

立法會
Legislative Council

LC Paper No. CB(2)1272/15-16

Ref : CB2/H/5/15

House Committee of the Legislative Council

**Minutes of the 19th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 8 April 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 TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, 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
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 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 YIU Si-wing, BBS
Hon Gary FAN Kwok-wai
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
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
Dr Hon KWOK Ka-ki
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 Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kiwok, SBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Dr Hon LAM Tai-fai, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon WONG Yuk-man
Hon Claudia MO
Hon Frankie YICK Chi-ming, JP
Hon CHAN Han-pan, JP
Hon Kenneth LEUNG
Hon Dennis KWOK
Hon TANG Ka-piu, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Alvin YEUNG Ngok-kiu

Clerk in attendance :

Miss Flora TAI

Clerk to the House Committee

Staff in attendance :

Miss Odelia LEUNG	Acting Secretary General
Mr Stephen LAM	Acting Legal Adviser
Ms Anita SIT	Assistant Secretary General 1
Ms Dora WAI	Assistant Secretary General 3
Mr Matthew LOO	Assistant Secretary General 4
Mr YICK Wing-kin	Acting Senior Assistant Legal Adviser 1
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 Carrie WONG	Assistant Legal Adviser 4
Ms Vanessa CHENG	Assistant Legal Adviser 5
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 18th meeting held on 18 March 2016

(LC Paper No. CB(2)1210/15-16)

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 for the Council meeting on 13 and 14 April 2016

Meeting arrangement for the Council meeting on 13 and 14 April 2016

3. The Chairman said that the Secretariat had issued earlier a circular informing Members that the President had acceded to the Administration's proposal for placing the Copyright (Amendment) Bill 2014 ("the Copyright Bill") immediately after the Appropriation Bill 2016 on the Agenda, so that the motion under Rule 40(4) of the Rules of Procedure ("RoP") in respect of the Copyright Bill could be proceeded with after Members had spoken in the Second Reading debate on the Appropriation Bill 2016.

4. The Chairman further said that the meeting would start at 11:00 am and be suspended at around 8:00 pm on Wednesday, 13 April 2016. The meeting would resume at 9:00 am and be adjourned after conclusion of the proceedings on the motion under RoP 40(4) in respect of the Copyright Bill on Thursday, 14 April 2016.

(a) Tabling of papers

Report No. 16/15-16 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (*LC Paper No. CB(2)1203/15-16*)

5. The Chairman informed Members that the Report covered the Pharmacy and Poisons (Amendment) Regulation 2016 and the period for amending this subsidiary legislation would expire at the Council meeting of 13 April 2016. No Member had indicated intention to speak on the subsidiary legislation.

(b) Questions (*LC Paper No. CB(3)495/15-16*)

6. The Chairman said that 22 written questions had been scheduled for the meeting.

(c) Bill - resumption of debate on Second Reading

Appropriation Bill 2016 (**Members speak**)

7. The Chairman informed Members that in accordance with RoP 36(5), the speaking time limit for each Member at the debate was 15 minutes.

IV. Business for the Council meeting of 20 April 2016

(a) **Questions**

(LC Paper No. CB(3)496/15-16)

8. The Chairman said that 22 written questions had been scheduled for the meeting.

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

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

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

(i) **Appropriation Bill 2016**

(Response by the Administration)

(ii) **Judiciary (Five-day Week) (Miscellaneous Amendments) Bill 2016**

(iii) **Inland Revenue (Amendment) (No. 2) Bill 2016**

(iv) **The Hong Kong Institute of Education (Amendment) Bill 2016**

(v) **Chinese Permanent Cemeteries (Amendment) Bill 2015**

10. The Chairman said that the Second Reading debates on the above Bills would be resumed at the meeting.

V. Reports of Bills Committees and subcommittees

(a) **Report of the Bills Committee on Promotion of Recycling and Proper Disposal (Product Container) (Amendment) Bill 2015**

(LC Paper No. CB(1)746/15-16)

11. Ir Dr LO Wai-kwok, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Ir Dr LO informed Members that the Bills Committee raised no objection to the Committee stage amendments ("CSAs") proposed to be moved by the Administration to the Bill, and the Bills Committee would not propose any CSAs to the Bill. Members noted that the Bills Committee had no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 20 April 2016.

