

# LEGISLATIVE COUNCIL

## MINUTES

No. 15

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Minutes of the meeting held on Wednesday 17 January 2001 at 2:30 pm

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### Members present:

President

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

The Hon Kenneth TING Woo-shou, 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 CHOY So-yuk

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

The Hon Audrey EU Yuet-mee, SC, JP

**Member absent:**

Dr the Hon David LI Kwok-po, JP

**Public officers attending:**

The Honourable Mrs Anson CHAN, GBM, JP  
The Chief Secretary for Administration

The Honourable Donald TSANG Yam-kuen, JP  
The Financial Secretary

The Honourable Elsie LEUNG Oi-sie, JP  
The Secretary for Justice

Mr CHAU Tak-hay, JP  
Secretary for Commerce and Industry

Mr Gordon SIU Kwing-chue, JP  
Secretary for Planning and Lands

Mr Nicholas NG Wing-fui, JP  
Secretary for Transport

Miss Denise YUE Chung-yee, JP  
Secretary for the Treasury

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

Dr YEOH Eng-kiong, JP  
Secretary for Health and Welfare

Mrs Fanny LAW FAN Chiu-fun, JP  
Secretary for Education and Manpower

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

Ms Elaine CHUNG Lai-kwok, JP  
Secretary for Housing

**Clerks in attendance:**

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mr LAW Kam-sang, JP, Deputy 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. Broadcasting (Licence Fees) Regulation (gazetted on 12.1.2001)	11/2001
2. Securities and Futures Commission (Levy) (Futures Contracts) (Amendment) Order 2001 (gazetted on 12.1.2001)	12/2001
3. Clubs (Safety of Premises) (Fees) (Amendment) Regulation 2001 (gazetted on 12.1.2001)	13/2001
4. Builders' Lifts and Tower Working Platforms (Safety) (Fees) (Amendment) Regulation 2001 (gazetted on 12.1.2001)	14/2001
5. Fire Service (Installation Contractors) (Amendment) Regulation 2001 (gazetted on 12.1.2001)	15/2001
6. Timber Stores (Amendment) Regulation 2001 (gazetted on 12.1.2001)	16/2001
7. Commodities Trading (Contract Levy) (Amendment) Rules 2001 (gazetted on 12.1.2001)	17/2001
8. Securities (Exchange—Traded Stock Options) (Amendment) (No. 3) Rules 2000 (gazetted on 12.1.2001)	18/2001
9. Telecommunications (Carrier Licences) Regulation (gazetted on 12.1.2001)	19/2001
10. Telecommunications (Examination, Certification and Authorization of Radiocommunications Personnel) Order (gazetted on 12.1.2001)	20/2001
11. Telecommunication (Amendment) Ordinance 2000 (36 of 2000) (Commencement) Notice 2001 (gazetted on 12.1.2001)	21/2001

### Questions

1. Dr Hon LUI Ming-wah asked Question 1.

The Secretary for Commerce and Industry replied.

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

2. Hon Mrs Miriam LAU asked Question 2.

The Secretary for Economic Services replied.

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

3. Hon Albert CHAN asked Question 3.

The Secretary for Health and Welfare replied.

Six Members asked supplementaries. The Secretary for Health and Welfare, the Financial Secretary and the Secretary for Education and Manpower replied.

4. Dr Hon YEUNG Sum asked Question 4.

The Secretary for Transport replied.

Five Members asked supplementaries and the Secretary for Transport replied.

5. Hon Albert HO asked Question 5.

The Secretary for Housing replied.

Five Members asked supplementaries and the Secretary for Housing replied.

6. Dr Hon LO Wing-lok asked Question 6.

The Secretary for Health and Welfare replied.

Nine Members asked supplementaries. The Secretary for Health and Welfare and the Secretary for Economic Services replied.

Written replies to Questions 7 to 19 were tabled for Members' information.

## **Bills**

### **First Reading**

**Land Registration (Amendment) Bill 2000**

**Hong Kong Tourist Association (Amendment) Bill 2001**

The Bills were read the first time and ordered to be set down for Second Reading pursuant to Rule 53(3) of the Rules of Procedure.

### **Second Reading**

#### **Land Registration (Amendment) Bill 2000**

The Secretary for Planning and Lands moved the Second Reading and addressed the Council.

Question on the Second Reading proposed. The President stated that in accordance with Rule 54(4) of the Rules of Procedure, the debate was adjourned and the Bill was referred to the House Committee.

#### **Hong Kong Tourist Association (Amendment) Bill 2001**

The Secretary for Economic Services moved the Second Reading and addressed the Council.

Question on the Second Reading proposed. The President stated that in accordance with Rule 54(4) of the Rules of Procedure, the debate was adjourned and the Bill was referred to the House Committee.

### **Members' Motions**

#### **Proposed resolutions under the Interpretation and General Clauses Ordinance**

##### **1. Waterworks (Amendment) Regulation 2000**

Hon Mrs Selina CHOW moved the following motion and addressed the Council:

Resolved that in relation to the Waterworks (Amendment) Regulation 2000, published as Legal Notice No. 358 of 2000 and laid on the table of the Legislative Council on 20 December 2000, the period referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap.1) for amending subsidiary legislation be extended under section 34(4) of that Ordinance to the meeting of 7 February 2001.

