

立法會

Legislative Council

LC Paper No. CB(2)223 /19-20
(These minutes have been
seen by the Administration)

Ref : CB2/BC/4/18

Bills Committee on Smoking (Public Health) (Amendment) Bill 2019

Minutes of the fourth meeting held on Saturday, 27 April 2019, at 10:00 am in Conference Room 3 of the Legislative Council Complex

Members present : Hon KWOK Wai-keung, JP (Chairman)
Dr Hon Elizabeth QUAT, BBS, JP (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Frankie YICK Chi-ming, SBS, JP
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon SHIU Ka-fai
Hon CHEUNG Kwok-kwan, JP
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Dr Hon CHENG Chung-tai
Hon Jeremy TAM Man-ho
Hon AU Nok-hin

Member attending : Hon Martin LIAO Cheung-kong, SBS, JP

Members absent : Hon LEUNG Yiu-chung
Hon Dennis KWOK Wing-hang
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon IP Kin-yuen
Hon SHIU Ka-chun
Dr Hon Pierre CHAN
Hon LUK Chung-hung, JP

Public Officers attending : Prof Sophia CHAN Siu-chee, JP
Secretary for Food and Health

Miss Amy YUEN
Deputy Secretary for Food and Health (Health) 2
Food and Health Bureau

Dr FUNG Ying
Head (Tobacco and Alcohol Control Office)
Department of Health

Dr Manny LAM
Senior Medical and Health Officer (Tobacco and
Alcohol Control Office) 1
Department of Health

Mr Ellis LAI
Assistant Commissioner (Administration and Human
Resource Development)
Customs and Excise Department

Attendance by invitation : *Session One*

Ms Julie TRAN

Nextwave Yachting Limited

Mr Howard CHEN Ho-kwan
Managing Director

一藝術基金會

Ms Catherine FUNG Man-yee
秘書長

浩聲專業培訓顧問公司

Dr Raymond TUNG Hong-nin
行政總裁

Mr Sagar Pathrikar

Mr Max CHUNG

Mr Simon Mosbey

Ms Roxanne FAN Yi-lan

The Lok Sin Tong Benevolent Society Kowloon

Ms LAU Oi-sze
Chief Executive

金富拖車

陳孝樂
經理

Hong Kong Playground Association

Dr WAN Lap-man
Supervisor (Services for youth at risk)

宇輝貿易有限公司

梁浩琛
倉務

Mr ZHENG Fulin

創始文化有限公司

陳民偉
董事

粵港澳大灣區跨境服務公司

譚健華
董事

The Lok Sin Tong Benevolent Society Kowloon
(Smoking Cessation Program in Workplace)

Mr NG Chak-hang
Medical Service Manager

I Smoke Alliance

Miss LEE Mer
Convenor

Session Two

Mr Philippe CHAN

Mr LAI Ka-to

Miss YU Sui-yan, student of Lok Sin Tong Ku Chiu
Man Secondary School

Hong Kong Subsidized Secondary School Council

曹達明先生
Executive Member

Miss CHAN Hiu-ching

Mr NG Wing-chung

Vision Engineering Limited

Mr CHAN Pak-kei
Sales Representative

Mr Nathan Golding Marcelo

Mr DAI Cheuk-pui

Mr CHUI Yiu-hung

Hong Kong Association of Family Medicine and
Primary Health Care Nurses

Ms Kathy CHEUNG Yuk-hung
President

Prof LAM Tai-hing

Richform Holdings Limited

劉駿楷先生
Business Sustainability Manager

Hong Kong Academy of Nursing

Ms Susanna LEE Wai-yee
Vice President

i-education

Mr Eagle CHAN Kai-chi
CEO

The Pharmaceutical Society of Hong Kong

Mr Rico YAU Fuk-loi
General Committee Member

Hong Kong College of Community and Public Health
Nursing

Mr Jimmy WONG Kin-wing
President

Mr LUK Tzu-tsun

Dr Daniel HO Sai-yin

Tung Wah Group of Hospitals Integrated Centre on
Smoking Cessation

Miss TANG Chui-ying
Assistant Planning Officer

The Junior Chief Executive, The Boys and Girls Clubs
Association of Hong Kong

Miss YUAN Long-ching
8th Junior Chief Executive

Miss Yolanda NG, Wan Chai District Council Member

Hong Kong College of Emergency Nursing

Mr LEUNG Chun-pong
Council Member

徐緣先生

Session Three

Ms Cammie CHAN

Intimex Business Solutions Co Ltd

Miss CHOW Oi-yee
CEO

Ms Rebecca HUI Tak-yee

Prince of Wales Hospital

Ms LO Man-yan
Advance Practise Nurse Smoking Cessation Team

Ms Asma Batool

Mr LIU Kwai-sum

Mr WAN Wai-hin

加熱煙關注組

Mr Joseph LO Kai-lut
召集人

The Boys' and Girls' Clubs Association of Hong Kong

Dr WONG Kwai-yau, MH
Deputy Executive Director

The Society for the Aid and Rehabilitation of Drug
Abusers

Dr LAU Ka-yip
Medical Superintendent Sister Aquinas Memorial
Women's Treatment Centre

