

立法會
Legislative Council

LC Paper No. CB(1)258/20-21
(These minutes have been cleared
with the Chairman)

Ref : CB1/BC/1/20/2

**Bills Committee Formed on 16 October 2020 to Study the
Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018**

**Minutes of the first meeting
held on Tuesday, 3 November 2020, at 4:45 pm
in Conference Room 2 of the Legislative Council Complex**

Members present : Hon Kenneth LEUNG (Chairman)
Hon HUI Chi-fung (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
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon Paul TSE Wai-chun, JP
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, GBS, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung, JP
Hon Dennis KWOK Wing-hang
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, GBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin

Hon LAM Cheuk-ting
Hon SHIU Ka-fai, JP
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Member attending : Dr Hon Junius HO Kwan-yiu, JP

Member absent : Hon CHUNG Kwok-pan

[According to the announcement made by the Hong Kong Special Administrative Region Government on 11 November 2020 pursuant to the Decision of the Standing Committee of the National People's Congress on Issues Relating to the Qualification of the Members of the Legislative Council ("LegCo") of the Hong Kong Special Administrative Region, Kenneth LEUNG, KWOK Ka-ki, Dennis KWOK Wing-hang and Alvin YEUNG were disqualified from being members of LegCo on 30 July 2020.]

Clerk in attendance : Ms Angel SHEK
Chief Council Secretary (1)1

Staff in attendance : Mr Cliff IP
Assistant Legal Adviser 8

Mr Jason KONG
Senior Council Secretary (1)1

Miss Bowie LAM
Council Secretary (1)1

Mr Frankie WOO
Senior Legislative Assistant (1)3

Miss Mandy POON
Legislative Assistant (1)1

Miss Yannes HO
Legislative Assistant (1)7

Ms PANG Yin-shan
Clerical Assistant (1)1

Action

I. Election of Chairman

Election of Chairman

Mr James TO, the member who had the highest precedence among those present at the meeting, presided over the election of Chairman of this Bills Committee. He invited nominations for the chairmanship.

2. Mr Kenneth LEUNG was nominated by Ms Claudia MO and the nomination was seconded by Mr Alvin YEUNG. Mr Kenneth LEUNG accepted the nomination. Mr Frankie YICK was nominated by Mr SHIU Ka-fai and the nomination was seconded by Mr Vincent CHENG. Mr Frankie YICK accepted the nomination. There being no other nominations, Mr James TO announced a vote by secret ballot.

3. Dr Junius HO, who had submitted an application for late membership, sought clarification on whether he had the right to vote in the chairmanship election. Mr James TO advised that only members had voting rights in the election, and any application for late membership of a Bills Committee should be considered after the election of its chairman (and deputy chairman if required).

4. After members present had cast their votes, Mr James TO invited the nominators Ms Claudia MO and Mr SHIU Ka-fai to monitor the counting of votes. Of the members present, 19 voted for Mr Kenneth LEUNG and 15 voted for Mr Frankie YICK. Mr James TO announced that Mr Kenneth LEUNG was elected Chairman of this Bills Committee. Mr Kenneth LEUNG then took the chair.

Election of Deputy Chairman

5. The Chairman invited nominations for the deputy chairmanship of this Bills Committee. Mr HUI Chi-fung was nominated by Dr KWOK Ka-ki and the nomination was seconded by Mr Alvin YEUNG. Mr HUI Chi-fung accepted the nomination. There being no other nominations, Mr HUI Chi-fung was declared Deputy Chairman of this Bills Committee.

Action

II. Any other business

(At 4:56 pm, the Chairman left the conference room to attend a meeting of the Committee on Rules of Procedure held concurrently, and the Deputy Chairman took the chair since then. At 5:07 pm, the Deputy Chairman directed that the meeting be extended for 15 minutes beyond the appointed ending time.)

6. The Deputy Chairman invited members to give views on whether this Bills Committee should, on the basis of the deliberations made by the Bills Committee on Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 ("the former Bills Committee"), continue the clause-by-clause examination of the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 ("the Bill"); or start the scrutiny work on the Bill afresh. He remarked that there was relevant discussion at the House Committee meeting on 16 October 2020.

