

立法會  
*Legislative Council*

LC Paper No. CB(2)1267/16-17

Ref : CB2/H/5/16

**House Committee of the Legislative Council**

**Minutes of the 19th meeting  
held in Conference Room 1 of the Legislative Council Complex  
at 2:30 pm on Friday, 7 April 2017**

**Members present :**

Hon Starry LEE Wai-king, SBS, JP (Chairman)  
Hon Dennis KWOK Wing-hang (Deputy Chairman)  
Hon LEUNG Yiu-chung  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Prof Hon Joseph LEE Kok-long, SBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon CHAN Hak-kan, BBS, JP  
Hon CHAN Kin-por, BBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon WONG Kwok-kin, SBS, 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 Frankie YICK Chi-ming, JP  
Hon WU Chi-wai, MH  
Hon YIU Si-wing, BBS  
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  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
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-kiwok, 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  
Hon HO Kai-ming  
Hon LAM Cheuk-ting  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-fai  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan  
Dr Hon Pierre CHAN  
Hon CHAN Chun-ying  
Hon Tanya CHAN  
Hon CHEUNG Kwok-kwan, JP  
Hon HUI Chi-fung  
Hon LUK Chung-hung  
Hon LAU Kwok-fan, MH  
Dr Hon CHENG Chung-tai  
Hon KWONG Chun-yu  
Hon Jeremy TAM Man-ho  
Hon Nathan LAW Kwun-chung  
Dr Hon YIU Chung-yim  
Dr Hon LAU Siu-lai

**Members absent :**

Hon James TO Kun-sun  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon MA Fung-kiwok, SBS, JP  
Dr Hon Junius HO Kwan-yiu, JP  
Hon SHIU Ka-chun  
Hon Kenneth LAU Ip-keung, MH, JP

**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
Miss Joyce CHAN	Assistant Legal Adviser 1
Miss Rachel DAI	Assistant Legal Adviser 2
Ms Wendy KAN	Assistant Legal Adviser 6
Ms Clara TAM	Assistant Legal Adviser 9
Miss Evelyn LEE	Assistant Legal Adviser 10
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

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Action

**I. Confirmation of minutes of meeting**

**Minutes of 18th meeting held on 24 March 2017**  
(LC Paper No. CB(2)1122/16-17)

The minutes 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)**

**Inland Revenue (Amendment) (No. 3) Bill 2017**

*(LC Paper No. LS51/16-17)*

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. Mr Kenneth LEUNG considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Mr Kenneth LEUNG and Mr CHAN Chun-ying agreed to join the proposed Bills Committee.

(b) **Legal Service Division report on subsidiary legislation gazetted on 24 March 2017 and tabled in Council on 29 March 2017**

*(LC Paper No. CB(2)1150/16-17(01))*

*(LC Paper No. LS50/16-17)*

5. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on five items of subsidiary legislation (i.e. L.N. 41 to L.N. 45) which were gazetted on 24 March 2017 and tabled in Council on 29 March 2017.

6. Members did not raise any question on the above five items of subsidiary legislation.

7. The Chairman reminded Members that the deadline for amending the subsidiary legislation would be the Council meeting of 26 April 2017.

### IV. Legal Service Division report on subsidiary legislation gazetted on 31 March 2017

*(LC Paper No. LS54/16-17)*

8. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the Solicitors (Professional Indemnity) (Amendment) Rules 2016 (Commencement) Notice (L.N. 49) which was gazetted on 31 March 2017 and would be tabled in Council on 12 April 2017.

Action

9. Members did not raise any question on the Commencement Notice.

10. The Chairman reminded Members that the deadline for amending the Commencement Notice would be the Council meeting of 10 May 2017.

**V. Business for the Council meeting on 12 and 13 April 2017**

**(a) Tabling of papers**

**Report No. 15/16-17 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments**  
(LC Paper No. CB(2)1124/16-17)

11. The Chairman said that the Report covered four items of subsidiary legislation and the period for amending them would expire at the Council meeting of 12 April 2017. No Member had indicated intention to speak on the subsidiary legislation.