Miss YEUNG Lai-har

Mr Victor FONG Fu-shu

Hong Kong Society for Nursing Education

Dr LAM Ka-wai
Postdoctoral Fellow

Session Four

Kwok Fung Consulting & Training Co. Ltd.

Mr Michael MAK Kwok-fung
Director

Miss SIU Nga-yue

Miss ZHANG Yansuen

Pok Oi Hospital Oriental Daily News Charitable Fund
Chinese Medicine Polyclinic

陳倩玉小姐
Registered Chinese Medicine Practitioner

PMSA

Ms Mavis BOLL
Head of Scientific Engagement

HK College of Nursing & Health Care Management

Ms Alice CHENG Yuk-yu
Council Member

Pok Oi Hospital

Miss CHEUNG Pei-ka
兒童、青少年及家庭服務項目主任

The Hong Kong Taoist Association

Dr Danny LO Ching-yuen, MH
Vice-chairman

The Federation of Medical Societies of Hong Kong

Prof Bernard CHEUNG
Member

Mr Hung CHEUNG

Mrs Bulbul Sharma

Lab in Hong Kong

Mr Michael MO Kwan-tai
Member

Miss Asif Kainaat

Pok Oi Hospital - The Chinese University of Hong Kong
Chinese Medicine Centre for Training & Research (Yuen
Long)

Mr LEE Kwan-yiu
Chinese Medicine Practitioner

The Hong Kong Institute of Allergy

Dr Jane CHAN
Adviser

Pok Oi Hospital Mrs. Leung Chi Chim Chinese
Medicine Polyclinic

Ms TONG Tsz-man
Chinese Medicine Practitioner

Clerk in attendance : Ms Maisie LAM
Chief Council Secretary (2) 5

Staff in attendance : Ms Wendy KAN
Assistant Legal Adviser 6

Miss Kay CHU
Senior Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 5

Action

I. Meeting with deputations and the Administration

[File Ref: FH CR 1/3231/19, LC Paper Nos. LS48/18-19, CB(2)966/18-19(02), CB(2)1175/18-19(01) to (03), CB(2)1275/18-19(01) and CB(3)397/18-19]

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee received oral representation from 70 deputations on the Smoking (Public Health) (Amendment) Bill 2019.

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3. The Bills Committee requested the Administration to:

- (a) provide information on the annual amounts of duty collected by the Customs and Excise Department from dutiable tobacco products in the past five years, with a breakdown by tobacco component of heat-not-burn products and other tobacco products; and
- (b) list out those organizations which had extended invitations to the Food and Health Bureau for a discussion on issues relating to the Administration's proposal to prohibit the import, manufacture or sale and restrict the giving, possession or promotion of prescribed alternative smoking products; and indicate which organization(s) the Administration had met with.

Action

II. Any other business

4. There being no other business, the meeting ended at 5:00 pm.

Council Business Division 2
Legislative Council Secretariat
22 November 2019

**Proceedings of the fourth meeting of
the Bills Committee on Smoking (Public Health) (Amendment) Bill 2019
held on Saturday, 27 April 2019, at 10:00 am
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)/Discussion	Action required
<i>Agenda item I: Meeting with deputations and the Administration</i>			
000921 - 001316	Chairman	Opening remarks	
<i>Session One</i>			
001317 - 001544	Ms Julie TRAN	Presentation of views (LC Paper No. CB(2)1175/18-19(66))	
001545 - 001717	Nextwave Yachting Limited	Presentation of views (LC Paper No. CB(2)1175/18-19(151))	
001718 - 002014	一藝術基金會	Presentation of views	
002015 - 002320	浩聲專業培訓顧問 公司	Presentation of views	
002321 - 002445	Mr Sagar Pathrikar	Presentation of views	
002446 - 002757	Mr Max CHUNG	Presentation of views (LC Paper No. CB(2)1175/18-19(153))	
002758 - 003119	Mr Simon Mosbey	Presentation of views (LC Paper No. CB(2)1175/18-19(154))	
003120 - 003340	Ms Roxanne FAN Yi- lan	Presentation of views (LC Paper No. CB(2)1175/18-19(155))	
003341 - 003651	The Lok Sin Tong Benevolent Society Kowloon	Presentation of views (LC Paper No. CB(2)1175/18-19(157))	
003652 - 003824	金富拖車	Presentation of views	
003825 - 004133	Hong Kong Playground Association	Presentation of views (LC Paper No. CB(2)1175/18-19(208))	
004134 - 004408	宇輝貿易有限公司	Presentation of views	
004409 - 004632	Mr ZHENG Fulin	Presentation of views (LC Paper No. CB(2)1275/18-19(04))	
004633 - 004945	創始文化有限公司	Presentation of views	
004946 - 005250	粵港澳大灣區跨境 服務公司	Presentation of views	

