

立法會
Legislative Council

LC Paper No. CB(2)176/14-15

Ref : CB2/H/5/14

House Committee of the Legislative Council

**Minutes of the 3rd meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 24 October 2014**

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 LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Frederick FUNG Kin-kee, 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, 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
Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, SBS
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 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 WU Chi-wai, MH
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
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 Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu, JP
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Members absent:

Hon Albert HO Chun-yan
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Vincent FANG Kang, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming
Hon KWOK Wai-keung
Hon Dennis KWOK
Dr Hon Helena WONG Pik-wan
Hon CHUNG Kwok-pan
Hon Tony TSE Wai-chuen, BBS

Clerk in attendance :

Miss Flora TAI

Clerk to the House Committee

Staff in attendance :

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| Mr Kenneth CHEN, SBS | Secretary General |
| Mr Stephen LAM | Acting Legal Adviser |
| Mrs Justina LAM | Deputy Secretary General |
| Mr Andy LAU | Assistant Secretary General 1 |
| Miss Odelia LEUNG | Assistant Secretary General 3 |
| Mr Matthew LOO | Assistant Secretary General 4 |
| Mr YICK Wing-kin | Acting Senior Assistant Legal Adviser 1 |
| Mr KAU Kin-wah | Senior Assistant Legal Adviser 3 |
| Ms Dora WAI | Principal Council Secretary 1 |
| Ms Hallie CHAN | Head (Public Information) |
| Ms Amy YU | Chief Council Secretary (2)6 |
| Mr Bonny LOO | Assistant Legal Adviser 3 |
| Miss Carrie WONG | Assistant Legal Adviser 4 |
| Ms Jasmine TAM | Senior Council Secretary (2)8 |
| Miss Karen LAI | Council Secretary (2)6 |
| Mr Ringo LEE | Senior Legislative Assistant (2)1 |
| Ms Anna CHEUNG | Senior Legislative Assistant (2)3 |
| Mr Arthur KAN | Legislative Assistant (2)7 |

Action

I. Confirmation of the minutes of the 2nd meeting held on 17 October 2014

(LC Paper No. CB(2)124/14-15)

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 report on subsidiary legislation and non-legislative instrument gazetted on 17 October 2014

(LC Paper No. LS6/14-15)

3. At the invitation of the Chairman, Acting Legal Adviser briefed Members on the Legal Service Division report on the four items of subsidiary legislation (i.e. L.N. 119 to L.N. 122) and one item of non-legislative instrument (i.e. The Fourth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences) ("The Fourth Technical Memorandum") (S.S. No. 5 to Gazette No. 42/2014) which were gazetted on 17 October 2014 and tabled in Council on 22 October 2014.

4. Mr James TO considered it necessary to form a subcommittee to study the Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Republic of Korea) Order (L.N. 119) and the Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Socialist Republic of Vietnam) (Amendment) Order 2014 (L.N. 120) in detail. Members agreed. Mr James TO agreed to join the proposed subcommittee.

5. The Deputy Chairman considered it necessary to form a subcommittee to study the Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice (L.N. 122) in detail. Members agreed. The Deputy Chairman agreed to join the proposed subcommittee.

6. Ms Cyd Ho considered it necessary to form a subcommittee to study the Fourth Technical Memorandum in detail. Members agreed. Ms Cyd HO and Mr WU Chi-wai agreed to join the proposed subcommittee.

7. Members did not raise any question on the Child Abduction and Custody (Parties to Convention)(Amendment) Order 2014 (L.N. 121).

8. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation and non-legislative instrument was the Council meeting of 19 November 2014, or that of 10 December 2014 if extended by a resolution of the Council.

IV. Further business for the Council meeting of 29 October 2014

9. The Chairman said that the unfinished business on the Agenda of the Council meeting of 22 October 2014 would stand over to the Council meeting of 29 October 2014.

Questions

(LC Paper No. CB(3)73/14-15)

10. The Chairman informed Members that Mr Albert HO and Dr LAM Tai-fai had replaced their oral questions.

V. Business for the Council meeting of 5 November 2014

(a) Questions

(LC Paper No. CB(3)74/14-15)

11. The Chairman said that so far, 20 questions (six oral and 14 written) had been scheduled for the meeting.

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

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

(c) Government motion

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

(d) Members' motions

(i) Motion under the Legislative Council (Powers and Privileges) Ordinance to be moved by Hon Claudia MO

(Wording of the motion issued vide LC Paper No. CB(3)75/14-15 dated 21 October 2014)

(ii) Motion on "Concern about the integration and conflicts between Hong Kong and the Mainland" to be moved by Dr Hon LAM Tai-fai

(Wording of the motion issued vide LC Paper No. CB(3)642/13-14 dated 15 May 2014)

- (iii) **Motion on "Devising the constitution by all people, making a new covenant, and realizing genuine 'Hong Kong people ruling Hong Kong'" to be moved by Hon WONG Yuk-man**

(Wording of the motion issued vide LC Paper No. CB(3)645/13-14 dated 16 May 2014)

14. Members noted that debates on the above three Members' motions would be held at the meeting.

VI. Report of Bills Committees and subcommittees

Report of the Subcommittee on District Court Equal Opportunities (Amendment) Rules 2014

(LC Paper No. CB(4)64/14-15)

15. Mr James TO, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that as the motion to extend the scrutiny period of the Amendment Rules could not be dealt with at the Council meeting of 9 July 2014, the period for amending the Amendment Rules had expired at the said Council meeting. The Amendment Rules would come into operation on 1 November 2014.

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)125/14-15)

16. The Chairman said that as at 23 October 2014, there were 16 Bills Committees, eight subcommittees under the House Committee ("HC") and nine subcommittees on policy issues under Panels in action. One Bills Committee was on the waiting list.

VIII. Priority allocation of a debate slot for a motion debate on the Report of the Subcommittee on Integrated Education

(LC Paper No. CB(4)65/14-15)

17. At the invitation of the Chairman, Dr Fernando CHEUNG, Chairman of the Subcommittee on Integrated Education ("the former Subcommittee"), said that in view of the wide public concern over the policy and implementation of integrated education, the Panel on

Action

Education had endorsed the former Subcommittee's recommendation to seek HC's support for priority allocation of a debate slot under rule 14A(h) of the House Rules to him, as Chairman of the former Subcommittee, for moving a motion for debate on the Report of the former Subcommittee ("the Report") at the Council meeting of 26 November 2014. The debate would provide an opportunity for Members to express views on the subject and for the Administration to respond.

18. Members agreed to the priority allocation of a debate slot to Dr Fernando CHEUNG for moving a motion on the Report at the Council meeting of 26 November 2014. Members also agreed to the former Subcommittee's proposal that in addition to the debate on the Report, only one other debate on a motion without legislative effect should be held at the Council meeting.

IX. Any other business

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

Council Business Division 2
Legislative Council Secretariat
29 October 2014