

立法會
Legislative Council

LC Paper No. CB(2)1387/13-14

Ref : CB2/H/5/13

House Committee of the Legislative Council

**Minutes of the 21st meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 11 April 2014**

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
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, 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 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
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 Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung

Hon Albert CHAN Wai-yip
Hon WONG Yuk-man
Hon Claudia MO
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 Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK
Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
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
Hon SIN Chung-kai, SBS, JP
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, JP
Hon POON Siu-ping, BBS, MH
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 LEUNG Yiu-chung
Hon Jeffrey LAM Kin-fung, GBS, JP
Dr Hon LEUNG Ka-lau
Hon Michael TIEN Puk-sun, BBS, JP
Hon YIU Si-wing
Hon CHAN Han-pan
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon TANG Ka-piu

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
Ms Amy YU	Chief Council Secretary (2)6
Miss Winnie LO	Assistant Legal Adviser 7
Mr YICK Wing-kin	Assistant Legal Adviser 8
Miss Josephine SO	Senior Council Secretary (2)6
Miss Jasmine TAM	Senior Council Secretary (2)8
Ms Brenda YEUNG	Senior Public Information Officer 1
Miss Karen LAI	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 20th meeting held on 28 March 2014

(LC Paper No. CB(2)1259/13-14)

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

- (a) **Legal Service Division report on subsidiary legislation gazetted on 28 March 2014 and tabled in Council on 9 April 2014**
(*LC Paper No. LS42/13-14*)

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the Legal Service Division ("LSD") report on the one item of subsidiary legislation (i.e. the Pesticides Ordinance (Amendment of Schedule 1) Notice 2014) (L.N. 43) gazetted on 28 March 2014 and tabled in Council on 9 April 2014.

4. Ms Emily LAU considered it necessary to form a subcommittee to study the Notice in detail. Members agreed. The following Members agreed to join the subcommittee: Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG and Mr SIN Chung-kai.

- (b) **Legal Service Division report on subsidiary legislation gazetted on 4 April 2014 and tabled in Council on 9 April 2014**
(*LC Paper No. LS43/13-14*)

5. At the invitation of the Chairman, LA briefed Members on the LSD report on the two items of subsidiary legislation (L.N. 46 and L.N. 47) which were gazetted on 4 April 2014 and tabled in Council on 9 April 2014. Members did not raise any question on these items of subsidiary legislation.

6. The Chairman reminded Members that the deadline for amending the three items of subsidiary legislation covered in the above two LSD reports was the Council meeting of 7 May 2014.

IV. Business for the Council meeting of 16 April 2014

- (a) **Tabling of papers**

Report No. 16/13-14 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(*LC Paper No. CB(2)1261/13-14 issued vide LC Paper No. CB(3)541/13-14 dated 9 April 2014*)

7. The Chairman said that the Report covered four items of subsidiary legislation, the period for amendment of which would expire at the Council meeting of 16 April 2014.

Action

8. The Chairman further said that as two Members had indicated their intention to speak on the Rating (Exemption) Order 2014 (L.N. 26), he would move a motion in his capacity as Chairman of the House Committee ("HC") to take note of the Report in relation to the Order at that Council meeting.

(b) **Questions**

(LC Paper No. CB(3)539/13-14)

9. The Chairman said that 22 written questions had been scheduled for the meeting.

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

Electoral Legislation (Miscellaneous Amendments) Bill 2014

10. The Chairman said that the Administration had given notice to present the above Bill to the Council on 16 April 2014.

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

Appropriation Bill 2014

11. The Chairman said that the Administration would respond to Members' comments on the Appropriation Bill 2014.

(e) **Government motion**

Proposed resolution to be moved by the Secretary for Home Affairs under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Resolution of the Board of Directors of the Po Leung Kuk

(Wording of proposed resolution issued vide LC Paper No. CB(3)548/13-14 dated 11 April 2014)

12. The Chairman said that the Administration would move a proposed resolution to amend the Resolution of the Board of Directors of the Po Leung Kuk ("the Resolution"). The Subcommittee on the Resolution had reported to HC at the meeting on 28 March 2014.

V. Business for the Council meeting of 30 April 2014

(a) Questions

Arrangement for questions to be raised at the Council meeting of 30 April 2014 and thereafter

13. The Chairman informed Members that in accordance with rule 7(e) of the House Rules ("HR"), there would be no arrangement for Members to put oral questions to the Government at the Council meetings for debate on the Appropriation Bill and for the policy debate. The Chairman further said that as it was uncertain as to when all the proceedings on the Appropriation Bill 2014 would be completed, in the event that the debate on the Appropriation Bill 2014 had to stand over to the Council meeting of 30 April 2014 and continued at subsequent Council meetings, there would be no oral question session at those Council meetings and the 22 questions would all be written questions. Members noted the arrangement.

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

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

(c) Government motion

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

(d) Members' motions

(i) Motion to be moved by Hon TANG Ka-piu

(ii) Motion to be moved by Hon IP Kin-yuen

16. The Chairman said that Mr TANG Ka-piu and Mr IP Kin-yuen had each been allocated a debate slot.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)1260/13-14)

17. The Chairman said that as at 10 April 2014, there were eight Bills Committees, three subcommittees under HC and nine subcommittees on policy issues under Panels in action. One subcommittee on policy issues was on the waiting list.

VII. Report of the delegation of the Subcommittee on Poverty on its duty visit to Taiwan and Japan and priority allocation of a debate slot to the Chairman of the Subcommittee on Poverty

(LC Paper No. CB(2)1266/13-14)

18. At the invitation of the Chairman, Mr Frederick FUNG, Chairman of the Subcommittee on Poverty ("the Subcommittee"), said that the delegation of the Subcommittee had visited Taiwan and Japan in August 2013 to study their experience in combating poverty. He invited Members to note the Report of the delegation.

19. Mr Frederick FUNG further said that in view of the wide public concern on poverty alleviation, the Subcommittee had endorsed the delegation's recommendation to seek HC's support for priority allocation of a debate slot under HR 14A(h) to him, Chairman of the Subcommittee, for moving a motion for debate on the Report of the delegation at the Council meeting of 7 May 2014. The debate would provide an opportunity for Members to express views on the subject and for the Administration to respond.

20. Members agreed to the priority allocation of a debate slot to the Chairman of the Subcommittee for moving a motion on the Report at the Council meeting of 7 May 2014. Members also agreed to the Subcommittee's proposal that in addition to the debate on the Report of the delegation, only one other debate on a motion without legislative effect should be held at that Council meeting.

VIII. Election of Members to the Committee on Access to the Legislature's Documents and Records

(LC Paper No. PI82/13-14)

21. The Chairman said that the Committee on Access to the Legislature's Documents and Records ("CoA") comprised the President, the Chairman and Deputy Chairman of HC as well as not more than 10 other members elected. The Chairman further said that a total of 10 nominations for election to CoA were received by the deadline for nomination. As the number of nominations received equalled the maximum number of members that might be elected, no poll was needed to be taken for election of members to CoA.

22. The Chairman declared the following 10 Members elected as members of CoA -

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Ms Emily LAU
Mr Abraham SHEK
Mr Vincent FANG
Mr WONG Ting-kwong
Ms Cyd HO
Mr CHAN Kin-por
Mr IP Kwok-him
Mr NG Leung-sing
Mr Charles MOK
Dr Kenneth CHAN

IX. Any other business

23. There being no other business, the meeting ended at 2:40 pm.

Council Business Division 2
Legislative Council Secretariat
29 April 2014