Time marker	Speaker	Subject(s)/Discussion	Action required
005251 - 005600	The Lok Sin Tong Benevolent Society Kowloon (Smoking Cessation Program in Workplace)	Presentation of views (LC Paper No. CB(2)1175/18-19(160))	
005601 - 005955	I Smoke Alliance	Presentation of views (LC Paper No. CB(2)1175/18-19(161)) [At 10:55 am, Dr Elizabeth QUAT, the Deputy Chairman, took the chair in the temporary absence of the Chairman.]	
005956 - 010624	Deputy Chairman Admin	Responding to the deputations' views, the Administration elaborated on the multi-pronged tobacco control approach and the justifications for the proposed prohibition of the import, manufacture or sale and restriction of the giving, possession or promotion ("full ban") of prescribed alternative smoking products ("ASPs") as set out in paragraphs 2 to 10 of the Legislative Council ("LegCo") Brief [File Ref: FH CR 1/3231/19]. It added the following points: (a) the Bill aimed at preventing the harm of ASPs from taking root in Hong Kong, similar to what had been achieved with the ban of smokeless tobacco products under the Smokeless Tobacco Products (Prohibition) Regulations (Cap. 132BW); (b) the sale, advertising and use in no-smoking areas of electronic cigarettes ("e-cigarettes") and heat-not-burn ("HNB") products had been banned in Macau; and (c) it would enhance the smoking cessation services and step up publicity to raise public awareness of the harmful health effect of ASPs.	
010625 - 011316	Deputy Chairman Mr SHIU Ka-fai Admin	Mr SHIU Ka-fai's concern that there was a clash of meetings, as three meetings, namely this Bills Committee meeting, the meeting of the Panel on Development to receive deputations' views on studies related to artificial islands in the central waters and the meeting of the Bills Committee on National Anthem Bill were held concurrently. Mr SHIU Ka-fai considered that given that the main concern of the public was on e-cigarettes and there was a lack of evidence that HNB products were more harmful than conventional cigarettes and other tobacco products, the Administration should not pursue the proposed full ban on HNB products in order not to deprive adult smokers' right of choice. The legislative proposal to prohibit the bringing of prescribed ASPs into Hong Kong by incoming travellers might deter those travellers who planned to take multi-destination travel in the region from including Hong Kong in their itineraries. To his understanding, the sale of HNB products was only prohibited in Thailand, Macau and Singapore. In response to Mr SHIU Ka-fai's question about whether the Administration had made reference to the report on the review of HNB products commissioned by Public Health England when	

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		<p>formulating the legislative proposals, the Administration invited members to refer to LC Paper No. CB(2)1175/18-19(03) for the list of scientific studies it had studied. It stressed that most of the research data on HNB products were from the tobacco industry and only limited information was available from independent sources. There was currently no conclusive evidence to suggest that the health risk associated with the use of HNB products was less than conventional cigarettes and tobacco products.</p>	
011317 - 011754	Deputy Chairman Dr CHENG Chung-tai Admin	<p>Dr CHENG Chung-tai's concern about (a) the justifications for (i) proposing a full ban on e-cigarettes and HNB products but not on conventional cigarettes and tobacco products which were more harmful, (ii) adopting the same legislative approach for e-cigarettes and HNB products, and (iii) not proposing a full prohibition of the use of prescribed ASPs for the sake of public health if the Administration considered that all these products were harmful; and (b) the possible aggregation of black market trade of prescribed ASPs if the Bill was passed.</p> <p>The Administration advised that the Bill was aimed at, among others, ensuring that the achievement in tobacco control over the years would not be undermined and preventing the harm of ASPs from taking root in Hong Kong. It would continue to adopt a multi-pronged approach with a view to lowering the smoking prevalence to 7.8% by 2025 and moving toward the endgame for tobacco, for which a number of governments have adopted a target of smoking prevalence rate of 5%.</p>	
011755 - 012207	Deputy Chairman Mr Jeremy TAM Admin	<p>Mr Jeremy TAM's concern about the clash of committee meetings.</p> <p>Referring to the harmful substances identified by the Government Laboratory in the samples of e-cigarettes and HNB products as set out in Annex B to LC Paper No. CB(2)1175/18-19(03), he was concerned that some members of the public had perceived that these products, in particular HNB products which apparently produced no smoke or unpleasant smell, were less harmful, and had become less aware of being exposed to second-hand aerosol.</p>	
012208 - 013029	Deputy Chairman Dr Fernando CHEUNG Admin Deputy Chairman	<p>Dr Fernando CHEUNG's concern about the clash of committee meetings.</p> <p>Dr Fernando CHEUNG's remark that he was in support of the legislative proposals on the premise that public health should be the prime consideration and all tobacco products were harmful to health and there was no safe level of exposure. Raising a similar view, the Deputy Chairman said that she was in support of the legislative proposals, which were also supported by many parents and stakeholders from the education sector. To her understanding, there was an increasing number of non-smoking females and youths becoming HNB products users due to the design of and marketing strategies for these products.</p> <p>Dr Fernando CHEUNG's call for the Administration to show its determination to impose a full ban on conventional cigarettes and tobacco products as the next step.</p>	

