

立法會
Legislative Council

LC Paper No. CB(2)1774/14-15

Ref : CB2/H/5/14

House Committee of the Legislative Council

**Minutes of the 29th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 19 June 2015**

Members present:

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)
Hon Ronny TONG Ka-wah, SC (Deputy Chairman)
Hon Albert HO Chun-yan
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 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 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 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-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
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 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 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-kwok, BBS, MH, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Dr Hon LEUNG Ka-lau
Hon Albert CHAN Wai-yip
Hon Michael TIEN Puk-sun, BBS, JP
Hon WU Chi-wai, MH
Hon LEUNG Che-cheung, BBS, MH, 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
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
Mr Kelvin LEE	Assistant Legal Adviser 1
Miss Carrie WONG	Assistant Legal Adviser 4
Ms Vanessa CHENG	Assistant Legal Adviser 5
Miss Winnie LO	Assistant Legal Adviser 7
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 28th meeting held on 12 June 2015
(*LC Paper No. CB(2)1727/14-15*)

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 12 June 2015 and tabled in Council on 17 June 2015

(LC Paper No. LS72/14-15)

3. At the invitation of the Chairman, Legal Adviser briefed Members on the Legal Service Division report on the four items of subsidiary legislation (i.e. L.N. 121 to L.N. 124) gazetted on 12 June 2015 and tabled in Council on 17 June 2015.
4. Members did not raise any question on the four items of subsidiary legislation.
5. The Chairman reminded Members that the deadline for amending the four items of subsidiary legislation would be the second Council meeting in the next session.

IV. Further business for the Council meeting of 24 June 2015

Meeting arrangement for the Council meeting of 24 June 2015

6. The Chairman informed Members that if the President was of the opinion that the business on the Agenda of the meeting was unlikely to be finished by about 10:00 pm on Wednesday, 24 June 2015, he would suspend the Council meeting at about 8:00 pm. If necessary, the meeting would resume at 9:00 am on Thursday, 25 June 2015 and be adjourned after conclusion of all the business on the Agenda.

(a) Tabling of papers

Report No. 24/14-15 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

(LC Paper No. CB(2)1729/14-15)

7. The Chairman said that the Report covered one item of subsidiary legislation (i.e. the Pharmacy and Poisons (Amendment) (No. 4) Regulation 2015), the period for amendment of which would expire at the Council meeting of 24 June 2015. No Member had indicated intention to speak on the subsidiary legislation.

(b) Members' motions

(i) Proposed resolution to be moved by Hon Dennis KWOK under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the:

- **Foreign Lawyers Practice (Amendment) Rules 2015;**
- **Solicitors' Practice (Amendment) Rules 2015; and**
- **Limited Liability Partnerships (Top-up Insurance) Rules**
(LC Paper No. CB(3)760/14-15)

8. The Chairman said that Mr Dennis KWOK, Chairman of the Subcommittee on the above three items of subsidiary legislation, would move a proposed resolution at the Council meeting to extend the scrutiny period of the three items of subsidiary legislation to the first Council meeting in the next session.

(ii) Proposed resolution to be moved by Hon Andrew LEUNG under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the:

- **Import and Export (General) (Amendment) Regulation 2015;**
- **Imported Game, Meat and Poultry (Amendment) Regulation 2015; and**
- **Food Business (Amendment) Regulation 2015**
(LC Paper No. CB(3)761/14-15)

9. The Chairman said that he, in his capacity as Chairman of the House Committee ("HC"), would move a proposed resolution at the Council meeting to extend the scrutiny period of the above three items of subsidiary legislation to the first Council meeting in the next session.

V. Advance information on business for the Council meeting of 8 July 2015

Bills - First Reading and moving of Second Reading

Chinese Permanent Cemeteries (Amendment) Bill 2015

10. The Chairman said that HC would consider the above Bill at its last meeting in the current session to be held after the summer recess.

VI. Reports of Bills Committees and subcommittees

(a) Report of the Bills Committee on Insurance Companies (Amendment) Bill 2014

(LC Paper No. CB(1)1004/14-15)

11. Mr WONG Ting-kwong, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Members noted that the Bills Committee raised no objection to the Committee stage amendments ("CSAs") proposed to be moved by the Administration to the Bill. The Bills Committee also had no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 8 July 2015.

(b) Report of the Bills Committee on Electronic Health Record Sharing System Bill

(LC Paper No. CB(2)1736/14-15)

12. Mr Charles MOK, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr MOK informed Members that the Bills Committee did not object to the CSAs proposed by the Administration to address the concerns raised by members of the Bills Committee and to make certain technical and textual amendments to the Bill. In addition, Dr LEUNG Ka-lau had indicated his intention to propose CSAs to revise the arrangements proposed in the Bill for the giving of joining consent and sharing consent by healthcare recipients for the use of electronic health records by prescribed healthcare providers. Members also noted that the Bills Committee supported the resumption of the Second Reading debate on the Bill at the Council meeting of 8 July 2015.

(c) **Report of the Bills Committee on Inland Revenue (Amendment) Bill 2015**

(LC Paper No. CB(1)978/14-15)

13. Mr Christopher CHEUNG, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Members noted that the Bills Committee supported the resumption of the Second Reading debate on the Bill. Members also noted that the Administration had indicated its intention to resume the Second Reading debate on the Bill at the Council meeting of 8 July 2015.

(d) **Report of the Bills Committee on Electoral Legislation (Miscellaneous Amendments) Bill 2015**

14. Mr IP Kwok-him, Chairman of the Bills Committee, made a verbal report on the deliberations of the Bills Committee. Mr IP said that the Bill sought to amend certain pieces of electoral legislation to introduce technical amendments concerning, among others, the electorate of certain functional constituencies ("FCs"), the name of an FC and the counting procedure for an FC; and to make other minor amendments. In the course of deliberations, some members of the Bills Committee had expressed concern about the mechanism adopted by the Administration for handling requests from individual bodies for inclusion in particular FCs and the criteria for considering such requests. According to the Administration, in line with the established practice, the relevant bureaux/departments would be consulted before each Legislative Council general election to review whether the delineation of the electorate of FCs under the Legislative Council Ordinance (Cap. 542) ("LCO") needed to be adjusted; and the proposals in the Bill had taken into account the views of the relevant bureaux/departments. The Administration would inform the relevant bodies of the outcome of their requests only after completion of the relevant legislative exercise.

15. Mr IP Kwok-him further said that in response to some members' concern that an association in the printing industry ("the Association") was restricted to be registered as an elector of the Insurance FC, the Administration explained that since the Association was an association of underwriters approved by the Insurance Authority under the Insurance Companies Ordinance (Cap. 41) to carry on insurance business, it fulfilled the eligibility to be registered as an elector of the Insurance FC under LCO. As such, pursuant to section 25(3)(d) of LCO, the Association could only be registered for the Insurance FC and not for another FC. Mr IP also informed Members that the Bills Committee had no objection to the Administration's proposal to rename the Architectural,

Action

Surveying and Planning FC as the Architectural, Surveying, Planning and Landscape FC. Members noted that the Bills Committee raised no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 8 July 2015.

16. The Chairman reminded Members that the deadline for giving notice of CSAs, if any, proposed to be moved to the above four Bills would be Saturday, 27 June 2015.

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)1728/14-15)

17. The Chairman said that as at 18 June 2015, there were 13 Bills Committees, eight subcommittees under HC and nine subcommittees on policy issues under Panels in action. Five subcommittees on policy issues were on the waiting list.

VIII. Any other business

18. There being no other business, the meeting ended at 2:43 pm.

Council Business Division 2
Legislative Council Secretariat
24 June 2015