

立法會
Legislative Council

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Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Monday, 22 October 2018, at 4:30 pm
in Conference Room 1 of the Legislative Council Complex

- Members present** : Dr Hon KWOK Ka-ki (Chairman)
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon CHAN Chi-chuen
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung, JP
Dr Hon CHIANG Lai-wan, SBS, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon HO Kai-ming
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Dr Hon Pierre CHAN
Hon HUI Chi-fung
Hon Jeremy TAM Man-ho
Hon AU Nok-hin
Hon Vincent CHENG Wing-shun, MH
- Member attending** : Hon LEUNG Che-cheung, SBS, MH, JP
- Members absent** : Hon SHIU Ka-fai (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHAN Han-pan, BBS, JP
Dr Hon Helena WONG Pik-wan

Dr Hon Elizabeth QUAT, BBS, JP
Hon POON Siu-ping, BBS, MH
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon YUNG Hoi-yan
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP

Public Officers : Item I
attending

Professor Sophia CHAN Siu-chee, JP
Secretary for Food and Health

Mr Philip YUNG Wai-hung, JP
Permanent Secretary for Food and Health (Food)

Mr Daniel CHENG Chung-wai, JP
Deputy Secretary for Food and Health (Food) 1

Ms Chelsea WONG Wing-chee
Deputy Secretary for Food and Health (Food) 2 (Acting)

Miss Vivian LAU Lee-kwan, JP
Director of Food and Environmental Hygiene

Dr Philip HO Yuk-yin, JP
Controller, Centre for Food Safety
Food and Environmental Hygiene Department

Dr LEUNG Siu-fai, JP
Director of Agriculture, Fisheries and Conservation

Dr SIN Wai-mei, JP
Government Chemist
Government Laboratory

Clerk in : Miss Josephine SO
attendance : Chief Council Secretary (2) 2

Staff in : Ms Wendy LO
attendance : Senior Council Secretary (2) 2

Mr Clement HAU
Council Secretary (2) 2

Miss Cally LAI
Legislative Assistant (2) 2

Action

I. Briefing by the Secretary for Food and Health on the Chief Executive's 2018 Policy Address

(LC Paper No. CB(2)31/18-19(01), The Chief Executive's 2018 Policy Address and The Chief Executive's 2018 Policy Agenda)

Secretary for Food and Health ("SFH") briefed members on the new initiatives set out in the Chief Executive's 2018 Policy Address in relation to the policy portfolio of the Food and Health Bureau ("FHB") concerning food safety and environmental hygiene and the progress of implementing major ongoing initiatives undertaken by FHB, as detailed in the Administration's paper (LC Paper No. CB(2)31/18-19(01)).

(Post-meeting note: The speaking note of SFH (Chinese version only), which was tabled at the meeting, was issued vide LC Paper No. CB(2)124/18-19 on 23 October 2018.)

Provision and management of public markets

Construction of public markets

2. Mr LEUNG Che-cheung welcomed the Administration's plan to build a new public market on the section of Tin Fook Road outside Tin Shui Wai MTR Station which, in his view, was a convenient location to most residents living in Tin Shui Wai.

3. Regarding the two new public markets to be built respectively in Tin Shui Wai and Tung Chung Town Centre, Mr CHU Hoi-dick sought information from the Administration on the following: (a) total gross floor area of each of the two markets; (b) whether cooked food centre(s)/stall(s) would be provided in these two markets; (c) timetable for completion of the two public market projects; and (d) management model to be adopted for the new markets. The Chairman and Ms Alice MAK also expressed concern about the Administration's progress in taking forward the two public market projects and the timetable for building the markets.

4. Ms Alice MAK said that according to her understanding, some residents living in the northern part of Tin Shui Wai and western part of Tung

Action

Chung considered that the proposed locations of the two new markets were not convenient to them. In her view, the new markets should each have a cooked food centre (similar to the cooked food centre in Ngau Tau Kok Market) and sufficient market stalls selling dry and wet foods. If these facilities could not be provided in the same building due to space constraint, the Administration should construct additional public markets in Tin Shui Wai North and Tung Chung West to cater for the needs of residents there.