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		The Administration advised that it had taken into account the fact that smoking was one of the four behavioral risk factors of many non-communicable diseases, the call from many quarters, and the findings of relevant local and overseas studies in formulating the legislative proposals. It would continue its efforts in lowering the smoking prevalence to safeguard public health.	
<i>Break</i>			
<i>Session Two</i>			
013708 - 013849	Deputy Chairman	Opening remarks	
013850 - 014158	Mr Philippe CHAN	Presentation of views (LC Paper No. CB(2)1175/18-19(162))	
014159 - 014501	Mr LAI Ka-to	Presentation of views (LC Paper No. CB(2)1175/18-19(163))	
014502 - 014654	Miss YU Sui-yan	Presentation of views (LC Paper No. CB(2)1175/18-19(164))	
014655 - 015004	Hong Kong Subsidized Secondary School Council	Presentation of views	
015005 - 015206	Miss CHAN Hiu- ching	Presentation of views (LC Paper No. CB(2)1175/18-19(165))	
015207 - 015332	Mr NG Wing-chung	Presentation of views (LC Paper Nos. CB(2)1175/18-19(166) and CB(2)1175/18-19(168))	
015333 - 015529	Vision Engineering Limited	Presentation of views (LC Paper No. CB(2)1275/18-19(06))	
015530 - 015711	Mr Nathan Golding Marcelo	Presentation of views (LC Paper No. CB(2)1175/18-19(67))	
015712 - 015826	Mr DAI Cheuk-pui	Presentation of views (LC Paper No. CB(2)1175/18-19(168))	
015827 - 020132	Mr CHUI Yiu-hung	Presentation of views (LC Paper No. CB(2)1175/18-19(169))	
020133 - 020353	Hong Kong Association of Family Medicine and Primary Health Care Nurses	Presentation of views (LC Paper No. CB(2)1275/18-19(07))	
020354 - 020658	Prof LAM Tai-hing	Presentation of views (LC Paper Nos. CB(2)1175/18-19(170) and CB(2)1298/18-19(08))	
020659 - 021005	Richform Holdings Limited	Presentation of views (LC Paper No. CB(2)1175/18-19(171))	

Time marker	Speaker	Subject(s)/Discussion	Action required
021006 - 021320	Hong Kong Academy of Nursing	Presentation of views (LC Paper No. CB(2)1275/18-19(08)) [At 12:09 pm, the Chairman re-took the chair.]	
021321 - 021527	i-education	Presentation of views (LC Paper No. CB(2)1175/18-19(172))	
021528 - 021816	The Pharmaceutical Society of Hong Kong	Presentation of views	
021817 - 022037	Hong Kong College of Community and Public Health Nursing	Presentation of views (LC Paper No. CB(2)1333/18-19(05))	
022038 - 022323	Mr LUK Tzu-tsun	Presentation of views (LC Paper No. CB(2)1175/18-19(173))	
022324 - 022638	Dr Daniel HO Sai-yin	Presentation of views	
022639 - 022948	Tung Wah Group of Hospitals Integrated Centre on Smoking Cessation	Presentation of views (LC Paper No. CB(2)1175/18-19(175))	
022949 - 023255	The Junior Chief Executive, The Boys and Girls Clubs Association of Hong Kong	Presentation of views	
023256 - 023604	Miss Yolanda NG, Wan Chai District Council Member	Presentation of views (LC Paper No. CB(2)1333/18-19(06))	
023605 - 023755	Hong Kong College of Emergency Nursing	Presentation of views (LC Paper Nos. CB(2)1298/18-19(09) and CB(2)1333/18-19(07))	
023756 - 024032	徐緣先生	Presentation of views (LC Paper No. CB(2)1175/18-19(177))	
024033 - 024659	Chairman Admin	Responding to the deputations' views, the Administration elaborated on its justifications for the legislative proposals, and the harmful effects of e-cigarettes and HNB products as set out in paragraphs 2 to 6 and 25 to 27 in Annex B to the LegCo Brief, and added the following points: (a) a study conducted by the School of Public Health of the University of Hong Kong revealed that tobacco consumption was responsible for causing about 7 000 deaths a year in Hong Kong and the yearly economic loss resulting from tobacco-related health problems was estimated to be about \$5.5 billion;	

