

**立法會**  
***Legislative Council***

LC Paper No. CB(2)420/13-14

Ref : CB2/H/5/13

**House Committee of the Legislative Council**

**Minutes of the 8th meeting  
held in Conference Room 1 of the Legislative Council Complex  
at 2:30 pm on Friday, 29 November 2013**

**Members present:**

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

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

Hon LEE Cheuk-yan

Hon James TO Kun-sun

Hon CHAN Kam-lam, SBS, JP

Hon Emily LAU Wai-hing, JP

Hon TAM Yiu-chung, GBS, JP

Hon Tommy CHEUNG Yu-yan, SBS, JP

Hon Vincent FANG Kang, SBS, JP

Hon WONG Kwok-hing, BBS, MH

Hon Jeffrey LAM Kin-fung, GBS, JP

Hon WONG Ting-kwong, SBS, JP

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-yee, GBS, JP

Hon Alan LEONG Kah-kit, SC

Hon LEUNG Kwok-hung

Hon Albert CHAN Wai-yip

Hon WONG Yuk-man

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 Charles Peter MOK  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan  
Dr Hon Kenneth CHAN Ka-lok  
Hon CHAN Yuen-han, SBS, JP  
Hon LEUNG Che-cheung, BBS, MH, JP  
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 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

**Members absent:**

Hon Albert HO Chun-yan  
Hon LEUNG Yiu-chung  
Dr Hon LAU Wong-fat, GBM, GBS, JP  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN  
Hon Cyd HO Sau-lan  
Hon Paul TSE Wai-chun, JP  
Hon MA Fung-kwok, SBS, JP  
Hon Kenneth LEUNG  
Hon Martin LIAO Cheung-kong, JP  
Hon Tony TSE Wai-chuen

**Clerk in attendance :**

Miss Flora TAI

Clerk to the House Committee

**Staff in attendance :**

Mr Kenneth CHEN, SBS	Secretary General
Ms Connie FUNG	Acting 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
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
Mr KAU Kin-wah	Senior Assistant Legal Adviser 3
Ms Dora WAI	Principal Council Secretary 1
Ms Emily PANG	Chief Public Information Officer
Ms Amy YU	Chief Council Secretary (2)6
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

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**I. Confirmation of the minutes of the 7th meeting held on 22 November 2013**  
(*LC Paper No. CB(2)367/13-14*)

The minutes were confirmed.

**II. Matters arising**

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

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2. The Chairman said that he had relayed to CS some Members' views that it was inappropriate for the Administration to have invited only seven Legislative Council ("LegCo") Members to the luncheon hosted earlier by CS for Mr LI Fei, the Deputy Secretary-General of the Standing Committee of the National People's Congress ("NPCSC") cum

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Chairman of the Hong Kong Special Administrative Region Basic Law Committee ("BLC") of NPCSC, and Mr ZHANG Rongshun, the Vice-Chairperson of the Legislative Affairs Commission of NPCSC cum Vice-Chairperson of BLC, and that the Administration should have arranged for Mr LI Fei to meet with all LegCo Members. He had also conveyed to CS that Members had urged the Administration to consult LegCo, and not only some Members, on important matters in the future.

3. The Chairman further said that the Deputy Chairman had reiterated to CS the request of Members belonging to the pan-democratic camp that she should attend before the Council to make a statement on the consultation document on constitutional development as soon as it was released, to be followed by detailed discussions with Members on the consultation document at a meeting of the Panel on Constitutional Affairs.

4. In response to Ms Emily LAU's enquiry, the Chairman said that CS had not explained the reasons for inviting the seven Members, but she had taken note of Members' concern about the arrangement. The Deputy Chairman said that he trusted that CS would consider Members' views and make better arrangements in the future.