5. Director of Food and Environmental Hygiene ("DFEH") responded that the two new public markets would be positioned as the signature market in Tin Shui Wai and Tung Chung respectively providing mainly fresh foods. Subject to the topographical condition of the sites, each market building would consist of two storeys with a total gross floor area of about 10 000 square metres. The Food and Environmental Hygiene Department ("FEHD") would soon consult the relevant District Councils ("DCs") and the local communities on the proposed sites and market design concepts for the two market projects. Depending on the views of local residents and site conditions, cooked food centres or stalls might be provided in the markets.

6. Regarding the timetable for completion of the two public market projects, SFH and DEFH advised that it normally took about three years to complete the construction works. This apart, adequate lead time would be required for planning, design, conducting feasibility studies and seeking funding from the Legislative Council ("LegCo") as necessary. SFH stressed that the Administration would expedite the public market projects in Tin Shui Wai and Tung Chung.

7. The Chairman expressed worries that there would be a substantial increase in the rentals for market stalls if the management of the new markets was outsourced to a single operator. He hoped that FEHD would take up the management of the two new markets and improve its quality of management. Mr CHU Hoi-dick shared a similar view, adding that FEHD should provide a favourable operating environment for stall tenants. SFH said that the Administration had received many views on the management model to be adopted for the new markets and how FEHD could improve its daily management of public markets. The Administration would study the views carefully in deciding on the way forward.

8. Ms Alice MAK, Mr Andrew WAN and Mr Wilson OR considered that more public markets should be built to provide the public with more choices in purchasing fresh food. Mr WAN said that according to the population-based planning standard for the provision of public markets adopted before 2009 (i.e. one public market stall should be provided for every 55 to 65 households or approximately 40 to 45 stalls per 10 000 persons), FEHD should build several more public markets in Tin Shui Wai and Tung

Action

Chung to cope with the population growth in these two areas. They enquired whether the Administration would identify more sites for construction of public markets and the timetable for provision of the new markets.

9. SFH responded that other than the proposed public markets in Tin Shui Wai and Tung Chung, the Administration was identifying sites for public markets in Tseung Kwan O and Kwu Tung North New Development Area. The Administration would continue to study the need for and feasibility of providing new public markets in other districts.

Implementation of the Market Modernization Programme ("MMP")

10. Noting that a funding of \$2 billion had been earmarked in the 2018-2019 Financial Budget to implement a 10-year MMP, Mr KWOK Wai-keung considered that the Administration should expedite the public works projects under MMP to improve the operating environment of existing public markets. Dr CHIANG Lai-wan asked how the Administration would utilize the \$2 billion for implementing MMP and the timetable for carrying out improvement works at various public markets.

11. Mr Wilson OR expressed concern about the Administration's progress in taking forward the installation of air-conditioning ("A/C") systems in the public markets which had obtained overwhelming support from tenants for the retrofitting works. Dr CHIANG Lai-wan urged the Administration to expedite the installation of A/C or ventilation systems in public markets.

12. SFH responded that MMP had been launched with the overhaul of Aberdeen Market as the pioneering project, which was intended to serve as a prototype for other markets. With the \$2 billion funding earmarked, the dedicated team set up in FEHD to improve the environment of existing public markets would critically review the whole landscape of individual markets and ensure that the public works projects (not confined to retrofitting of A/C or ventilation systems) could be proceeded as quickly as practicable, subject to the views of stakeholders, confirmation of technical feasibility and scrutiny by LegCo under the existing mechanism. DFEH stressed that MMP would not just cover the retrofitting of A/C systems. The Administration would consider undertaking refurbishment, in situ redevelopment or relocation as appropriate to improve the operating environment of the markets.

Food supply and food safety issues

African Swine Fever virus found in pork products

13. Mr Steven HO expressed concern that African Swine Fever virus was detected in some packed pork sausage carried into Japan by a Chinese tourist

Action

in early October 2018. He called on the Centre for Food Safety ("CFS") to enhance inspection and testing of samples of processed/preserved pork products at the import level to prevent contaminated pork products from entering the local food supply chain and the spread of infectious disease to local pig farms.

