

立法會
Legislative Council

LC Paper No. CB(2) 1179/20-21

Ref : CB2/H/5/20

House Committee of the Legislative Council

**Minutes of the 25th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 11 June 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
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 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

Members absent :

Hon Abraham SHEK Lai-him, GBS, JP
Hon CHUNG Kwok-pan

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
Mr Bonny LOO	Senior Assistant Legal Adviser 3
Ms Alice LEUNG	Chief Council Secretary (2)5
Miss Rachel DAI	Assistant Legal Adviser 2
Mr Alvin CHUI	Assistant Legal Adviser 3
Ms Vanessa CHENG	Assistant Legal Adviser 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 24th meeting held on 4 June 2021

(LC Paper No. CB(2)1160/20-21)

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 advised that the Administration would strive to present to the Legislative Council ("LegCo") at or before the Council meeting of 21 July 2021 the remaining bills which the Administration hoped to be passed within the current LegCo term. However, the presentation of individual bills to the Council might be deferred to mid-August this year at the latest. CS had further advised that the Administration noted that LegCo was reviewing the Rules of Procedure with a view to introducing measures to impose a financial penalty on Members under specified circumstances. In this regard, the Administration had planned to present a bill to the Council to amend the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) for the purpose of implementing the relevant measures. The Administration would strive to present the bill to the Council in August 2021 with a view to completing the legislative amendment exercise within the current LegCo term.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 4 June 2021

(LC Paper No. LS78/20-21)

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on 13 items of subsidiary legislation (i.e. L.N. 73 to L.N. 85) which were gazetted on 4 June 2021 and tabled in Council on 9 June 2021. LA said that LSD was scrutinizing the legal and drafting aspects of L.N. 75 and would report further, if necessary.

4. Mr Vincent CHENG considered it necessary to form a subcommittee to study the Fire Service (Installations and Equipment) (Amendment) Regulation 2021 (L.N. 73) in detail. Members agreed. Mr CHAN Han-pan, Mr LAU Kwok-fan and Mr Vincent CHENG agreed to join the subcommittee.

5. Mr WONG Ting-kwong, Mr YIU Si-wing, Ms Elizabeth QUAT, Dr CHENG Chung-tai and Mr Tony TSE considered it necessary to form a subcommittee to study the Telecommunications (Registration of SIM Cards) Regulation (L.N. 75) in detail. Members agreed. The following Members agreed to join the subcommittee: Mr WONG Ting-kwong, Mr YIU Si-wing, Ms Elizabeth QUAT, Dr CHENG Chung-tai and Mr Tony TSE.

6. Dr CHENG Chung-tai considered it necessary to form a subcommittee to study L.N. 76 to L.N. 84 in detail, but no other Member indicated intention to join the proposed subcommittee. The Chairman said that as less than three Members had indicated intention to join the proposed subcommittee, pursuant to the relevant rules of the House Rules, the proposed subcommittee would not be formed.

7. Members did not raise any questions on L.N. 74 and L.N. 85.

8. The Chairman reminded Members that the deadline for amending the above 13 items of subsidiary legislation would be the Council meeting of 7 July 2021, or that of 18 August 2021 if extended by a resolution of the Council.

IV. Further business for the Council meeting of 16 June 2021

Laying of Papers on the Table of the Council

**Report No. 19/20-21 of the House Committee on Consideration of
Subsidiary Legislation and Other Instruments**
(*LC Paper No. CB(2)1162/20-21*)

9. The Chairman said that the Report covered two items of subsidiary legislation and the period for amending them would expire at the Council meeting of 16 June 2021. No Member had indicated intention to speak on any of those items of subsidiary legislation.

Members' Motions

10. The Chairman invited Members to note that the Secretariat had issued a circular on 10 June 2021 (LC Paper No. CB(3)661/20-21) to inform Members that Dr Junius HO had withdrawn the notice of his motion on "Judicial reform". The Chairman said that only one Member's motion not intended to have legislative effect, i.e. Mr POON Siu-ping's motion on "Policy on unemployment loan", would be dealt with at the meeting.

