

LEGISLATIVE COUNCIL

MINUTES

No. 8

Minutes of the meeting held on Wednesday 15 November 2000 at 2:30 pm

Members present:

President

The Hon Mrs Rita FAN HSU Lai-tai, GBS, JP

The Hon James TIEN Pei-chun, JP

The Hon David CHU Yu-lin

The Hon Cyd HO Sau-lan

The Hon Albert HO Chun-yan

Ir Dr the Hon Raymond HO Chung-tai, JP

The Hon LEE Cheuk-yan

The Hon Martin LEE Chu-ming, SC, JP

The Hon Eric LI Ka-cheung, JP

The Hon Fred LI Wah-ming, JP

Dr the Hon LUI Ming-wah, JP

The Hon NG Leung-sing

Prof the Hon NG Ching-fai

The Hon Margaret NG

The Hon Mrs Selina CHOW LIANG Shuk-yee, JP

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon HUI Cheung-ching

The Hon CHAN Kwok-keung

The Hon CHAN Yuen-han

The Hon Bernard CHAN

The Hon CHAN Kam-lam

The Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP

The Hon LEUNG Yiu-chung

The Hon SIN Chung-kai

The Hon Andrew WONG Wang-fat, JP

Dr the Hon Philip WONG Yu-hong

The Hon WONG Yung-kan

The Hon Jasper TSANG Yok-sing, JP

The Hon Howard YOUNG, JP

Dr the Hon YEUNG Sum

The Hon YEUNG Yiu-chung

The Hon LAU Chin-shek, JP

The Hon LAU Kong-wah

The Hon LAU Wong-fat, GBS, JP

The Hon Mrs Miriam LAU Kin-yee, JP

The Hon Ambrose LAU Hon-chuen, JP

The Hon Emily LAU Wai-hing, JP

The Hon Andrew CHENG Kar-foo

The Hon SZETO Wah

The Hon Timothy FOK Tsun-ting, SBS, JP

The Hon LAW Chi-kwong, JP

The Hon TAM Yiu-chung, GBS, JP

Dr the Hon TANG Siu-tong, JP

The Hon Abraham SHEK Lai-him, JP
The Hon LI Fung-ying, JP
The Hon Henry WU King-cheong, BBS
The Hon Tommy CHEUNG Yu-yan, JP
The Hon Michael MAK Kwok-fung
The Hon Albert CHAN Wai-yip
The Hon LEUNG Fu-wah, MH, JP
Dr the Hon LO Wing-lok
The Hon WONG Sing-chi
The Hon Frederick FUNG Kin-kee
The Hon IP Kwok-him, JP
The Hon LAU Ping-cheung

Members absent:

The Hon Kenneth TING Woo-shou, JP
Dr the Hon David LI Kwok-po, JP
The Hon CHOY So-yuk

Public officers attending:

Mr Stephen IP Shu-kwan, JP
The Financial Secretary

Mr I G M WINGFIELD, JP
The Secretary for Justice

Mr Dominic WONG Shing-wah, GBS, JP
Secretary for Housing

Mr Joseph WONG Wing-ping, GBS, JP
Secretary for the Civil Service

Mrs Lily YAM KWAN Pui-ying, JP
Secretary for the Environment and Food

Dr YEOH Eng-kiong, JP

Secretary for Health and Welfare

Ms Sandra LEE Suk-yea, JP
Secretary for Economic Services

Miss Yvonne CHOI Ying-pik, JP
Secretary for Commerce and Industry

Mr Stanley YING Yiu-hong, JP
Secretary for the Treasury

Clerks in attendance:

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mrs Justina LAM CHENG Bo-ling, Assistant Secretary General (2)

Mr Ray CHAN Yum-mou, Assistant Secretary General (3)

Tabling of Papers

The following papers were laid on the table pursuant to Rule 21(2) of the Rules of Procedure:

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Specification of Arrangements (Government of the Kingdom of Denmark Concerning Air Services) (Double Taxation) Order (gazetted on 10.11.2000)	298/2000
2. Specification of Arrangements (Government of the Kingdom of Norway Concerning Air Services) (Double Taxation) Order (gazetted on 10.11.2000)	299/2000
3. Specification of Arrangements (Government of the Kingdom of Sweden Concerning Air Services) (Double Taxation) Order (gazetted on 10.11.2000)	300/2000
4. Waste Disposal (Chemical Waste) (General) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	301/2000
5. Waste Disposal (Permits and Licences) (Forms and Fees) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	302/2000
6. Water Pollution Control (General) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	303/2000
7. Air Pollution Control (Asbestos) (Administration) (Amendment) (No. 2) Regulation 2000 (gazetted on 10.11.2000)	304/2000
8. Air Pollution Control (Open Burning) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	305/2000
9. Air Pollution Control (Specified Processes) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	306/2000
10. Noise Control (General) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	307/2000
11. Noise Control (Air Compressors) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	308/2000
12. Noise Control (Hand Held Percussive Breakers) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	309/2000
13. Ozone Layer Protection (Fees) (Amendment)	310/2000

