

**立法會**  
**Legislative Council**

LC Paper No. CB(2)908/14-15

Ref : CB2/H/5/14

**House Committee of the Legislative Council**

**Minutes of the 16th meeting  
held in Conference Room 1 of the Legislative Council Complex  
at 2:30 pm on Friday, 6 February 2015**

**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 Emily LAU Wai-hing, JP

Hon TAM Yiu-chung, GBS, JP

Hon Tommy CHEUNG Yu-yan, 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 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 Kin-por, BBS, JP

Dr Hon Priscilla LEUNG Mei-fun, SBS, JP

Dr Hon LEUNG Ka-lau

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 LEUNG Kwok-hung

Hon Albert CHAN Wai-yip

Hon WONG Yuk-man

Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
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  
Dr Hon KWOK Ka-ki  
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-kwok, 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 LEUNG Yiu-chung  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon CHAN Hak-kan, JP  
Hon Frankie YICK Chi-ming  
Hon Kenneth LEUNG  
Hon Alice MAK Mei-kuen, JP  
Hon KWOK Wai-keung

**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
Ms Anita SIT	Assistant Secretary General 1
Miss Odelia LEUNG	Assistant Secretary General 3
Mr Matthew LOO	Assistant Secretary General 4
Ms Connie FUNG	Senior Assistant Legal Adviser 1
Miss Winnie LO	Acting 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
Mr Kelvin LEE	Assistant Legal Adviser 1
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

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Action

**I. Confirmation of the minutes of the 15th meeting held on 30 January 2015**

*(LC Paper No. CB(2)777/14-15)*

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

(a) **Legal Service Division reports on bills referred to the House Committee in accordance with Rule 54(4)**

(i) **Arbitration (Amendment) Bill 2015**  
(*LC Paper No. LS37/14-15*)

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the Legal Service Division ("LSD") report on the Bill.

4. Mr Dennis KWOK considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Mr Dennis KWOK agreed to join the proposed Bills Committee.

(ii) **Clearing and Settlement Systems (Amendment) Bill 2015**  
(*LC Paper No. LS36/14-15*)

5. At the invitation of the Chairman, LA briefed Members on the LSD report on the Bill.

6. Mr SIN Chung-kai considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The following Members agreed to join the Bills Committee: Mr Andrew LEUNG, Ms Cyd HO, Mr NG Leung-sing, Mr Charles MOK and Mr SIN Chung-kai.

(b) **Legal Service Division report on subsidiary legislation gazetted on 30 January 2015 and tabled in Council on 4 February 2015**  
(*LC Paper No. LS35/14-15*)

7. At the invitation of the Chairman, LA briefed Members on the LSD report on the nine items of subsidiary legislation (i.e. L.N. 20 to L.N. 28) which were gazetted on 30 January 2015 and tabled in Council on 4 February 2015.

8. Mr WONG Kwok-hing considered it necessary to form a subcommittee to study the Dutiable Commodities (Liquor) (Amendment) Regulation 2015 (L.N. 20) and the Dutiable Commodities (Liquor Licences) (Fees) (Amendment) Regulation 2015 (L.N. 21) in detail. Members agreed. Mr Tommy CHEUNG, Mr WONG Kwok-hing and Mr YIU Si-wing agreed to join the subcommittee.

Action

9. Mr Dennis KWOK considered it necessary to form a subcommittee to study the Registration of Copyright Licensing Bodies (Amendment) Regulation 2015 (L.N. 24), the Trade Marks (Amendment) Rules 2015 (L.N. 25) and the Registered Designs (Amendment) Rules 2015 (L.N. 26) in detail. Members agreed. Mr Dennis KWOK and Mr SIN Chung-kai agreed to join the proposed subcommittee.

10. Mr IP Kwok-him considered it necessary to form a subcommittee to study the Port Control (Public Cargo Working Area) Order 2015 (L.N. 28) in detail. Members agreed. Ms Cyd HO, Mr IP Kwok-him and Dr Kenneth CHAN agreed to join the subcommittee.

11. Members did not raise any question on the remaining three items of subsidiary legislation.

12. The Chairman reminded Members that the deadline for amending the nine items of subsidiary legislation covered in the LSD report was the Council meeting of 25 February 2015, or that of 25 March 2015 if extended by a resolution of the Council.

**IV. Further business for the Council meeting on 11, 12 and 13 February 2015**

**(a) Tabling of papers**

**Report No. 12/14-15 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments**  
*(LC Paper No. CB(2)779/14-15 issued vide LC Paper No. CB(3)429/14-15 dated 4 February 2015)*

13. 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 11 February 2015. No Member had indicated intention to speak on the subsidiary legislation.

**(b) Bill - First Reading and moving of Second Reading**

14. Members noted that the Interception of Communications and Surveillance (Amendment) Bill 2015 would be presented to the Council on 11 February 2015.

(c) **Members' motion**

**Proposed resolution to be moved by Dr Hon CHIANG Lai-wan under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to:**

- (i) **the Minimum Wage Ordinance (Amendment of Schedule 3) Notice 2015; and**
- (ii) **the Employment Ordinance (Amendment of Ninth Schedule) Notice 2015**

*(Wording of the proposed resolution issued vide LC Paper No. CB(3)423/14-15 dated 2 February 2015)*

15. Members noted that Dr CHIANG Lai-wan, Chairman of the Subcommittee on the above two Notices, would move a proposed resolution at the meeting to extend the scrutiny period of the two Notices to the Council meeting of 18 March 2015.

**V. Business for the Council meeting of 25 February 2015**

(a) **Questions**

16. The Chairman informed Members that as the Financial Secretary ("FS") would deliver his Budget speech at the meeting, the 22 question slots would all be for written questions. He reminded Members that the deadline for giving notice of questions was Thursday, 12 February 2015.

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

**The Administration has advised the Clerk to the Legislative Council that the Financial Secretary intends to present to the Council at the meeting:**

- (i) **the Appropriation Bill 2015; and**
- (ii) **the Estimates of Expenditure for the year ending 31 March 2016**

17. Members noted that FS would present the Appropriation Bill 2015 and the Estimates of Expenditure for the year ending 31 March 2016 to the Council at the meeting.

**VI. Position on Bills Committees and subcommittees**

*(LC Paper No. CB(2)778/14-15)*

18. The Chairman said that as at 5 February 2015, there were eight Bills Committees (one of which would need to work beyond three months since its commencement), six subcommittees under the House Committee ("HC") and nine subcommittees on policy issues under Panels in action. One subcommittee on policy issues was on the waiting list.

19. The Chairman further said that Members had been informed vide a circular in the morning of this HC meeting that since only two Members had signified their intention to join the subcommittee proposed to be formed to study the Toys and Children's Products Safety Ordinance (Amendment of Schedules 1 and 2) Notice 2015 (L.N. 17) by the deadline for signification of membership, the proposed subcommittee could not be formed by virtue of House Rules 21(b) and 26(f), which provided that a subcommittee should consist of not less than three members.

**VII. Any other business**

20. There being no other business, the meeting ended at 2:44 pm.