

立法會
Legislative Council

LC Paper No. CB(2)963/20-21

Ref : CB2/H/5/20

House Committee of the Legislative Council

**Minutes of the 17th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 26 March 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 WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, 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 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

Member absent :

Hon Jeffrey LAM Kin-fung, GBS, JP

Clerk in attendance :

Miss Flora TAI

Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS

Secretary General

Mr Timothy TSO

Acting Legal Adviser

Ms Dora WAI

Deputy Secretary General (Council and Corporate Services)

Ms Anita SIT

Assistant Secretary General 1

Mr Matthew LOO

Assistant Secretary General 4

Ms Clara TAM

Acting Senior Assistant Legal Adviser 2

Mr Bonny LOO

Senior Assistant Legal Adviser 3

Miss Joyce CHAN

Assistant Legal Adviser 1

Miss Rachel DAI

Assistant Legal Adviser 2

Mr Alvin CHUI

Assistant Legal Adviser 3

Mr Mark LAM

Assistant Legal Adviser 7

Miss Evelyn LEE

Assistant Legal Adviser 10

Ms Alice LEUNG

Chief Council Secretary (2)5

Ms Doris LO

Chief Council Secretary (3)1

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 16th meeting held on 19 March 2021
(*LC Paper No. CB(2)905/20-21*)

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 she had informed the Chief Secretary for Administration ("CS") that the Subcommittee on Decision of the National People's Congress on Improving the Electoral System of the Hong Kong Special Administrative Region was formed at the last meeting of the House Committee ("HC"). In response, CS had thanked the Legislative Council ("LegCo") for having accepted the Government's proposal and had indicated that the relevant government officials would fully cooperate with the work of the Subcommittee.

III. Business arising from previous Council meetings

(a) Legal Service Division reports on bills referred to the House Committee in accordance with Rule 54(4)

1. Air Pollution Control (Amendment) Bill 2021
(*LC Paper No. LS59/20-21*)

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

4. Members considered it not necessary to form a Bills Committee to study the Bill and did not raise objection to the resumption of the Second Reading debate on the Bill.

2. Crimes (Amendment) Bill 2021
(LC Paper No. LS58/20-21)

5. At the invitation of the Chairman, Acting LA briefed Members on the report prepared by LSD on the above Bill.

6. Ms YUNG Hoi-yan considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The following Members agreed to join the Bills Committee: Ms Elizabeth QUAT, Ms YUNG Hoi-yan, Dr CHENG Chung-tai and Mr Vincent CHENG.

3. Free-Flow Tolling (Miscellaneous Amendments) Bill 2021
(LC Paper No. LS60/20-21)

7. At the invitation of the Chairman, Acting LA briefed Members on the report prepared by LSD on the above Bill.

8. Mr Frankie YICK considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The following Members agreed to join the Bills Committee: Mr Frankie YICK, Mr SHIU Ka-fai, Mr Wilson OR and Mr Tony TSE.

4. Securities and Futures and Companies Legislation (Amendment) Bill 2021
(LC Paper No. LS61/20-21)

9. At the invitation of the Chairman, Acting LA briefed Members on the report prepared by LSD on the above Bill.

10. Mr Christopher CHEUNG considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The following Members agreed to join the Bills Committee: Ms Starry LEE, Mr CHAN Kin-por, Mr Christopher CHEUNG, Mr CHAN Chun-ying and Mr Kenneth LAU.

5. Inland Revenue (Amendment) (Miscellaneous Provisions) Bill 2021
(LC Paper No. LS57/20-21)

11. At the invitation of the Chairman, Acting LA briefed Members on the report prepared by LSD on the above Bill.

12. Mr Holden CHOW considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Ms Starry LEE, Mr Holden CHOW and Mr Wilson OR agreed to join the Bills Committee.

(b) Legal Service Division report on subsidiary legislation gazetted on 19 March 2021

(LC Paper No. LS56/20-21)

13. At the invitation of the Chairman, Acting LA briefed Members on the report prepared by LSD on six items of subsidiary legislation (i.e. L.N. 36 to L.N. 41) which were gazetted on 19 March 2021 and tabled in Council on 24 March 2021.

14. Members did not raise any questions on L.N. 36 to L.N. 41 and noted that the deadline for amending these items of subsidiary legislation would be the Council meeting of 21 April 2021.

IV. The Chief Executive's Question and Answer Session on 8 April 2021

15. The Chairman said that the Chief Executive's Question and Answer Session would be held from 10:30 am to 12:00 noon.

V. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)906/20-21)

16. The Chairman said that as at 25 March 2021, there were 11 Bills Committees (one of which would need to work beyond three months since its commencement), four subcommittees under HC and 10 subcommittees on policy issues under Panels in action. Six subcommittees on policy issues were on the waiting list.

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

17. The Chairman said that the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease had submitted earlier its fifth report to HC and that the Subcommittee had already completed the scrutiny work on all items of subsidiary legislation which had been referred to it by HC. The Chairman further said that generally speaking, a subcommittee on subsidiary legislation would be

dissolved when the scrutiny period of the relevant subsidiary legislation expired or when HC so decided. However, as it was anticipated that the Administration would still have some other subsidiary legislation in relation to the prevention and control of disease to be tabled in Council, the Chairman consulted Members on whether the Subcommittee should be allowed to continue to operate and scrutinize the relevant subsidiary legislation to be submitted to LegCo in future so as to facilitate the continuity of work. Members agreed.

VI. Paper of the Committee on Rules of Procedure

Proposed consequential amendments to the House Rules in relation to the first batch of amendments to the Rules of Procedure

(LC Paper No. CROP51/20-21)

18. At the invitation of the Chairman, Mr Paul TSE, Chairman of the Committee on Rules of Procedure ("CRoP"), said that the first batch of amendments to the Rules of Procedure ("RoP") was passed by the Council at its meeting of 24 March 2021. In this connection, CRoP recommended that consequential amendments be made to the House Rules ("HR"). Details of the proposed amendments were set out in the Appendix to the paper, and those proposed amendments were technical in nature which sought to make the relevant provisions of HR and RoP consistent. Mr TSE further said that consequential amendments were proposed to seven provisions of HR, including HR 17. The amended HR 17 specified that the time limits for dealing with different types of motions in the Council and the speaking time limits of Members in the relevant debates as set out in the proposed new Appendix IIIA to HR should be deemed to have been agreed by HC and recommended to the President unless otherwise decided by HC. In addition, the amended HR 17 provided that the President or the Chairman of a committee of the whole Council might in his discretion adjust the relevant duration of debates and speaking time limits.

19. The Chairman invited Members to approve the proposed consequential amendments to HR. She reminded Members that the proposed consequential amendments would take immediate effect upon HC's approval, and that the relevant Chairmen's Handbooks would be amended accordingly in due course. Members approved the proposed consequential amendments to HR.

VII. Any other business

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

Council Business Division 2
Legislative Council Secretariat
14 April 2021