

立法會
Legislative Council

LC Paper No. CB(2)1353/03-04

Ref : CB2/H/5

House Committee of the Legislative Council

**Minutes of the 15th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 13 February 2004**

Members present :

Hon Miriam LAU Kin-yee, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Hon James TIEN Pei-chun, GBS, JP
Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Cheuk-yan
Dr Hon Eric LI Ka-cheung, GBS, JP
Dr Hon David LI Kwok-po, GBS, JP
Dr Hon LUI Ming-wah, JP
Hon NG Leung-sing, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon James TO Kun-sun
Hon CHAN Yuen-han, JP
Hon CHAN Kam-lam, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LEUNG Yiu-chung
Hon SIN Chung-kai
Hon Andrew WONG Wang-fat, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan
Hon Jasper TSANG Yok-sing, GBS, JP
Dr Hon YEUNG Sum
Hon YEUNG Yiu-chung, BBS
Hon LAU Chin-shek, JP
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBS, JP
Hon Ambrose LAU Hon-chuen, GBS, JP

Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
Hon Timothy FOK Tsun-ting, SBS, JP
Dr Hon LAW Chi-kwong, JP
Hon TAM Yiu-chung, GBS, JP
Dr Hon TANG Siu-tong, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, JP
Hon Henry WU King-cheong, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung
Hon Albert CHAN Wai-yip
Dr Hon LO Wing-lok, JP
Hon Frederick FUNG Kin-kee
Hon IP Kwok-him, JP
Hon LAU Ping-cheung
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Fung-kwok, JP

Members absent :

Hon Albert HO Chun-yan
Hon Martin LEE Chu-ming, SC, JP
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching, JP
Hon CHAN Kwok-keung, JP
Hon Bernard CHAN, JP
Hon Howard YOUNG, SBS, JP
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi

Clerk in attendance :

Mrs Justina LAM Clerk to the House Committee

Staff in attendance :

Mr Ricky C C FUNG, JP	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Mr LAW Kam-sang, JP	Deputy Secretary General

Ms Pauline NG	Assistant Secretary General 1
Mr Ray CHAN	Assistant Secretary General 3
Mr LEE Yu-sung	Senior Assistant Legal Adviser 1
Mr Arthur CHEUNG	Senior Assistant Legal Adviser 2
Mrs Vivian KAM	Principal Chief Secretary (Complaints)
Mrs Constance LI	Chief Council Secretary (2)5
Mrs Betty LEUNG	Chief Council Secretary (3)1
Miss Anita HO	Assistant Legal Adviser 2
Miss Connie FUNG	Assistant Legal Adviser 3
Mr Stephen LAM	Assistant Legal Adviser 4
Miss Kitty CHENG	Assistant Legal Adviser 5
Ms Emily PANG	Senior Public Information Officer 2
Ms YUE Tin-po	Senior Council Secretary (Complaints)3
Miss Lolita SHEK	Senior Council Secretary (2)7

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I. Confirmation of the minutes of the 14th meeting held on 30 January 2004
(*LC Paper No. CB(2) 1168/03-04*)

The minutes were confirmed.

II. Matters arising

(a) Report by the Chairman on her meeting with the Acting Chief Secretary for Administration (Ag CS)

2. The Chairman said that she had informed Ag CS that the Subcommittee on the proposed resolution under section 3(1) of the Loans Ordinance had completed its scrutiny work, and Members had raised no objection to the Administration moving a modified version of the proposed resolution at the Council meeting on 18 February 2004.

(b) Air Transport (Licensing of Air Services) (Amendment) Regulation 2004

(*LC Paper No. LS 43/03-04*)

3. The Legal Adviser said that the Legal Service Division had asked the Administration whether it would consider making express provisions on the way the Air Transport Licensing Authority would determine questions under the Air Transport Regulations. A further report was now provided after receiving the Administration's response. The Legal Adviser further said that according to the Administration, the Chief Executive (CE) had not prescribed any procedures for the Licensing Authority which had over the years developed

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by itself a set of procedures to consider routine licence applications by Hong Kong airlines.