14. SFH responded that the Administration had been monitoring the outbreak of African Swine Fever on the Mainland. FEHD had stepped up cleansing and disinfection work and enhanced monitoring of the condition of live pigs in the slaughterhouses. Controller, CFS added that while African Swine Fever was fatal to pigs, it was not a disease that could infect humans. As it was not a food safety issue, no testing for the virus on processed/preserved pork products was conducted. That said, CFS would keep in view the development of African Swine Fever and assess whether additional measures against pork products would need to be taken in the future.

Promotion of less-salt-and-sugar diet

15. Noting that the Administration would continue to work with the Committee on Reduction of Salt and Sugar in Food ("CRSS") to cultivate a culture of low-salt-and-sugar diet, Prof Joseph LEE asked whether concrete measures would be taken to achieve those targets on reducing salt and sugar intake as set out in "Towards 2025: Strategy and Action Plan to Prevent and Control Non-communicable Diseases in Hong Kong". Mr KWOK Wai-keung asked whether the Administration would consider enacting legislation to regulate the salt and sugar contents in food or imposing a "sugar tax" on food manufacturers/importers according to the volume of the sugar-sweetened food/drinks they produced or imported, so as to better safeguard public health.

16. SFH responded that the Administration and CRSS considered that the first and foremost task was to strengthen publicity, education and transparency of information (e.g. implementing the "Salt/Sugar" Label Scheme for Prepackaged Food Products) to promote less consumption of food that was high in salt and/or sugar contents. The Administration would continue to make reference to relevant measures and experience relating to reduction of salt and sugar in food in other places and give full consideration to the local situation in introducing measures suitable for Hong Kong. The Administration had no plan to regulate salt and sugar contents in food by legislative means at the current stage.

Review of export control on powdered formulae

17. Mr Jeremy TAM considered it appropriate for the Administration to

Action

review the necessity of continuing with the export control on powdered formulae. He asked about the timetable for completing the review and the circumstances under which the Administration would consider revoking or relaxing the export control. He hoped that the Administration would ensure that the supply and price levels of powdered formulae would remain stable after the export control was revoked or relaxed.

18. SFH responded that the Administration was conducting market surveys on the supply and price levels of major powdered formula products in 18 districts for the purpose of the review of the export control on powdered formulae. It would uphold the principle of no presupposition and would analyse the data collected from the market surveys objectively, with a view to presenting to the public the current status of the supply chain of powdered formulae and its capacity in coping with a potentially huge demand. The Administration would report to the Panel on the outcome of the review when ready.

Environmental hygiene issues

Prevention and control of rodents and mosquitoes

19. Prof Joseph LEE, Mr LEUNG Che-cheung, Mr KWOK Wai-keung, Mr Andrew WAN, Mr Wilson OR and Mr Vincent CHENG expressed concerns that the rodent and mosquito problems in many districts and public housing estates were getting worse. Mr LEUNG asked whether FEHD had arranged workshops/training on prevention and control of rodent infestation for the Housing Department ("HD") and HD's cleansing service contractors.

20. SFH and DFEH responded that FEHD had been providing management staff of HD with technical assistance in the implementation of pest control measures. FEHD had also provided contract templates on pest control for follow-up actions by contract management units in various departments so that clauses relating to pest control could be included in the new contracts. In view of the effectiveness of its anti-rodent operations at designated target areas, FEHD would continue to adopt this approach in various districts and provide technical support to relevant departments. For instance, FEHD would support HD in carrying out anti-rodent work in target public housing estates with serious rodent infestation problems.

21. Prof Joseph LEE asked whether any performance indicators had been formulated for evaluating the effectiveness of anti-rodent operations at designated target areas carried out by relevant departments or their outsourced cleansing contractors. SFH advised that FEHD would make assessment after conducting anti-rodent operations at designated target areas, taking into account the rodent infestation rates surveys and the feedbacks from the local communities.

Action

22. Mr KWOK Wai-keung and Mr Andrew WAN asked whether FEHD would consider adopting new methods and techniques for pest control (e.g. using rat traps designed by a New Zealand company which crushed the rat's head with a gas-powered piston). DFEH responded that in general, there were four main kinds of technological products for pest control purposes: (1) pesticides; (2) traps; (3) genetic technology and (4) night vision camera surveillance system. FEHD was assessing the suitability of new technological products (including the rat traps referred to by Mr WAN) for local use.

