

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1816/14-15

Ref : CB2/H/5/14

**House Committee of the Legislative Council**

**Minutes of the 30th meeting  
held in Conference Room 1 of the Legislative Council Complex  
at 2:30 pm on Friday, 26 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 CHAN Kam-lam, SBS, JP  
Hon LEUNG Yiu-chung  
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  
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 Alan LEONG Kah-kit, SC  
Hon Albert CHAN Wai-yip  
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 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:**

Hon Albert HO Chun-yan  
Hon James TO Kun-sun  
Dr Hon LAU Wong-fat, GBM, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Dr Hon LEUNG Ka-lau  
Hon Paul TSE Wai-chun, JP  
Hon LEUNG Kwok-hung  
Hon WONG Yuk-man  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
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
Miss Carrie WONG	Assistant Legal Adviser 4
Ms Vanessa CHENG	Assistant Legal Adviser 5
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

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**I. Confirmation of the minutes of the 29th meeting held on 19 June 2015**

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

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

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(a) **Securities and Futures (Amendment) Bill 2015**

*(LC Paper No. LS74/14-15)*

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. Mr Christopher CHEUNG and Mr SIN Chung-kai considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Mr Christopher CHEUNG and Mr SIN Chung-kai agreed to join the proposed Bills Committee.

(b) **Inland Revenue (Amendment) (No. 3) Bill 2015**

*(LC Paper No. LS75/14-15)*

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. Mr Kenneth LEUNG and Mr SIN Chung-kai agreed to join the proposed Bills Committee.

### IV. Business for the Council meeting of 8 July 2015

#### Meeting arrangement for the Council meeting of 8 July 2015

7. The Chairman said that the Secretariat had issued a circular informing Members of the meeting arrangement for the Council meeting of 8 July 2015 as follows:

(a) the meeting would be suspended at about 8:00 pm on Wednesday, 8 July;

(b) the meeting would resume 15 minutes after the Chief Executive's Question and Answer Session scheduled to be held from 9:30 am to 11:00 am on Thursday, 9 July, and be suspended at about 8:00 pm;

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- (c) the meeting would resume at 9:00 am and be suspended at about 1:00 pm on Friday, 10 July, as meetings of the Finance Committee had been scheduled for that afternoon;
- (d) the meeting would resume at 9:00 am and be adjourned at about 10:00 pm on Monday, 13 July; and
- (e) depending on the meeting progress and if necessary, the President would consult Members further on the meeting arrangement.

(a) **Questions**

*(LC Paper No. CB(3)793/14-15)*

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**

9. The Chairman said that the Chinese Permanent Cemeteries (Amendment) Bill 2015 would be presented to the Council on 8 July 2015.

(c) **Bills - resumption of debate on Second Reading, Committee Stage and Third Reading**

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- (i) **Arbitration (Amendment) Bill 2015**
- (ii) **Special Holiday (3 September 2015) Bill**
- (iii) **Inland Revenue (Amendment) (No. 2) Bill 2015**
- (iv) **Insurance Companies (Amendment) Bill 2014**
- (v) **Inland Revenue (Amendment) Bill 2015**
- (vi) **Electoral Legislation (Miscellaneous Amendments) Bill 2015**
- (vii) **Electronic Health Record Sharing System Bill**

10. The Chairman informed Members that the Administration had given notice to resume the Second Reading debates on the above seven Bills at the Council meeting of 8 July 2015. The Chairman further said that the Secretariat had received a letter from the Administration in the morning of the day of this House Committee ("HC") meeting advising that having considered the relative urgency of the above seven Bills, the Administration proposed that the Special Holiday (3 September 2015) Bill and the Inland Revenue (Amendment) No. 2 Bill 2015 be dealt with

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ahead of the other five Bills at the Council meeting of 8 July 2015. The Administration's proposal was pending the President's approval.

11. Dr Kenneth CHAN enquired whether there would be any Committee stage amendments ("CSAs") to the Special Holiday (3 September 2015) Bill.

12. At the invitation of the Chairman, Assistant Secretary General 3 advised that the deadline for giving notice of CSAs would be Saturday, 27 June 2015. While a Member had indicated intention to move CSAs to the Bill, no formal notice had been received yet. According to the established procedure, upon receipt of notice from a Member for moving CSAs to a Bill, the Secretariat would invite the Administration to comment on the proposed CSAs and the Member concerned to respond to the Administration's comments. The Administration's comments and the Member's response would be submitted to the President for making his ruling on the admissibility of the proposed CSAs.

(d) **Government motion**

**Proposed resolution under section 7(a) of the Legal Aid Ordinance (Cap. 91) to be moved by the Secretary for Home Affairs**

*(LC Paper No. LS73/14-15)*

13. At the invitation of the Chairman, LA 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 8 July 2015.

(e) **Members' motions**

(i) **Motion on "Report on the Visit of the Delegation of the Legislative Council to Germany" to be moved by Hon Emily LAU**

*(LC Paper No. CB(3)720/14-15)*

(ii) **Motion on "Not forgetting the 4 June incident" to be moved by Hon SIN Chung-kai**

*(LC Paper No. CB(3)743/14-15)*

14. 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

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15. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)796/14-15), which contained 15 items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 8 July 2015. The Chairman reminded Members to indicate their intention by 5:00 pm on Monday, 29 June 2015, should they wish to speak on any of the items of subsidiary legislation.

**V. The Chief Executive's Question and Answer Session on 9 July 2015**

16. The Chairman said that the Chief Executive's Question and Answer Session would be held from 9:30 am to 11:00 am. CE had indicated that he had no preference for Members to focus their questions on any particular area.

**VI. Reports of Bills Committees and subcommittees**

**(a) Report of the Subcommittee on Road Traffic Ordinance (Amendment of Schedule 10) Order 2015**

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*(LC Paper No. CB(1)1026/14-15)*

17. Mr Frankie YICK, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that having regard to the concerns and suggestions raised by members of the Subcommittee, the Administration would propose amendments to the Order to implement the emission test fee increase in two phases.

**(b) Report of the Subcommittee on Three Pieces of Subsidiary Legislation Relating to Over-the-counter Derivative Transactions**

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*(LC Paper No. CB(1)1032/14-15)*

18. Mr SIN Chung-kai, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee raised no objection to the three items of subsidiary legislation.

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19. The Chairman reminded Members that as the period for amending the four items of subsidiary legislation studied by the above two Subcommittees would expire at the Council meeting of 8 July 2015, the deadline for giving notice of amendments, if any, to the subsidiary legislation would be Tuesday, 30 June 2015.

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

*(LC Paper No. CB(2)1775/14-15)*

20. The Chairman said that as at 25 June 2015, there were nine Bills Committees (one of which would need to work beyond three months since its commencement), 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**

21. The Chairman said that as the Deputy Chairman would not be able to attend the next HC meeting, this meeting was the last HC meeting attended by the Deputy Chairman before he vacated his office as Legislative Council Member. On behalf of Members, he thanked the Deputy Chairman for his contribution to HC in the past three years.

22. The Chairman further said that this meeting was also the last HC meeting attended by LA. On behalf of Members, he thanked LA for the professional legal service he had rendered to HC over the past many years.

23. There being no other business, the meeting ended at 2:46 pm.