4. The Legal Adviser said that the Administration was of the view that in the absence of statutory rules, the Licensing Authority was the master of its own procedure at common law, and there was no practical need to prescribe the procedures of the Licensing Authority. The Legal Adviser further said that the Legal Service Division had doubts about this view given that there was an express provision requiring the Licensing Authority to follow the procedures prescribed by CE in determining questions.

5. The Legal Adviser pointed out that since the object of the Regulation was to prescribe a quorum of the Licensing Authority, the absence of procedures prescribed by CE did not affect the amendments made in the Regulation. On this basis, the drafting of the Regulation presented no problem. The Legal Adviser added that whether or not it was necessary to prescribe procedures under the amended regulation 4(6)(c) would be a matter for the Administration to review.

6. Mr SIN Chung-kai suggested that the Administration should be invited to explain to Members why it was not necessary to prescribe the procedures of the Licensing Authority. Mr SIN suggested that a subcommittee should be formed to study the Regulation.

7. The Chairman proposed that a subcommittee be formed. Members agreed. The following Members agreed to join : Mr SIN Chung-kai, Mr Andrew WONG and Ms Audrey EU.

8. The Chairman said that the deadline for amending this item of subsidiary legislation was 3 March 2004, or 24 March 2004, if extended by resolution.

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)

(i) Undesirable Medical Advertisements (Amendment) Bill 2004 (LC Paper No. LS 40/03-04)

9. The Legal Adviser explained that the Bill sought to widen the scope of the Undesirable Medical Advertisements Ordinance so as to regulate the advertising of six types of undesirable claims for orally consumed products.

10. The Legal Adviser further explained that the advertising of claims

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relating to the prevention, elimination or treatment of breast lumps, the regulation of function of the genitourinary system and the regulation of the endocrine system was to be prohibited. The advertising of claims relating to the regulation of body sugar or glucose and/or alteration of function of pancreas, regulation of blood pressure and regulation of blood lipid or cholesterol was to be restricted.

11. The Legal Adviser said that at the meeting of the Panel on Health Services on 8 December 2003, members had expressed divergent views on the proposal, and the Panel Chairman had urged the Administration to withhold introduction of the Bill into the Legislative Council (LegCo) in early 2004.

12. The Legal Adviser added that in view of the reservations expressed by Panel members, a Bills Committee was recommended to study the Bill.

13. Mrs Selina CHOW suggested that a Bills Committee should be formed to scrutinize the Bill. Mrs CHOW said that she had received submissions from the trade, and a concern group on the Bill had recently been formed and had expressed certain views about the Bill in the press. Mrs CHOW suggested that details of the views of the concern group and the submissions from the trade should be circulated to the Bills Committee for reference.

14. The Chairman proposed that a Bills Committee be formed. Members agreed. The following Members agreed to join : Mr Fred LI, Mrs Selina CHOW, Mr Michael MAK and Ms Audrey EU.

15. The Chairman said that the Bills Committee would be placed on the waiting list.

(ii) Construction Industry Council Bill
(LC Paper No. LS 39/03-04)

16. The Legal Adviser explained that the Bill sought to provide for the establishment of a statutory body to be known as the Construction Industry Council (CIC), which was to be funded by construction levies, to take over the functions of the Construction Industry Training Authority (CITA) established under the Industrial Training (Construction Industry) Ordinance (Cap. 317).

17. The Legal Adviser further explained that Cap. 317 would be repealed upon enactment of this Bill. The Legal Adviser added that the Bill also provided for the imposition of a levy on construction operations carried out in Hong Kong, on a basis similar to that presently imposed.

18. The Legal Adviser said that Members were briefed on the proposed establishment of CIC at the joint meeting of the Panel on Planning, Lands and

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Works and Panel on Manpower on 25 November 2003. Some Panel members expressed various concerns.

19. The Legal Adviser further said that as the Bill involved important policy issues and the creation of a new statutory body, and in view of Members' concerns raised at the joint Panel meeting, a Bills Committee was recommended.