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		<p>(b) a study conducted by the World Health Organization ("WHO") and the American Cancer Society in 2017 revealed that in 2012, the estimated global economic cost incurred by smoking was US\$1.4 trillion, which was equivalent to nearly 2% of the world's annual gross domestic product; and the global direct cost on healthcare expenditure incurred from diagnosis and treatment of smoking-attributable diseases was equivalent to US\$0.422 trillion, which accounted for 5.7% of total health expenditure worldwide;</p> <p>(c) there was a lack of sufficient evidence to prove that ASPs could help quit smoking. Smokers should quit smoking by using methods that had been proven effective and safe; and</p> <p>(d) it would step up publicity to enhance travellers' awareness of the prohibition to import ASPs into Hong Kong after the passage of the Bill.</p>	
024700 - 025110	Chairman Mr Kenneth LEUNG Miss YU Sui-yan Admin	<p>On Mr Kenneth LEUNG's enquiry about the policy objectives of those places where a total ban had been imposed on e-cigarettes and HNB products, the Administration advised that tobacco control measures were put in place in many places as tobacco consumption was one of the behavioral risk factors responsible for main causes of death and chronic diseases. The introduction of a ban on new smoking products could help prevent the emergence of a new generation of smokers.</p> <p>In response to Mr Kenneth LEUNG's enquiry, Miss YU Sui-yan said that the talk on e-cigarettes was a school activity but not a commercial activity.</p>	
025111 - 025644	Chairman Mr SHIU Ka-fai Admin	<p>Referring to the concern raised by Dr Daniel HO at the earlier part of the meeting, Mr SHIU Ka-fai said that his views on the Bill were made in his capacity as a Member returned from the functional constituency of wholesale and retail, and he did not have any interest with the tobacco companies.</p> <p>Pointing out that the Administration did not prohibit the import and sale of food containing certain harmful substances if the concentration of which was lower than the specified level and the tests conducted by the Government Laboratory had revealed that the maximum level of nicotine and tar yields of the samples of HNB products (i.e. 0.2 and 5 mg/stick) was far lower than that of conventional cigarettes (i.e. 1.3 and 14 mg/stick), Mr SHIU Ka-fai said that it was not reasonable to propose a full ban on but not a regulatory regime for HNB products. In response, the Administration reiterated its justifications for the legislative proposals and stressed that there was no safe level of exposure to tobacco smoke.</p>	
025645 - 030018	Chairman Mr Kenneth LAU The Pharmaceutical Society of Hong Kong Dr Daniel HO Sai-yin	<p>At the invitation of Mr Kenneth LAU, The Pharmaceutical Society of Hong Kong and Dr Daniel HO respectively elaborated on the harmful constituents in and health risk of the aerosol of HNB products, and the presence of second-hand smoke or aerosol arising from the use of conventional cigarettes and e-cigarettes.</p>	

