

立法會
Legislative Council

LC Paper No. CB(2)617/14-15

Ref : CB2/H/5/14

House Committee of the Legislative Council

**Minutes of the 12th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 9 January 2015**

Members present:

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)
Hon Ronny TONG Ka-wah, SC (Deputy Chairman)
Hon LEE Cheuk-yan
Hon CHAN Kam-lam, SBS, JP
Hon LEUNG Yiu-chung
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
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
Dr Hon LEUNG Ka-lau
Hon WONG Kwok-kin, SBS
Hon IP Kwok-him, 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 YIU Si-wing
Hon Gary FAN Kwok-wai
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 KWOK Wai-keung
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, SBS, 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 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 CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon Albert HO Chun-yan
Hon James TO Kun-sun
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHEUNG Kwok-che
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon MA Fung-kiwok, SBS, JP

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
Ms Anita SIT	Assistant Secretary General 1
Miss Odelia LEUNG	Assistant Secretary General 3
Mr Matthew LOO	Assistant Secretary General 4
Mr KAU Kin-wah	Senior Assistant Legal Adviser 3
Ms Dora WAI	Principal Council Secretary 1
Ms Hallie CHAN	Head (Public Information)
Ms Maisie LAM	Chief Council Secretary (2)5
Ms Amy YU	Chief Council Secretary (2)6
Ms YUE Tin-po	Chief Council Secretary (4)3
Mr Kelvin LEE	Assistant Legal Adviser 1
Miss Carrie WONG	Assistant Legal Adviser 4
Ms Vanessa CHENG	Assistant Legal Adviser 5
Ms Wendy KAN	Assistant Legal Adviser 6
Miss Evelyn LEE	Assistant Legal Adviser 10
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 11th meeting held on 19 December 2014

(LC Paper No. CB(2)550/14-15)

The minutes were confirmed.

II. Matters arising

(a) Report by the Chairman on his meeting with the Chief Secretary for Administration

2. The Chairman said that there was nothing special to report.

Action

(b) Further report by the Legal Service Division on the Stamp Duty (Amendment) Bill 2014

(LC Paper No. LS29/14-15)

3. At the invitation of the Chairman, Acting Legal Adviser ("Atg LA") said that Members were advised at the House Committee ("HC") meeting on 19 December 2014 that the Legal Service Division ("LSD") was seeking clarification with the Administration on certain technical issues in respect of the Bill and would make a further report if necessary. Atg LA briefed Members on the salient issues and the Administration's response, details of which were set out in the further report.

4. Members did not raise any question and had no objection to the resumption of the Second Reading debate on the Bill.

III. Business arising from previous Council meetings

(a) Legal Service Division report on subsidiary legislation gazetted on 24 December 2014 and tabled in Council on 7 January 2015

(LC Paper No. LS25/14-15)

5. At the invitation of the Chairman, Atg LA briefed Members on the LSD report on the four items of subsidiary legislation (L.N. 157 to L.N. 160) which were gazetted on 24 December 2014 and tabled in Council on 7 January 2015. Regarding the Banking (Disclosure) (Amendment) Rules 2014 (L.N. 160), Atg LA advised that LSD had written to the Administration to seek clarification on certain legal and drafting issues in relation to the Rules and would make a further report after considering the Administration's reply.

6. Members did not raise any question on these items of subsidiary legislation.

7. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was the Council meeting of 4 February 2015.

(b) Legal Service Division report on subsidiary legislation gazetted on 2 January 2015 and tabled in Council on 7 January 2015

(LC Paper No. LS28/14-15)

8. At the invitation of the Chairman, Atg LA briefed Members on the LSD report on the Employment (Amendment) Ordinance 2014 (Commencement) Notice (L.N. 1) which was gazetted on 2 January 2015 and tabled in Council on 7 January 2015.

Action

9. Members did not raise any question on the Notice.
10. The Chairman reminded Members that the deadline for amending the Notice was the Council meeting of 4 February 2015.