	Regulation 2000 (gazetted on 10.11.2000)	
14.	Environmental Impact Assessment (Fees) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	311/2000
15.	Dumping at Sea (Fees) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	312/2000
16.	Medical Registration (Fees) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	313/2000
17.	Dentists (Registration and Disciplinary Procedure) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	314/2000
18.	Ancillary Dental Workers (Dental Hygienists) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	315/2000
19.	Midwives Registration (Fees) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	316/2000
20.	Nurses (Registration and Disciplinary Procedure) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	317/2000
21.	Enrolled Nurses (Enrolment and Disciplinary Procedure) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	318/2000
22.	Medical Laboratory Technologists (Registration and Disciplinary Procedure) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	319/2000
23.	Occupational Therapists (Registration and Disciplinary Procedure) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	320/2000
24.	Optometrists (Registration and Disciplinary Procedure) (Amendment) (No. 2) Regulation 2000 (gazetted on 10.11.2000)	321/2000
25.	Physiotherapists (Registration and Disciplinary Procedure) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	322/2000
26.	Radiographers (Registration and Disciplinary Procedure) (Amendment) Regulation 2000 (gazetted on 10.11.2000)	323/2000
27.	Dutiable Commodities (Amendment) Regulation 2000 (gazetted on 10.11.2000)	324/2000
28.	Gambling (Amendment) Regulation 2000 (gazetted on 10.11.2000)	325/2000
29.	Declaration of Change of Titles (Senior	326/2000

Management Personnel of Civil Aviation
Department) Notice 2000 (gazetted on
10.11.2000)

Other Papers

- No.27 - Accounts of the Government for the year ended 31 March 2000 (published on 15.11.2000)
- No.28 - Report of the Director of Audit on the Accounts of the Government of the Hong Kong Special Administrative Region for the year ended 31 March 2000 (published on 15.11.2000)
- No.29 - Report No. 35 of the Director of Audit on the results of value for money audits - October 2000 (published on 15.11.2000)

Questions

1. Hon LEUNG Yiu-chung asked Question 1.

The Secretary for the Environment and Food replied.

Four Members asked supplementaries and the Secretary for the Environment and Food replied.

2. Hon Emily LAU asked Question 2.

The Secretary for Health and Welfare replied.

Seven Members asked supplementaries and the Secretary for Health and Welfare replied.

3. Hon CHEUNG Man-kwong asked Question 3.

The Secretary for the Civil Service replied.

Six Members asked supplementaries and the Secretary for the Civil Service replied.

4. Hon WONG Yung-kan asked Question 4.

The Secretary for the Environment and Food replied.

Six Members asked supplementaries and the Secretary for the Environment and Food replied.

5. Dr Hon LUI Ming-wah asked Question 5.

The Secretary for Commerce and Industry replied.

Six Members asked supplementaries and the Secretary for Commerce and Industry replied.

6. Hon LAU Kong-wah asked Question 6.

The Secretary for Economic Services replied.

Four Members asked supplementaries and the Secretary for Economic Services replied.

Written replies to Questions 7 to 15 were tabled for Members' information.

Members' Motions

Rental subsidy

Hon Albert HO moved the following motion and addressed the Council:

That this Council urges the Government to formulate a rental subsidy policy, whereby rental subsidies are offered to eligible families which have been on the Waiting List for public housing for a period of time.

Question on Hon Albert HO's motion proposed.

The President stated that Hon Frederick FUNG would move an amendment to the motion. In accordance with the Rules of Procedure, the motion and the amendment would be debated together in a joint debate.

Hon Frederick FUNG moved the following amendment to Hon Albert HO's motion and addressed the Council:

To delete "of time" from "Waiting List for public housing for a period of time" and substitute with "exceeding the average waiting time for public rental housing, as pledged by the Government, until public rental housing units are allocated to them".

Question on Hon Frederick FUNG's amendment to Hon Albert HO's motion proposed.

Three Members spoke on the motion and the amendment.

At 5:00 pm, the President's Deputy took the chair during the temporary absence of the President.

Another 10 Members spoke on the motion and the amendment.

Hon Albert HO spoke on the amendment.

The Secretary for Housing spoke on the motion and the amendment.

At 6:00 pm, the President resumed the chair.

Question on Hon Frederick FUNG's amendment to Hon Albert HO's motion put.

Hon Albert HO claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 25 were present, six were in favour of the amendment, 17 against it and two abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 16 were in favour of the amendment, nine against it and one abstained. (Voting record in Appendix I.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Hon Albert HO replied.

Question on Hon Albert HO's motion put.

Hon Albert HO claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 25 were present, six were in favour of the motion, 18 against it and one abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 16 were in favour of the motion and 10 against it. (Voting record in Appendix II.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the motion was negatived.

Extending the effective period of concessionary duty rate for ultra low sulphur diesel

Hon Mrs Miriam LAU moved the following motion and addressed the Council:

That this Council urges the Government to extend the effective period of the concessionary duty rate of \$1.11 per litre for ultra low sulphur diesel (ULSD) to 31 December 2001, and to expeditiously conduct a review before deciding on an appropriate duty level for ULSD for the year 2002.

Question on Hon Mrs Miriam LAU's motion proposed.

The President stated that Hon Fred LI would move an amendment to the motion. In accordance with the Rules of Procedure, the motion and the amendment would be debated together in a joint debate.

Hon Fred LI moved the following amendment to Hon Mrs Miriam LAU's motion and addressed the Council:

To add "devise a regulatory mechanism to prevent oil companies from reaping profits through the concessionary duty rate; at the same time, the Government should" after "31 December 2001, and to".

Question on Hon Fred LI's amendment to Hon Mrs Miriam LAU's motion proposed.

11 Members spoke on the motion and the amendment.

Hon Mrs Miriam LAU spoke on the amendment.

The Secretary for the Treasury spoke on the motion and the amendment.

Question on Hon Fred LI's amendment to Hon Mrs Miriam LAU's motion put and agreed it.

Hon Mrs Miriam LAU replied.

Question on Hon Mrs Miriam LAU's motion as amended by Hon Fred LI put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 22 November 2000 at 2:30 pm.

The Council was adjourned at 7:58 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong