirmed that sections 24(1) and 24C(1) of Cap. 123 would not apply to NT small buildings that were non-compliant structures upon meeting the prescribed conditions.</p>	
022648 - 022727	Chairman Admin	<p><u>Clauses 116, 118 and 119 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>The Administration's briefing on its proposed CSAs.</p>	
022728 - 022749	Chairman ALA6 Admin	<p><u>Clause 120 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>ALA6's advice that the Administration would make further amendments to clause 120.</p>	Admin (paragraph 2(j) of the minutes)
022750 - 023306	Chairman Admin	<p><u>Schedule 1 - sections 1, 3, 4 and 5 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>The Administration's response to the Chairman's enquiry that the holder of an Administrative Officer Staff Grade B (D3) post proposed to be created in the Food and Environmental Hygiene Department would assume the role of chairperson of the Licensing Board.</p> <p>The Chairman's enquiry and the Administration's response regarding whether members of the Licensing Board would be paid honorarium and</p>	

Time marker	Speaker(s)	Subject(s)	Action required
		the rate of honorarium payable to members of the Licensing Board.	
023307 - 024199	Chairman Deputy Chairman ALA6 Admin	<p>The Deputy Chairman's view that amendments of Schedule 1 should not be effected by subsidiary legislation subject to negative vetting and his suggestion of deleting the reference to Schedule 1 from clause 91(2). The Administration's response that the justifications for processing amendments of Schedule 1 as subsidiary legislation in terms of swift and effective response in handling the operational matters in that Schedule. The Chairman's view that subjecting amendments of Schedule 1 to negative vetting was acceptable.</p> <p>ALA6's advice of the scrutiny period for subsidiary legislation subject to negative vetting.</p> <p>The Deputy Chairman's view that amendments of Schedule 1 should be effected by subsidiary legislation subject to positive vetting to allow sufficient time for scrutiny. The Administration's response that it was inclined towards having the amendments in the form of subsidiary legislation but would consider the Deputy Chairman's view that the amendments should take effect at the end (rather than at the beginning) of the negative vetting period.</p>	Admin (paragraph 2(k) of the minutes)
024200 - 024602	Chairman Mr Albert CHAN Admin	<p><u>Schedule 1 - section 5 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>Mr Albert CHAN's view that section 5(a) of Schedule 1 should be amended to require a member of the Licensing Board or a committee who noticed that he/she had a direct or indirect interest in a matter under consideration only after the meeting had begun to disclose to the Licensing Board or the committee the nature of the interest as soon as he/she was aware of the aforesaid interest. The Administration undertook to consider Mr CHAN's view.</p>	Admin (paragraph 2(l) of the minutes)
024603 - 024700	Chairman ALA6 Admin	<p><u>Schedule 2 - section 1 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u></p> <p>ALA6's advice and the Administration's response on amending section 1(b) of Schedule 2 to include columbarium premises which were acquired through adverse possession as confirmed by the court.</p>	Admin (paragraph 2(m) of the minutes)

Time marker	Speaker(s)	Subject(s)	Action required
024701 - 024927	Chairman Admin	<u>Schedule 2 - sections 3, 4, 6 and 7 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  The Administration's briefing on its proposed CSAs.	
024928 - 025155	Chairman ALA6 Admin	<u>Schedule 3 - sections 2, 4 to 5 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  At ALA6's request, the Administration explained its proposal to substitute "partnership-by a partner" by "partner in a partnership-by the partner authorized in writing to act for and on behalf of the partnership" in section 2(2)(b) of Schedule 3.	
025156 - 030819	Chairman ALA6 Admin	<u>Schedule 4 - sections 1 and 2 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  ALA6's view that the particulars which must be set out in an agreement for the sale of an interment right ("agreement") as required, for example, under section 1(b)(i), (ii) and (iii) and section 2(b)(v) of Schedule 4 should be expressly stated in Schedule 4, given that failure to do so would render an agreement not enforceable. The Chairman's view that the aforesaid particulars should be as specific as practicable. The Administration undertook to consider views of the Chairman and ALA6.  Having regard to ALA6's view, the Administration would consider deleting "including" from section 2(e) of Schedule 4.  ALA6 invited members to consider the need to include in the essential terms under section 2 of Schedule 4 the particulars of any other services to be provided under an agreement (the proposed section 2(ba) of Schedule 4), given that such particulars would be part of the contents of an agreement in writing as per clause 41(3)(b). The Administration's suggestion of removing "particulars of" from the proposed section 2(ba) of Schedule 4. ALA6's advice that she would discuss the matter with the Administration.	Admin (paragraph 2(n) of the minutes)  Admin (paragraph 2(o) of the minutes)
030820 - 030836	Chairman Admin	<u>Schedule 4 - sections 3 to 4 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  The Administration's briefing on its proposed CSAs.	

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030837 - 031012	Chairman Admin	<u>Schedule 6 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  The Administration's response to the Chairman's enquiry that the proposed fees under Schedule 6 would be included in the final CSAs for members' consideration.	
031013 - 031308	Chairman Admin	<u>Schedule 7 (Annex 2 to LC Paper No. CB(2)1399/15-16(01))</u>  The Administration's briefing on its proposed CSAs.	
031309 - 032622	Chairman ALA6 Admin	<p>The Chairman said that the Bills Committee should deal with the following outstanding issues:</p> <ul style="list-style-type: none"> <li>(a) the Administration's proposed CSAs to Schedule 5;</li> <li>(b) the Administration's response to issues raised by members at previous meetings; and</li> <li>(c) the final version of CSAs to the Bill proposed by the Administration.</li> </ul> <p>The Administration's advice that it would complete the discussion with ALA6 on item (a) and provide the Bills Committee with a paper on item (b) by 27 May 2016. The Administration undertook to provide item (c) for members' consideration no later than 7 June 2016.</p> <p>The Chairman's advice that items (a) and (b) should be discussed at the next meeting scheduled for 30 May 2016 and a meeting would be scheduled tentatively on 7 June 2016 to discuss item (c). The Chairman called on the Administration to strictly observe the above dates for submitting the necessary documents to the Bills Committee. He also reminded the Administration to provide the Secretariat of the Legislative Council with its comments on the draft minutes of the meetings of the Bills Committee.</p>	
032623 - 032638	Chairman	Date of next meeting and tentative dates of meetings in June 2016.	