

**立法會**  
***Legislative Council***

LC Paper No. CB(2)468/15-16

Ref : CB2/H/5/15

**House Committee of the Legislative Council**

**Minutes of the 9th meeting  
held in Conference Room 1 of the Legislative Council Complex  
at 2:30 pm on Friday, 11 December 2015**

**Members present:**

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)  
Hon MA Fung-kwok, SBS, JP (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 Abraham SHEK Lai-him, GBS, JP  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon Frederick FUNG Kin-kee, 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  
Hon WONG Kwok-kin, SBS  
Hon IP Kwok-him, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Alan LEONG Kah-kit, SC  
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 Frankie YICK Chi-ming, JP  
Hon WU Chi-wai, MH  
Hon YIU Si-wing, BBS  
Hon Gary FAN Kwok-wai  
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 Alice MAK Mei-kuen, BBS, JP  
Hon KWOK Wai-keung  
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 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 Christopher CHUNG Shu-kun, BBS, MH, JP

**Members absent:**

Hon Albert HO Chun-yan  
Dr Hon LAU Wong-fat, GBM, GBS, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Dr Hon LEUNG Ka-lau  
Hon CHEUNG Kwok-che  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon LEUNG Kwok-hung  
Hon Kenneth LEUNG  
Dr Hon KWOK Ka-ki  
Hon Dennis KWOK  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon CHUNG Kwok-pan  
Hon Tony TSE Wai-chuen, BBS

**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 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 Rachel DAI	Assistant Legal Adviser 2
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 8th meeting held on 4 December 2015**

*(LC Paper No. CB(2)422/15-16)*

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**

**Legal Service Division report on subsidiary legislation gazetted on 4 December 2015 and tabled in Council on 9 December 2015**

*(LC Paper No. LS16/15-16)*

Action

3. At the invitation of the Chairman, Legal Adviser briefed Members on the report prepared by the Legal Service Division on the two items of subsidiary legislation (i.e. L.N. 231 and L.N. 232) which were gazetted on 4 December 2015 and tabled in Council on 9 December 2015.
4. Members did not raise any question on the two items of subsidiary legislation.
5. The Chairman reminded Members that the deadline for amending the two items of subsidiary legislation would be the Council meeting of 6 January 2016.

**IV. Further business for the Council meeting of 16 December 2015**

Meeting arrangement for the Council meeting of 16 December 2015

6. The Chairman informed Members that the meeting would start at 11:00 am and be suspended at around 8:00 pm on Wednesday, 16 December 2015. The meeting would resume at 9:00 am and be suspended at around 8:00 pm on Thursday, 17 December 2015. The meeting would resume at 9:00 am and be adjourned at around 1:00 pm on Friday, 18 December 2015, as meetings of the House Committee ("HC") and the Finance Committee ("FC") had been scheduled for that afternoon.

Business originally scheduled for the Council meeting of 9 December 2015

*Questions*

7. The Chairman said that as the Council meeting of 9 December 2015 was adjourned due to a lack of quorum, three oral questions which were originally scheduled to be asked at that meeting were not asked. The Chairman informed Members that in line with past arrangement, these three oral questions would stand over to the Council meeting of 16 December 2015. He would, in his capacity as the Chairman of HC, move a motion under Rule 91 of the Rules of Procedure ("RoP") before the Question Time of the Council meeting of 16 December 2015 to suspend Rule 23(2) and (3) of RoP, so as to enable more than 22 questions of which notice had been given (i.e. 9 oral questions and 16 written questions or 25 questions in total) to be asked at that meeting.

*Members' motions without legislative effect*

8. The Chairman further informed Members that Mr Tommy CHEUNG's motion and Mr YIU Si-wing's motion which were not dealt with at the Council meeting of 9 December 2015 would be included in the Agenda for the Council meeting of 16 December 2015. Mr IP Kwok-him's motion and Mr WONG Kwok-hing's motion which were originally scheduled to be dealt with at the Council meeting of 16 December 2015 would have to stand over to the Council meeting of 6 January 2016.

Further business for the Council meeting of 16 December 2015

(a) **Tabling of papers**

**Report No. 8/15-16 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments**  
(LC Paper No. CB(2)424/15-16)

9. The Chairman said that the Report covered four items of subsidiary legislation and the period for amending those items would expire at the Council meeting of 16 December 2015.

