

立法會
Legislative Council

Ref : CB2/PL/CA

LC Paper No. CB(2)138/15-16
(These minutes have been
cleared with the Chairman)

Panel on Constitutional Affairs

Minutes of meeting
held on Thursday, 15 October 2015, at 12:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon CHAN Kam-lam, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon WONG Kwok-hing, BBS, MH
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
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 Mrs Regina IP LAU Suk-yeet, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin, BBS
Hon MA Fung-kwok, SBS, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Alice MAK Mei-kuen, BBS, JP
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
Hon Martin LIAO Cheung-kong, SBS, JP
Dr Hon CHIANG Lai-wan, JP
Hon CHUNG Kwok-pan
Hon Tony TSE Wai-chuen, BBS

Members absent : Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon WONG Yuk-man

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (2) 3

Staff in attendance : Miss Flora TAI
Assistant Secretary General 2

Miss Cindy HO
Senior Council Secretary (2) 3

Miss Karen LAI
Senior Council Secretary (2) 6

Miss Connie AU
Council Secretary (2) 3

Action

I. Election of Chairman and Deputy Chairman

Election of Chairman

Mr TAM Yiu-chung, the incumbent Chairman, called for nominations for the chairmanship of the Panel on Constitutional Affairs ("the Panel"). Mr TAM Yiu-chung was nominated by Mr James TIEN and the nomination was seconded by Mr WONG Kwok-kin. Mr TAM Yiu-chung accepted the nomination.

2. As Mr Paul TSE, the incumbent Deputy Chairman, was absent at this juncture, Mr CHAN Kam-lam, the member present who had the highest precedence, took over from the Chairman to preside over the election. He invited other nominations for the chairmanship.

Action

3. Ms Emily LAU was nominated by Dr Helena WONG and the nomination was seconded by Mr Alan LEONG. Ms Emily LAU accepted the nomination.

4. As there was no other nomination, Mr CHAN Kam-lam announced a vote by secret ballot. 25 and 12 members voted for Mr TAM Yiu-chung and Ms Emily LAU respectively. Mr CHAN declared Mr TAM Yiu-chung elected as the Chairman of the Panel for the 2015-2016 session. Mr TAM then took the chair.

Election of Deputy Chairman

5. The Chairman called for nominations for the deputy chairmanship of the Panel. Ms Emily LAU was nominated by Ms Cyd HO and the nomination was seconded by Dr Helena WONG. Ms Emily LAU accepted the nomination. The Chairman called for other nominations.

6. Dr Priscilla LEUNG was nominated by Mr IP Kwok-him and the nomination was seconded by Mr Christopher CHEUNG. Dr Priscilla LEUNG accepted the nomination. The Chairman called for other nominations.

7. As there was no other nomination, the Chairman announced a vote by secret ballot. 12 and 24 members voted for Ms Emily LAU and Dr Priscilla LEUNG respectively. The Chairman declared Dr Priscilla LEUNG elected as the Deputy Chairman of the Panel for the 2015-2016 session.

II. Schedule of meetings for the 2015-2016 session

8. Members agreed that the Panel would continue to hold its regular meetings on the third Monday of each month from 2:30 pm to 4:30 pm, and be extended by one hour as appropriate in case of a heavy agenda. Members agreed to adopt the proposed meeting schedule which was tabled at the meeting.

III. Items for discussion at the next meeting

[Appendices II and III to LC Paper No. CB(2)6/15-16]

Action

9. The Panel agreed to discuss the following items proposed by the Administration at the next regular meeting on 19 October at 2:30 pm -

- (a) review on the subsidy rate of the financial assistance for candidates and the election expenses limits for the 2016 Legislative Council ("LegCo") Election; and
- (b) proposed technical amendments to electoral legislation.

Issues raised by members

10. Dr Helena WONG expressed concern about the recent media reports that a fireman was suspected to have been sexually harassed by his colleagues, and requested the Panel to discuss the issue as the alleged act might be in breach of the Sex Discrimination Ordinance (Cap. 480). Mr LEE Cheuk-yan agreed that the issue should be discussed by this Panel with the relevant Panels, including the Panel on Security and the Panel on Public Service. He said that alternatively, consideration could be given to inviting members of those Panels to attend the meeting held by this Panel for discussion of this issue. The Chairman said that he would liaise with the Panel Chairmen concerned and the Administration and inform members of the arrangements in due course.

11. Dr Helena WONG further suggested the following items for discussion by the Panel -

- (a) briefing on the work of the Women's Commission and the Advisory Group on Eliminating Discrimination against Sexual Minorities; and
- (b) extending the application of sections 3 and 8 of the Prevention of Bribery Ordinance (Cap. 201) ("POBO") to the Chief Executive.

12. For the item referred to in paragraph 11(b) above, Mrs Regina IP said that the existing scope of applicability of section 3 of POBO on "soliciting or accepting advantages" neither covered LegCo Members. She considered that the Panel should also look at this when the item was to be discussed. The Chairman said that he would liaise with the Administration on the above suggestions and revert to members later.

Action

IV. Any other business

13. There being no other business, the meeting ended at 1:00 pm.

Council Business Division 2
Legislative Council Secretariat
27 October 2015