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		Mr Kenneth LAU said that he supported the legislative proposals for the sake of public health.	
030019 - 030448	Chairman Admin	<p>The Chairman's remark that while the main opposing view to the Bill was that it would affect smokers' right of choice for smoking products. The Administration had made it clear that for the sake of public health, it had to contain the proliferation of tobacco use by preventing the emergence of a new generation of smokers using the new smoking products.</p> <p>The Administration advised that the findings of some local surveys showed that the legislative proposals were supported by many parents, youths, members of the medical and education sectors. Smokers' supportive views towards the ban on e-cigarettes were also received.</p>	
<i>Break</i>			
<i>Session Three</i>			
040610 - 040734	Chairman	Opening remarks	
040735 - 040959	Ms Cammie CHAN	Presentation of views (LC Paper No. CB(2)1333/18-19(08))	
041000 - 041311	Intimex Business Solutions Co Ltd	Presentation of views (LC Paper Nos. CB(2)1175/18-19(179) and CB(2)1333/18-19(09))	
041312 - 041543	Ms Rebecca HUI Tak-yee	Presentation of views (LC Paper No. CB(2)1275/18-19(10))	
041544 - 041750	Prince of Wales Hospital	Presentation of views (LC Paper No. CB(2)1333/18-19(10))	
041751 - 042044	Ms Asma Batool	Presentation of views (LC Paper No. CB(2)1175/18-19(180))	
042045 - 042346	Mr LIU Kwai-sum	Presentation of views (LC Paper No. CB(2)1175/18-19(181))	
042347 - 042646	Mr WAN Wai-hin	Presentation of views (LC Paper No. CB(2)1175/18-19(182))	
042647 - 043002	加熱煙關注組	Presentation of views (LC Paper No. CB(2)1175/18-19(183))	
043003 - 043318	The Boys' and Girls' Clubs Association of Hong Kong	Presentation of views (LC Paper No. CB(2)1175/18-19(176))	
043319 - 043611	The Society for the Aid and Rehabilitation of Drug Abusers	Presentation of views (LC Paper No. CB(2)1175/18-19(187))	
043612 - 043907	Miss YEUNG Lai-har	Presentation of views (LC Paper No. CB(2)1175/18-19(97))	

Time marker	Speaker	Subject(s)/Discussion	Action required
043908 - 044226	Mr Victor FONG Fu-shu	Presentation of views (LC Paper No. CB(2)1175/18-19(190))	
044227 - 044454	Hong Kong Society for Nursing Education	Presentation of views (LC Paper No. CB(2)1175/18-19(191))	
044455 - 045524	Chairman Admin Mr SHIU Ka-fai	<p>Responding to the deputations' views, the Administration elaborated on its justifications for the legislative proposals and the harmful effects of HNB products, in particular the findings of the review conducted by the United Kingdom Committees on Toxicity, Mutagenicity, Carcinogenicity of Chemicals in Food, Consumer Products and Environment on the toxicological evaluation of HNB products. It added that:</p> <p>(a) it would enhance the smoking cessation services and step up publicity to raise public awareness that there was no safe level of exposure to tobacco smoke and ASPs could not be regarded as less harmful until it was so proven; and</p> <p>(b) efforts had been and would continuously be made by the Customs and Excise Department ("C&ED") in combating the smuggling, distribution and peddling of illicit tobacco products.</p>	
045525 - 045614	Chairman Mr SHIU Ka-fai	Mr SHIU Ka-fai's view on the arrangement for members' speaking time.	
045615 - 050617	Chairman Mr Jeremy TAM Admin	<p>Mr Jeremy TAM's remark that he supported the legislative proposals; and his concern over how the implementation of the proposed full ban on the prescribed ASPs would affect the business of licensed newspaper hawkers who sought to be allowed to sell ASPs under their licences in the future.</p> <p>The Chairman's call for the Administration to address the concern of licensed newspaper hawkers over illicit trade of tobacco products.</p> <p>The Administration advised that the Food and Environmental Hygiene Department ("FEHD") would continue to communicate with the licensed newspaper hawkers in relation to their business environment.</p> <p>In response to the Chairman's query, the Administration advised that there were over 7 000 chemicals and at least 69 types of carcinogens in tobacco smoke, and exposure to which would alter cellular metabolism or damage DNA directly in cells, and induce uncontrolled and malignant division, ultimately leading to the formation of tumors.</p>	
050618 - 051704	Chairman Mr SHIU Ka-fai Mr Frankie YICK Admin	Mr SHIU Ka-fai reiterated his opposing view to impose a full ban on HNB products; and his views that (a) many members of the public might not fully understand the difference between e-cigarettes and HNB products; and (b) the study cited by a deputation which tested the hazardous toxins released when the polymer filters of HNB products were heated to 100 degrees Celsius for 10 minutes could not reflect the actual smoking behaviour of smokers.	