5. Responding to Ms Emily LAU's further enquiries, the Chairman said that CS had advised that she would consider Members' suggestion that she should attend before the Council to make a statement on the consultation document on constitutional development. The Chairman further said that while CS had not indicated the exact time for the Administration to brief Members on the consultation document, she had undertaken to do so in the first instance when the public consultation exercise was launched by the end of this year.

6. Mr LEUNG Kwok-hung recalled that when Mr QIAO Xiaoyang, the former Deputy Secretary-General of NPCSC, came to Hong Kong in December 2007, all LegCo Members were invited to the forum held in the Government House to exchange views with Mr QIAO on the Decision adopted by NPCSC in December 2007 on issues relating to Hong Kong's constitutional development. He said that it was grossly inappropriate for CS not inviting all LegCo Members to the recent luncheon she hosted for Mr LI Fei, and he would write to CS to express his dissatisfaction.

### **III. Business arising from previous Council meetings**

#### **Legal Service Division report on subsidiary legislation gazetted on 22 November 2013 and tabled in Council on 27 November 2013**

*(LC Paper No. LS16/13-14)*

7. At the invitation of the Chairman, Acting Legal Adviser briefed Members on the Legal Service Division report on one item of subsidiary legislation (i.e. the Antiquities and Monuments (Declaration of Historical Buildings) Notice 2013) (L.N. 186) gazetted on 22 November 2013 and tabled in Council on 27 November 2013.

8. Miss CHAN Yuen-han said that Pok Fu Lam Village had been named on the latest world monuments watch list compiled by the World Monuments Fund. As the Bethanie at 139 Pok Fu Lam Road, which was located near Pok Fu Lam Village, was to be declared a historical building under L.N. 186, she considered it necessary to follow up the preservation of Pok Fu Lam Village and proposed that a subcommittee be formed to study L.N. 186 in detail. Members agreed. The following Members agreed to join the subcommittee: Mr CHAN Hak-kan, Dr Kenneth CHAN, Miss CHAN Yuen-han and Mr SIN Chung-kai.

9. The Chairman reminded Members that the deadline for amending L.N. 186 was the Council meeting of 18 December 2013, or that of 15 January 2014 if extended by a resolution of the Council.

### **IV. Further business for the Council meeting of 4 December 2013**

#### **Tabling of papers**

#### **Report No. 6/13-14 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments**

*(LC Paper No. CB(2)369/13-14 issued vide LC Paper No. CB(3)211/13-14 dated 28 November 2013)*

10. The Chairman said that the Report covered three items of subsidiary legislation, the period for amendment of which would expire at the Council meeting of 4 December 2013.

11. The Chairman further said that three Members had indicated their intention to speak on the Country Parks (Designation) (Consolidation) (Amendment) Order 2013 (L.N. 152). As Dr LAU Wong-fat had given notice to move a proposed resolution at the Council meeting of

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4 December to amend the Order, should approval be given by the President for the moving of the proposed resolution, Members would have the opportunity to speak on the Order, in which case he would not move a motion in his capacity as Chairman of the House Committee ("HC") to take note of the Report in relation to the Order. Members noted the arrangement.

12. Ms Emily LAU enquired about the meeting arrangement for the Council meeting of 4 December which was likely to be a prolonged one.

13. At the invitation of the Chairman, Secretary General ("SG") said that the Secretariat was estimating the time required for transacting all items of business on the Agenda of the Council meeting of 4 December. Following past practice, if the business on the Agenda of the Council meeting could not be finished on Wednesday 4 December, the meeting would be resumed on Thursday 5 December at 2:30 pm, as meetings with District Council members had been scheduled for that morning. If necessary, the Council meeting would be resumed on Friday 6 December at 9:00 am for the continuation of the unfinished business on the Agenda.

14. The Chairman said that apart from the proposed resolution in relation to the Country Parks (Designation) (Consolidation) (Amendment) Order 2013, a motion seeking the Council's authorization for the appointment of a select committee and for the select committee to exercise the powers under the Legislative Council (Powers and Privileges) Ordinance would also be moved at the Council meeting of 4 December. The speaking time limit for each Member at each of these two debates was 15 minutes. He added that where necessary, the Council meeting would need to be suspended at 2:00 pm on Friday for the holding of the HC and the Finance Committee meetings scheduled for that afternoon.

