

立法會
Legislative Council

LC Paper No. CB(2)804/20-21

Ref : CB2/H/5/20

House Committee of the Legislative Council

**Minutes of the 13th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 19 February 2021**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon MA Fung-kwok, GBS, JP (Deputy Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
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
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 CHEUNG Kwok-kwan, 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 :

Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon Junius HO Kwan-yiu, 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
Miss Joyce CHAN	Acting Senior Assistant Legal Adviser 1
Ms Clara TAM	Acting Senior Assistant Legal Adviser 2
Mr Bonny LOO	Senior Assistant Legal Adviser 3
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 12th meeting held on 29 January 2021
(LC Paper No. CB(2)773/20-21)

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 1 February 2021, at which she had relayed Members' concerns over the government officials' replies to oral questions raised at Council meetings and the Administration's anti-epidemic work expressed at the last meeting of the House Committee ("HC") held on 29 January 2021. In response, CS had indicated that he hoped that members of the public would continue to support the Administration's anti-epidemic work and create favourable conditions so as to enable various trades and industries to resume their business in a gradual and orderly manner after the Chinese New Year.

3. Mr Michael TIEN said that the commissioning of the new East Rail Line signalling system, which was part of the Shatin to Central Link Project, had been postponed from September 2020 to February 2021. Expressing concern over the numerous incidents involving the new signalling system, Mr TIEN said that there were occasions where the system had triggered the alarm signal although no train had passed through the stop signal. Besides, information on the train's physical position as provided by the system was, at times, found to be incorrect and different from the train's actual position. He hoped that CS could advise Members of the Administration's follow-up actions in respect of these incidents.

4. The Chairman reiterated that as a general principle, Members should confine their views to matters relating to the relationship between the Legislature and the Executive Authorities under this item and that Members should raise matters under various policy areas at meetings of the relevant Panel or subcommittee on policy issues. The Chairman said that the concern of Mr Michael TIEN would be relayed to CS and Mr TIEN could also follow-up his issues of concern through the Subcommittee on Matters Relating to Railways or the relevant Panel.

III. Business arising from previous Council meetings

(a) **Legal Service Division report on bill referred to the House Committee in accordance with Rule 54(4)**

Inland Revenue (Amendment) (Tax Concessions for Carried Interest) Bill 2021

(LC Paper No. LS34/20-21)

5. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the above Bill.

6. Mr Holden CHOW considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Mr WONG Ting-kwong, Ms Starry LEE and Mr Holden CHOW agreed to join the Bills Committee.

(b) **Legal Service Division report on subsidiary legislation gazetted on 29 January 2021**

(LC Paper No. LS32/20-21)

7. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on six items of subsidiary legislation (i.e. L.N. 9 to L.N. 14) which were gazetted on 29 January 2021 and tabled in Council on 3 February 2021.

8. Members did not raise any questions on the above six items of subsidiary legislation.

9. The Chairman reminded Members that the deadline for amending the above items of subsidiary legislation would be the Council meeting of 24 February 2021.

(c) **Legal Service Division report on subsidiary legislation gazetted on 5 February 2021**

(LC Paper No. LS33/20-21)

10. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on two items of subsidiary legislation (i.e. L.N. 16 and L.N. 17) which were gazetted on 5 February 2021 and would be tabled in Council on 24 February 2021.

11. Members did not raise any questions on the above two items of subsidiary legislation.

(d) Legal Service Division report on subsidiary legislation gazetted on 9 February 2021

(LC Paper No. LS35/20-21)

12. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the Prevention and Control of Disease (Compulsory Testing for Certain Persons) (Amendment) Regulation 2021 (L.N. 18) which was gazetted on 9 February 2021 and would be tabled in Council on 24 February 2021.

13. Mr YIU Si-wing considered it necessary to study the Regulation in detail. The Chairman said that the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease had completed the scrutiny work on all items of subsidiary legislation which had been referred to the Subcommittee by HC and that the Subcommittee had submitted the relevant reports to HC. The Chairman consulted Members on whether the Regulation should be studied by the Subcommittee. Members agreed.

14. The Chairman reminded Members that the deadline for amending the above three items of subsidiary legislation (i.e. L.N. 16 to L.N.18) would be the Council meeting of 24 March 2021, or that of 21 April 2021 if extended by a resolution of the Council.

(e) Legal Service Division report on subsidiary legislation gazetted on 11 February 2021

(LC Paper No. LS36/20-21)

15. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the United Nations Sanctions (Somalia) Regulation 2019 (Amendment) Regulation 2021 (L.N. 19) which was gazetted on 11 February 2021. Members noted that the Regulation was made under the United Nations Sanctions Ordinance (Cap. 537) which was not required to be tabled in the Legislative Council ("LegCo") and was not subject to amendment by LegCo.

16. Members did not raise any questions on the Regulation.

IV. Business for the Council meeting of 24 February 2021

Report No. 12/20-21 of the House Committee on Consideration of
Subsidiary Legislation and Other Instruments

17. The Chairman said that the above draft Report, which covered subsidiary legislation the period for amendment of which would expire at the Council meeting of 24 February 2021, had been issued to Members. No Member had indicated intention to speak on any of those items of subsidiary legislation.

(a) **Questions**

(LC Paper No. CB(3)346/20-21)

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

(b) **Government Bills - First Reading and Second Reading (debate to be adjourned)**

1. Appropriation Bill 2021

2. Arbitration (Amendment) Bill 2021

3. Employees' Compensation (Amendment) Bill 2021

4. Road Traffic (Amendment) Bill 2021

19. The Chairman said that the Financial Secretary would present the Appropriation Bill 2021 to the Council at the meeting. The Chairman further said that HC would consider the bills in items 2 to 4 above at its meeting on 26 February 2021.

V. Reports of Bills Committees and subcommittees

Report of the Bills Committee on Stamp Duty (Amendment) Bill 2020
(LC Paper No. CB(1)573/20-21)

20. Mr Jeffrey LAM, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr LAM said that both the Bills Committee and the

Administration would not propose any amendments to the Bill and that the Bills Committee raised no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 17 March 2021.

21. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the Bill would be Monday, 8 March 2021.

VI. Position on Bills Committees and subcommittees
(*LC Paper No. CB(2)774/20-21*)

22. The Chairman said that as at 18 February 2021, there were six Bills Committees, two subcommittees under HC and 10 subcommittees on policy issues under Panels in action. Six subcommittees on policy issues were on the waiting list.

VII. Any other business

23. There being no other business, the meeting ended at 2:44 pm.

Council Business Division 2
Legislative Council Secretariat
24 February 2021