20. Mr LAU Ping-cheung said that a Bills Committee should be formed to study the Bill.

21. The Chairman proposed that a Bills Committee be formed. Members agreed. The following Members agreed to join : Mr Abraham SHEK (as advised by Ms Miriam LAU), Miss LI Fung-ying, Mr IP Kwok-him and Mr LAU Ping-cheung.

22. The Chairman said that the Bills Committee would be placed on the waiting list.

(b) **Legal Service Division report on subsidiary legislation gazetted on 30 January 2004 and tabled in Council on 4 February 2004**
(*LC Paper No. LS 41/03-04*)

23. The Legal Adviser said that there were nine items of subsidiary legislation, including one Commencement Notice, gazetted on 30 January 2004. The Legal Adviser added that no difficulties relating to the legal and drafting aspects of these items of subsidiary legislation had been identified.

24. Members did not raise any queries on these items of subsidiary legislation.

25. The Chairman said that the deadline for amending these items of subsidiary legislation was 3 March 2004, or 24 March 2004, if extended by resolution.

(c) **Legal Service Division report on subsidiary legislation gazetted on 6 February 2004 and tabled in Council on 11 February 2004**
(*LC Paper No. LS 42/03-04*)

26. The Legal Adviser said that there were three items of subsidiary legislation, including one Commencement Notice, gazetted on 6 February 2004.

27. Members did not raise any queries on these items of subsidiary legislation.

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28. The Chairman said that the deadline for amending these three items of subsidiary legislation was 10 March 2004, or 21 April 2004, if extended by resolution.

IV. Business for the Council meeting on 18 February 2004

(a) Questions

(LC Paper No. CB(3) 366/03-04)

29. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 18 February 2004.

(b) Bills - First Reading and moving of Second Reading

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

(c) Government motion

Proposed resolution to be moved by the Secretary for Financial Services and the Treasury under the Loans Ordinance

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 351/03-04 dated 4 February 2004.)

31. The Chairman said that the Secretary for Financial Services and the Treasury had given notice to move the above resolution at the Council meeting on 18 February 2004. The Chairman added that the report of the subcommittee on the proposed resolution was considered by the House Committee at its last meeting on 30 January 2004.

(d) Members' motions

(i) Motion on "Policy on broadcasting"

(Wording of the motion issued vide LC Paper No. CB(3) 356/03-04 dated 6 February 2004.)

(ii) Motion on "Participation in public affairs by young people"

(Wording of the motion issued vide LC Paper No. CB(3) 352/03-04 dated 5 February 2004.)

32. The Chairman said that the above motions would be moved by Mr SIN Chung-kai and Mr WONG Sing-chi respectively, and the wording of their motions had been issued to Members.

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V. Business for the Council meeting on 25 February 2004

(a) Questions

(LC Paper No. CB(3) 367/03-04)

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33. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 25 February 2004.

(b) **Bills - First Reading and moving of Second Reading**

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

(c) **Government motion**

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

(d) **Members' motions**

(i) **Motion on "Drawing up the blueprint for Hong Kong's social welfare policies for the next decade"**

(Wording of the motion issued vide LC Paper No. CB(3) 376/03-04 dated 11 February 2004.)

(ii) **Motion on "Immediately consulting the public on election by universal suffrage"**

(Wording of the motion issued vide LC Paper No. CB(3) 379/03-04 dated 12 February 2004.)

36. The Chairman said that the above motions would be moved by Miss CHAN Yuen-han and Mr Andrew CHENG respectively, and the wording of their motions had been issued to Members.

37. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 18 February 2004.

VI. Position on Bills Committees/subcommittees

(LC Paper No. CB(2) 1274/03-04)

38. The Chairman said that there were 15 Bills Committees and eight subcommittees in action, as well as eight Bills Committees on the waiting list, including the Bills Committee on Undesirable Medical Advertisements (Amendment) Bill 2004 and the Bills Committee on Construction Industry Council Bill formed under agenda item III(a) above.

39. Mr SIN Chung-kai expressed concern whether it was possible to complete scrutiny of all the bills on the waiting list given the time constraint. Mr SIN suggested that the Administration should be requested to indicate whether the resumption of the Second Reading debate on any bill(s) on the

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waiting list must take place within the current term, and hence its scrutiny had to be accorded priority. The Chairman said that she would raise the matter with CS at their coming meeting.

