

立法會
Legislative Council

LC Paper No. CB(2)1727/14-15

Ref : CB2/H/5/14

House Committee of the Legislative Council

**Minutes of the 28th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 12 June 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 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 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 Priscilla LEUNG Mei-fun, SBS, JP

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 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 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
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
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Dr Hon LEUNG Ka-lau
Dr Hon Fernando CHEUNG Chiu-hung

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
Ms Connie FUNG	Legal Adviser (Designate)
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 Timothy TSO	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 27th meeting held on 5 June 2015
(LC Paper No. CB(2)1668/14-15)**

The minutes of meeting 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 5 June 2015 and tabled in Council on 10 June 2015

(LC Paper No. LS71/14-15)

3. At the invitation of the Chairman, Legal Adviser briefed Members on the report prepared by the Legal Service Division ("LSD") on the 14 items of subsidiary legislation (i.e. L.N. 105 to L.N. 118) which were gazetted on 5 June 2015 and tabled in Council on 10 June 2015.

4. Mr Steven HO considered it necessary to form a subcommittee to study the Import and Export (General) (Amendment) Regulation 2015 (L.N. 105); the Imported Game, Meat and Poultry (Amendment) Regulation 2015 (L.N. 106); and the Food Business (Amendment) Regulation 2015 (L.N. 107) in detail. Members agreed. Ms Cyd HO and Mr Steven HO agreed to join the proposed subcommittee. Members also agreed that the Chairman should, in his capacity as Chairman of the House Committee ("HC"), move a proposed resolution at the Council meeting of 24 June 2015 to extend the deadline for amending these three items of subsidiary legislation from the Council meeting of 8 July 2015 to the first Council meeting of the next session, so as to allow sufficient time for the proposed subcommittee to scrutinize the subsidiary legislation.

5. Members did not raise any question on the remaining 11 items of subsidiary legislation (i.e. L.N. 108 to L.N. 118). Members noted that LSD was making enquiries with the Administration in relation to the legal and drafting aspects of the Merchant Shipping (Prevention of Pollution by Sewage) (Amendment) Regulation 2015 (L.N. 108), and would make a further report if necessary. The Chairman reminded Members that the deadline for amending these 11 items of subsidiary legislation would be the Council meeting of 8 July 2015.

IV. Further business for the Council meeting of 17 June 2015

Tabling of papers

Report No. 23/14-15 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

(LC Paper No. CB(2)1670/14-15)

6. The Chairman said that the Report covered 12 items of subsidiary legislation, the period for amendment of which would expire at the Council meeting of 17 June 2015.

Action

7. The Chairman informed Members that as Ms Cyd HO had indicated her intention to speak on the Mandatory Provident Fund Schemes (Amendment) Ordinance 2015 (Commencement) Notice 2015 (i.e. L.N. 98), he would give notice to move a motion, in his capacity as Chairman of HC, in Council to take note of the Report in relation to the Commencement Notice. The Chairman further said that as the Council meeting of 17 June 2015 would be adjourned after the proceedings on all items of business with legislative effect on the Agenda had been completed, the motion to take note of the Report would stand over until the Council meeting of 24 June 2015.

V. Business for the Council meeting of 24 June 2015

(a) Questions

(LC Paper No. CB(3)741/14-15)

8. 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

(i) Securities and Futures (Amendment) Bill 2015

(ii) Inland Revenue (Amendment) (No. 3) Bill 2015

9. The Chairman said that HC would consider the above two Bills at its meeting on 26 June 2015.

(c) Government motion

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

(d) Member's Bill - resumption of debate on Second Reading, Committee Stage and Third Reading

11. The Chairman said that Dr Priscilla LEUNG had given notice to resume the Second Reading debate on the Kowloon Tong Church of the Chinese Christian and Missionary Alliance Incorporation (Amendment) Bill 2014 at the meeting.

(e) Members' motions

(i) Motion on "Report on the Visit of the Delegation of the Legislative Council to Finland, Norway and Denmark" to be moved by Hon Emily LAU
(LC Paper No. CB(3)633/14-15)

Action

- (ii) **Motion on "Implementation and continuance of 'one country, two systems'" to be moved by Hon Dennis KWOK**
(*LC Paper No. CB(3)639/14-15*)

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

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)747/14-15), which contained four items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 24 June 2015. He reminded Members to indicate their intention by 5:00 pm on Tuesday, 16 June 2015, should they wish to speak on any of the items of subsidiary legislation.

VI. Position on Bills Committees and subcommittees
(*LC Paper No. CB(2)1669/14-15*)

14. The Chairman said that as at 11 June 2015, there were 13 Bills Committees, seven subcommittees under HC and nine subcommittees on policy issues under Panels in action. Five subcommittees on policy issues were on the waiting list.

VII. Any other business

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