7. Mr Tommy CHEUNG, Mr Martin LIAO, Mr SHIU Ka-fai and Mr Frankie YICK considered that as the membership of this Bills Committee was different from that of the former Bills Committee ("the difference in membership"), the scrutiny work of this Bills Committee should start afresh. Mr CHEUNG also remarked that new developments in Hong Kong and other jurisdictions since the introduction of the Bill warranted re-examination of all issues related to the Bill.

8. Mr Tony TSE suggested that a time limit be set for re-examination of the issues deliberated by the former Bills Committee, so that members who did not join the former Bills Committee could have the opportunity to ask questions about those issues. After expiry of the time limit, this Bills Committee should continue the clause-by-clause examination of the Bill on the basis of the former Bills Committee's work.

9. Mr Jeremy TAM, Dr Helena WONG, Mr IP Kin-yuen, Ms Claudia MO, Mr LAM Cheuk-ting, Dr KWOK Ka-ki, Dr Fernando CHEUNG and Mr Andrew WAN considered that this Bills Committee's scrutiny of the Bill should start at where the former Bills Committee's work stopped, particularly as both Bills Committees were formed in the same term of the Legislative Council. These members did not agree that the difference in membership could justify re-examination of the issues already deliberated by the former Bills Committee; and they pointed out that the scrutiny work of any Bills Committee would not start afresh for reason of any late membership.

Action

10. Mr Tommy CHEUNG, Mr Tony TSE, Mr Martin LIAO and Mr Frankie YICK suggested that the Assistant Legal Adviser ("ALA") should be invited to advise on how this Bills Committee might conduct the scrutiny work on the Bill.

11. After taking into account members' views and suggestions above, the Deputy Chairman decided that ALA's advice on the matter was not required, as relevant issues had already been discussed at the House Committee meeting on 16 October 2020, and the Chairman of the House Committee had concluded at the meeting that it would be for this Bills Committee to decide how to conduct its scrutiny work on this Bill. Some members expressed dissatisfaction with the Deputy Chairman's refusal to invite ALA to give advice on the matter before reaching the above decision.

12. After discussion, the Deputy Chairman put the question "[t]hat this Bills Committee agrees to continue the scrutiny work on the Bill on the basis of the deliberations made by the former Bills Committee" to vote. The Deputy Chairman declared that the question was agreed to.

13. The Deputy Chairman advised that Dr Junius HO's application for late membership would be dealt with at the next meeting.

*(An index of the meeting proceedings is attached at the **Annex.**)*

14. There being no other business, the meeting ended at 5:14 pm.

Council Business Division 1
Legislative Council Secretariat
25 November 2020

**Bills Committee Formed on 16 October 2020 to Study the
Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018**

**Proceedings of the first meeting
on Tuesday, 3 November 2020, at 4:45 pm
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject	Action required
<i>Agenda Item I – Election of Chairman</i>			
000346 – 001521	Mr James TO Ms Claudia MO Mr Alvin YEUNG Mr Kenneth LEUNG Mr SHIU Ka-fai Mr Vincent CHENG Mr Frankie YICK Dr Junius HO Dr KWOK Ka-ki Mr HUI Chi-fung	Election of Chairman and Deputy Chairman	
<i>Agenda Item II – Any other business</i>			
001522 – 003254	Deputy Chairman Mr Jeremy TAM Dr Helena WONG Mr Tommy CHEUNG Mr Tony TSE Mr Martin LIAO Mr IP Kin-yuen Ms Claudia MO Mr SHIU Ka-fai Mr LAM Cheuk-ting Dr KWOK Ka-ki Dr Fernando CHEUNG Mr Frankie YICK Mr Andrew WAN Mr KWONG Chun-yu Chairman	Discussion and decision on how this Bills Committee would conduct the scrutiny work on the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018. The Deputy Chairman advised that Dr Junius HO's application for late membership would be dealt with at the next meeting.	