VII. Report of the Panel on Home Affairs on its proposal for a select committee to be appointed to inquire into the incidents which have affected the credibility of the Equal Opportunities Commission and related issues

(LC Paper Nos. CB(2) 1172/03-042, CB(2) 1286/03-04 and CB(2) 1300/03-04, and the letter dated 12 February 2004 from the Secretary for Home Affairs (SHA) to the Chairperson of the Equal Opportunities Commission (EOC))

40. Mr IP Kwok-him, Chairman of the Panel on Home Affairs, said that the Panel sought Members' support for the appointment of a select committee by LegCo to inquire into the incidents which had affected the credibility of EOC and related issues. The recommendations of the Panel, as agreed at the Panel meetings on 9 and 29 January 2004, were detailed in paragraphs 10 and 11 of the paper.

41. Mr IP informed Members that at the meeting of the Panel held in the morning preceding the House Committee meeting, the Administration had provided a letter dated 12 February 2004 from SHA to the Chairperson of EOC for members' reference. In the letter, SHA expressed support for EOC's move to consider the setting up of a review committee to look into the issues concerning the appointment and termination of appointment of Mr Patrick YU. SHA had put to the Chairperson that it would be more appropriate for the Administration to nominate two independent members to sit on the EOC review committee so as to enhance the credibility and transparency of the proposed investigation.

42. Mr IP said that the Deputy Secretary for Home Affairs had agreed to convey to EOC the following views expressed by some members at the meeting

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- (a) the number of independent members to be nominated by the Administration to the review committee should constitute the majority of the membership of the committee;
- (b) the independent members to be nominated by the Administration should not have political affiliations or be retired judges; and
- (c) hearings of the review committee should be open sessions.

43. Mr IP Kwok-him reckoned that the Administration had provided SHA's

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letter at the Panel meeting this morning in order to facilitate Members' consideration of the Panel's proposal of appointing a select committee at this meeting. Mr IP added that a copy of SHA's letter was tabled at this meeting for Members' reference.

44. The Chairman said that the paper on the estimated work schedule of the proposed select committee and the one on position on meeting time slots from March to June 2004 had been prepared by the Secretariat. Regarding the position on meeting time slots, the Chairman pointed out that -

- (a) by the time the select committee, if appointed, commenced work in March 2004, more meeting time slots would have been taken up by other committees; and
- (b) whether a meeting of the select committee, if appointed, would clash with the meeting of another committee would depend on whether there was overlapping membership between the two committees.

45. Mr James TO said that Members belonging to the Democratic Party (DP) supported the appointment of a select committee to inquire into the incidents which had affected the credibility of EOC and related issues. Mr TO pointed out that one major concern of Members and the public was the role and involvement of SHA in the incidents, but this would certainly not be an area that the EOC review committee would inquire into.

46. Mr TO further said that past experience had demonstrated that select committees appointed by LegCo were far more effective than the inquiry committees or panels appointed by the Government in finding out the truth of the matters under investigation. This was because in the performance of their duties, select committees could exercise the powers conferred by section 9(1) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to summons witnesses to give evidence before the select committees.

47. Mr TO believed that with better division of work among Members, the proposed select committee should be able to complete its inquiry and table its report in Council by the end of June 2004. Mr TO added that although the select committee, if appointed, would have to work under a very tight schedule, a lot of facts about the incidents had already been obtained during discussions at the earlier meetings of the HA Panel. A compressed timetable, in fact, could enable the select committee to be more focussed in its inquiry.

48. Mr TO said that SHA's proposal could not address Members' concerns. Moreover, as EOC was an autonomous statutory body, SHA's nomination of non-EOC members to its review committee could be perceived as the

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Government interfering with the affairs of EOC. Mr TO further said that LegCo should not evade its responsibility and should appoint a select committee to inquire into the incidents which had affected the credibility of EOC.

49. Miss LI Fung-ying declared that she was a member of EOC, and she supported the proposed appointment of a select committee by LegCo.