V. Business for the Council meeting of 23 June 2021

(a) Questions

(LC Paper No. CB(3)645/20-21)

11. The Chairman said 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)

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

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

1. **Mercury Control Bill**

2. **Free-Flow Tolling (Miscellaneous Amendments) Bill 2021**

13. The Chairman said that the Second Reading debates on the above two Bills would be resumed at the meeting.

(d) Government Motion

Proposed resolution under the Trading Funds Ordinance to be moved by the Secretary for Commerce and Economic Development

(LC Paper No. CB(3)634/20-21)

(LC Paper No. LS79/20-21)

14. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the above proposed resolution.

15. Members did not raise any questions on the above proposed resolution and had no objection to the Administration moving the proposed resolution at the Council meeting of 23 June 2021.

(e) **Members' Motions**

1. **Motion on "Reforming the accountability system for principal officials" to be moved by Hon Starry LEE**
(*LC Paper No. CB(3)650/20-21*)

2. **Motion on "Providing support for hard-hit industries affected by the epidemic" to be moved by Hon YIU Si-wing**
(*LC Paper No. CB(3)655/20-21*)

16. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above two motions would be Wednesday, 16 June 2021.

Report of the House Committee ("HC") on Consideration of Subsidiary Legislation

17. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)659/20-21), which contained three items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 23 June 2021. She reminded Members to indicate their intention by 5:00 pm on Tuesday, 15 June 2021, should they wish to speak on any of those items of subsidiary legislation.

VI. Position on Bills Committees and subcommittees
(*LC Paper No. CB(2)1161/20-21*)

18. The Chairman said that as at 10 June 2021, there were five Bills Committees, four subcommittees under HC and nine subcommittees on policy issues under Panels in action.

VII. Election of members of The Legislative Council Commission
(*LC Paper No. AS19/20-21*)

19. The Chairman said that Members were invited vide LC Paper No. AS17/20-21 dated 2 June 2021 issued by the Secretariat to make nominations of Members for election to The Legislative Council Commission ("LCC"). By the deadline for nomination (i.e. 5:00 pm on 7 June 2021), a total of 10 nominations were received for election to LCC. As the number of nominations received was equal to the maximum number of members that could be elected, no poll would need to be taken for election of members to LCC.

20. The Chairman declared the following 10 Members elected as members of LCC:

Mr Abraham SHEK
Mr WONG Ting-kwong
Mr CHAN Hak-kan
Mr CHAN Kin-por
Mrs Regina IP
Mr Paul TSE
Mr Frankie YICK
Miss Alice MAK
Mr CHUNG Kwok-pan
Mr Jimmy NG

VIII. Election of members of the Committee on Access to the Legislature's Documents and Records
(*LC Paper No. COA5/20-21*)

21. The Chairman said that according to LC Paper No. COA5/20-21, a total of nine nominations were received for election to the Committee on Access to the Legislature's Documents and Records ("CoA") by the deadline for nomination (i.e. 5:00 pm on 7 June 2021). As the number of nominations was less than the maximum number of members to be elected (i.e. 10), further nominations could be proposed at the meeting in accordance with the nomination and election procedure endorsed by HC at its meeting on 28 March 2014.

22. The Chairman then invited further nominations from Members. One further valid nomination was made and the nominee was Mrs Regina IP. As no other nomination was made at the meeting and the total number of nominations received was equal to the maximum number of members that could be elected, no poll would need to be taken for election of members to CoA.

23. The Chairman declared the following 10 Members elected as members of CoA

Mr Abraham SHEK
Mr WONG Ting-kwong
Mr CHAN Hak-kan
Mr CHAN Kin-por
Mrs Regina IP
Mr Paul TSE
Mr Frankie YICK
Miss Alice MAK
Mr CHUNG Kwok-pan
Mr Jimmy NG

IX. Any other business

24. There being no other business, the meeting ended at 2:49 pm.

Council Business Division 2
Legislative Council Secretariat
16 June 2021