10. The Chairman informed Members that as several Members had respectively indicated their intention to speak on the Census and Statistics (2016 Population Census) Order ("the Order") (L.N. 208) and the Fifth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences ("the Technical Memorandum") (S.S. No. 5 to Gazette No. 43/2015), he would, in his capacity as the Chairman of HC, move a motion to take note of the Report in relation to the Order and the Technical Memorandum at the meeting. He proposed that the debate on the Report be divided into two sessions to enable Members to speak on the Order and the Technical Memorandum respectively. Members agreed.

11. In response to Ms Cyd HO and Ms Emily LAU, the Chairman advised that the motion to take note of the Report would be dealt with after the proceedings on bills and government motion(s) with legislative effect had been completed. The Clerk also confirmed that Members would still have the opportunity to speak on the Order and Technical Memorandum at the following Council meeting if the motion to take note of the Report could not be dealt with at the Council meeting of 16 December 2015.

(b) **Bills - First Reading and moving of Second Reading**

- (i) **Eastern Harbour Crossing Legislation (Amendment) Bill 2015**
- (ii) **Electoral Legislation (Miscellaneous Amendments) (No. 2) Bill 2015**

12. The Chairman said that the above two Bills would be presented to the Council on 16 December 2015.

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

13. Members noted that the Second Reading debate on the Bankruptcy (Amendment) Bill 2015 would be resumed at the meeting.

(d) **Members' motions**

**Proposed resolution to be moved by Hon CHAN Kam-lam under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Securities and Futures (Contracts Limits and Reportable Positions) (Amendment) Rules 2015**

*(LC Paper No. CB(3)236/15-16)*

14. Members noted that Mr CHAN Kam-lam, Chairman of the Subcommittee on the above Amendment Rules, had given notice to move a proposed resolution at the meeting to extend the period for amending the Amendment Rules to the Council meeting of 13 January 2016.

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

*(LC Paper No. CB(2)423/15-16)*

15. The Chairman said that as at 10 December 2015, there were 13 Bills Committees, eight subcommittees under HC and seven subcommittees on policy issues under Panels in action. Five subcommittees on policy issues were on the waiting list.

**VI. Proposed overseas duty visit to Singapore by the Panel on Development**

*(LC Paper No. CB(1)268/15-16)*

16. Mr LEUNG Che-cheung, Deputy Chairman of the Panel on Development, said that the Panel proposed to conduct a duty visit to Singapore from 20 to 23 March 2016 to study the country's experience in diversifying the sources of water supply and safeguarding the quality of piped drinking water. Mr LEUNG informed Members that the Panel had agreed to open the proposed duty visit to all Members and a total of eight Members had indicated interest to take part in the visit. Mr LEUNG further said that at the invitation of the Panel, an official from the Water Supplies Department would join the proposed duty visit to advise Members on technological and technical matters and the relevant expenses incurred by the official would be borne by the Government. He referred Members to the Panel's paper for details of the proposed visit.

17. Mr James TIEN enquired whether the period for indicating interest to take part in the proposed duty visit had expired, and if so, whether he could still join the visit if he so wished.

18. At the invitation of the Chairman, Assistant Secretary General 1 advised that the Secretariat had earlier issued a circular inviting Members to indicate by a specified date whether they wished to take part in the proposed duty visit. As the deadline for indicating interest to join the visit had expired, it would be for the Panel on Development to decide how late indications of interest, if any, should be handled.

19. Mr Albert CHAN said that while he was eager to join the proposed duty visit, he would not be able to do so if additional committee meetings were held during the period when the proposed visit was conducted. He hoped that FC, the Establishment Subcommittee and the Public Works Subcommittee would avoid scheduling additional meetings during the period of the proposed duty visit. Dr CHIANG Lai-wan, however, considered the request unreasonable.

20. The Chairman said that it would be up to the chairmen of committees to determine the date and time of a meeting. Members agreed that permission be given for the Panel on Development to conduct the proposed duty visit.

Action

**VII. Any other business**

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

Council Business Division 2  
Legislative Council Secretariat  
16 December 2015