

立法會
Legislative Council

LC Paper No. CB(2)773/20-21

Ref : CB2/H/5/20

House Committee of the Legislative Council

**Minutes of the 12th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 29 January 2021**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon MA Fung-kwok, GBS, JP (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, GBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon YIU Si-wing, BBS
Hon CHAN Han-pan, BBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, GBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Jimmy NG Wing-ka, BBS, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai, JP

Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan, JP
Dr Hon Pierre CHAN
Hon CHAN Chun-ying, JP
Hon LUK Chung-hung, JP
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Dr Hon CHENG Chung-tai
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Members absent :

Hon Abraham SHEK Lai-him, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHEUNG Kwok-kwan, JP

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
Ms Clara TAM	Acting Senior Assistant Legal Adviser 2
Ms Alice LEUNG	Chief Council Secretary (2)5
Miss Connie AU	Senior Council Secretary (2)5
Mr Richard WONG	Senior Council Secretary (2)6
Miss Michelle TANG	Council Secretary (2)5
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)6

Action

I. Confirmation of minutes of meeting

Minutes of 11th meeting held on 15 January 2021
(LC Paper No. CB(2)708/20-21)

The minutes were confirmed.

II. Matters arising

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

2. The Chairman said that her last meeting with the Chief Secretary for Administration ("CS") was held on 18 January 2021, at which she had relayed Members' concerns and views on various issues, including the government officials' replies to oral questions raised at Council meetings and provision of the Administration's papers for Panel meetings, the way in which the Bureau Secretaries disseminated information to the media, and the Administration's anti-epidemic work, expressed at the last meeting of the House Committee ("HC") held on 15 January 2021. In response, CS had indicated that he had clearly reminded principal officials that questions asked at Council meetings were major opportunities for government officials and Members to communicate on various issues, and therefore, government officials' replies to questions must be precise and concise so as to allow time for more Members to put supplementary questions. Papers provided to the Legislative Council by government bureaux/departments must also have substantive content and clearly present main points.

3. The Chairman further said that CS had indicated that the relevant government bureaux/departments were discussing with representatives of affected industries on how to step up anti-epidemic work during their business operation. The Administration had appointed an expert panel to study and promote the coronavirus disease 2019 ("COVID-19") vaccination, and would release information and explain in detail to members of the public in due course. The Chairman added that the Panel on Health Services would hold a meeting on 5 February 2021 to discuss "Measures for the prevention and control of coronavirus disease 2019 in Hong Kong", and Members could then directly put questions to government officials on anti-epidemic work.

The government officials' replies to oral questions raised at Council meetings

4. Mr Michael TIEN said that while CS had reminded principal officials of the need to answer oral questions concisely and precisely, the reply by the Secretary for Financial Services and the Treasury to Ms Starry LEE's question on "Promotion of electronic payment" at the Council meeting of 27 January 2021 was still too lengthy such that only two more Members could put supplementary questions.

Anti-epidemic work

5. Mr Michael TIEN said that COVID-19 could spread through contaminated surfaces such as cash, but cash was still the most frequently used payment method in public markets. While the Government had earlier on provided a one-off subsidy of \$5,000 per stall in public markets to encourage stall tenants there to install contactless payment system, only some 3 500 applications had been received by the application deadline. Mr TIEN considered that the Administration should require all public market stall tenants to install contactless payment system when renewing their tenancy agreements.

6. Dr Pierre CHAN and Dr CHENG Chung-tai pointed out that no confirmed cases had been reported in a number of districts/communities for quite some time. However, social distancing measures had not been relaxed in any of those districts, e.g. catering premises were still prohibited from providing dine-in service from 6:00 pm to 4:59 am every day and leisure venues/facilities such as football pitches had yet to be opened. While scheduled premises regulated under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) were presently closed, the Administration had given permission to resume the sale of New Year flowers in the Lunar New Year fairs at various locations. In the view of Dr CHAN and Dr CHENG, the foresaid situation was resulted from the inconsistency in the Government's policy in anti-epidemic work. Dr CHENG considered that the Administration should set up a cross-bureau/departmental task force on anti-epidemic work, and LegCo should follow up its work.

7. Ms Elizabeth QUAT reiterated her concern over the difficulties faced by those enterprises under the tightened social distancing measures. She hoped that the Administration could allow the scheduled premises to re-open their business under certain anti-epidemic conditions. She also considered that the Administration should provide further subsidies for the affected business operators, and set up an unemployment assistance scheme.

8. The Chairman said that Members' views and concerns would be relayed to CS, and Members could also follow up some of those concerns through the relevant Panels.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 22 January 2021

(LC Paper No. LS30/20-21)

9. At the invitation of the Chairman, Legal Adviser briefed Members on the report prepared by the Legal Service Division on three items of subsidiary legislation (i.e. L.N. 6 to L.N. 8) which were gazetted on 22 January 2021 and tabled in Council on 27 January 2021.

10. Dr CHIANG Lai-wan considered it necessary to study the Insurance (Amendment) Ordinance 2020 (Commencement) Notice (L.N. 7) and the Insurance (Special Purpose Business) Rules (L.N. 8) in detail. Members agreed. The following Members agreed to join the subcommittee: Mr WONG Ting-kwong, Ms Starry LEE, Dr CHIANG Lai-wan and Mr Holden CHOW.