23. Prof Joseph LEE enquired about the measures taken by the Administration to enhance the surveillance of mosquitoes. Mr Wilson OR considered that FEHD should release real-time ovitrap indices for *Aedes albopictus* by application of technologies to facilitate timely implementation of mosquito prevention and control measures. SFH responded that to enhance the alert function of the ovitrap indices for *Aedes albopictus*, the arrangement for releasing the results of the indices had been improved with more frequent updates. Starting from September 2018, FEHD had released the Area Ovitrap Index for *Aedes albopictus* by phases to keep the public abreast of the latest situation of mosquito infestation. FEHD would also consider extending its dengue vector surveillance programme to cover the locations with confirmed local cases.

24. Mr Wilson OR said that according to his observation, there was a lack of coordination among relevant departments in carrying out pest control operations. Noting that the Anti-Mosquito Steering Committee was re-organized and upgraded in July 2018 as the Pest Control Steering Committee, Mr OR hoped that the Steering Committee could enhance inter-department coordination in carrying out pest control work. SFH said that the Steering Committee would look into various pest control issues and step up the coordination of government efforts in pest control. FHB would also follow up with the Food and Environmental Hygiene Committees of the 18 DCs on pest control issues at the regular meetings between FHB and the Committees.

25. Dr CHIANG Lai-wan considered that rubbish bins not provided with lids should not be used in public places for collection of waste, as such kind of rubbish bins could not keep out insects but provided food sources and shelter for rodents. DFEH responded that to enhance the Government's waste reduction and recovery efforts in preparation for the implementation of the municipal solid waste ("MSW") charging, a Steering Group on the Modification of Recycling and Refuse Collection Facilities in Public Places was set up on 1 February 2016. The Steering Group, chaired by the Secretary for the Environment, was reviewing the provision and design of recycling and refuse collection facilities and would recommend necessary modifications.

Action

She would relay Dr CHIANG's concern to the Steering Group for consideration.

26. Prof Joseph LEE said that members of the Panel on Health Services were concerned about the mosquito and rodent infestation problems in public places and their adverse impact on public health. He suggested that a joint Panel meeting be held to discuss the relevant issues. The Chairman said that as members of the Panel on Health Services and Panel on Housing had expressed concerns about the mosquito and rodent infestation problems in various districts, members of these two Panels would be invited to join the discussion on "Mosquito and rodent control" at the regular meeting of this Panel to be held on 13 November 2018. The Administration had been requested to coordinate attendance from relevant bureaux and government departments for the meeting to address members' questions on the Government's prevention and control work against rodents, mosquitoes and biting midges. The Chairman also decided that the November meeting of this Panel be extended for half an hour to allow sufficient time for discussion.

(Post-meeting note: Members were informed vide LC Paper No. CB(2)145/18-19 on 25 October 2018 that the Panel meeting on 13 November 2018 would be extended for half an hour to end at 5:00 pm in order to allow more time for discussion.)

Provision of municipal services

27. Mr Vincent CHENG said that the trial use in Sham Shui Po District of mini street washing devices equipped with high pressure hot water cleaner and pressure washer surface cleaner in Sham Shui Po District had received positive feedback. He asked whether and when FEHD would extend the use of street washing devices to all 18 districts. In his view, apart from those cleansing equipment which had been put on trial use, FEHD should explore the use of other automated equipment/machines for improving environmental hygiene.

28. SFH and DFEH responded that FEHD would continue to explore the wider use of automation and modern technology in the provision of municipal services, with a view to improving environmental hygiene and minimize staff fatigue. DFEH added that in view of the successful experience in Sham Shui Po District, FEHD planned to extend the use of pressure washer surface cleaners and mini-mechanical sweepers to other districts. Clauses stipulating the use of these equipment would be incorporated into new street cleansing contracts in phases.

29. Mr Vincent CHENG suggested that apart from renovating 23 public toilets in the vicinity of tourist attractions for improved ventilation,

Action

deodorization and tidiness, FEHD should carry out refurbishment works and increase the frequency of cleansing for public toilets in other districts with high usage. DFEH responded that FEHD would renovate the 23 public toilets at tourist spots as the first step of improving the hygiene of public toilets. It would renovate public toilets with high usage in other districts at later stages.