15. Ms Emily LAU requested the Secretariat to inform Members of the meeting arrangement for the Council meeting of 4 December as early as possible, to facilitate Members' planning of their schedule.

**V. Business for the Council meeting of 11 December 2013**

(a) Questions  
(*LC Paper No. CB(3)209/13-14*)

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 motions**

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

(d) **Members' motions**

(i) **Motion to be moved by Hon LEUNG Che-cheung**

(ii) **Motion to be moved by Hon Alice MAK**

19. The Chairman said that the subjects of the motions to be moved by Mr LEUNG Che-cheung and Miss Alice MAK were "Enhancing the railway service in the Northwest New Territories" and "Stepping up the promotion of primary healthcare development and improving healthcare services for elderly people" respectively. The wording of the motions had been issued to Members.

20. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above two motions was Wednesday, 4 December 2013.

**VI. Position on Bills Committees and subcommittees**

*(LC Paper No. CB(2)368/13-14)*

21. The Chairman said that as at 28 November 2013, there were nine Bills Committees, eight subcommittees under HC (i.e. five 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 were on the waiting list.

**VII. Report of the Delegation of the Panel on Environmental Affairs on its duty visit to the Republic of Korea to study its experience on waste management and priority allocation of a debate slot to the Chairman of the Panel on Environmental Affairs**

*(LC Paper No. CB(1)412/13-14)*

22. At the invitation of the Chairman, Mr CHAN Hak-kan, Deputy Chairman of the Panel on Environmental Affairs ("the Panel"), said that

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the Delegation of the Panel visited Seoul, South Korea in April 2013 to study its experience on waste management. He invited Members to note the Report of the Delegation.

23. Mr CHAN Hak-kan further said that in view of the wide public concern over issues of waste reduction, waste recycling as well as the provision of waste treatment facilities, the Panel had endorsed the Delegation's recommendation to seek HC's support for the priority allocation of a debate slot under Rule 14A(h) of the House Rules ("HR") to Ms Cyd HO, Chairman of the Panel and Leader of the Delegation, for moving a motion on the Report at the Council meeting of 18 December 2013, to provide an opportunity for Members to express views on the subject and for the Administration to respond. Mr CHAN added that the Panel also proposed that this debate be held in addition to two other debates on Members' motions not intended to have legislative effect scheduled for that Council meeting.

24. Members agreed to the priority allocation of a debate slot to the Chairman of the Panel for moving a motion on the Report at the Council meeting of 18 December 2013.

25. Regarding the Panel's proposal for holding the proposed motion debate on the Report in addition to two other motion debates initiated by Members, Mr IP Kwok-him sought information from the Secretariat on the past practice in this regard.

26. At the invitation of the Chairman, SG advised that in most of the previous cases where HC agreed to allocate a debate slot under HR 14A(h) to the chairman of a committee for moving a motion on a report of the committee, only one other debate on a motion without legislative effect was scheduled for the relevant Council meeting. There were only a few cases where HC had recommended the holding of two other debates on Members' motions without legislative effect, in addition to a debate on a report of a committee. These included the Council meetings of 8 February 2006 and 7 July 2010 where the debate on the "Reports of the Subcommittee on West Kowloon Cultural District Development" and that on the "Report of the Subcommittee on Poverty Alleviation" were held respectively.

27. Mr IP Kwok-him considered it more appropriate to follow the past practice of holding only one other debate on a Member's motion without legislative effect at the Council meeting of 18 December 2013. Members agreed.



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**VIII. Any other business**

28. There being no other business, the meeting ended at 2:46 pm.

Council Business Division 2  
Legislative Council Secretariat  
4 December 2013