

立法會
Legislative Council

LC Paper No. CB(1)296/20-21
(These minutes have been seen by
the Administration)

Ref : CB1/SS/5/20/1

**Subcommittee on Seven Pieces of Subsidiary Legislation Relating to
Fee Waiving or Concession Measures for the Construction Sector**

**Minutes of the second meeting on
Monday, 16 November 2020, at 9:15 am
in Conference Room 2B of the Legislative Council Complex**

Members present : Hon Abraham SHEK Lai-him, GBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon LAU Kwok-fan, MH

Member absent : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)

**Public officers
attending** : **Agenda item I**

Mr Louie NG Fai-ming
Principal Assistant Secretary for Financial Services and
the Treasury (Treasury) (MA)

Dr Raymond CHEUNG Wai-man, JP
Deputy Head of Geotechnical Engineering Office
(Mainland)
Civil Engineering and Development Department

Dr Jessie KWONG Shun-man
Chief Geotechnical Engineer/Mines also Superintendent
of Mines
Civil Engineering and Development Department

Ms Lisa CHU Yuen-man
Chief Building Surveyor/Legal Services
Buildings Department

Mr Clement LEE Kai-hong
Senior Building Surveyor/Legislation
Buildings Department

Mrs Susanne WONG
Principal Assistant Secretary (Works)¹
Development Bureau

Ms CHENG Pui-man
Acting Chief Electrical & Mechanical
Engineer/Electricity Legislation
Electrical & Mechanical Services Department

Miss Celia HO Wai-kwan
Government Counsel
Department of Justice

Miss Wendy HO Yuen-ting
Government Counsel
Department of Justice

Attendance by Invitation : Agenda item I

Ms LEE Oi-yen
Assistant Director — Registration & Technology Fund
Construction Industry Council

Clerk in attendance : Ms Doris LO
Chief Council Secretary (1)²

Staff in attendance : Miss Rachel DAI
Assistant Legal Adviser 2

Mr Raymond CHOW
Senior Council Secretary (1)¹⁰

Ms Christina SHIU
Legislative Assistant (1)²

Action

I Meeting with the Administration

- (L.N. 180 of 2020 — Mines (Safety) (Amendment) Regulation 2020
- L.N. 181 of 2020 — Dangerous Goods (General) (Amendment) Regulation 2020
- L.N. 182 of 2020 — Dangerous Goods (Government Explosives Depots) (Amendment) Regulation 2020
- L.N. 183 of 2020 — Building (Minor Works) (Fees) (Amendment) Regulation 2020
- L.N. 184 of 2020 — Building (Minor Works) (Fees) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2020
- L.N. 185 of 2020 — Electricity (Registration) (Amendment) Regulation 2020
- L.N. 197 of 2020 — Construction Workers Registration (Fees) (Amendment) Regulation 2020
- File Ref: TsyB MA 00/625-1/2/0 (C) Pt. 40 — Legislative Council Brief
- LC Paper No. LS125/19-20 — Legal Service Division Report
- LC Paper No. CB(1)158/20-21(01) — Marked-up copy of the Mines (Safety) (Amendment) Regulation 2020 prepared by the Legal Service Division (Restricted to Members)
- LC Paper No. CB(1)158/20-21(02) — Marked-up copy of the Dangerous Goods (General) (Amendment) Regulation 2020 prepared by the Legal Service Division (Restricted to Members)
- LC Paper No. CB(1)158/20-21(03) — Marked-up copy of the Dangerous Goods (Government Explosives Depots) (Amendment) Regulation 2020 prepared by the Legal Service Division (Restricted to Members)
- LC Paper No. CB(1)158/20-21(04) — Marked-up copy of the Building (Minor Works) (Fees) (Amendment) Regulation 2020

