

立法會  
*Legislative Council*

LC Paper No. CB(4)1021/14-15  
(These minutes have been seen  
by the Administration)

Ref : CB4/SS/10/14

**Subcommittee on the Two Proposed Resolutions Relating to the  
Establishment of the Innovation and Technology Bureau**

**Minutes of the first meeting held on  
Monday, 20 April 2015, at 2:15 pm  
in Conference Room 2B of the Legislative Council Complex**

**Members present** : Ir Dr Hon LO Wai-kwok, BBS, MH, JP (Chairman)  
Hon CHAN Kam-lam, SBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon Cyd HO Sau-lan, JP  
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 WONG Yuk-man  
Hon Claudia MO  
Hon NG Leung-sing, SBS, JP  
Hon Steven HO Chun-yin  
Hon Frankie YICK Chi-ming  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Dr Hon Kenneth CHAN Ka-lok  
Hon SIN Chung-kai, SBS, JP  
Dr Hon Elizabeth QUAT, JP  
Dr Hon CHIANG Lai-wan, JP  
Hon CHUNG Kwok-pan  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP  
Hon Tony TSE Wai-chuen, BBS

- Member attending** : Hon WU Chi-wai, MH
- Members absent** : Hon LEUNG Kwok-hung  
Hon TANG Ka-piu, JP
- Public Officers attending** : Agenda item II  
Commerce and Economic Development Bureau  
Miss Susie HO, JP  
Permanent Secretary for Commerce and Economic Development (Communications and Technology)  
Mr Joe WONG, JP  
Deputy Secretary for Commerce and Economic Development (Communications and Technology)  
Mr Ivanhoe CHANG  
Principal Assistant Secretary for Commerce and Economic Development (Communications and Technology)B  
Office of the Government Chief Information Officer  
Miss Joey LAM, JP  
Deputy Government Chief Information Officer (Policy and Community)  
Department of Justice  
Ms Angie LI  
Senior Government Counsel
- Clerk in attendance** : Ms YUE Tin-po  
Chief Council Secretary (4)3
- Staff in attendance** : Ms Wendy KAN  
Assistant Legal Adviser 6

Mr Joey LO  
Senior Council Secretary (4)3

Ms Anki NG  
Council Secretary (4)3

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Action

**I Election of Chairman**

Dr LO Wai-kwok was elected Chairman of the Subcommittee.

**II Meeting with the Administration**

(Ref: CTB/B/480-20-6-6/3/C  
(Annex A) -- Proposed resolution to repeal the resolution made and passed by the Legislative Council under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1) on 29 October 2014 and published in the Gazette as Legal Notice No. 132 of 2014

Ref: CTB/B/480-20-6-6/3/C  
(Annex C) -- Proposed resolution to effect the transfer of statutory functions under the Electronic Transactions Ordinance (Cap. 553) pursuant to the proposed establishment of the Innovation and Technology Bureau

Ref: CTB/B/480-20-6-6/3/C -- Legislative Council Brief on "Resolutions to be made relating to the establishment of the Innovation and Technology Bureau" issued by the Commerce and Economic Development Bureau on 31 March 2015

LC Paper No. LS57/14-15 -- Legal Service Division Report

LC Paper No. CB(4)796/14-15(01) -- Marked-up copy of the proposed Resolution prepared by the Legal Service Division (Restricted to members)

LC Paper No. CB(4)796/14-15(02) -- Background brief prepared by the Legislative Council Secretariat)

2. The Subcommittee deliberated (index of proceedings in the **Appendix**).

Follow-up actions to be taken by the Administration

3. The Administration was requested to provide information on:
- (a) the proposed structure, establishment and projected workload of the Innovation and Technology Bureau ("ITB") vis-à-vis the Commerce and Economic Development Bureau;
  - (b) how the ITB would better integrate with the innovation and technology industries to improve the success rate of commercialization of research and development ("R&D") deliverables through further strengthening the co-ordination among the Government, industry, academia and R&D sectors; and
  - (c) the availability of industrial premises and land for the innovation and technology industries, and how the ITB would facilitate the development of such industries by assisting them in identifying suitable industrial premises.

*(Post-meeting note: The information provided by the Administration was circulated to members vide LC Paper No. CB(4)893/14-15(02) on 30 April 2015.)*

Legislative timetable

4. The Subcommittee completed scrutiny of the proposed resolution to repeal the resolution made and passed by the Legislative Council on 29 October 2014 and published in the Gazette as Legal Notice No. 132 of 2014 under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1) ("IGCO"), and the proposed resolution to effect the transfer of the relevant statutory functions under the Electronic Transactions Ordinance (Cap. 553) pursuant to the proposed establishment of the ITB.

*(Post-meeting note:* The Chairman would report the deliberations of the Subcommittee to the House Committee on 8 May 2015. The Secretary for Commerce and Economic Development had given notice to move two motions in respect of the proposed resolutions relating to the establishment of the Innovation and Technology Bureau at the Council meeting of 20 May 2015. The deadline for giving notice to move amendments, if any, to the proposed resolutions would be 13 May 2015. The above information was conveyed to members vide LC Paper No. CB(4)893/14-15(02) on 30 April 2015.)

