

立法會
Legislative Council

LC Paper No. CB(2)369/15-16

Ref : CB2/H/5/15

House Committee of the Legislative Council

**Minutes of the 7th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 27 November 2015**

Members present:

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)
Hon MA Fung-kwok, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, 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
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, BBS
Hon WU Chi-wai, MH
Hon Gary FAN Kwok-wai
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, 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, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon CHAN Kam-lam, SBS, JP
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Dr Hon LAM Tai-fai, SBS, JP
Dr Hon LEUNG Ka-lau
Hon Frankie YICK Chi-ming, JP
Hon YIU Si-wing, BBS
Hon CHAN Han-pan, JP
Hon CHAN Yuen-han, SBS, JP
Hon Kenneth LEUNG
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
Ms Connie FUNG	Legal Adviser
Miss Odelia LEUNG	Deputy Secretary General
Ms Anita SIT	Assistant Secretary General 1
Ms Dora WAI	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 Kelvin LEE	Senior Assistant Legal Adviser 3
Ms Amy YU	Principal Council Secretary 1
Ms Hallie CHAN	Head (Public Information)
Ms Alice LEUNG	Chief Council Secretary (2)6
Miss Joyce CHAN	Assistant Legal Adviser 1
Miss Rachel DAI	Assistant Legal Adviser 2
Miss Evelyn LEE	Assistant Legal Adviser 10
Miss Karen LAI	Senior Council Secretary (2)6
Ms Jasmine TAM	Senior Council Secretary (2)8
Mr Richard WONG	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 6th meeting held on 20 November 2015

(LC Paper No. CB(2)330/15-16)

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

(a) **Legal Service Division reports on bills referred to the House Committee in accordance with Rule 54(4)**

(i) **Mandatory Provident Fund Schemes (Amendment) Bill 2015**

(LC Paper No. LS12/15-16)

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

(ii) **Deposit Protection Scheme (Amendment) Bill 2015**

(LC Paper No. LS14/15-16)

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 SIN Chung-kai agreed to join the proposed Bills Committee.

(b) **Legal Service Division report on subsidiary legislation gazetted on 20 November 2015 and tabled in Council on 25 November 2015**

(LC Paper No. LS11/15-16)

7. At the invitation of the Chairman, LA briefed Members on the LSD report on the three items of subsidiary legislation (i.e. L.N. 227, L.N. 228 and L.N. 230) which were gazetted on 20 November 2015 and tabled in Council on 25 November 2015.

8. Mr SIN Chung-kai considered it necessary to form a subcommittee to study the Securities and Futures (Contracts Limits and Reportable Positions) (Amendment) Rules 2015 (L.N. 228) in detail. Members agreed. Mr Christopher CHEUNG and Mr SIN Chung-kai agreed to join the proposed subcommittee.

Action

9. Members did not raise any question on the other two items of subsidiary legislation.

10. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation would be the Council meeting of 16 December 2015, or that of 13 January 2016 if extended by a resolution of the Council.

IV. Further business for the Council meeting of 2 December 2015

Meeting arrangement for the Council meeting of 2 December 2015

11. The Chairman informed Members that the meeting would start at 11:00 am and be suspended at around 8:00 pm on Wednesday, 2 December 2015. The meeting would resume at 9:00 am on Thursday, 3 December 2015 and be adjourned after conclusion of all the business on the Agenda.

Tabling of papers

**Report No. 6/15-16 of the House Committee on Consideration of
Subsidiary Legislation and Other Instruments**

(LC Paper No. CB(2)332/15-16)

12. The Chairman said that the Report covered 19 items of subsidiary legislation and the period for amending those items would expire at the Council meeting of 2 December 2015.

13. The Chairman informed Members that as several Members had indicated their intention to speak on seven items of the above subsidiary legislation, he would, in his capacity as the Chairman of the House Committee ("HC"), move a motion to take note of the Report in relation to these seven items of subsidiary legislation at the Council meeting.

14. The Chairman further said that as the motion related to more than one item of subsidiary legislation, he proposed that the debate on the seven items be divided into two sessions, one covering the five Commencement Notices made under sections 73 and 73A of the Legal Practitioners Ordinance (Cap. 159) (L.N. 161 to L.N. 165) and the other covering the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 (L.N. 191) and the Building (Administration) (Amendment) (No. 2) Regulation 2015 (L.N. 192). Members agreed.

V. Business for the Council meeting of 9 December 2015

(a) Questions

(LC Paper No. CB(3)179/15-16)

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

(b) Bill - First Reading and moving of Second Reading

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

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

Copyright (Amendment) Bill 2014

17. The Chairman said that the resumption of the Second Reading debate on the Bill would be dealt with at the Council meeting. In response to Mr CHAN Chi-chuen's enquiry, the Chairman advised that Members would be informed of the meeting arrangements at the next HC meeting.

(d) Government motions

Two proposed resolutions to be moved by the Secretary for Transport and Housing under section 5(3)(b) of the Public Bus Services Ordinance (Cap. 230) in relation to the following two bus companies:

(i) Citybus Limited; and

(ii) New Lantao Bus Company (1973) Limited

(LC Paper No. CB(3)167/15-16)

(LC Paper No. LS13/15-16)

18. At the invitation of the Chairman, LA briefed Members on the LSD report on the above two proposed resolutions.

19. Mr WU Chi-wai considered it necessary to form a subcommittee to study the proposed resolutions in detail. Members agreed. Mr WU Chi-wai and Mr TANG Ka-piu agreed to join the proposed subcommittee.

20. The Chairman informed Members that in line with the established practice and the arrangement agreed with the Administration, the Administration would be requested to withdraw its notices for moving the two proposed resolutions so as to allow sufficient time for the subcommittee to scrutinize the proposed resolutions.

(e) Members' motions

- (i) Motion on "Actively studying the establishment of a middle class commission" to be moved by Hon Tommy CHEUNG**

(LC Paper No. CB(3)180/15-16)

- (ii) Motion on "Reconstructing the image of Hong Kong's tourism industry" to be moved by Hon YIU Si-wing**

(LC Paper No. CB(3)188/15-16)

21. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 2 December 2015.

Report of HC on Consideration of Subsidiary Legislation

22. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)186/15-16), which contained two items of subsidiary legislation. The period for amending those items would expire at the Council meeting of 9 December 2015. He reminded Members to indicate their intention by 5:00 pm on Tuesday, 1 December 2015, should they wish to speak on any of these items of subsidiary legislation.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)331/15-16)

23. The Chairman said that as at 26 November 2015, there were 11 Bills Committees, eight subcommittees under HC and seven subcommittees on policy issues under Panels in action. Five subcommittees on policy issues under Panels were on the waiting list.

Action

VII. Any other business

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

Council Business Division 2
Legislative Council Secretariat
2 December 2015