

RESTRICTED

(cleared for publication)

**Minutes of the Sixty-ninth Meeting (Special Meeting) of
The Equal Opportunities Commission
held on 25 October 2007 (Thursday) at 4:15 p.m. in the
Equal Opportunities Commission's Conference/Training Room**

Present

Mr. Raymond TANG Yee-bong	Chairperson
Ms CHAN Ka-mun, Carmen, J.P.	
Ms CHAN Man-ki, Maggie	
Dr. CHENG Kwok-kit, Edwin	
Mrs. KOO CHEUNG Man-kok, Christine	
Dr. LAW Koon-chui, Agnes, J.P.	
Mr. LEE Luen-fai	
Dr. LO Wing-lok, J.P.	
Mr. Saeed UDDIN, M.H.	
Ms WONG Fung-ye, Margaret	
Mr. Michael CHAN Yick-man	Secretary [Director, Planning & Administration]

Absent with apologies

Prof. Randy CHIU
Ms CHOI Wai-kam, Virginia
Mrs. CHONG WONG Chor-sar, M.H., J.P.
Miss LAM Kam-yi
Mr. LIU Luk-por, Desmond
The Hon TAM Heung-man, Mandy
Mr. YIP Kin-man, Raymond

In attendance

Mr. Joseph LI Siu-kwai	Director, Operations [D(Ops)]
Mr. Herman POON Lik-hang	Chief Legal Counsel [CLC]
Dr. Ferrick CHU	Head, Policy and Support [HPR]
Ms Mariana LAW	Acting Head, Corporate Communications and Training [Ag. HCCT]
Miss Gloria YU	Senior Equal Opportunities Officer, Administration & Personnel [SAP]

I. Introduction

1. The Chairperson (C/EOC) welcomed all Commission Members (Members) to this Special EOC Meeting, which was convened to consider the appointments of EOC Committee Convenors and Deputy Convenors as discussed in the 68th EOC Meeting held on 20 September 2007.

2. Apologies for absence were received from Prof. Randy CHIU, Ms Virginia CHOI, Mrs. CHONG WONG Chor-sar, M.H., J.P., Ms LAM Kam-yi, Mr. Desmond LIU, The Hon TAM Heung-man, Mandy and Mr. YIP Kin-man, Raymond due to clash of meetings/out of town engagements.

II. Discussions

Appointments of Committee Convenors and Deputy Convenors
(EOC Paper No. 28/2007)

3. The Secretary briefed Members that subsequent to the last EOC Meeting (68th), the EOC Office had reviewed related information on this matter including an examination of EOC's power of appointment and how previous committee appointments were made. An EOC Paper No. 28/2007 was then prepared to assist Members to remedy what appeared to be an absence of "formal" or consistent procedure for appointment of Committee Convenors and Deputy Convenors. He then went through the salient points contained in the said paper with Members.

4. Members deliberated on the term of committee membership and convenership and agreed that the term of appointment be made specific in future appointments. Having considered the suggestion in paragraph 25 of EOC Paper No. 28/2007, the EOC Board agreed to the following:

- i. Term of committee membership and/or convenership and/or deputy convenership shall end on the expiry of the incumbent's EOC membership, or 2 years from the date of appointment in the case of a non-EOC Member or such earlier date as the EOC may determine, and
- ii. All committee appointments are subject to earlier cessation by the EOC or earlier cessation of the incumbent's EOC membership (which include situations where the Member and/or non-Member tender his/her resignation from the committee or from the EOC).

5. The Secretary also drew Members' attention to paragraphs 18 to 24 of the same paper which confirmed the validity of previous transactions at committees meetings despite the irregularity and all

committee decisions made since the appointment of Members from 20 May 2007 should be regarded as valid.

6. The Meeting then proceeded to nominate and vote for the Convenors and Deputy Convenors of EOC's Committees for the term expiring on 19 May 2009 in accordance with the option stated in paragraph 14(a) of the said paper. With reference also to the letter of 10 October 2007 sent to Members by the EOC Office on this matter, nominations via proxy and postal votes received were included in the election. Nominations which received the highest votes were appointed as Convenors/Deputy Convenors by the EOC Board at the meeting. The voting results were listed in the Appendix.

7. The Meeting also discussed that when the nominee receiving the highest votes declined to be the elected Convenor/Deputy Convenor, the nominee receiving the 2nd highest votes would be appointed as Convenor/Deputy Convenor accordingly.

(Dr. Agnes LAW left the meeting at this juncture.)

A Paper put on table for Member's information

8. C/EOC informed that it was part of the regular duties of the EOC Office to network and liaise with stakeholder groups in order to ascertain their needs and explore opportunities for partnership for the promotion and furtherance of equal opportunities. In this connection, a meeting between the EOC and the Civil Human Rights Front, one of the stakeholder groups, was held on 12 July 2007 and the minutes of the meeting were tabled for Members' information.

An Urgent AOB

9. The Secretary informed that there was an urgent AOB concerning a legal case requiring Members' consideration. In view of the urgency, the Meeting agreed to consider the matter after taking a short break.

(Members proceeded to take a 2-minute break at this juncture.)

Development in the Case of a Complainant v Equal Opportunities Commission

10. Members were informed of the development in a Complainant's claim against the EOC (case no. DCEO No. 2 of 2005):-

- i. EOC's Insurer has rejected the option for EOC to pursue a strike out application at EOC's own costs, while preserving insurance coverage should the application be unsuccessful.
- ii. Insurer's offer was to convert insurance coverage to a sum of HK\$750,000 payable to if EOC insisted on pursuing the strike out application.

11. Members decided not to accept Insurer's offer in (ii) above, and to allow the Insurer to retain conduct of the case under the terms of policy.

12. One Member commented that, in future, EOC should endeavour to seek insurance coverage which would not restrict EOC's right to

conduct a case.

III. Close of Meeting

13. There being no other business, the meeting was adjourned at 5:10 p.m.

14. The next meeting would be a regular EOC meeting scheduled to be held on 20 December 2007 (Thursday) at 2:30 p.m.

*Equal Opportunities Commission
November 2007*

**Election Results of EOC Committee Convenors and Deputy
Convenors**
for the Term Expiring on 19 May 2009
**(Election conducted at the 69th EOC Meeting held on 25 October
2007)**

Committee	Convenor elected	Deputy Convenor elected
Legal and Complaints Committee	Mr. Raymond TANG Yee-bong*	Mr. YIP Kin-man, Raymond
Administration and Finance Committee	Dr. CHENG Kwok-kit, Edwin	Ms CHOI Wai-kam, Virginia
Community Participation and Publicity Committee	Dr. LO Wing-lok, J.P.	Mr. Saeed UDDIN, M.H.
Public Education and Research Committee	Dr. LAW Koon-chui, Agnes, J.P.	Ms CHAN Ka-mun, Carmen, J.P.

(*Note: In accordance with the terms of reference of the LCC, the Chairperson of the EOC will be the Convenor and no nomination/voting is required.)