

立法會
Legislative Council

LC Paper No. CB(2)1384/14-15

Ref : CB2/H/5/14

House Committee of the Legislative Council

**Minutes of the 22nd meeting
held in Conference Room 1 of the Legislative Council Complex
at 4:09 pm on Friday, 24 April 2015**

Members present:

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)

Hon Ronny TONG Ka-wah, SC (Deputy Chairman)

Hon James TO Kun-sun

Hon CHAN Kam-lam, SBS, JP

Hon LEUNG Yiu-chung

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 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 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 Paul TSE Wai-chun, JP

Hon Albert CHAN Wai-yip

Hon WONG Yuk-man

Hon Claudia MO

Hon Michael TIEN Puk-sun, BBS, 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 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 Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
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
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
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 LEE Cheuk-yan
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon Mrs Regina IP LAU Suk-yea, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon James TIEN Pei-chun, GBS, JP
Hon Kenneth LEUNG
Hon Dennis KWOK
Dr Hon Elizabeth QUAT, JP
Hon TANG Ka-piu, JP

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
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
Ms YUE Tin-po	Chief Council Secretary (4)3
Mr Kelvin LEE	Assistant Legal Adviser 1
Ms Vanessa CHENG	Assistant Legal Adviser 5
Miss Winnie LO	Assistant Legal Adviser 7
Miss Mimi CHANG	Assistant Legal Adviser 11
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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I. Confirmation of the minutes of the 21st meeting held on 17 April 2015
(*LC Paper No. CB(2)1301/14-15*)

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 report on bill referred to the House Committee in accordance with Rule 54(4)**

Electoral Legislation (Miscellaneous Amendments) Bill 2015
(*LC Paper No. LS59/14-15*)

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

4. Ms Emily LAU 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: Ms Emily LAU, Mr Andrew LEUNG, Ms Cyd HO and Mr SIN Chung-kai.

(b) **Legal Service Division report on subsidiary legislation gazetted on 17 April 2015 and tabled in Council on 22 April 2015**
(*LC Paper No. LS60/14-15*)

5. At the invitation of the Chairman, LA briefed Members on the LSD report on the Import and Export (Strategic Commodities) Regulations (Amendment of Schedule 1) Order 2015 (Commencement) Notice (L.N. 77) which was gazetted on 17 April 2015 and tabled in Council on 22 April 2015. Members did not raise any question on the Commencement Notice.

6. Members noted that the deadline for amending the Commencement Notice would be the Council meeting of 20 May 2015.

IV. Further business for the Council meeting of 29 April 2015

Arrangements for Council meetings to deal with the Appropriation Bill 2015

7. The Chairman said that the Secretariat had issued a circular informing Members of the arrangements for the Council meetings to deal with the proceedings on the Appropriation Bill 2015 as follows -

- (a) the Council meetings would be held from Wednesday to Friday;

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- (b) if meetings with District Council ("DC") members had been scheduled for the morning of Thursday, the Council meeting concerned would resume at 2:30 pm that day and be suspended at 8:00 pm; and
- (c) the Council meetings would resume on Friday at 9:00 am and be adjourned at about 1:00 pm.

8. The Chairman further informed Members that the Council meeting of 29 April 2015 would resume at 2:30 pm on Thursday, 30 April as meetings with DC members had been scheduled for that morning, and be adjourned at 8:00 pm as 1 May was a public holiday.

V. Business for the Council meeting of 6 May 2015

(a) **Questions**

(LC Paper No. CB(3)612/14-15)

9. The Chairman informed Members that 22 questions (six oral and 16 written) had been scheduled for the meeting. Members noted that in the event that the debate on the Appropriation Bill 2015 had to stand over to the Council meeting of 6 May 2015, there would be no oral question session at that Council meeting.

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

10. The Chairman said that the Peak Tramway (Amendment) Bill 2015 would be presented to the Council on 6 May 2015.

(c) **Government motion**

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

(d) **Members' motions**

(i) **Motion on "Stepping up regulation on the repair and maintenance works of private buildings" to be moved by Hon Tony TSE**

(LC Paper No. CB(3)617/14-15)

(ii) **Motion on "New challenges faced by Hong Kong as an international financial centre" to be moved by Hon NG Leung-sing**

(LC Paper No. CB(3)615/14-15)

12. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above two motions would be Tuesday, 28 April 2015.

Report of the House Committee on Consideration of Subsidiary Legislation

13. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)619/14-15), which contained three items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 6 May 2015. He reminded Members to indicate their intention by 12:00 midnight on Monday, 27 April 2015 should they wish to speak on any items of the subsidiary legislation.

VI. Reports of Bills Committees and subcommittees

(a) **Report of the Subcommittee on Rating (Exemption) Order 2015**
(LC Paper No. CB(1)766/14-15)

14. The Chairman, in his capacity as the Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee had no objection to the Order.

(b) **Report of the Subcommittee on District Councils Ordinance (Amendment of Schedule 7) Order 2015 and Maximum Amount of Election Expenses (District Council Election) (Amendment) Regulation 2015**
(LC Paper No. CB(2)1308/14-15)

15. Mr IP Kwok-him, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee did not object to the two items of subsidiary legislation.

16. The Chairman reminded Members that as the period for amending the three items of subsidiary legislation studied by the above two Subcommittees would expire at the Council meeting of 6 May 2015, the deadline for giving notice of amendments, if any, to the subsidiary legislation would be Tuesday, 28 April 2015.

(c) **Report of the Subcommittee on Merchant Shipping (Control of Harmful Anti-Fouling Systems on Ships) Regulation and Merchant Shipping (Prevention and Control of Pollution) (Fees) (Amendment) Regulation 2015**

17. Mr Frankie YICK, Chairman of the Subcommittee, made a verbal report on the deliberations of the Subcommittee. Members noted that the Subcommittee held a meeting on 21 April 2015 to scrutinize the two items of subsidiary legislation. During the course of deliberations, members had raised concerns about the scope of applicability of the Merchant Shipping (Control of Harmful Anti-Fouling Systems on Ships) Regulation (L.N. 54), the administrative arrangements for the cancellation of International Anti-Fouling System Certificates, the procedures for the inspection of ships for the purpose of ascertaining whether there had been any breaches of the requirements under the Regulation, and the guidelines issued by other state parties to the "International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001" in respect of exempted ships. Members also noted that the Administration had been requested to provide written responses to the above issues raised by the Subcommittee.

18. The Chairman reminded Members that as the period for amending the above two items of subsidiary legislation would expire at the Council meeting of 13 May 2015, the deadline for giving notice of amendments, if any, to the subsidiary legislation would be Wednesday, 6 May 2015.

VII. Position on Bills Committees and subcommittees
(*LC Paper No. CB(2)1302/14-15*)

19. The Chairman said that as at 23 April 2015, there were 10 Bills Committees, nine subcommittees under the House Committee ("HC") and nine subcommittees on policy issues under Panels in action. Three subcommittees on policy issues were on the waiting list.

VIII. Report of the delegation of the Panel on Transport on its duty visit to Singapore to study its experience in development and provision of public transport facilities and traffic control measures

(LC Paper No. CB(4)823/14-15)

20. Mr CHAN Kam-lam, leader of the delegation, said that the delegation of the Panel on Transport visited Singapore from 23 to 26 September 2014 to study the country's experience in the development and provision of public transport facilities and traffic control measures. He briefed Members on the main findings and observations of the delegation as detailed in its report.

IX. Report of the delegation of the Legislative Council on its parliamentary visit to Northern Europe and priority allocation of a debate slot to the Chairman of the Parliamentary Liaison Subcommittee

(LC Paper No. CB(4)820/14-15)

21. Ms Emily LAU, Chairman of the Parliamentary Liaison Subcommittee ("the Subcommittee") cum leader of the delegation, said that the delegation of the Legislative Council conducted a parliamentary visit to Finland, Norway and Denmark from 14 to 21 September 2014. She referred Members to the delegation's report ("the Report") for details of its findings and observations on these countries' experience in the development of political systems, education systems, innovation and technology industries, as well as environmental protection and creative industries. Ms LAU further said that the Subcommittee requested the agreement of HC for priority allocation of a debate slot under Rule 14A(h) of the House Rules to her, in her capacity as the Chairman of the Subcommittee, for moving a motion on the Report at the Council meeting of 13 May 2015, to provide an opportunity for Members to express views on the subjects covered in the Report and for the Administration to respond.

22. Members agreed to the priority allocation of a debate slot to Ms Emily LAU for moving a motion on the Report at the Council meeting of 13 May 2015. Members also agreed to the Subcommittee's proposal that in addition to the debate on the Report, only one other debate on a Member's motion not intended to have legislative effect should be held at that Council meeting.

Action

X. Appointment of a subcommittee under the House Committee to study the Administration's proposals on the method for selecting the Chief Executive in 2017

(Paragraphs 2 to 5 of the minutes of the 21st House Committee meeting held on 17 April 2015)

23. Members agreed that in line with past practices, a subcommittee should be appointed under HC to study the Administration's proposals on the method for selecting the Chief Executive in 2017 and the relevant draft motion. The following Members agreed to join the subcommittee: Mr CHAN Kam-lam, Ms Emily LAU, Mr TAM Yiu-chung, Mr Abraham SHEK, Mr WONG Kwok-hing, Ms Starry LEE, Mr IP Kwok-him, Mr CHAN Chi-chuen and Dr Helena WONG.

XI. Any other business

24. There being no other business, the meeting ended at 4:22 pm.

Council Business Division 2
Legislative Council Secretariat
6 May 2015