Question on the motion proposed, put and agreed to.

The President stated that Hon LAU Chin-shek and Hon James TIEN had separately given notice to move the following four motions

under the Interpretation and General Clauses Ordinance. As the motions proposed by Hon LAU Chin-shek and Hon James TIEN were identical and had the same effect, in accordance with the Rules of Procedure, she would only invite Hon LAU Chin-shek, who had given notice earlier, to move the motions.

## **2. Country Parks and Special Areas (Amendment) Regulation 2000**

Hon LAU Chin-shek moved the following motion and addressed the Council:

Resolved that the Country Parks and Special Areas (Amendment) Regulation 2000, published as Legal Notice No. 349 of 2000 and laid on the table of the Legislative Council on 13 December 2000, be repealed.

Question on the motion proposed.

Hon James TIEN spoke on the motion.

Hon CHAN Kam-lam, Chairman of the Subcommittee formed to study the subsidiary legislation relating to the revision of fees and charges gazetted on 8 December 2000, spoke on the motion.

Four other Members and the Secretary for the Treasury spoke on the motion.

Hon LAU Chin-shek replied.

Question on the motion put.

Hon LAU Chin-shek 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, 26 were present, 16 were in favour of the motion and 10 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 28 were present, 15 were in favour of the motion and 12 against it. (Voting record in Appendix I.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the motion was carried.

Hon Mrs Selina CHOW rose to move the following motion without notice:

That in the event of further divisions being claimed in respect of the remaining motions to be moved on the following proposed resolutions under the Interpretation and General Clauses Ordinance at this meeting, Rule 47(1)(c) of the Rules

of Procedure be suspended so that the President may order that the Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

Question on the motion proposed, put and agreed to.

### **3. Marine Parks and Marine Reserves (Amendment) Regulation 2000**

Hon LAU Chin-shek moved the following motion and addressed the Council:

Resolved that the Marine Parks and Marine Reserves (Amendment) Regulation 2000, published as Legal Notice No. 350 of 2000 and laid on the table of the Legislative Council on 13 December 2000, be amended by repealing section 2(a).

Question on the motion proposed and put.

Hon LAU Chin-shek claimed a division. The President then ordered the Council to divide under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 26 were present, 16 were in favour of the motion and 10 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 28 were present, 15 were in favour of the motion and 12 against it. (Voting record in Appendix II.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the motion was carried.

### **4. Electricity (Wiring) (Amendment) Regulation 2000**

Hon LAU Chin-shek moved the following motion and addressed the Council:

Resolved that the Electricity (Wiring) (Amendment) Regulation 2000, published as Legal Notice No. 352 of 2000 and laid on the table of the Legislative Council on 13 December 2000, be repealed.

Question on the motion proposed and put.

Hon LAU Chin-shek claimed a division. The President then ordered the Council to divide under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 26 were present, 17 were in favour of the motion and nine against it; while among the Members returned by geographical constituencies through direct

elections and by the Election Committee, 28 were present, 11 were in favour of the motion and 16 against it. (Voting record in Appendix III.) 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.

#### **5. Electrical Products (Safety) (Amendment) (No. 2) Regulation 2000**

Hon LAU Chin-shek moved the following motion and addressed the Council:

Resolved that the Electrical Products (Safety) (Amendment) (No. 2) Regulation 2000, published as Legal Notice No. 353 of 2000 and laid on the table of the Legislative Council on 13 December 2000, be repealed.

Question on the motion proposed, put and negatived.

#### **Expediting the incorporation of Chinese medicine into the public health care system**

Hon David CHU moved the following motion and addressed the Council:

That this Council urges the Government to adopt effective measures to expedite the incorporation of Chinese medicine into the public health care system, including:

- (a) providing the impetus for the Hospital Authority, in addition to operating Chinese medicine out-patient clinics, to expedite the introduction of Chinese medicine services, including clinical research and treatment, in hospitals under its management and to establish Chinese medicine hospitals;
- (b) allocating additional resources for local tertiary institutions to offer more professional courses on Chinese medicine, so as to nurture talents and enhance the standard of the profession;
- (c) implementing the proposal for the establishment of an Institute for Chinese Medicine, and attracting the private sector to conduct researches in Chinese medicine and develop the Chinese medicine industry in Hong Kong;
- (d) promoting exchanges and co-operation between the regulatory bodies of health care professions in western medicine and the Chinese Medicine Council to encourage the combined application of Chinese and western medicines;

- (e) vigorously facilitating the exchange of professional knowledge and experience between Chinese medicine organizations in the Mainland and overseas countries and the Chinese medicine sector in Hong Kong; and
- (f) apart from recognizing the statutory status of Chinese medicine practitioners, granting them their due statutory rights.

Question on Hon David CHU's motion proposed.