(b) Report of the Bills Committee on Companies (Winding Up and Miscellaneous Provisions) (Amendment) Bill 2015

(LC Paper No. CB(1)744/15-16)

12. Mr WONG Ting-kwong, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr WONG informed Members that the Bills Committee raised no objection to the CSAs proposed to be moved by the Administration to the Bill, and the Bills Committee would not propose any CSAs to the Bill. Members noted that the Bills Committee had no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 20 April 2016.

(c) Report of the Bills Committee on Eastern Harbour Crossing Legislation (Amendment) Bill 2015

(LC Paper No. CB(4)811/15-16)

13. Mr CHAN Kam-lam, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr CHAN informed Members that the Bills Committee had no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 20 April 2016, and would not propose any CSAs to the Bill. Mr CHAN further said that Mr WU Chi-wai, Mr WONG Yuk-man and Mr TANG Ka-piu had indicated their intention respectively to propose CSAs in respect of the tolls of the Eastern Harbour Crossing proposed in the Bill, and the admissibility of their proposed CSAs would be subject to the President's ruling.

(d) Report of the Bills Committee on Inland Revenue (Amendment) (No. 4) Bill 2015

(LC Paper No. CB(4)810/15-16)

14. The Chairman, on behalf of the Chairman of the Bills Committee, Mr Kenneth LEUNG, who was not at the meeting, briefed Members on the deliberations of the Bills Committee as detailed in its report. Members noted that the Administration would propose CSAs to the Bill to address concerns raised by the Bills Committee and to refine the drafting of the Bill. The Bills Committee noted the resumption of the Second Reading debate on the Bill at the Council meeting of 20 April 2016, and would not propose any CSAs to the Bill.

(e) **Report of the Bills Committee on Electoral Legislation (Miscellaneous Amendments) (No. 2) Bill 2015**
(LC Paper No. CB(2)1213/15-16)

15. Mr IP Kwok-him, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr IP informed Members that Mr SIN Chung-kai, Mr Charles MOK and Mr Kenneth LEUNG had indicated their intention respectively to propose CSAs to the Bill for the purpose of amending the electorate of four functional constituencies. Members noted that the Bills Committee and the Administration would not propose any CSAs to the Bill, and the Bills Committee raised no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 20 April 2016.

16. The Chairman reminded Members that the deadline for giving notice of CSAs, if any, to the above five Bills would be Monday, 11 April 2016.

(f) **Report of the Subcommittee on Six Pieces of Subsidiary Legislation Relating to Over-the-counter Derivative Transactions Gazetted on 5 February 2016**
(LC Paper No. CB(1)745/15-16)

17. In his capacity as the Chairman of the Subcommittee, the Chairman briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee raised no objection to the six pieces of subsidiary legislation.

VI. Position on Bills Committees and subcommittees
(LC Paper No. CB(2)1211/15-16)

18. The Chairman said that as at 7 April 2016, there were 15 Bills Committees, 11 subcommittees under the House Committee ("HC") and seven subcommittees on policy issues under Panels in action. Two subcommittees on policy issues under Panels were on the waiting list.

VII. Report of the delegation of the Panel on Education on its duty visit to Germany and Switzerland to study the vocational education and training systems in these two countries and the priority allocation of a debate slot to the leader of the delegation

(LC Paper No. CB(4)784/15-16)

19. Mr IP Kin-yuen, leader of the delegation and Deputy Chairman of the Panel on Education ("the Panel"), briefed Members that the delegation visited Germany and Switzerland in September 2015 to study the experience of the two countries in implementing vocational education and training as detailed in the Report of the delegation of the Panel ("the Report"). Mr IP said that given that the experience of Germany and Switzerland could provide a useful reference for Hong Kong in the implementation of vocational education and training, the Panel had agreed to the proposal to seek the HC's support for priority allocation of a debate slot under rule 14A(h) of the House Rules to him, as leader of the delegation and Deputy Chairman of the Panel, for moving a motion for debate on the Report at the Council meeting of 1 June 2016.

20. Members noted the Report and agreed to the priority allocation of a debate slot to Mr IP Kin-yuen for moving a motion on the Report at the Council meeting of 1 June 2016. Members also agreed to the Panel's proposal that in addition to the debate on the Report, only one other debate on a motion without legislative effect should be held at the same Council meeting.

VIII. Any other business

21. There being no other business, the meeting ended at 2:45 pm.