Action

- LC Paper No. CB(1)158/20-21(05) — prepared by the Legal Service Division (Restricted to Members) Marked-up copy of the Building (Minor Works) (Fees) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2020 prepared by the Legal Service Division (Restricted to Members)
- LC Paper No. CB(1)158/20-21(06) — Marked-up copy of the Electricity (Registration) (Amendment) Regulation 2020 prepared by the Legal Service Division (Restricted to Members)
- LC Paper No. CB(1)158/20-21(07) — Marked-up copy of the Construction Workers Registration (Fees) (Amendment) Regulation 2020 prepared by the Legal Service Division (Restricted to Members))

In the absence of the Chairman at this meeting, the Subcommittee agreed to elect a Chairman to act at this meeting. Mr Abraham SHEK, the member with the highest precedence among those present at the meeting, presided over the election. Mr SHEK invited nominations for the acting chairmanship. Mr LAU Kwok-fan nominated Ir Dr LO Wai-kwok and the nomination was seconded by Mr Abraham SHEK. Ir Dr LO accepted the nomination. There being no other nomination, Ir Dr LO Wai-kwok was declared Chairman to act at this meeting. Ir Dr LO then took over the chair.

2. Members noted that as agreed at the last meeting on 3 November 2020, the Chairman of the Subcommittee gave a notice to move a motion at the Council meeting of 11 November 2020 to extend the scrutiny period of the seven pieces of subsidiary legislation relating to fee waiving or concession measures for the construction sector (L.N. 180 to L.N. 185 and L.N. 197 of 2020) ("seven pieces of subsidiary legislation") to the Council meeting of 2 December 2020. As the motion was not moved at the Council meeting of 11 November 2020, the scrutiny period of the seven pieces of subsidiary legislation had expired at the said Council meeting.

Action

3. Members also noted that as agreed at the meeting on 3 November 2020, a notice was posted on the website of the Legislative Council and letters were issued to the 18 District Councils on 4 November 2020 to invite written submissions on the seven pieces of subsidiary legislation. By the submission deadline on 11 November 2020, no written submission was received.

Discussion

4. The Subcommittee deliberated (index of proceedings attached at **Appendix**).

Legislative timetable

5. Ir Dr LO Wai-kwok said that the Subcommittee had completed scrutiny of the seven pieces of subsidiary legislation.

(Post-meeting note: The draft report of the Subcommittee was circulated to members vide LC Paper No. CB(1)246/20-21(01) on 19 November 2020 for members' consideration. As no comments had been received from members by the deadline of reply at 5:00 pm on 20 November 2020, the draft report was taken as endorsed by the Subcommittee and would be submitted to the House Committee on 27 November 2020.)

II Any other business

6. There being no other business, the meeting ended at 9:48 am.

Council Business Division 1
Legislative Council Secretariat
1 December 2020

**Proceedings of the second meeting of the
Subcommittee on Seven Pieces of Subsidiary Legislation Relating to
Fee Waiving or Concession Measures for the Construction Sector
on Monday, 16 November 2020, at 9:15 am
in Conference Room 2B of the Legislative Council Complex**

Time Marker	Speaker	Subject(s)	Action Required
Agenda item I — Meeting with the Administration			
000539-000601	Mr Abraham SHEK Mr LAU Kwok-fan Ir Dr LO Wai-kwok	Election of Ir Dr LO as a Chairman to act during the absence of the Chairman at this meeting	
000602-000847	Ir Dr LO Wai-kwok	Opening remarks	
000848-001250	Ir Dr LO Wai-kwok Administration	Briefing by the Administration on the seven pieces of subsidiary legislation relating to fee waiving or concession measures for the construction sector (L.N. 180 to L.N. 185 and L.N. 197 of 2020) ("seven pieces of subsidiary legislation") [Legislative Council Brief (File Ref: TsyB MA 00/625-1/2/0 (C) Pt. 40)]	
Examination of the provisions of the Mines (Safety) (Amendment) Regulation 2020 (L.N. 180 of 2020)			
001251-001515	Ir Dr LO Wai-kwok Administration	<u>Section 1 – Commencement</u> <u>Section 2 – Mines (Safety) Regulations amended</u> <u>Section 3 – Regulation 22 amended (mine blasting certificate, and matters ancillary thereto)</u> No enquiry from members on these sections	
Examination of the provisions of the Dangerous Goods (General) (Amendment) Regulation 2020 (L.N.181 of 2020)			
001516-001721	Ir Dr LO Wai-kwok Administration	<u>Section 1 – Commencement</u> <u>Section 2 – Dangerous Goods (General) Regulations amended</u> <u>Section 3 – Regulation 183 amended (licences and permits)</u> No enquiry from members on these sections	

