

立法會
Legislative Council

LC Paper No. CB(2)1421/16-17

Ref : CB2/H/5/16

House Committee of the Legislative Council

**Minutes of the 22nd meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 12 May 2017**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, 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
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-yeet, GBS, JP
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 MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, 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
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 Andrew WAN Siu-kin
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
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
Hon Kenneth LAU Ip-keung, MH, JP
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 Dennis KWOK Wing-hang (Deputy Chairman)
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Dr Hon Helena WONG Pik-wan
Hon Alvin YEUNG
Hon CHU Hoi-dick
Hon LAM Cheuk-ting
Hon SHIU Ka-chun

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
Mr Bonny LOO	Assistant Legal Adviser 4
Ms Wendy KAN	Assistant Legal Adviser 6
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

Action

I. Confirmation of minutes of meeting

Minutes of 21st meeting held on 5 May 2017
(LC Paper No. CB(2)1360/16-17)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration

Action

Designation of officials of specified bureau(x)/department(s) to attend meetings of the Panel on Welfare Services

2. The Chairman said that she and the Deputy Chairman had told the Chief Secretary for Administration ("CS") that on three recent occasions, despite the invitations by the Panel on Welfare Services ("the Panel"), the Administration had failed to designate officials from the bureau(x)/department(s) as specified by the Panel to attend its meetings, including the meeting scheduled for 8 May 2017. CS had advised at the meeting that he would look into the matter and follow up. The Chairman further said that subsequently, the bureau(x)/department(s) concerned had designated officials to attend the Panel meeting on 8 May 2017.

Appropriation Bill 2017

3. The Chairman said that CS hoped that the Legislative Council would complete the scrutiny of and pass the Appropriation Bill 2017 as soon as possible, so that the Government could provide various extra allowances for the elderly and for supporting the disadvantaged at the earliest opportunity.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 5 May 2017 and tabled in Council on 10 May 2017

(LC Paper No. LS63/16-17)

4. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the Dangerous Drugs Ordinance (Amendment of First Schedule) Order 2017 (L.N. 75) which was gazetted on 5 May 2017 and tabled in Council on 10 May 2017.

5. Members did not raise any question on the above Order.

6. The Chairman reminded Members that the deadline for amending the Order would be the Council meeting of 7 June 2017.

IV. Further business for the Council meeting of 17 May 2017

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

7. The Chairman said that at the last House Committee ("HC") meeting held on 5 May 2017, Members did not raise objection to the resumption of the Second Reading debate on the Inland Revenue (Amendment) Bill 2017 at the Council meeting of 17 May 2017.

(b) Members' motions

Proposed resolution to be moved by Dr Hon KWOK Ka-ki under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Smoking (Public Health) (Notices) (Amendment) Order 2017
(LC Paper No. CB(3)557/16-17)

8. The Chairman said that Dr KWOK Ka-ki, Chairman of the Subcommittee on the above Order, would move a proposed resolution at the meeting to extend the period for amending the Order to the Council meeting of 14 June 2017.

9. The Chairman further said that as the Council would continue with the proceedings on the Appropriation Bill 2017 at the meeting, subject to the progress of the meeting, the above two items which had been included in the agenda for the meeting would stand over until the following Council meeting.

V. Business for the Council meeting of 24 May 2017

(a) Questions *(LC Paper No. CB(3)540/16-17)*

10. 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

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

(c) **Government motions**

- (i) **Proposed resolution to be moved by the Secretary for Commerce and Economic Development under section 23 of the Hong Kong Export Credit Insurance Corporation Ordinance (Cap. 1115)**
(LC Paper No. CB(3)530/16-17)
(LC Paper No. LS62/16-17)

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

13. Mr CHUNG Kwok-pan considered it necessary to form a subcommittee to study the proposed resolution in detail. Members agreed. Mr CHUNG Kwok-pan and Dr Junius HO agreed to join the proposed subcommittee.