Time marker	Speaker	Subject(s)/Discussion	Action required
		<p>Mr Frankie YICK's suggestion that a third party should be engaged to make a comprehensive and objective analysis of the findings of international studies and reports on ASPs.</p> <p>The Administration elaborated on the scientific evidence available on e-cigarettes and HNB products as set out in Annex A to LC Paper No. CB(2)1175/18-19(03), paragraph 7 of the LegCo Brief and paragraph 26 of Annex B to the LegCo Brief.</p> <p>On Mr Frankie YICK's concern over the impact brought by the legislative proposals on the local logistic industry, and his view that the Bill should provide for an exemption from the prohibition of importing any ASPs as set out in the proposed new section 15DA(1) of the Smoking (Public Health) Ordinance (Cap. 371) if the products were brought into Hong Kong and removed from the aircraft, vehicle or vessel concerned solely for the purpose of exporting them after repacking within Hong Kong, the Administration advised that the issue was under examination.</p>	
051705 - 052144	Chairman Mr Kenneth LAU Admin	<p>On Mr Kenneth LAU's query about the Administration's stance on some deputations' call for an implementation of a full ban on all types of tobacco products to achieve the endgame for tobacco, the Administration reiterated that it would continue to adopt a multi-pronged approach with a view to lowering the smoking prevalence to 7.8% by 2025 and moving toward an endgame for tobacco.</p> <p>In reply to Mr Kenneth LAU's question regarding measures to combat illicit trade of tobacco products, the Administration advised that the number of illicit HNB products seized by C&ED in the first three months of 2019 reached 1.5 million, representing a more than 10-fold increase compared with the amount seized in the same period in 2018 (i.e. 0.1 million). C&ED would continue to strengthen enforcement action against illicit tobacco products (including HNB products) and step up public education to combat illicit tobacco product activities.</p>	
052145 - 052554	Chairman Mr Frankie YICK Admin	<p>In response to Mr Frankie YICK's concern about why the Administration would draw up the conclusion in paragraph 4 of Annex B to LC Paper No. CB(2)1175/18-19(03) that the tar and nicotine yields in HNB products were comparable to conventional cigarettes given the test results set out in paragraph 3 showed that the range of tar and nicotine yields in HNB products was much lower than that of conventional cigarettes sold in local market, the Administration stressed that all tobacco products were harmful to health and there was no safe level of exposure to tobacco smoke. Mr Frankie YIP considered that on the above premise, a full ban on all types of tobacco products should be imposed.</p>	
052555 - 053026	Chairman Mr Jeremy TAM Admin	<p>Mr Jeremy TAM's request for the Administration to provide after the meeting information on the annual amounts of duty collected by C&ED from dutiable tobacco products in the past five years, with a breakdown by tobacco components of HNB products and other tobacco products.</p> <p>The Administration reiterated its justifications for the legislative proposals in response to Mr Jeremy TAM's question about the rationale for not imposing a full ban on conventional cigarettes and tobacco products as suggested by some members.</p>	Admin

Time marker	Speaker	Subject(s)/Discussion	Action required
<i>Break</i>			
<i>Session Four</i>			
053647 - 053754	Chairman	Opening remarks	
053755 - 054100	Kwok Fung Consulting & Training Co. Ltd.	Presentation of views (LC Paper No. CB(2)1333/18-19(11))	
054101 - 054314	Miss SIU Nga-yue	Presentation of views	
054315 - 054507	Miss ZHANG Yansuen	Presentation of views	
054508 - 054608	Pok Oi Hospital Oriental Daily News Charitable Fund Chinese Medicine Polyclinic	Presentation of views (LC Paper No. CB(2)1175/18-19(192))	
054609 - 054923	PMSA	Presentation of views	
054924 - 055159	HK College of Nursing & Health Care Management	Presentation of views (LC Paper No. CB(2)1333/18-19(12))	
055200 - 055445	Pok Oi Hospital	Presentation of views (LC Paper No. CB(2)1175/18-19(194))	
055446 - 055836	The Hong Kong Taoist Association	Presentation of views (LC Paper No. CB(2)1175/18-19(195))	
055837 - 060130	The Federation of Medical Societies of Hong Kong	Presentation of views (LC Paper No. CB(2)1175/18-19(197))	
060131 - 060337	Mr Hung CHEUNG	Presentation of views (LC Paper No. CB(2)1175/18-19(199))	
060338 - 060623	Mrs Bulbul Sharma	Presentation of views (LC Paper No. CB(2)1175/18-19(200))	
060624 - 060936	Lab in Hong Kong	Presentation of views (LC Paper No. CB(2)1175/18-19(201))	
060937 - 061257	Miss Asif Kainaat	Presentation of views (LC Paper No. CB(2)1175/18-19(185))	
061258 - 061458	Pok Oi Hospital - The Chinese University of Hong Kong Chinese Medicine Centre for Training & Research (Yuen Long)	Presentation of views (LC Paper No. CB(2)1175/18-19(202))	