**III Any other business**

5. There being no other business, the meeting ended at 3:25 pm.

Council Business Division 4  
Legislative Council Secretariat  
19 May 2015

**Appendix**

**Proceedings of the first meeting of  
Subcommittee on the Two Proposed Resolutions Relating to the Establishment of the  
Innovation and Technology Bureau  
on Monday, 20 April 2015, at 2:15 pm  
in Conference Room 2B of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
000111 – 000619	Mr CHAN Kam-lam Mr WONG Kwok-hing Mr Andrew LEUNG Ir Dr LO Wai-kwok Mr SIN Chung-kai Mr Charles Peter MOK Ms Claudia MO Mr WONG Ting-kwong Mr CHAN Chi-chuen Dr Elizabeth QUAT Dr CHIANG Lai-wan Mr WONG Yuk-man	Election of Chairman	
000620 – 000800	Mr CHAN Kam-lam Mr WONG Kwok-hing Mr Andrew LEUNG Ir Dr LO Wai-kwok Mr SIN Chung-kai Mr Charles Peter MOK Ms Claudia MO Mr WONG Ting-kwong Mr CHAN Chi-chuen Dr Elizabeth QUAT Dr CHIANG Lai-wan Mr WONG Yuk-man	The Subcommittee accepted Mr WONG Yuk-man's application for late membership.	
000801 – 001130	Chairman Administration	Briefing by the Administration on the proposed resolutions relating to the establishment of the Innovation and Technology Bureau ("ITB") (File Ref: CTB/B/480-20-6-6/3/C).	
001131 – 001730	Chairman Mr WONG Kwok-hing Administration	Mr WONG Kwok-hing's enquiry and the Administration's response regarding the legislative timetable for the establishment of the ITB, and contingency plan in the event that the relevant proposals were not approved by the Finance Committee ("FC").	
001731 – 005630	Chairman Mr Albert CHAN Wai-yip Ms Claudia MO Mr CHUNG Kwok-pan	Mr Albert CHAN Wai-yip expressed objection to the proposed establishment of the ITB. He was of the view that the Administration should explain more clearly the proposed structure,	The Administration to follow up as per paragraph 3

Time marker	Speaker	Subject(s)	Action required
	<p>Mr Charles Peter MOK Mr NG Leung-sing Mr Tony TSE Wai-chuen Administration</p>	<p>establishment and projected workload of the ITB, how the ITB would improve the success rate of commercialization of research and development ("R&amp;D") deliverables through cooperation with the major innovation and technology-related industries in Hong Kong, such as the pharmaceutical industry, and how the ITB would facilitate the development of the innovation and technology-related industries by assisting in identifying suitable premises and land.</p> <p>Mr Albert CHAN Wai-yip queried the rationale of not transferring the telecommunications and broadcasting portfolios under the Commerce and Economic Development Bureau ("CEDB") to the ITB. He was of the view that the CEDB would have excess capacity and manpower surplus after the transfer of the innovation and technology function to the ITB.</p> <p>The Administration advised that the proposed ITB would focus on the development of innovation and technology in Hong Kong, including the commercialization of R&amp;D deliverables. The Administration considered it undesirable to transfer the telecommunications and broadcasting portfolios to the ITB as they were more related to regulatory and licensing matters.</p> <p>The Administration added that the Communications and Technology Branch of the CEDB would still have to tackle many mammoth tasks after the establishment of the ITB, notably the review of the Telecommunications Ordinance (Cap. 106) and the Broadcasting Ordinance (Cap. 562).</p> <p>Mr Charles Peter MOK shared Mr Albert CHAN Wai-yip's view and opined that the Administration should help facilitate the realization and commercialization of R&amp;D results for translating the technology to marketable products or services. The Administration should also help integrate R&amp;D activities into the industries of Hong Kong. He opined that the Administration should step up effort to explain the need for the establishment of the ITB to Members who were opposed to the</p>	<p>(a) to (c) of the minutes.</p>

Time marker	Speaker	Subject(s)	Action required
		<p>proposal.</p> <p>The Administration advised that in fact the officials concerned had explained to individual Members the justifications for establishing the ITB and lobby for their support.</p> <p>Ms Claudia MO's enquiry and the Administration's response regarding the legislative timetable for the establishment of the ITB. The Administration explained that the process in the FC in respect of the funding and staffing proposals relating to the establishment of the ITB and the legislative process of the proposed resolutions were separate proceedings and the dates of their completion were uncertain. The Administration would continue to strive for the early approval and passage of the relevant proposals and the proposed resolutions by FC and the Legislative Council ("LegCo") within this legislative session.</p> <p>Mr CHUNG Kwok-pan's enquiry and the Administration's response regarding whether the Administration would fine-tune the proposal, e.g. by reconsidering the proposed portfolio of the ITB, in order to improve its chances of being passed by FC and LegCo.</p> <p>The Administration advised that the existing proposal had in fact been thoroughly deliberated on various occasions in the LegCo and its Panels, committees and subcommittees. The Administration considered the existing proposal an appropriate one and had no intention to amend it for the time being. That said, the Administration could review the structure of the ITB and consider transferring other portfolios, say the creative industries portfolio, to the ITB after it was established and operated for a certain period of time.</p> <p>Mr NG Leung-sing and Mr Tony TSE Wai-chuen expressed support for the proposed resolutions, and shared the view that the ITB should be established as soon as possible to spearhead the development of innovation and technology in Hong Kong.</p>	



<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
005631 – 010830	Chairman Administration Assistant Legal Adviser	<u>Section by section examination</u>  Briefing by the Administration on the proposed resolution to repeal the resolution made and passed by the LegCo under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1) on 29 October 2014 and published in the Gazette as Legal Notice No. 132 of 2014, and the proposed resolution to effect the transfer of statutory functions under the Electronic Transactions Ordinance (Cap. 553) pursuant to the proposed establishment of the ITB.	
010831 – 011008	Chairman Clerk	Legislative timetable	