Enforcement strategy and operational guidelines for handling street obstruction/environmental hygiene issues involving scavengers

30. Mr CHU Hoi-dick and Mr SHIU Ka-chun considered that the Administration should adopt a "friendly policy" towards scavengers. Mr SHIU suggested that the Administration should review FEHD's enforcement strategy and operational guidelines for frontline staff in the handling of street obstruction/environmental hygiene issues involving scavengers. He hoped that FEHD would continue to meet with relevant concern groups to discuss relevant issues.

31. SFH and DFEH said that FEHD received more than 60 000 complaints about street cleansing and relevant environmental hygiene problems every year. In handling these complaints, FEHD's frontline staff would seek to maintain environmental hygiene and protect the public from nuisance that might be caused by scavengers in sorting/storage of wastes on the street. DFEH added that in June 2018, representatives from FEHD joined a meeting chaired by the Environment Bureau ("ENB") to discuss with concern groups issues relating to the recovery of wastes by scavengers for recycling purposes. The concern groups agreed to revert to ENB and FEHD the views expressed on certain issues discussed at the meeting. Further meetings might be held between relevant parties where necessary.

32. Mr CHU Hoi-dick referred to a case in which scavengers had difficulties in finding places to separate recyclables collected from a fresh market in Kwai Fong. He asked whether the Administration would consider the suggestion to allow the scavengers concerned to sort the wastes at a nearby refuse collection point ("RCP") managed by FEHD. DFEH responded that FEHD had been discussing with environmental groups how to make use of FEHD's RCPs to facilitate recovery of recyclables. Regarding the case cited, FEHD had to consider whether it was appropriate and a fair use of public resources to allow certain scavengers to handle the wastes at an FEHD's RCP.

33. Mr CHU Hoi-dick further asked whether recycling facilities would be provided at some 170 off-street RCPs to dovetail with the implementation of MSW charging. DFEH responded that owing to space constraint, it was difficult to upgrade existing off-street RCPs to provide facilities for waste

Action

sorting and recycling activities. That said, FEHD would explore with the Environmental Protection Department the feasibility of providing recycling facilities in new RCPs in the future.

Issues relating to animal welfare

34. Ms Claudia MO and Dr CHIANG Lai-wan enquired whether the Administration would consider enacting comprehensive legislation on animal protection, as suggested by the Subcommittee to Study Issues Relating to Animal Rights and detailed in its report (LC Paper No. CB(2)689/17-18). Director of Agriculture, Fisheries and Conservation ("DAFC") responded that after reviewing the legislation related to animal welfare, the Administration came to the view that the Prevention of Cruelty to Animals Ordinance (Cap. 169) could be enhanced to afford better protection to animals and it might not be necessary to introduce a new piece of legislation for the purpose. SFH added that the Administration was mapping out the direction and drawing up preliminary proposals for amending the legislation related to animal welfare. The Administration aimed to consult the public on the proposals in early 2019.

35. Dr CHIANG Lai-wan suggested that the Administration should explore whether the legislative exercise could cover other key elements/concepts on animal protection.

36. Ms Claudia MO noted that the Administration completed in September 2018 a three-month public consultation on the proposed amendment to the responsibility requirement under the Road Traffic Ordinance (Cap. 374) ("RTO") for a driver to stop in case of a traffic accident involving injury to an animal. She asked whether the Administration would consider enlarging the scope of "animal" under section 56 of RTO to cover wild pig and monkey. In her view, since the proposed amendment to the responsibility requirement under RTO had received general support from Members and the public, the Administration should expedite the legislative amendment exercise.

37. DAFC responded that as there were different views on the coverage of "animal" under section 56 of RTO, the Administration needed more time to study this issue and consult the Department of Justice on the drafting aspects of the relevant amendment bill. The Administration planned to introduce the amendment bill into LegCo in the first quarter of 2019.