50. Ms Emily LAU, Mr Albert CHAN and Dr YEUNG Sum also expressed support for the proposed select committee.

51. Ms Emily LAU said that the HA Panel had previously requested the Administration to appoint an independent commission of inquiry. However, the Home Affairs Bureau (HAB) had informed the Panel at its meeting on 9 January 2004 that the Administration would not do so because it should not interfere with the affairs of EOC. Ms LAU considered that SHA's present proposal of nominating two independent members to sit on the EOC review committee was contradictory to the Administration's previous position. Ms LAU added that while there were no details of how the EOC review committee would operate, it was unlikely that it would conduct open hearings in its investigation.

52. Ms LAU further said that as some Members had expressed concern whether the proposed select committee could complete its inquiry and table its report in Council within the current term, she had requested the Secretariat to provide an estimated work schedule of the proposed select committee and information on available meeting time slots in the coming few months to facilitate discussion of the Panel's proposal at this meeting. Ms LAU believed that with Members putting in greater efforts and with a more focussed scope of inquiry, the proposed select committee should be able to complete its work before the end of the current term.

53. The Secretary General said that temporary staff had already been employed to fill the vacancies of those experienced staff who had been deployed to service the two on-going select committees. If the proposed select committee was to be appointed, other experienced staff would have to be deployed to service this select committee. Their vacancies would also be filled by temporary staff and this would affect the servicing work of Panels, Bills Committees and other committees.

54. Mr Albert CHAN said that SHA's proposal was intended to enable some Members to change their stance on the appointment of the proposed select committee. Mr CHAN further said that EOC was not in a position to conduct an investigation which involved inquiring into decisions or actions taken by SHA and HAB. Mr CHAN considered that the Administration's proposal was

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only a delaying tactic. Members should have confidence in themselves that they would be able to complete the inquiry within the current term.

55. Miss Margaret NG said that she did not have any strong views about the proposal of the HA Panel. Miss NG further said that in considering the proposal, Members should take into account both the public concern about EOC's credibility, and the practicality of completing the inquiry within the current term. Miss NG added that it was inappropriate for SHA to nominate independent members to sit on the EOC review committee, as the investigation should also inquire into SHA's involvement. Miss NG considered that an independent committee appointed by CE would be more appropriate than EOC conducting its own investigation.

56. Mr NG Leung-sing said that if a select committee was to be appointed by the Council, it should conduct a thorough and impartial inquiry into all the incidents which had affected the credibility of EOC. As this would involve summoning many witnesses, including previous Chairpersons of EOC, it would not be possible for the proposed select committee to complete its inquiry given the shortage of time. Mr NG added that unless there was great urgency for Members to conduct the inquiry within the remaining months of the current term, the matter should be followed up by LegCo in the next term.

57. Mr Henry WU, Dr TANG Siu-tong and Mr Andrew WONG said that they did not support the Panel's proposal. Mr Henry WU considered that the termination of the appointment of Mr Patrick YU was a labour dispute which should be settled by EOC itself. Dr TANG said that as EOC was an independent statutory body, it was more appropriate for EOC to conduct its own investigation first. He expressed support for SHA's proposal of nominating two independent members to sit on the EOC review committee in order to enhance the credibility and transparency of its investigation. Dr TANG added that if Members were not satisfied with the findings of the investigation conducted by the EOC review committee, LegCo could consider appointing a select committee in the next term.

58. Mr Andrew WONG said that the crux of the matter was whether Mr Michael WONG had the authority to terminate the appointment of Mr Patrick YU. As the appointment of Mr YU required EOC's authorization, the termination of the appointment also required EOC's approval. It was therefore clear that Mr Michael WONG, in terminating the appointment of Mr YU, had acted beyond his power. Mr Andrew WONG further said that it was unnecessary to investigate further into the matter and the alleged private gatherings between SHA and Mr Michael WONG on 4 and 5 November 2003. If Members did not trust SHA, they should consider moving a motion of no confidence on SHA in Council, instead of using a select committee to achieve such a political objective.