IV. Business for the Council meeting of 14 January 2015

Report No. 9/14-15 of HC on Consideration of Subsidiary Legislation and Other Instruments

11. The Chairman said that the above draft Report, which covered subsidiary legislation the period for amendment of which would expire at the Council meeting of 14 January 2015, had been issued to Members. No Member had indicated intention to speak on the subsidiary legislation.

The Chief Executive's Policy Address

12. The Chairman said that the Chief Executive ("CE") would deliver his Policy Address at the Council meeting of 14 January 2015.

V. The Chief Executive's Question and Answer Session on 15 January 2015

13. The Chairman informed Members that the CE's Question and Answer Session on the Policy Address would be held from 10:30 am to 12:00 noon.

VI. Business for the Council meeting of 21 January 2015

(a) Questions
(*LC Paper No. CB(3)321/14-15*)

14. 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

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

Action

(c) **Government motion**

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

(d) **Members' motions**

(i) **Motion on "Combating insurance frauds" to be moved by Hon CHAN Kin-por**

(Wording of the motion issued vide LC Paper No. CB(3)244/14-15 dated 4 December 2014)

(ii) **Motion on "Concerning about the problem of slow progress in vetting and approving funding applications for infrastructure projects" to be moved by Hon Abraham SHEK**

(Wording of the motion issued vide LC Paper No. CB(3)307/14-15 dated 22 December 2014)

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

Report of the HC on Consideration of Subsidiary Legislation

18. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)327/14-15), which contained one item of subsidiary legislation the period for amendment of which would expire at the Council meeting of 21 January 2015. He reminded Members to indicate their intention by 5:00 pm on Tuesday, 13 January 2015, should they wish to speak on the subsidiary legislation.

VII. Reports of Bills Committees and subcommittees

(a) **Report of the Bills Committee on Pharmacy and Poisons (Amendment) Bill 2014**

(LC Paper No. CB(2)565/14-15)

19. On behalf of Prof Joseph LEE, Chairman of the Bills Committee, Mr WONG Ting-kwong briefed Members on the deliberations of the Bills Committee as detailed in its report. Members noted that the Bills Committee supported the Committee stage amendments ("CSAs") to the Bill proposed to be moved by the Administration and raised no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 21 January 2015.

(b) Report of the Bills Committee on Mandatory Provident Fund Schemes (Amendment) Bill 2014

(LC Paper No. CB(1)414/14-15)

20. Mr CHAN Kin-por, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Members noted that the Administration had proposed to move CSAs to the Bill in response to the views of the Bills Committee and that the Bills Committee had no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 21 January 2015.

21. The Chairman reminded Members that the deadline for giving notice of CSAs, if any, proposed to be moved to the above two Bills was Monday, 12 January 2015.

(c) Report of the Subcommittee on Electronic Transactions Ordinance (Amendment of Schedule 1) Order 2014

(LC Paper No. CB(4)323/14-15)

22. The Chairman, in his capacity as Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee supported in principle the legislative proposal.

23. The Chairman reminded Members that as the scrutiny period of the Order would expire at the Council meeting of 21 January 2015, the deadline for giving notice of amendments, if any, to the Order was Wednesday, 14 January 2015.

(d) Proposed extension of period of work of subcommittees on policy issues

(LC Paper No. CB(2)551/14-15)

24. Members agreed that permission be given to the Subcommittee on Retirement Protection under the Panel on Welfare Services and the Subcommittee on Poverty under HC to extend the period of their work to 30 September 2015 and 31 January 2016 respectively.

VIII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)552/14-15)

25. The Chairman said that as at 8 January 2015, there were 11 Bills Committees, five subcommittees under HC and nine subcommittees on policy issues under Panels in action.

Action

IX. Any other business

26. There being no other business, the meeting ended at 2:45 pm.

Council Business Division 2
Legislative Council Secretariat
14 January 2015