

**Bills Committee on Dutiable Commodities (Amendment) Bill 2017**

**List of follow-up actions arising from the discussion  
at the meeting on 9 October 2017**

Members noted that under the proposed regulatory regime, for face-to-face distribution, it was a defence for a person charged for selling or supplying intoxicating liquor to minors to establish that he or she had inspected a proof of identity of the purchasers or recipient of the intoxicating liquor and was reasonably satisfied that the purchaser or recipient was not a minor. According to the Administration, in the proposed Part 5 of the Dutiable Commodities (Amendment) Bill 2017 ("the Bill"), the term "proof of identity" was defined under the proposed regulation 35 as having the meaning under section 17B(1) of the Immigration Ordinance (Cap. 115), which provided that a person's valid identity card and a valid travel document held by that person (e.g. a passport), amongst others, constituted "proof of identity". It was suggested that the Administration should consider and provide a response to the question of whether the definition of "proof of identity" should also include Hong Kong driving licence or other identity documents on which a person's date of birth was shown (e.g. Home Return Permit) to give greater flexibility to persons when asked to provide proof of identity for inspection during the sale or supply of intoxicating liquor.

2. The Administration was also requested to provide information on the estimated manpower and resources provision for carrying out inspections and enforcement actions in respect of sale or supply of intoxicating liquor to minors under the new regulatory regime.

3. In its response to issues raised by members at the Bills Committee meeting on 18 July 2017 (LC Paper No. CB(2)2146/16-17(02)) and at the meeting on 9 October 2017, the Administration advised that the Bill was drafted with the intent to prohibit the sale or supply of intoxicating liquor to persons under 18 years of age in the course of business; and the term "agent", in relation to a sale or supply of intoxicating liquor, did not include a person who delivered the liquor in the course of business but was not otherwise involved in the sale or supply. As the Administration did indicate that to address members' concern, it would consider proposing Committee stage amendments ("CSAs") to the Bill to make clear such policy intent, members requested the Administration to provide its draft CSAs for consideration at the next meeting.