Time Marker	Speaker	Subject(s)	Action Required
Examination of the provisions of the Dangerous Goods (Government Explosives Depots) (Amendment) Regulation 2020 (L.N. 182 of 2020)			
001722-001919	Ir Dr LO Wai-kwok Administration	<u>Section 1 – Commencement</u> <u>Section 2 – Dangerous Goods (Government Explosives Depots) Regulations amended</u> <u>Section 3 – Regulation 13B added</u> No enquiry from members on these sections	
Examination of the provisions of the Building (Minor Works) (Fees) (Amendment) Regulation 2020 (L.N. 183 of 2020)			
001920-002132	Ir Dr LO Wai-kwok Administration	<u>Section 1 – Commencement</u> <u>Section 2 – Building (Minor Works) (Fees) Regulation amended</u> <u>Section 3 – Section 2 amended (interpretation)</u> No enquiry from members on these sections	
Examination of the provisions of the Building (Minor Works) (Fees) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2020 (L.N. 184 of 2020)			
002133-002252	Ir Dr LO Wai-kwok Administration	<u>Section 1 – Commencement</u> <u>Section 2 – Building (Minor Works) (Fees) (Amendment) (Fee Concessions) Regulation 2019 amended</u> <u>Section 3 – Section 1 amended (commencement)</u> No enquiry from members on these sections	
Examination of the provisions of the Electricity (Registration) (Amendment) Regulation 2020 (L.N. 185 of 2020)			
002253-003007	Ir Dr LO Wai-kwok Administration	<u>Section 1 – Commencement</u> <u>Section 2 – Electricity (Registration) Regulations amended</u> <u>Section 3 – Regulation 13A added</u> <u>Section 4 – Schedule amended (fees)</u> Expression of concern by Ir Dr LO that for those registrations of registered electrical contractor or registered electrical worker that had been effective before the concession period (i.e. 1 October 2020)	

Time Marker	Speaker	Subject(s)	Action Required
		to 30 September 2021) or those applications for renewal of registration that had been submitted before the concession period, whether the persons concerned might benefit from the new measure; and the Administration's response.	
Examination of the provisions of the Construction Workers Registration (Fees) (Amendment) Regulation 2020 (L.N. 197 of 2020)			
003008-003544	Ir Dr LO Wai-kwok Administration	<p><u>Section 1 – Commencement</u></p> <p><u>Section 2 – Construction Workers Registration (Fees) Regulation amended</u></p> <p><u>Section 3 – Section 10B added</u></p> <p>Expression of support by Ir Dr LO on the initiatives to extend the existing fee waivers or concessions and introduce a new fee concession for one year to relieve the financial burdens of the construction sector given the serious impacts of the coronavirus disease-2019 and uncertainties in the economic outlook; and his call for the relevant authorities to monitor the situation, and review and decide in due course the need for further extension of these fee waivers or concessions to continue to support the construction sector; and the Administration's response.</p>	
003545-003617	Ir Dr LO Wai-kwok Assistant Legal Adviser 2 ("ALA2")	<p>Confirmation by ALA2 that no difficulties had been identified in relation to the legal and drafting aspects of the seven pieces of subsidiary legislation</p> <p>Completion of scrutiny of the seven pieces of subsidiary legislation</p>	
Agenda item II — Any other business			
003618-003625	Ir Dr LO Wai-kwok	Concluding remarks	