

立法會
Legislative Council

LC Paper No. CB(2)318/16-17

Ref : CB2/H/5/16

House Committee of the Legislative Council

**Minutes of the 8th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 2 December 2016**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon Dennis KWOK Wing-hang (Deputy Chairman)
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, BBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, 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
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-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon CHAN Chun-ying
Hon CHEUNG Kwok-kwan, JP
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Dr Hon YIU Chung-yim
Dr Hon LAU Siu-lai

Members absent :

Prof Hon Joseph LEE Kok-long, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Frankie YICK Chi-ming, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon HO Kai-ming
Hon Tanya CHAN
Hon HUI Chi-fung
Hon Kenneth LAU Ip-keung, MH, JP
Hon Nathan LAW Kwun-chung

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 Alice LEUNG	Chief Council Secretary (2)6
Mr Bonny LOO	Assistant Legal Adviser 4
Ms Vanessa CHENG	Assistant Legal Adviser 5
Mr Richard WONG	Senior Council Secretary (2)6
Ms Jasmine TAM	Senior Council Secretary (2)8
Miss Connie AU	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

Action

I. Confirmation of verbatim transcript/minutes of meetings

- (a) **Verbatim transcript of the special meeting held on 9 November 2016**
(LC Paper No. CB(2)275/16-17)
- (b) **Minutes of the 7th meeting held on 25 November 2016**
(LC Paper No. CB(2)276/16-17)

The two sets of verbatim transcript/minutes of meetings were confirmed.

II. Matters arising

Report by the Chairman on her 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

(a) Legal Service Division report on bill referred to the House Committee in accordance with Rule 54(4)

Fire Services (Amendment) Bill 2016

(LC Paper No. LS13/16-17)

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the Bill.

4. Dr YIU Chung-yim considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Mr YIU Si-wing, Ir Dr LO Wai-kwok and Dr YIU Chung-yim agreed to join the Bills Committee.

(b) Legal Service Division report on subsidiary legislation gazetted on 25 November 2016

(LC Paper No. CB(2)296/16-17(01))

(LC Paper No. LS12/16-17)

5. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on seven items of subsidiary legislation (i.e. L.N. 172 to L.N. 178) gazetted on 25 November 2016. Of these, five items (i.e. L.N. 172 to L.N. 176) were tabled in the Legislative Council ("LegCo") on 30 November 2016 and the other two items (i.e. L.N. 177 and L.N. 178) were regulations made under the United Nations Sanctions Ordinance (Cap. 537) which were not required to be tabled in LegCo and were not subject to amendment by LegCo.

Action

6. Members agreed that the United Nations Sanctions (Iran) Regulation (Repeal) Regulation (L.N. 177) and the United Nations Sanctions (Joint Comprehensive Plan of Action – Iran) Regulation (L.N. 178) be referred to the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions as they came within the Subcommittee's terms of reference.

7. Mr Dennis KWOK considered it necessary to form a subcommittee to study the Solicitors (Professional Indemnity) (Amendment) Rules 2016 (L.N. 173) and the Solicitors' Practice (Amendment) Rules 2016 (L.N. 174) in detail. Members agreed. Mr Dennis KWOK and Mr Alvin YEUNG agreed to join the proposed subcommittee.

8. Ms Claudia MO considered it necessary to form a subcommittee to study the Public Health (Animals and Birds) (Animal Traders) (Amendment) Regulation 2016 (Commencement) Notice (L.N. 176) in detail. Members agreed. The following Members agreed to join the subcommittee: Ms Claudia MO, Mr CHAN Chi-chuen, Dr CHIANG Lai-wan, Mr CHU Hoi-dick and Mr Jeremy TAM.

9. The Chairman said that as the period for amending the above three items of subsidiary legislation for which subcommittees were to be formed (i.e. L.N. 173, L.N. 174 and L.N. 176), if not extended by a resolution of the Council, would expire at the Council meeting of 14 December 2016, she proposed to move, in her capacity as the Chairman of the House Committee ("HC"), motions at the Council meeting of 7 December 2016 to extend the scrutiny period of the subsidiary legislation to the Council meeting of 18 January 2017. Members agreed.

10. Members did not raise any question on the remaining two items of subsidiary legislation (i.e. L.N. 172 and L.N. 175). The Chairman reminded Members that the deadline for amending these two items of subsidiary legislation would be the Council meeting of 14 December 2016.

IV. Further business for the Council meeting of 7 December 2016

(a) Tabling of papers

Report No. 6/16-17 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

(LC Paper No. CB(2)278/16-17)

11. The Chairman said that the Report covered three items of subsidiary legislation and the period for amending these items would expire at the Council meeting of 7 December 2016. No Member had indicated intention to speak on these items of subsidiary legislation.

(b) Questions

(LC Paper No. CB(3)178/16-17)

12. The Chairman said that Mr James TO had replaced his oral question.

V. Business for the Council meeting of 14 December 2016

(a) Questions

(LC Paper No. CB(3)179/16-17)

13. 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

14. The Chairman said that the Arbitration (Amendment) Bill 2016 would be introduced into the Council on 14 December 2016 and HC would consider the Bill at its meeting on 16 December 2016.

(c) Government motion

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

(d) Members' motions

(i) Motion on "Formulating a territory-wide long-term bazaar policy" to be moved by Dr Hon LAU Siu-lai

(LC Paper No. CB(3)191/16-17)

Action

(ii) Motion on "Prerequisites for the next Secretary for Education" to be moved by Hon IP Kin-yuen
(LC Paper No. CB(3)192/16-17)

16. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above two motions would be Wednesday, 7 December 2016.

Report of HC on Consideration of Subsidiary Legislation

17. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)185/16-17), which contained six items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 14 December 2016. She reminded Members to indicate their intention by 5:00 pm on Tuesday, 6 December 2016, should they wish to speak on any of these items of subsidiary legislation.

(Post-meeting note: The draft Report of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (LC Paper No. CB(2)308/16-17(01)) issued to Members vide LC Paper No. CB(2)308/16-17 on 5 December 2016, which contained subsidiary legislation the period for amendment of which would expire at the Council meeting of 14 December 2016, also included four items of subsidiary legislation gazetted on 2 December 2016 and to be tabled in Council on 7 December 2016. These four items of subsidiary legislation were the Port Control (Cargo Working Areas) (Amendment) Regulation 2016 (L.N. 180), the News Agencies Registration (Amendment) Regulation 2016 (L.N. 181), the Newspapers Registration and Distribution (Amendment) Regulation 2016 (L.N. 182), and the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No. 3) Order 2016 (L.N. 183).)

VI. Position on Bills Committees and subcommittees
(LC Paper No. CB(2)277/16-17)

18. The Chairman said that as at 1 December 2016, there were one Bills Committee, nine subcommittees under HC and five subcommittees on policy issues under Panels in action. Five subcommittees on policy issues were on the waiting list.

Action

VII. Any other business

19. There being no other business, the meeting ended at 2:41 pm.

Council Business Division 2
Legislative Council Secretariat
7 December 2016