

立法會
Legislative Council

Ref : CB4/BC/3/20

LC Paper No. CB(4)1082/20-21
(These minutes have been seen
by the Administration)

Bills Committee on Public Offices (Candidacy and Taking Up Offices)
(Miscellaneous Amendments) Bill 2021

Minutes of the fifth meeting
held on Thursday, 15 April 2021, at 12:15 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon Tommy CHEUNG Yu-yan, GBS, JP (Chairman)
Hon Holden CHOW Ho-ding (Deputy Chairman)
Hon WONG Kwok-kin, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon YIU Si-wing, BBS
Hon LEUNG Che-cheung, SBS, MH, JP
Hon YUNG Hoi-yan, JP
Hon CHAN Chun-ying, JP
Hon LAU Kwok-fan, MH
Dr Hon CHENG Chung-tai
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Member absent : Dr Hon Pierre CHAN

Public Officers attending : Item I

Mr Erick TSANG, IDSM, JP
Secretary for Constitutional and Mainland Affairs

Mr Roy TANG, JP
Permanent Secretary for Constitutional and Mainland Affairs

Miss Pinky WONG

Assistant Secretary for Constitutional and Mainland Affairs

Mr Llewellyn MUI
Deputy Solicitor General (Constitutional Affairs)
Department of Justice

Miss Selina LAU
Senior Government Counsel
Department of Justice

Clerk in attendance : Ms Angel WONG
Chief Council Secretary (4)4

Staff in attendance : Ms Clara TAM
Senior Assistant Legal Adviser 2

Mr Mark LAM
Assistant Legal Adviser 7

Miss Wincy LO
Senior Council Secretary (4)4

Ms Rachel WONG
Council Secretary (4)4

Ms Sandy HAU
Legislative Assistant (4)4

Action

I. Meeting with the Administration

- | | |
|---------------------------------|--|
| (File Ref.: CMAB C4/9/1 | -- Legislative Council Brief issued by the Constitutional and Mainland Affairs Bureau |
| LC Paper No. CB(3)366/20-21 | -- The Bill |
| LC Paper No. LS48/20-21 | -- Legal Service Division Report |
| LC Paper No. CB(4)704/20-21(02) | -- Marked-up copy of the Bill prepared by the Legal Service Division (<i>Restricted to members only</i>) |

Action

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- LC Paper No. CB(4)748/20-21(01) -- Senior Assistant Legal Adviser's letter dated 8 April 2021 to the Administration
- LC Paper No. CB(4)748/20-21(02) -- Letter dated 8 April 2021 from Hon Holden CHOW Ho-ding
- LC Paper No. CB(4)759/20-21(01) -- Administration's reply to Senior Assistant Legal Adviser's letter dated 8 April 2021
- LC Paper No. CB(4)807/20-21(01) -- Administration's response to the letter dated 8 April 2021 from Hon Holden CHOW Ho-ding
- LC Paper No. CB(4)807/20-21(01) -- Administration's response to issues raised by members and Senior Assistant Legal Adviser at the meetings on 9 and 12 April 2021
- LC Paper No. CB(4)807/20-21(01) -- Amendments to the Bill proposed by the Administration)

Discussion

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

Submissions from the public

2. The Chairman informed members that by the submission deadline on 14 April 2021 at 5:00 pm, the Bills Committee had received 5 122 submissions from the public. All of the submissions were in support of the Bill.

Legislative timetable

3. Members noted the Administration's intention to resume the Second Reading debate on the Bill at the Council meeting of 12 May 2021. The Chairman would make a verbal report on the deliberations of the Bills Committee to the House Committee on 23 April 2021. The deadline for giving notice of amendments to the Bill, if any, would be 3 May 2021.

II. Any other business

Action

4. There being no other business, the meeting ended at 12:45 pm.

Council Business Division 4
Legislative Council Secretariat
7 June 2021

**Proceedings of the fifth meeting of the
Bills Committee on Public Offices (Candidacy and Taking Up Offices)
(Miscellaneous Amendments) Bill 2021
held on Thursday, 15 April 2021, at 12:15 pm
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
<i>Agenda item I – Meeting with the Administration</i>			
000431-000907	Chairman Administration Senior Assistant Legal Adviser 2	Administration's written response to issues raised by members and the Legal Assistant to the Bills Committee at the meetings on 9 and 12 April 2021, including the Administration's proposed amendments to the Bill [LC Paper No. CB(4)807/20-21(01)]	
000908-001201	Chairman Mr Tony TSE Administration	Mr TSE's support for the proposed amendments Suggestion of devising implementation details concerning the remuneration arrangements for District Council ("DC") members by the Home Affairs Bureau as soon as possible	
001202-001417	Chairman Mr LAU Kwok-fan Administration	Mr LAU's support for the proposed amendments Remuneration of a Legislative Council ("LegCo")/DC member who had resigned before being adjudged as having in breach of oath or failed to uphold the Basic Law ("BL") and bear allegiance to the Hong Kong Special Administrative Region ("HKSAR")	
001418-001915	Chairman Deputy Chairman Administration	Deputy Chairman's support for the proposed amendments The Administration's proposed amendment to the Chinese text of the new section 79(2D) of the District Councils Ordinance (Cap. 547)	
001916-002649	Chairman Mr LEUNG Che-cheung Administration	Mr LEUNG's support for the proposed amendments	

Time marker	Speaker(s)	Subject(s) / Discussion	Action required
		The Administration's proposed amendment to the new section 79(2D) of Cap. 547 Recovery of the remuneration of a LegCo/DC member who was adjudged as having in breach of oath or failed to uphold BL and bear allegiance to HKSAR	
002650-002726	Chairman	The Chairman and the Liberal Party's support for the proposed amendments	
002727-003201	Chairman Administration Mr Paul TSE	Submissions from the public Administration's response to the submissions from the public The Chairman and Mr TSE welcomed and thanked the public for their submissions	
003202-003250	Chairman	Legislative timetable	
<i>Agenda item II – Any other business</i>			
003251-003424	Chairman Administration	Closing remarks	