

立法會
Legislative Council

LC Paper No. CB(2)248/14-15

Ref : CB2/H/5/14

House Committee of the Legislative Council

**Minutes of the 5th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 7 November 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
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, 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 Starry LEE Wai-king, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHAN Hak-kan, JP
Hon CHAN Kin-por, BBS, JP
Hon WONG Kwok-kin, SBS
Hon IP Kwok-him, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon WONG Yuk-man
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

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
Hon KWOK Wai-keung
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon IP Kin-yuen
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-kiwok, BBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon Albert HO Chun-yan
Hon LEUNG Yiu-chung
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon Cyd HO Sau-lan, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming
Hon CHAN Han-pan, JP
Dr Hon KWOK Ka-ki
Hon Dennis KWOK
Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, JP
Hon CHUNG Kwok-pan

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
Mr Matthew LOO	Assistant Secretary General 4
Mr Bonny LOO	Acting Senior Assistant Legal Adviser 1
Mr Stephen LAM	Senior Assistant Legal Adviser 2
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
Miss Winnie LO	Assistant Legal Adviser 7
Mr YICK Wing-kin	Assistant Legal Adviser 8
Miss Josephine SO	Senior Council Secretary (2)6
Ms Jasmine TAM	Senior Council Secretary (2)8
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 4th meeting held on 31 October 2014

(LC Paper No. CB(2)215/14-15)

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 gazetted on 31 October 2014 and tabled in Council on 5 November 2014

(LC Paper No. LS8/14-15)

3. At the invitation of the Chairman, Legal Adviser briefed Members on the Legal Service Division report on the Aerial Ropeways (Fees) (Amendment) Regulation 2014 (L.N. 131) which was gazetted on 31 October 2014 and tabled in Council on 5 November 2014.

4. Members did not raise any question on the Regulation.

5. The Chairman reminded Members that the deadline for amending the Regulation was the Council meeting of 3 December 2014.

IV. Further business for the Council meeting of 12 November 2014

(a) **Tabling of papers**

Report No. 2/14-15 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

(LC Paper No. CB(2)217/14-15 issued vide LC Paper No. CB(3)117/14-15 dated 5 November 2014)

6. 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 12 November 2014. No Member had indicated intention to speak on the subsidiary legislation.

(b) **Questions**

(LC Paper No. CB(3)113/14-15)

7. The Chairman informed Members that Ms Emily LAU had replaced her oral question, and Mr NG Leung-sing had given up his oral question slot which had been allocated to Mr TANG Ka-piu.

(c) **Members' motions**

(i) **Proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice to be moved by Hon Dennis KWOK**

Action

(Wording of the proposed resolution issued vide LC Paper No. CB(3)122/14-15 dated 7 November 2014)

- (ii) **Proposed resolution under section 37B(4) of the Air Pollution Control Ordinance (Cap. 311) in relation to the Fourth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences to be moved by Hon Cyd HO**

(Wording of the proposed resolution issued vide LC Paper No. CB(3)123/14-15 dated 7 November 2014)

8. Members noted that the respective Chairmen of the two Subcommittees on the above items of subsidiary legislation and non-legislative instrument would move proposed resolutions at the Council meeting to extend the scrutiny period of the subsidiary legislation and non-legislative instrument to the Council meeting of 10 December 2014.

V. Business for the Council meeting of 19 November 2014

(a) **Questions**

(LC Paper No. CB(3)114/14-15)

9. 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**

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

(c) **Bill - resumption of debate on Second Reading, Committee Stage and Third Reading**

11. The Chairman informed Members that the Second Reading debate on the Child Abduction Legislation (Miscellaneous Amendments) Bill 2013 would be resumed at the meeting.

(d) **Government motion**

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

(e) **Members' motions**

(i) **Motion on "Constitutional reform" to be moved by Hon Ronny TONG**

(Wording of the motion issued vide LC Paper No. CB(3)665/13-14 dated 21 May 2014)

(ii) **Motion on "Ensuring occupational safety" to be moved by Hon POON Siu-ping**

(Wording of the motion issued vide LC Paper No. CB(3)673/13-14 dated 22 May 2014)

13. Members noted that debates on the above two Members' motions would be held at the meeting.

Report of the House Committee ("HC") on Consideration of Subsidiary Legislation

14. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)119/14-15), which contained three items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 19 November 2014. He reminded Members to indicate their intention by 5:00 pm on Tuesday, 11 November 2014 should they wish to speak on any of the items of subsidiary legislation.

VI. Report of Bills Committees and subcommittees

Report of the Subcommittee to Prepare for the Operation of the Select Committee on the Petition Presented at the Council Meeting of 25 June 2014

(LC Paper No. CB(1)181/14-15)

15. Mr Martin LIAO, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted the Subcommittee's recommendations on the terms of reference and name of the select committee to which the petition presented at the Council meeting of 25 June 2014 was referred ("the Select Committee"), and endorsed the Subcommittee's recommendations on the membership size of and the procedure for nomination and election of Members for appointment to the Select Committee. Members also agreed that the nomination and election be held at the next HC meeting on 14 November 2014.

Action

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)216/14-15)

16. The Chairman said that as at 6 November 2014, there were 16 Bills Committees, eight subcommittees under HC and nine subcommittees on policy issues under Panels in action. One Bills Committee was on the waiting list.

VIII. Any other business

17. There being no other business, the meeting ended at 2:36 pm.

Council Business Division 2
Legislative Council Secretariat
12 November 2014