

Smoking (Public Health) (Notices) (Amendment) Order 2017 (“Amendment Order”) Debate and voting arrangements

Object of the Amendment Order : To amend the prescribed form (including specifications) of the health warning and indication of tar and nicotine yields on packet or retail container of tobacco products.

Joint debate

Secretary for Food and Health (“SFH”)’s proposed resolution

- To amend Clauses 1 and 11 to defer the commencement date of the Amendment Order from 21 October 2017 to 21 December 2017, and to extend the adaptation period by two months accordingly;
- to amend Clauses 5, 6, 7 and 8 to provide for a new set of health warning images catering for cigarette packets with seal, with size and positioning restrictions for the seal; and
- to amend Clause 12 to provide for a set of health warning images of a landscape orientation to cater for different tobacco packets.

Hon SHIU Ka-fai’s three proposed resolutions and Dr Hon Fernando CHEUNG’s proposed resolution

- To amend Clauses 6 and 7 of the Amendment Order concerning the coverage of the health warning on packet or retail container of tobacco products as set out in **the Appendix**.

Voting arrangements

Mover	Voting	Remarks
SFH	SFH’s proposed resolution	Irrespective of whether SFH’s proposed resolution is passed or not, Hon SHIU Ka-fai and Dr Hon Fernando CHEUNG <u>may move</u> their proposed resolutions.
Hon SHIU Ka-fai (1st proposed resolution)	Mr SHIU’s 1st proposed resolution	If Mr SHIU’s 1st proposed resolution <u>is passed</u> , Dr Hon Fernando CHEUNG <u>may not move</u> his proposed resolution, and Mr SHIU also <u>may not move</u> his 2nd and 3rd proposed resolutions. If Mr SHIU’s 1st proposed resolution <u>is negatived</u> , Dr CHEUNG <u>may move</u> his proposed resolution.

Mover	Voting	Remarks
Dr Hon Fernando CHEUNG	<u>If Hon SHIU Ka-fai's 1st proposed resolution is negatived</u> , vote on Dr CHEUNG's proposed resolution	If Dr CHEUNG's proposed resolution is passed , Mr SHIU may not move his 2nd proposed resolution, but he may move his 3rd proposed resolution. If Dr CHEUNG's proposed resolution is negatived , Mr SHIU may move his 2nd and 3rd proposed resolutions.
Hon SHIU Ka-fai (2nd proposed resolution)	<u>If both Mr SHIU's 1st proposed resolution and Dr CHEUNG's proposed resolution are negatived</u> , vote on Mr SHIU's 2nd proposed resolution	Irrespective of whether Mr SHIU's 2nd proposed resolution is passed or not, he may move his 3rd proposed resolution.
Hon SHIU Ka-fai (3rd proposed resolution)	<u>If Mr SHIU's 1st proposed resolution is negatived, irrespective of whether Dr CHEUNG's proposed resolution and Mr SHIU's 2nd proposed resolution are passed or not</u> , vote on Mr SHIU's 3rd proposed resolution	

SFH's proposed resolution

(set out in LC Paper No. CB(3) 659/16-17 issued on 9 June 2017)

Hon SHIU Ka-fai's three proposed resolutions

(set out in LC Paper No. CB(3) 663/16-17 issued on 12 June 2017)

Dr Hon Fernando CHEUNG's proposed resolution

(set out in LC Paper No. CB(3) 663/16-17 issued on 12 June 2017)

Council Business Division 3
Legislative Council Secretariat
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Proposed resolutions on the Smoking (Public Health) (Notices) (Amendment) Order 2017 (“Amendment Order”)

Health warning	Existing requirements under the Smoking (Public Health) (Notices) Order (Cap. 371 sub. leg. B)	Proposal of the Amendment Order	Hon SHIU Ka-fai (<u>1st proposed resolution</u>)	Dr Hon Fernando CHEUNG (<u>Proposed resolution</u>)	Hon SHIU Ka-fai (<u>2nd proposed resolution</u>)	Hon SHIU Ka-fai (<u>3rd proposed resolution</u>)
The minimum coverage of the health warning on cigarette packets, pipe tobacco and cigarette tobacco (Clauses 6 and 7 of the Amendment Order)	50%	85%	65%	90%	—	—
The minimum coverage of the health warning on the front and back of the retail container of cigar (Clause 7 of the Amendment Order)	50% (front)	70% (front)	65% (front)	75% (front)	60% (front)	—
	50% (back)	100% (back)	65% (back)	—	—	90% (back)