

立法會
Legislative Council

LC Paper No. CB(2)1026/20-21

Ref : CB2/H/5/20

House Committee of the Legislative Council

**Minutes of the 19th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 23 April 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
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon Steven HO Chun-yin, BBS
Hon YIU Si-wing, BBS
Hon CHAN Han-pan, BBS, 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
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Members absent :

Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming, SBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Dr Hon CHENG Chung-tai

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
Ms Dora WAI	Deputy Secretary General (Council and Corporate Services)
Ms Anita SIT	Assistant Secretary General 1
Ms Miranda HON	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
Mr Bonny LOO	Senior Assistant Legal Adviser 3
Ms Clara WONG	Assistant Legal Adviser 4
Ms Vanessa CHENG	Assistant Legal Adviser 5
Mr Mark LAM	Assistant Legal Adviser 7
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 18th meeting held on 16 April 2021

(LC Paper No. CB(2)995/20-21)

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 at her last meeting with the Chief Secretary for Administration ("CS"), CS had expressed gratitude to the Bills Committee on Improving Electoral System (Consolidated Amendments) Bill 2021 for holding meetings intensively to scrutinize the Bill at full speed in a bid to complete the legislative process by the end of May 2021. CS had also indicated that in order to complete the legislative process for the rest of the bills on the Legislative Programme for 2020-2021 within the current term of the Legislative Council ("LegCo"), the relevant Bureaux would kick-start the procedures for the resumption of the Second Reading debates on several bills immediately upon the passage of the Appropriation Bill 2021 at the Council meeting of 28 April 2021.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 16 April 2021

(LC Paper No. LS66/20-21)

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on two items of subsidiary legislation (i.e. L.N. 50 and L.N. 51) which were gazetted on 16 April 2021 and tabled in Council on 21 April 2021.

4. Members did not raise any questions on L.N. 50 and L.N. 51. The Chairman reminded Members that the deadline for amending these two items of subsidiary legislation would be the Council meeting of 12 May 2021.

IV. Further business for the Council meeting of 28 April 2021

Government Bills - Second Reading (debate to resume), consideration by committee of the whole Council and Third Reading

- 1. Employees' Compensation (Amendment) Bill 2021**
- 2. Immigration (Amendment) Bill 2020**
- 3. Road Traffic (Amendment) Bill 2021**
- 4. Inland Revenue (Amendment) (Tax Concessions for Carried Interest) Bill 2021**
5. The Chairman said that the Second Reading debates on the above four Bills would be resumed at the meeting.
6. The Chairman reminded Members that the Second Reading debate on the Appropriation Bill 2021 would continue at the meeting at which the Administration would respond to Members' comments on the Bill. Subject to the Bill receiving its Second Reading, the Bill would be committed to a committee of the whole Council for consideration. Each Member could speak more than once and for a maximum of five minutes for each speech at the debate in the committee of the whole Council.
7. The Chairman also invited Members to note that the motion for Third Reading of the Appropriation Bill should be voted on without debate. In respect of other bills, in accordance with the newly amended Rule 63(1) of the Rules of Procedure, debate on the motion that the bill be read the third time should be in the form of short and succinct speeches and confined to whether the bill should be supported, and not on the general merits and principles of the bill or in relation to proposed amendments to or individual provisions of the bill. Each Member could speak once for a maximum of three minutes in the debate.

V. Business for the Council meeting of 5 May 2021

(a) Questions *(LC Paper No. CB(3)475/20-21)*

8. The Chairman informed Members that a list setting out the Members who had been allocated question slots for the meeting had already been issued to Members.

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

9. The Chairman said that the Mercury Control Bill would be presented to the Council at the meeting and the House Committee would consider the Bill at its meeting on 7 May 2021.

(c) Government Bill - Second Reading (debate to resume), consideration by committee of the whole Council and Third Reading

10. The Chairman said that the Second Reading debate on the Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Bill would be resumed at the meeting.

(d) Government Motions

1. **Proposed resolution under the Criminal Procedure Ordinance to be moved by the Chief Secretary for Administration**
2. **Proposed resolution under the Coroners Ordinance to be moved by the Chief Secretary for Administration**

(LC Paper No. CB(3)464/20-21)

(LC Paper No. LS67/20-21)

11. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the above two proposed resolutions.

12. Members did not raise any questions on the above two proposed resolutions and had no objection to the Administration moving the proposed resolutions at the Council meeting of 5 May 2021.

(e) Member's Bill - Second Reading (debate to resume), consideration by committee of the whole Council and Third Reading

13. The Chairman said that the Second Reading debate on the Waterworks (Waterworks Regulations) (Amendment) Bill 2021 would be resumed at the meeting.

(f) **Members' Motions**

14. The Chairman said that two Members' motions not intended to have legislative effect which had stood over from previous Council meetings would be dealt with at the meeting.

VI. Reports of Bills Committees and subcommittees

(a) **Report of the Bills Committee on Public Offices (Candidacy and Taking Up Offices) (Miscellaneous Amendments) Bill 2021**
(LC Paper No. CB(4)844/20-21)

15. Mr Tommy CHEUNG, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr CHEUNG said that in response to the concerns raised by members of the Bills Committee, the Administration would propose amendments to the Bill to expressly provide for the handling of the remuneration package of a LegCo or District Council member (a) while the member's functions and duties were being suspended and (b) when it was ruled by the Court that the member was disqualified from acting as a member. In addition, having regard to the views expressed by the Legal Adviser to the Bills Committee, the Administration would propose two amendments regarding the drafting of the Bill.

16. Mr CHEUNG further said that the Bills Committee welcomed the amendments proposed by the Administration, which had alleviated the concerns of members of the Bills Committee. Members noted that the Bills Committee would not propose any amendments to the Bill and supported the resumption of the Second Reading debate on the Bill at the Council meeting of 12 May 2021.

17. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above Bill would be Monday, 3 May 2021.

(b) **Report of the Subcommittee on Proposed Resolution under Section 2(3) of the Buildings Ordinance (Cap. 123)**
(LC Paper No. CB(1)807/20-21)

18. Mr CHAN Han-pan, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Mr CHAN said that the Subcommittee supported the proposed resolution and raised no objection to the Administration giving fresh

notice to move the proposed resolution at the Council meeting of 12 May 2021. He further said that the Subcommittee would not propose any amendments to the proposed resolution.

19. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above proposed resolution would be Wednesday, 5 May 2021.

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)996/20-21)

20. The Chairman said that as at 22 April 2021, there were 11 Bills Committees, three subcommittees under HC and 10 subcommittees on policy issues under Panels in action.

VIII. Any other business

21. There being no other business, the meeting ended at 2:43 pm.

Council Business Division 2
Legislative Council Secretariat
28 April 2021