

立法會
Legislative Council

LC Paper No. CB(2)740/15-16

Ref : CB2/H/5/15

House Committee of the Legislative Council

**Minutes of the 13th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 22 January 2016**

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 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 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 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
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
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 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 Kenneth LEUNG
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
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
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:

Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon James TIEN Pei-chun, GBS, JP
Hon TANG Ka-piu, JP

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
Mr YICK Wing-kin	Assistant Legal Adviser 8
Ms Clara TAM	Assistant Legal Adviser 9
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

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I. Confirmation of the minutes of the 12th meeting held on 15 January 2016

(LC Paper No. CB(2)698/15-16)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on his meeting with the Chief Secretary for Administration

The Government's legislative programme

2. The Chairman informed Members that he had conveyed to the Chief Secretary for Administration ("CS") the various views expressed by Members at the last House Committee ("HC") meeting on her letter dated 14 January 2016 regarding the Government's legislative programme. CS's response was that the Copyright (Amendment) Bill 2014 had gone through the due process, including in-depth scrutiny and thorough deliberations by the Bills Committee on Copyright (Amendment) Bill 2014, and the Bills Committee had no objection to the resumption of the Second Reading debate on the Bill. In CS's view, Members should complete, as early as possible, the proceedings on the Bill and vote on the Bill and the related Committee stage amendments ("CSAs"). The Chairman also relayed to Members that CS did not consider it useful for her to attend a special HC meeting unless Members could come up with a feasible and practicable option to break the current stalemate in the scrutiny of bills faced by the Legislative Council.

III. Business arising from previous Council meetings

(a) Legal Service Division report on bill referred to the House Committee in accordance with Rule 54(4)

Inland Revenue (Amendment) Bill 2016 (*LC Paper No. LS28/15-16*)

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. Mr SIN Chung-kai considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The Chairman, Mr Christopher CHEUNG, and Mr SIN Chung-kai agreed to join the Bills Committee. The Chairman said that as there were vacant slots, the Bills Committee could commence work immediately.

(b) Legal Service Division report on subsidiary legislation gazetted on 15 January 2016

(*LC Paper No. LS27/15-16*)

5. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on seven items of subsidiary legislation (i.e. L.N. 2 to L.N. 8) which were gazetted on 15 January 2016. Of these, six items (i.e. L.N. 2 to L.N. 7) were tabled in Council on 20 January 2016

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and the remaining item (i.e. L.N. 8) was a regulation made under the United Nations Sanctions Ordinance (Cap. 537) which was not required to be tabled in Council.

6. Members agreed that the United Nations Sanctions (Iran) (Amendment) Regulation 2016 (i.e. L.N. 8) be referred to the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions as it came within the Subcommittee's terms of reference.

7. Members did not raise any question on the other six items of subsidiary legislation. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation would be the Council meeting of 17 February 2016.

IV. Further business for the Council meeting of 27 January 2016

Meeting arrangement for the Council meeting of 27 January 2016

8. The Chairman informed Members that the meeting would start at 11:00 am and be suspended at around 8:00 pm on Wednesday, 27 January 2016. The meeting would resume at 9:00 am and be suspended at around 8:00 pm on Thursday, 28 January 2016. The meeting would resume at 9:00 am and be adjourned at around 1:00 pm on Friday, 29 January 2016, as meetings of HC and the Finance Committee had been scheduled for that afternoon.

Questions

(LC Paper No. CB(3)313/15-16)

9. The Chairman said that Dr LAM Tai-fai and Mr YIU Si-wing had replaced their oral questions.

V. Business for the Council meeting of 3 February 2016

(a) Questions

(LC Paper No. CB(3)314/15-16)

10. 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

11. The Chairman said that no notice had been received so far.

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

12. The Chairman said that the Second Reading debate on the Fixed Penalty (Public Cleanliness Offences) (Amendment) Bill 2015 would be resumed at the meeting.

(d) Government motion

13. The Chairman said that no notice had been received so far.

(e) Members' motions

14. The Chairman said that Members' motions which had been scheduled for debate at previous Council meetings would stand over to the following Council meetings, including the two motions originally scheduled for the Council meeting of 3 February 2016 to be moved by Mr CHAN Chi-chuen and Mr LEUNG Che-cheung respectively. He reminded Members that the deadline for giving notice of amendments, if any, to the two motions would be Wednesday, 27 January 2016.

Report of HC on Consideration of Subsidiary Legislation

15. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)319/15-16), which contained one item of subsidiary legislation. The period for amending the subsidiary legislation would expire at the Council meeting of 3 February 2016. He reminded Members to indicate their intention by 5:00 pm on Tuesday, 26 January 2016, should they wish to speak on the subsidiary legislation.

VI. Reports of Bills Committees and subcommittees

(a) Report of the Bills Committee on Property Management Services Bill

(LC Paper No. CB(2)701/15-16)

16. Mr Tony TSE, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report.

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Members noted that the Bills Committee raised no objection to the CSAs proposed to be moved by the Administration to the Bill. Members also noted that the Bills Committee would not propose any CSAs to the Bill and supported the resumption of the Second Reading debate on the Bill at the Council meeting of 3 February 2016.

(b) Report of the Bills Committee on Promotion of Recycling and Proper Disposal (Electrical Equipment and Electronic Equipment) (Amendment) Bill 2015

(LC Paper No. CB(1)461/15-16)

17. Ir Dr LO Wai-kwok, 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 agreed to the CSAs proposed to be moved by the Administration to the Bill and raised no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 3 February 2016.

(c) Report of the Bills Committee on Deposit Protection Scheme (Amendment) Bill 2015

(LC Paper No. CB(1)460/15-16)

18. 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 and the Administration would not propose to move any CSAs to the Bill. Members also noted that the Bills Committee raised no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 3 February 2016.

19. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above three Bills would be Monday, 25 January 2016.

VII. Position on Bills Committees and subcommittees
(LC Paper No. CB(2)699/15-16)

20. The Chairman said that as at 21 January 2016, there were 16 Bills Committees, seven 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. Members noted that, among the 16 Bills Committees in action, three Bills Committees needed to work beyond three months since their commencement.

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VIII. Any other business

21. There being no other business, the meeting ended at 2:44 pm.

Council Business Division 2
Legislative Council Secretariat
27 January 2016