

立法會
Legislative Council

LC Paper No. CB(2) 1610/14-15

Ref : CB2/H/5/14

House Committee of the Legislative Council

**Minutes of the 26th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 29 May 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
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 Frederick FUNG Kin-kee, 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 Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon Albert CHAN Wai-yip
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 Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
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
Dr Hon CHIANG Lai-wan, JP
Hon CHUNG Kwok-pan
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon Albert HO Chun-yan
Dr Hon LAU Wong-fat, GBM, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon LEUNG Kwok-hung
Hon WONG Yuk-man
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon TANG Ka-piu, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Clerk in attendance :

Miss Flora TAI Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
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 Stephen LAM	Senior Assistant Legal Adviser 2
Mr KAU Kin-wah	Senior Assistant Legal Adviser 3
Ms Dora WAI	Principal Council Secretary 1
Ms Emily PANG	Chief Public Information Officer
Ms Amy YU	Chief Council Secretary (2)6
Ms Vanessa CHENG	Assistant Legal Adviser 5
Ms Clara TAM	Assistant Legal Adviser 9
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 25th meeting held on 22 May 2015
(LC Paper No. CB(2)1555/14-15)**

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 reports on bills referred to the House Committee in accordance with Rule 54(4)

Special Holiday (3 September 2015) Bill

(LC Paper No. LS68/14-15)

3. At the invitation of the Chairman, Senior Assistant Legal Adviser 1 ("SALA1") briefed Members on the report prepared by the Legal Service Division ("LSD") on the Bill.

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

IV. Further business for the Council meeting of 3 June 2015

Meeting arrangement for the Council meeting of 3 June 2015

5. The Chairman informed Members that the Council meeting of 3 June 2015 would be suspended at around 8:00 pm on Wednesday, 3 June and would resume at 9:00 am on Thursday, 4 June. If the President was of the opinion that the business on the Agenda was unlikely to be finished by around 10:00 pm on Thursday, 4 June, he would suspend the meeting at around 8:00 pm. If necessary, the meeting would resume at 9:00 am on Friday, 5 June and be adjourned by 1:00 pm.

(a) Tabling of papers

Report No. 22/14-15 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

(LC Paper No. CB(2)1557/14-15)

6. The Chairman said that the Report covered one item of subsidiary legislation, the period for amendment of which would expire at the Council meeting of 3 June 2015. No Member had indicated intention to speak on the subsidiary legislation.

(b) **Request for special leave of the Council to give evidence of Council proceedings**

Request made under section 7 of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) and Rule 90 of the Rules of Procedure for special leave of the Council to give evidence of Council proceedings
(*LC Paper No. CB(3)714/14-15*)

7. The Chairman informed Members that the Acting Deputy Director of Public Prosecutions of the Department of Justice ("DoJ") had submitted a request for special leave of the Council under section 7 of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) and Rule 90 of the Rules of Procedure ("RoP") for four officers of the Legislative Council ("LegCo") to give evidence in court cases.

8. In response to Mr James TO, the Chairman said that Members noted at the House Committee ("HC") meeting on 15 May 2015 a similar request made by a law firm; and the request would also be dealt with at the Council meeting of 3 June 2015. At the invitation of the Chairman, SALA1 briefed Members on the application of section 7 of Cap. 382 and supplemented that the current request from DoJ, like other similar requests submitted to the Council in the past, would be dealt with in accordance with the procedure as set out in RoP 90.

Members' motions without legislative effect

9. The Chairman said that as the proceedings on the Appropriation Bill 2015 had been completed, it was anticipated that the Council could resume dealing with the six previously scheduled Members' motions without legislative effect at the meeting of 3 June 2015, with each Council meeting dealing with two such motions.

V. Business for the Council meeting of 10 June 2015

(a) **Questions**
(*LC Paper No. CB(3)704/14-15*)

10. The Chairman said that 22 questions (six oral and 16 written) had been scheduled for the meeting.

Action

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

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

(c) **Government motions**

(i) **Proposed resolution under the Security and Guarding Services Ordinance (Cap. 460) to be moved by the Secretary for Security**
(*LC Paper No. LS67/14-15*)

12. At the invitation of the Chairman, SALA1 briefed Members on the LSD report on the above proposed resolution. Members did not raise any question and had no objection to the Administration moving the proposed resolution at the Council meeting of 10 June 2015.

(ii) **Proposed resolution under section 2(3) of the Buildings Ordinance (Cap. 123) to be moved by the Secretary for Development**
(*LC Paper No. CB(3)711/14-15*)

13. Members noted that the Administration would move the above proposed resolution at the meeting.

(d) **Members' motions**

14. Members noted under agenda item IV above the arrangement for Members' motions without legislative effect.

VI. Position on Bills Committees and subcommittees

(*LC Paper No. CB(2)1556/14-15*)

15. The Chairman said that as at 28 May 2015, there were 14 Bills Committees (one of which would need to work beyond three months since its commencement), nine subcommittees under HC and nine subcommittees on policy issues under Panels in action. Four subcommittees on policy issues were on the waiting list.

VII. Report of the delegation of the Legislative Council on its parliamentary visit to Germany and priority allocation of a debate slot to the Chairman of the Parliamentary Liaison Subcommittee
(*LC Paper No. CB(4)1064/14-15*)

16. At the invitation of the Chairman, Ms Emily LAU, Chairman of the Parliamentary Liaison Subcommittee cum leader of the delegation, said that the delegation of LegCo conducted a parliamentary visit to Berlin and Bremen in Germany from 1 to 6 March 2015 in response to an invitation from the German Government. She referred Members to the delegation's report ("the Report") for details of its findings and observations on the political and electoral system of Germany, as well as the functions and operation of its bicameral legislature. 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 24 June 2015, to provide an opportunity for Members to express views on the subjects covered in the Report and for the Administration to respond.

17. 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 24 June 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.

VIII. Any other business

18. There being no other business, the meeting ended at 2:41 pm.