The President stated that Dr Hon LO Wing-lok and Hon Mrs Sophie LEUNG would move amendments to the motion. In accordance with the Rules of Procedure, the motion and the two amendments would be debated together in a joint debate.

Dr Hon LO Wing-lok and Hon Mrs Sophie LEUNG spoke respectively on the motion and their amendments.

A Member spoke on the motion and the amendments.

At 5:43 pm, the President's Deputy took the chair during the temporary absence of the President.

Another 10 Members spoke on the motion and the amendments.

At 6:43 pm, the President resumed the chair.

Four further Members spoke on the motion and the amendments.

Hon David CHU spoke on the amendments.

The Secretary for Health and Welfare spoke on the motion and the amendments.

Dr Hon LO Wing-lok moved the following amendment to Hon David CHU's motion:

To delete "public" after "the incorporation of Chinese medicine into the"; to delete "," after "health care system" and substitute with "and, under the premise that public resources are limited, formulate policies that define the scope and mode of Chinese medicine services in public health care,"; to delete "providing the impetus for the Hospital Authority,"; to delete ", to expedite the introduction of Chinese medicine services, including clinical research and treatment, in hospitals under its management and to establish Chinese medicine hospitals" and substitute with "in public medical institutions on a trial basis, examining the feasible mode of providing Chinese medicine in-patient services in hospitals"; to delete "locating additional resources for" and substitute with "reviewing whether the professional courses on Chinese medicine offered by"; to delete "to offer more professional courses on Chinese medicine, so as to nurture

talents and enhance the standard of the profession" and substitute with "meeting the practical needs of the development of local health care services, and assessing comprehensively the manpower resource requirement of the Chinese medicine profession in Hong Kong after the registration of Chinese medicine practitioners has been completed, so as to facilitate long-term education and manpower planning"; to delete "co-operation" after "promoting exchanges and" and substitute with "co-ordination"; and to delete "encourage the combined application of" and substitute with "foster mutual understanding between health care professionals in".

Question on Dr Hon LO Wing-lok's amendment to Hon David CHU's motion proposed and put.

Dr Hon LO Wing-lok 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, 28 were present, 14 were in favour of the amendment and 14 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 25 were present, 11 were in favour of the amendment, 12 against it and one abstained. (Voting record in Appendix IV.) 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 Mrs Sophie LEUNG moved the following amendment to Hon David CHU's motion:

To delete "and to establish Chinese medicine hospitals".

Question on Hon Mrs Sophie LEUNG's amendment to Hon David CHU's motion proposed and put.

Hon Hon Mrs Sophie LEUNG 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, 26 were present, 17 were in favour of the amendment, six against it and three abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 15 were in favour of the amendment, nine against it and one abstained. (Voting record in Appendix V.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the amendment was agreed.

Dr Hon LUI Ming-wah said that he had voted in favour of the amendment, but the voting record showed that he had not cast

his vote on that amendment. The President stated that as she believed the Electronic Voting System had malfunctioned, she would allow Dr Hon LUI Ming-wah's vote be recorded in the voting record. She then stated that among the Members returned by functional constituencies, 27 were present, 18 were in favour of the amendment, six against it and three abstained, while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 15 were in favour of the amendment, nine against it and one abstained. (Voting record in Appendix VI.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the amendment was agreed.

Hon David CHU replied.

Question on Hon David CHU's motion as amended by Hon Mrs Sophie LEUNG put and agreed to.

### **Developing renewable energy resources**

Ir Dr Hon HO Chung-tai moved the following motion and addressed the Council:

That, in view of the limited reserves of fossil fuels, which render their prices susceptible to changes in supply and demand in the world market or to manipulation by certain countries and organizations, and as the consumption of such fuels also leads to environmental pollution, it is necessary for Hong Kong to actively develop and utilize renewable energy resources; this is not only a way to identify and make the best use of local scientific and technological research talents and natural resources, but is also in line with government policies on innovation and technology, as well as the principle of sustainable development; as such, this Council urges the Government to adopt the following measures as soon as possible to expedite the development of renewable energy resources and their introduction into Hong Kong:

- (a) actively formulating a policy on the development of renewable energy resources, and making use of Hong Kong's advantages on various fronts, including its natural environment, availability of the relevant scientific and technological research talents, free flow of information, advanced communication equipment, sound financing services and close co-operation with the Mainland in scientific and technological research and development, so that Hong Kong will become a leader rather than just a follower in the development and utilization of renewable energy resources; and
- (b) apart from policy support, providing sufficient financial support to facilitate researches in and development of

renewable energy resources, and promoting the necessary pilot projects.

Question on the motion proposed.

Four Members and the Secretary for the Environment and Food spoke on the motion.

Ir Dr Hon HO Chung-tai replied.

Question on the motion put and agreed to.

**Next Meeting**

The President declared that the next meeting of the Council would be held on 7 February 2001 at 2:30 pm.

The Council was adjourned at 8:33 pm.

(Mrs Rita FAN HSU Lai-tai)  
President

Council Chamber  
Hong Kong