**(b) Questions**  
(LC Paper No. CB(3)462/16-17)

12. The Chairman said that 22 written questions had been scheduled for the meeting.

**(c) Bill - resumption of debate on Second Reading**

**Appropriation Bill 2017**  
(Members speak)

13. The Chairman informed Members that in accordance with Rule 36(5) of the Rules of Procedure, the speaking time limit for each Member at the debate was 15 minutes.

**(d) Bill - resumption of debate on Second Reading, Committee Stage and Third Reading**

14. The Chairman said that at the last House Committee ("HC") meeting held on 24 March 2017, Members did not raise objection to the resumption of the Second Reading debate on the Private Columbaria Bill at the Council meeting to be held on 12 and 13 April 2017.

(e) **Members' motions**

(i) **Proposed resolution to be moved by Hon CHAN Hak-kan under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the following items of subsidiary legislation:**

- **Road Tunnels (Government) (Amendment) Regulation 2017;**
- **Tsing Ma Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2017; and**
- **Tsing Sha Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2017**

*(LC Paper No. CB(3)465/16-17)*

(ii) **Proposed resolution to be moved by Hon YIU Si-wing under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Antiquities and Monuments (Declaration of Proposed Monument) (Hung Lau) Notice**

*(LC Paper No. CB(3)466/16-17)*

15. Members noted that the Chairmen of the two Subcommittees on the above items of subsidiary legislation would respectively move a proposed resolution at the meeting to extend the period for amending the subsidiary legislation to the Council meeting of 10 May 2017.

**VI. Business for the Council meeting of 26 April 2017**

(a) **Questions**

16. The Chairman said that 22 written questions would be scheduled for the meeting.

(b) **Bills - First Reading and moving of Second Reading**

(i) **Road Traffic (Amendment) Bill 2017**

(ii) **Waterworks (Amendment) Bill 2017**

Action

17. The Chairman said that HC would consider the above two Bills at its meeting on 28 April 2017.

(c) **Bill - resumption of debate on Second Reading, Committee Stage and Third Reading**

**Appropriation Bill 2017  
(Response by the Administration)**

18. The Chairman said that the Administration would respond to Members' comments on the Appropriation Bill 2017 at the meeting. Subject to the Bill receiving its Second Reading, the Council would deal with its remaining proceedings.

(d) **Government motion**

**Proposed resolution to be moved by the Secretary for Financial Services and the Treasury under section 46 of the Mandatory Provident Fund Schemes Ordinance (Cap. 485)**

*(LC Paper No. CB(3)452/16-17)*

*(LC Paper No. LS52/16-17)*

19. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the above proposed resolution.

20. Members did not raise any question and had no objection to the Administration moving the proposed resolution at the Council meeting of 26 April 2017.

**VII. Reports of Bills Committees and subcommittees**

(a) **Report of the Subcommittee on Copyright Tribunal Rules**  
*(LC Paper No. CB(1)764/16-17)*

21. Mr WONG Ting-kwong, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee had no objection to the Rules, and the Subcommittee and the Administration would not propose any amendment to the Rules.

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22. The Chairman reminded Members that as the period for amending the Rules would expire at the Council meeting of 26 April 2017, the deadline for giving notice of amendments, if any, would be Wednesday, 19 April 2017.

**(b) Report of the Subcommittee on Proposed Resolution under Section 23(3) of the Road Traffic Ordinance (Cap. 374)**  
*(LC Paper No. CB(4)798/16-17)*

23. Mr Frankie YICK, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee supported the proposed resolution and would not propose any amendment to it. Members also noted that the Administration planned to give fresh notice for moving the proposed resolution at the Council meeting of 26 April 2017.

24. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above proposed resolution intended to be moved at the Council meeting of 26 April 2017 would be Wednesday, 19 April 2017.

**VIII. Position on Bills Committees and subcommittees**

*(LC Paper No. CB(2)1123/16-17)*

25. Members noted that as at 6 April 2017, there were eight Bills Committees, 12 subcommittees under HC and five subcommittees on policy issues under Panels in action. Six subcommittees on policy issues were on the waiting list.

**IX. Any other business**

26. There being no other business, the meeting ended at 2:48 pm.