Time marker	Speaker	Subject(s)/Discussion	Action required
061459 - 061823	The Hong Kong Institute of Allergy	Presentation of views (LC Paper Nos. CB(2)1175/18-19(203) and CB(2)1298/18-19(10))	
061824 - 062052	Pok Oi Hospital Mrs. Leung Chi Chim Chinese Medicine Polyclinic	Presentation of views (LC Paper No. CB(2)1175/18-19(205))	
062053 - 062538	Chairman Admin	Responding to the deputations' views, the Administration elaborated on its justifications for the legislative proposals and added that it would step up public education on the harmful health effect of ASPs at various settings, including international schools.	
062539 - 063010	Chairman Mr CHAN Chi-chuen Admin	Mr CHAN Chi-chuen's view that it was illogical to propose a full ban solely on ASPs but not on conventional cigarettes and tobacco products, alcohol, junk food, etc., which were also harmful to health; and his suggestion that the discussion on e-cigarettes and HNB products should be separated. The Administration's advice that e-cigarettes and HNB products were both ASPs which were harmful to health. The background information on these products was set out in Annex B to the LegCo Brief under different headings.	
063011 - 063750	Chairman Dr KWOK Ka-ki Admin	Dr KWOK Ka-ki asked whether additional resources would be allocated to the Tobacco and Alcohol Control Office ("TACO") to ensure an efficient enforcement of the proposed full ban and to strengthen publicity on the harm of alcohol. The Administration's advice that a provision of \$50 million had been allocated in 2019-2020 for the implementation of "Towards 2025: Strategy and Action Plan to Prevent and Control Non-communicable Diseases in Hong Kong", which aimed at reducing four behavioral risk factors, namely tobacco use, harmful use of alcohol, unhealthy diet and physical inactivity in order to reduce the non-communicable diseases burden. Dr KWOK Ka-ki's suggestion that part of the government revenue from tobacco duty should be used to strengthen tobacco control efforts.	
063751 - 064526	Chairman Mr SHIU Ka-fai Admin	Mr SHIU Ka-fai's observations that (a) over half of the deputations who had made oral representation to the Bills Committee objected to the proposed full ban but supported a regulatory approach; (b) the Food and Drug Administration of the United States ("US") had recently authorized the marketing of a HNB product for the US market; (c) the latest findings released by public health authorities in the Mainland, New Zealand, the United Kingdom and Germany showed that HNB products were less harmful than conventional cigarettes. In response, the Administration reiterated that all tobacco products were harmful to health.	
064527 - 065256	Chairman Mr CHAN Chi-chuen Admin Mr Kenneth LEUNG	The Administration replied in the positive to Mr CHAN Chi-chuen's enquiry about whether the import of those ASPs solely for research purpose would be prohibited under the Bill.	

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		<p>Mr CHAN Chi-chuen's query about whether the Administration had commissioned any studies on ASPs; and Mr Kenneth LEUNG's enquiry about the handling of possible emergence of a gas inhalation product which proved to have no harmful health effects and fell outside the definition of prescribed ASPs under the Bill.</p> <p>The Administration advised that it would continue to keep abreast of the development of new smoking products and make reference to the reports released by WHO and other places in this regard.</p>	
065257 - 065554	<p>Chairman The Hong Kong Taoist Association Kwok Fung Consulting & Training Co. Ltd. The Hong Kong Institute of Allergy Admin</p>	<p>At the invitation of the Chairman, the following deputations gave further views on the Bill:</p> <p>(a) The Hong Kong Taoist Association appealed for Members' support for the legislative proposals, which, in his view, were supported by 95% of the deputations who had made oral representation at today's meeting;</p> <p>(b) Kwok Fung Consulting & Training Co. Ltd. considered that there was a need to better safeguard public health as 90% of people in Hong Kong were non-smokers; and</p> <p>(c) The Hong Kong Institute of Allergy said that while the long-term health effects of novel HNB products were unknown, the US Food and Drug Administration had become aware that some people who used e-cigarettes, which were available in the market for more than a decade, had experienced seizures which signaled a potential emerging safety issue.</p>	
065555 - 065954	<p>Chairman Admin</p>	<p>The Chairman's request for the Administration to provide after the meeting a list of those organizations which had extended invitations to the Food and Health Bureau for a discussion on issues relating to the full ban proposal; and indicate which organization(s) the Administration had met with.</p> <p>In response to the Chairman's enquiry as to how the Administration would balance the public health need to prevent the new smoking products from taking root in the local market and smokers' right of choice for products which, in their view, presented less harm, the Administration stressed that it would strengthen public education on the harm of smoking and enhance smoking cessation services to encourage conventional cigarette and ASP users to quit smoking.</p>	Admin
065955 - 070427	<p>Chairman Mr SHIU Ka-fai Admin</p>	<p>Mr SHIU Ka-fai and the Administration's reiteration of their respective views on the justifications for the legislative proposals.</p>	
<i>Agenda item II: Any other business</i>			
070428 - 070446	<p>Chairman</p>	<p>Closing remarks</p>	