Policy on burial

38. Mr CHAN Chi-chuen enquired about the progress of the Private Columbaria Licensing Board ("PCLB") in processing applications for a licence or other specified instruments for operating a private columbarium

Action

after the enactment of the Private Columbaria Ordinance (Cap. 630). SFH and DFEH responded that the time needed for PCLB to process the applications hinged largely on whether and when the private columbaria could meet the eligibility requirements for the respective specified instruments. Since none of the applicants had submitted the requisite information and supporting documents in full, the Private Columbaria Affairs Office would need more time to follow up with the applicants regarding their applications. While PCLB would make its best endeavor to handle the applications in a timely manner, it was difficult to set a timeline for the vetting process.

39. Mr CHAN Chi-chuen indicated support for the direction of introducing an extendable arrangement for newly allocated public niches, i.e. an initial interment period of 20 years followed by extension every 10 years on payment of the prevailing prescribed fees. In his view, this new arrangement would encourage the public to consider adopting green burial for disposal of ashes, which in turn could help achieve sustainable use of columbarium facilities and land resources in the long run. Mr CHAN asked whether the Administration would set a target for raising the percentage to use green burial services and offer incentives to bereaved families for using green burial.

40. Mr Jeremy TAM expressed appreciation for the concerted efforts made by FEHD and the Hospital Authority in arranging burial services starting from early 2019 for abortuses of less than 24 weeks' gestation in designated areas at Wo Hop Shek Cemetery. He hoped that similar arrangements could be made in public cemeteries on Hong Kong Island. In his view, the Administration should study whether amendments should be made to existing legislation to facilitate better handling of abortuses.

41. SFH responded that the Administration had encouraged religious bodies to offer a resting place for abortuses in their private cemeteries. In 2017 and 2018 respectively, FEHD endorsed the applications from the Catholic Diocese of Hong Kong and the Board of Management of the Chinese Permanent Cemeteries for keeping abortuses in their designated cemeteries. A similar application had been received from a private cemetery and was being processed. The Administration was of the view that issues relating to the cremation and burial of abortuses could be addressed through administrative means.

(To allow sufficient time for discussion, the Chairman directed that the meeting be extended for 15 minutes.)

Government's policy on bazaar activities

42. The Chairman expressed disappointment that there was no mention of the Government's policy on bazaar activities in the Chief Executive's 2018 Policy Address. He enquired about the measures taken so far to promote bazaar activities and the Administration's progress in following up the recommendations of the Subcommittee on Issues Relating to Bazaars as set out in the Subcommittee's report (Annex I to LC Paper No. CB(1)969/17-18). In the Chairman's view, FEHD should enhance coordination among relevant departments and assume a leading role in promoting bazaar activities.

43. SFH and DFEH responded that the Government was open-minded towards specific proposals for organizing bazaars based on a bottom-up approach. With suitable sites identified by the organizers concerned and support from local communities and respective DCs obtained, as long as the bazaar proposals would not compromise law and order, food safety and environmental hygiene or cause obstruction to public passageways, FEHD would assist the organizers in applying for the necessary permits or licences from the relevant departments. To assist applicants in understanding matters that required attention in organizing bazaars, FEHD had published some guidelines for making applications to relevant government departments in setting up bazaars. FEHD would continue to consolidate information in support of bazaars development provided by respective departments and update the guidelines where necessary.

44. Dr CHIANG Lai-wan suggested that the Administration should make reference to overseas experience in promoting bazaar activities. In her view, it might be easier to obtain support from local communities for promoting bazaars which operated on weekends only or bazaars with stalls selling dry goods/handicrafts.

Sustainable fisheries development

45. In response to Mr LEUNG Che-cheung's enquiry about the issuance of new marine fish culture licences, DAFC said that the Administration was planning to designate new fish culture zones and issue new marine fish culture licences to facilitate further development of the mariculture sector and help fishermen switch to sustainable operations such as aquaculture. The new marine fish culture licences would be issued for operation in (a) existing designated fish culture zones with surplus carrying capacity; and (b) new fish culture zones to be designated by the Agriculture, Fisheries and Conservation Department.

Action

II. Any other business

46. There being no other business, the meeting ended at 6:17 pm.

Council Business Division 2
Legislative Council Secretariat
29 November 2018