14. The Chairman informed Members that in line with the established practice and the arrangement agreed with the Administration, the Administration would be requested to withdraw its notice for moving the proposed resolution so as to allow sufficient time for the proposed subcommittee to carry out its scrutiny work.

- (ii) **Proposed resolution to be moved by the Secretary for the Environment under section 54 of the Energy Efficiency (Labelling of Products) Ordinance (Cap. 598)**
(LC Paper No. CB(3)531/16-17)
(LC Paper No. LS64/16-17)

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

16. Ms Tanya CHAN considered it necessary to form a subcommittee to study the proposed resolution in detail. Members agreed. Ir Dr LO Wai-kwok, Mr SHIU Ka-fai and Ms Tanya CHAN agreed to join the subcommittee.

17. The Chairman informed Members that in line with the established practice and the arrangement agreed with the Administration, the Administration would be requested to withdraw its notice for moving the proposed resolution so as to allow sufficient time for the subcommittee to carry out its scrutiny work.

Action

(iii) Proposed resolution to be moved by the Secretary for the Environment under section 44 of the Product Eco-responsibility Ordinance (Cap. 603)

(LC Paper No. CB(3)532/16-17)

(LC Paper No. LS65/16-17)

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

19. Mr CHAN Hak-kan considered it necessary to form a subcommittee to study the proposed resolution in detail. Members agreed. The following Members agreed to join the subcommittee: Mr CHAN Hak-kan, Ir Dr LO Wai-kwok, Dr Junius HO, Mr SHIU Ka-fai and Ms Tanya CHAN.

20. The Chairman said that HC decided, at its meeting on 28 April 2017, to form a subcommittee to study the Promotion of Recycling and Proper Disposal (Electrical Equipment and Electronic Equipment) (Amendment) Ordinance 2016 (Commencement) Notice 2017 (L.N. 73). As the Commencement Notice and the above proposed resolution were related to the implementation of the producer responsibility scheme for waste electrical and electronic equipment, the Chairman invited Members' views on whether the said Subcommittee should be tasked to study also the proposed resolution. Members agreed.

21. In response to Ir Dr LO Wai-kwok's enquiry and at the invitation of the Chairman, the Clerk advised that the first meeting of the said Subcommittee was scheduled for 16 May 2017 and the deadline for signification of membership would be 12:00 midnight, 13 May 2017. The Clerk to the said Subcommittee would issue a circular shortly after this HC meeting advising Members that the Subcommittee would also study the proposed resolution and inviting interested Members to join the said Subcommittee before the deadline.

22. The Chairman advised that in line with the established practice and the arrangement agreed with the Administration, the Administration would be requested to withdraw its notice for moving the proposed resolution so as to allow sufficient time for the said Subcommittee to scrutinize the proposed resolution.

(d) **Members' motions**

23. The Chairman said that Members' motions which had been scheduled for debate at previous Council meetings would stand over until the following Council meetings, including the two motions originally scheduled to be dealt with at the Council meeting of 24 May 2017, i.e. the motion on "Formulating a bicycle-friendly policy and designating bicycles as a mode of transport" to be moved by Mr HUI Chi-fung and the motion on "Advocating the establishment of a 'baby fund'" to be moved by Dr CHIANG Lai-wan. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above two motions would be Wednesday, 17 May 2017.

Report of HC on Consideration of Subsidiary Legislation

24. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)549/16-17), which contained 11 items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 24 May 2017. She reminded Members to indicate their intention by 5:00 pm on Tuesday, 16 May 2017, should they wish to speak on any of these items of subsidiary legislation.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)1361/16-17)

25. Members noted that as at 11 May 2017, there were 10 Bills Committees (one of which would need to work beyond three months since its commencement), 12 subcommittees under HC and five subcommittees on policy issues under Panels in action. Seven subcommittees on policy issues were on the waiting list.

VII. Any other business

26. There being no other business, the meeting ended at 2:42 pm.