

Bills Committee on District Cooling Services Bill
List of follow-up actions arising from the discussion
at the meeting on 9 February 2015

The Administration is requested to –

Clause 22

- (a) in the light of the powers which are provided under clause 30 for an appeal board to determine an appeal made pursuant to clause 22 and given that clause 22 does not seem to specify that, in order to render a decision or direction to be appealable under clause 22, such decision or direction must be premised upon or be made as a result of an approved consumer's action or inaction, provide the legal justifications of excluding a decision to suspend or terminate district cooling services to a building under clause 7(1)(d), (e) or (f) and excluding a decision not to resume the services to a building under clause 8(2) where the services were suspended under clause 7(1)(d), (e) or (f) from clause 22(1);

Clause 24

- (b) given that under clause 24(4), a member of the appeal board panel is to be appointed for a term of three years and may be reappointed where each reappointment is for a term of three years, clarify whether a statutory limit in respect of the number of times of reappointment is intended to be imposed and if so, consider revising the drafting of the clause to this effect;
- (c) advise whether the Administration will stagger the appointments of members to an appeal board panel so as to avoid the expiry of appointments of all members at the same time and to ensure continuity of the panel's operation;

Clause 25

- (d) consider revising clause 25(2)(b) to reflect the intent that there must be at least one member appointed from each of the categories that are specified in clause 24(1)(b), (c) and (d); and

Clause 29

- (e) explain how clause 29 which empowers an appeal board to authorize inspection of installation can fit into the proceedings of an appeal board.