11. Members did not raise any questions on the other item of subsidiary legislation (i.e. L.N. 6).

12. The Chairman reminded Members that the deadline for amending the above three items of subsidiary legislation would be the Council meeting of 24 February 2021, or that of 17 March 2021 if extended by a resolution of the Council.

IV. Business for the Council meeting of 3 February 2021

(a) Laying of Papers on the Table of the Council

Report No. 11/20-21 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(*LC Paper No. CB(2)716/20-21*)

13. The Chairman said that the Report covered 14 items of subsidiary legislation and the period for amending them would expire at the Council meeting of 3 February 2021. No Member had indicated intention to speak on any of those items of subsidiary legislation.

(b) Questions
(*LC Paper No. CB(3)325/20-21*)

14. The Chairman said that the questions approved by the President to be asked at the meeting had already been issued to Members.

(c) Government Bill - First Reading and Second Reading (debate to be adjourned)

15. The Chairman said that the Inland Revenue (Amendment) (Tax Concessions for Carried Interest) Bill 2021 would be introduced into the Council at the meeting and HC would consider the Bill at its meeting on 19 February 2021.

(d) Government Motion

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

(e) Members' Motions

17. The Chairman said that in view of the severity of the COVID-19 pandemic in Hong Kong, the President had decided that the meeting would not deal with Members' motions not intended to have legislative effect.

V. The Chief Executive's Question and Answer Session on 4 February 2021

18. The Chairman said that the Chief Executive's Question and Answer Session would be held on 4 February 2021, from 10:30 am to 12:00 noon.

VI. Reports of Bills Committees and subcommittees

Fourth report of the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease

19. Dr CHIANG Lai-wan, Chairman of the Subcommittee, made a verbal report on the Subcommittee's deliberations. She said that after the submission of the Subcommittee's third report to HC on 15 January 2021, the Subcommittee had held two meetings with the Administration and had completed scrutiny of one item of subsidiary legislation relating to the use of COVID-19 vaccines.

20. Dr CHIANG further said that some members of the Subcommittee had called on the Administration to fully assess whether there would be sufficient air transport capacity to ensure that the vaccines could be delivered to Hong Kong as scheduled, after the measure requiring airline pilots and cabin crew who stayed at Hong Kong to undergo quarantine and isolation for 14 days and medical surveillance for seven days was implemented.

21. Dr CHIANG further advised that members of the Subcommittee had expressed concern over the detailed arrangements for the vaccination programme, including the types of vaccines to be delivered to Hong Kong, persons who could be prioritized to receive vaccination, timetable and locations for vaccination, manpower arrangements, promotion and publicity work, as well as ways to dispose of unused vaccines. Since the Administration allowed members of the public to receive vaccination on a voluntary basis free of charge, some members of the Subcommittee had suggested that the Administration should offer incentives to encourage members of the public to receive vaccination.

22. Dr CHIANG further said that members of the Subcommittee were also concerned about the aftercare support that members of the public would receive after vaccination, including surveillance and handling of

adverse events. In this connection, members of the Subcommittee had noted that the Administration would seek funding approval from the Finance Committee for setting up an indemnity fund as soon as possible, so as to provide financial assistance to members of the public who had encountered a severe adverse event after vaccination.

23. Dr CHIANG informed Members that the Subcommittee would not propose any amendments to this item of subsidiary legislation, and would submit a written report in due course.

24. The Chairman reminded Members that the period for amending L.N. 258 (i.e. the item of subsidiary legislation covered in the Subcommittee's fourth report) would expire at the Council meeting of 24 February 2021, and the deadline for giving notice of amendments, if any, would be Wednesday, 17 February 2021.

VII. Position on Bills Committees and subcommittees

(Letter dated 25 January 2021 from Hon Frankie YICK, Chairman of the Panel on Transport (LC Paper No. CB(2)718/20-21(01)))
(LC Paper No. CB(2)709/20-21)

25. The Chairman said that as at 28 January 2021, there were six Bills Committees (two of which would need to work beyond three months since their commencement), two subcommittees under HC and 10 subcommittees on policy issues under Panels in action. Six subcommittees on policy issues were on the waiting list.

26. The Chairman further said that HC had earlier endorsed the immediate activation of the Subcommittee on Issues Relating to Insurance Coverage for the Transport Sector ("the Subcommittee") under the Transport Panel. The Chairman of the Panel on Transport had written to her on 25 January 2021 reporting that as the subject matter to be studied by the Subcommittee involved transport policies as well as legal and operational issues of the insurance industry, the Panel on Transport and the Panel on Financial Affairs had decided to seek HC's support for the setting up of a joint subcommittee under the two Panels to study the subject matter instead of the Subcommittee. The terms of reference, work plan and time frame of the Joint Subcommittee would be the same as those of the Subcommittee. Members agreed to the proposal of the two Panels.

VIII. Any other business

27. There being no other business, the meeting ended at 2:46 pm.

Council Business Division 2
Legislative Council Secretariat
17 February 2021