

立法會
Legislative Council

LC Paper No. CB(2)1456/15-16

Ref : CB2/H/5/15

House Committee of the Legislative Council

**Minutes of the 23rd meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 6 May 2016**

Members present:

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)
Hon Albert HO Chun-yan
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
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
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
Dr Hon LAM Tai-fai, SBS, 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 Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon James TIEN Pei-chun, GBS, JP
Hon Steven HO Chun-yin, BBS
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
Hon IP Kin-yuen
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-kiwok, SBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS
Hon Alvin YEUNG Ngok-kiu

Members absent:

Hon MA Fung-kiwok, SBS, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon WONG Kwok-hing, BBS, MH
Hon Starry LEE Wai-king, JP
Dr Hon LEUNG Ka-lau
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man
Hon NG Leung-sing, SBS, JP
Hon Frankie YICK Chi-ming, JP
Hon WU Chi-wai, MH
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, JP
Hon CHUNG Kwok-pan

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 Maisie LAM	Chief Council Secretary (2)5
Ms Alice LEUNG	Chief Council Secretary (2)6
Miss Rachel DAI	Assistant Legal Adviser 2
Ms Wendy KAN	Assistant Legal Adviser 6
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 22nd meeting held on 29 April 2016

(LC Paper No. CB(2)1406/15-16)

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 29 April 2016 and tabled in Council on 4 May 2016

(LC Paper No. LS51/15-16)

3. At the invitation of the Chairman, Legal Adviser briefed Members on the report prepared by the Legal Service Division on the three items of subsidiary legislation (i.e. L.N. 49 to L.N. 51) which were gazetted on 29 April 2016 and tabled in Council on 4 May 2016.

4. Mr CHAN Hak-kan considered it necessary to form a Subcommittee to study the Waste Disposal (Designated Waste Disposal Facility) Regulation (Amendment of Schedule 1) Notice 2016 and the Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Amendment of Schedule 4) Notice 2016 (i.e. L.N. 49 and L.N. 50) in detail. Members agreed. Ms Cyd HO and Mr CHAN Hak-kan agreed to join the proposed Subcommittee.

5. Members did not raise any question on the Pharmacy and Poisons (Amendment) (No. 2) Regulation 2016 (L.N. 51).

6. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation would be the Council meeting of 1 June 2016, or that of 22 June 2016 if extended by a resolution of the Council.

IV. Further business for the Council meeting of 11 May 2016

Meeting arrangement for the Council meeting of 11 May 2016

7. The Chairman said that the Council would continue with the proceedings on the Appropriation Bill 2016 at the meeting. Members noted that the meeting would start at 11:00 am and be suspended at around 8:00 pm on Wednesday, 11 May 2016. The meeting would resume at 9:00 am and be suspended at around 8:00 pm on Thursday, 12 May 2016. The meeting would resume at 9:00 am and be adjourned at around 1:00 pm on Friday, 13 May 2016.

V. Business for the Council meeting of 18 May 2016

(a) Questions

(LC Paper No. CB(3)559/15-16)

8. 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

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

(c) Government motion

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

(d) Members' motions

11. Members noted that Members' motions which had been scheduled for debate at previous Council meetings would stand over until the following Council meetings, with each Council meeting dealing with two such motions without legislative effect.

Report of House Committee on Consideration of Subsidiary Legislation

12. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)566/15-16), which contained five items of subsidiary legislation. The period for amending those items would expire at the Council meeting of 18 May 2016. He reminded Members to indicate their intention by 5:00 pm on Tuesday, 10 May 2016, should they wish to speak on any of these items of subsidiary legislation.

VI. Reports of Bills Committees and subcommittees

(a) Report of the Bills Committee on Securities and Futures (Amendment) Bill 2016

(LC Paper No. CB(1)870/15-16))

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 Administration would propose to move Committee stage amendments ("CSAs") to the Bill. The Bills Committee raised no objection to these CSAs and would not

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propose any CSAs to the Bill. Members noted that the Bills Committee raised no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 25 May 2016.

(b) Report of the Bills Committee on Human Reproductive Technology (Amendment) Bill 2015

(LC Paper No. CB(2)1412/15-16)

14. Dr KWOK Ka-ki, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Dr KWOK informed Members that to address the Bills Committee's concerns, the Administration would propose CSAs to the Bill. Mr CHAN Chi-chuen had indicated his intention to propose CSAs to the Bill to improve the clarity of the provision in relation to the posting and the sharing of hyperlinks on social media platforms by the general public. Members noted that the Bills Committee raised no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 25 May 2016.

15. The Chairman reminded Members that the deadline for giving notice of CSAs, if any, proposed to be moved to the above two Bills would be Monday, 16 May 2016.

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)1407/15-16)

16. The Chairman said that as at 5 May 2016, there were nine Bills Committees, five subcommittees under the House Committee ("HC") and eight subcommittees on policy issues under Panels in action. One subcommittee on policy issues under Panel was on the waiting list.

VIII. Any other business

Meeting arrangements for the Council and committees meetings in July 2016

17. Ms Emily LAU said that it was reported in the media that to release time slots for holding meetings of the Council and the Finance Committee ("FC") if necessary to deal with their unfinished businesses before the prorogation of the Council on 16 July 2016, the Panels would not hold meetings in July. While appreciating that it was desirable to provide more time for the Council to deal with the bills already introduced into the Legislative Council, she considered it necessary to consult all

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Members before making any decision on the meeting arrangements for the Council, FC and the Panels. Ms LAU sought information from the Secretary General ("SG") on how Members would be consulted on the matter.

18. At the invitation of the Chairman, SG informed Members that among the 18 Panels, eight of them had scheduled their regular meetings in the first two weeks of July 2016. Given the huge backlog of Council businesses and the number of items awaiting funding approval by FC, the Secretariat was, via the respective Clerks to the relevant Panels, seeking the views of the Panel Chairmen and members on whether it would be feasible to reschedule their regular meetings in July or extend the duration of their regular meetings in June so that all items scheduled for discussion could be dealt with by the end of June. The time slots originally reserved for holding the regular Panel meetings in July could then be released for holding the meetings of the Council and FC, if required, to deal with their unfinished items before the Council's prorogation on 16 July 2016. However, it would be a matter for the President and the FC Chairman to decide, after consulting all Members, whether additional meeting days for the Council meetings or additional FC meetings would be scheduled.

19. Ms Emily LAU said that she saw no problem with the Panels not holding meetings in July if that was agreed by Panel members so that more time slots could be released for the Council and FC to deal with items which were not controversial before the Council's prorogation. She requested SG to revert to HC at its next meeting on the outcome of consultation with Members on the relevant meeting arrangements in July 2016, if available.

20. The Chairman said that Members would be duly consulted on the scheduling of meetings of the Council and committees in July 2016.

21. There being no other business, the meeting ended at 2:40 pm.