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59. Mr IP Kwok-him said that Members belonging to the Democratic Alliance for Betterment of Hong Kong (DAB) had always held the view that the Administration should conduct an independent investigation into the incidents which had affected the credibility of EOC. If the Administration decided not to do so, DAB Members would support EOC conducting its own investigation. However, as the Administration had informed the HA Panel on 9 January 2004 that it would not set up an independent commission of inquiry, and EOC had not yet decided whether to conduct its own investigation, DAB Members therefore supported the appointment of a select committee by LegCo.

60. Mr IP further said that in view of SHA's proposal of nominating two independent members to the EOC review committee, DAB Members would support EOC conducting its own investigation. Mr IP added that there were two other LegCo select committees conducting inquiries at the moment and there were many bills to scrutinize. DAB Members were concerned that the proposed select committee would not have sufficient time to complete an inquiry which would cover all the incidents which had affected the credibility of EOC. DAB Members therefore considered it acceptable for the EOC review committee to conduct the investigation. If Members were not satisfied with the findings of the EOC investigation, LegCo could then consider appointing a select committee to conduct its own inquiry.

61. Mr James TIEN said that Members belonging to the Liberal Party (LP) were of the view that an independent committee appointed by CE and not a review committee of EOC should conduct the inquiry. Mr TIEN further said an inquiry into the affairs of EOC conducted by EOC itself lacked credibility, and SHA's proposal of nominating two independent members to the EOC review committee could not address the concern of LP Members. Mr TIEN added that while he supported LegCo conducting the inquiry, Members should carefully consider the manpower constraint of the Secretariat as well as the availability of Members to join the select committee, if appointed.

62. Mr TIEN proposed that the Administration should be asked, one more time, whether it would appoint an independent committee. If the Administration refused to do so, Members would then consider whether a select committee should be appointed. Mr TIEN added that alternatively, Members could wait until EOC had completed its investigation. If Members were not satisfied with the findings of the investigation, Members could consider appointing a select committee in the next term.

63. Mrs Selina CHOW supported Mr TIEN's proposal of requesting CE to appoint an independent committee or panel to inquire into the incidents which had affected EOC's credibility. Mrs CHOW cited the example of the Independent Panel of Inquiry on the Harbour Fest appointed by the

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Administration which comprised two members. Mrs CHOW said that if Members were satisfied that the inquiry was completely independent, and its findings were impartial and reasonable, it would not be necessary for LegCo to appoint a select committee.

64. Mrs Selina CHOW further said that given the very heavy work commitments of Panels, Bills Committees, the two on-going select committees and other committees, Members should realistically assess whether they could cope with the workload of a third select committee. Mrs CHOW added that examining other alternatives to the appointment a select committee was not about changing one's stance, but about finding the best option given the circumstances.

65. Ms Emily LAU said that she had no objection to Mr TIEN's proposal of asking the Administration, one more time, whether an independent committee or panel would be appointed. Ms LAU further said that the Administration should be requested to respond before next Friday, in order that if the Administration decided not to appoint an independent committee, the House Committee could take a decision on the setting up of a select committee at the next meeting.

66. The Chairman pointed out that regardless of whether a decision was taken at this or the next House Committee meeting, the leave of the President to waive the 12 clear days' notice would need to be sought, if the motion on the appointment of the proposed select committee was to be moved at the Council meeting on 25 February 2004.

67. As regard some Members' concern about the availability of Members to participate in the work of the proposed select committee, Ms Emily LAU suggested that the select committee could consist of, say, only seven members.

68. Dr YEUNG Sum said that DP had no objection to Mr TIEN's proposal. Dr YEUNG, however, pointed out that the various concerns raised by Members should have been considered before a decision on the proposal was taken at the HA Panel meeting on 9 January 2004. Dr YEUNG added that it would adversely affect the credibility of LegCo, if Members often changed their mind on important matters.

69. The Chairman proposed that a decision on HA Panel's proposal should be deferred to the next meeting, pending the Administration's response to whether an independent committee or panel would be appointed to inquire into the incidents which had affected the credibility of EOC. Members agreed. The Chairman said that she would raise the matter with CS.

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VIII. Any other business

70. There being no other business, the meeting ended at 3:38 pm.

Council Business Division 2
Legislative Council Secretariat
18 February 2003