

# LEGISLATIVE COUNCIL

## MINUTES

No. 20

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Minutes of the meeting held on Wednesday 28 February 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-ye, 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 LAW Chi-kwong, JP

The Hon TAM Yiu-chung, GBS, JP

Dr the Hon TANG Siu-tong, 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 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

**Members absent:**

Dr the Hon David LI Kwok-po, JP

The Hon Timothy FOK Tsun-ting, SBS, JP

The Hon Abraham SHEK Lai-him, JP

The Hon Albert CHAN Wai-yip

**Public officers attending:**

Mr Tony YEN Yuen-ho, SBS, JP

The Secretary for Justice

Mr Dominic WONG Shing-wah, GBS, JP

Secretary for Housing

Mrs Lily YAM KWAN Pui-ying, JP

Secretary for the Environment and Food

Dr YEOH Eng-kiong, JP

Secretary for Health and Welfare

Mrs Regina IP LAU Suk-yee, JP

Secretary for Security

Mr LEE Shing-see, JP  
Secretary for Works

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

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

**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)

### 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>
Merchant Shipping (Registration) (Fees and Charges) (Amendment) Regulation 2001 (gazetted on 23.2.2001)	49/2001

### Other Papers

- No.65 - Hong Kong Arts Development Council  
Annual Report 1999/2000 (published on 23.2.2001)
- No.66 - The Hong Kong Academy for Performing Arts Annual  
Report 1999-2000 and the Financial Statements and  
Auditor's Report for the year ended 30 June 2000  
(published on 23.2.2001)

### Questions

1. Hon Ambrose LAU asked Question 1.

The Secretary for Security replied.

Six Members asked supplementaries and the Secretary for Security replied.

2. Hon Audrey EU asked Question 2.

The Secretary for Housing replied.

Nine Members asked supplementaries and the Secretary for Housing replied.

3. Hon WONG Sing-chi asked Question 3.

The Secretary for Education and Manpower replied.

Eight Members asked supplementaries and the Secretary for Education and Manpower replied.

4. Hon Frederick FUNG asked Question 4.

The Secretary for the Environment and Food replied.

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

5. Dr Hon LO Wing-lok asked Question 5.

The Secretary for Health and Welfare replied.

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

6. Hon CHAN Kam-lam asked Question 6.

The Secretary for Housing replied.

Five Members asked supplementaries and the Secretary for Housing replied.

Written replies to Questions 7 to 20 were tabled for Members' information.

## **Bills**

### **First Reading**

**Dutiable Commodities (Amendment) Bill 2001**

**Fixed Penalty (Public Cleanliness Offences) Bill**

**Public Health and Municipal Services (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**

**Dutiable Commodities (Amendment) Bill 2001**

The Secretary for Commerce and Industry 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.

**Fixed Penalty (Public Cleanliness Offences) Bill**

**Public Health and Municipal Services (Amendment) Bill 2001**

The Secretary for the Environment and Food moved the Second Reading and addressed the Council on each of the above two Bills.

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

**Motions**

**Proposed resolution under the Pharmacy and Poisons Ordinance**

The Secretary for Health and Welfare moved the following motion and addressed the Council:

Resolved that the Pharmacy and Poisons (Amendment)(No. 2) Regulation 2001, made by the Pharmacy and Poisons Board on 2 February 2001, be approved.

Question on the Secretary for Health and Welfare's motion proposed.

The President stated that Hon LAU Chin-shek and Hon James TIEN 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. As the amendments proposed by Hon LAU Chin-shek and Hon James TIEN were identical, she would only invite Hon LAU Chin-shek, who had given notice earlier, to move the amendment.

Hon LAU Chin-shek moved the following amendment to the Secretary for Health and Welfare's motion and addressed the Council:

Resolved that the motion to be moved by the Secretary for Health and Welfare under section 29 of the Pharmacy and Poisons Ordinance (Cap. 138) at the Legislative Council meeting of 28 February 2001 be amended by deleting "approved" and substituting "approved, subject to the following amendment - by deleting section 2(a), (b) and (d)".

Question on Hon LAU Chin-shek's amendment to the Secretary for Health and Welfare's motion proposed.

Hon CHAN Kam-lam, Chairman of the Subcommittee formed to study the proposed resolution under Section 29 of the Pharmacy and Poisons Ordinance, spoke on the motion.

One Member spoke on the motion and the amendment.

The Secretary for Health and Welfare spoke on the amendment.

Question on Hon LAU Chin-shek's amendment to the Secretary for Health and Welfare's 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, 21 were present, nine were in favour of the amendment and 12 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 25 were present, three were in favour of the amendment and 21 against it. (Voting record in the Appendix.) 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.

Question on the Secretary for Health and Welfare's motion put and agreed to.

## **Members' Motions**

### **Expediting the implementation of public works projects**

Hon NG Leung-sing moved the following motion and addressed the Council:

That, in view of the Government's undertaking to launch public works projects costing \$240 billion in the next few years, and in order to avoid any delays which will render the economy and people's livelihood not being able to fully benefit from the projects and cause difficulties to the relevant industries in matching their manpower supply with the implementation of projects, resulting in professionals and workers being confronted with problems such as wage reduction, redundancy and underemployment, this Council urges the Government to:

(a) adopt vigorous measures to expedite the implementation



of infrastructural, construction and maintenance projects under planning and those previously undertaken by the two former municipal councils; and

- (b) formulate a reasonable and proper implementation schedule for the projects, so as to create ample and stable employment opportunities and facilitate the further recovery of Hong Kong's economy.

At 4:55 pm, the President's Deputy took the chair during the temporary absence of the President.

Question on the motion proposed.

Eight Members and the Secretary for Works spoke on the motion.

At 5:55 pm, the President resumed the chair.

Hon NG Leung-sing replied.

Question on the motion put and agreed to.

### **Human resource policy**

Prof Hon NG Ching-fai moved the following motion and addressed the Council:

That, as there are a lot of problems regarding the supply of human resources and related policies while Hong Kong is undergoing a new cycle of economic transformation, this Council urges the Government to expeditiously formulate a comprehensive long-term human resource policy that is able to keep pace with social and economic developments, with a view to enhancing the quality of local talents and Hong Kong's competitiveness, sustaining the development of the local economy, creating more employment opportunities, and narrowing the gap between the rich and the poor, so that people from all walks of life can benefit from economic prosperity; the policy should include:

- (a) expeditiously implementing measures to improve basic education, reviewing university education and the research work of the universities to ensure that, with sufficient resources, they can nurture quality talents who meet the needs of the time, conduct researches of a high standard, and foster co-operation and development in researches among the industrial and commercial

sectors, government departments and the universities;

- (b) reviewing the manpower training programmes currently provided by various government departments and subvented organizations, examining the directions of various types of manpower training, and strengthening the interaction and co-ordination between government departments and subvented organizations, so as to enhance the cost-effectiveness of training programmes and enable everyone to pursue life-long learning through different channels, thereby increasing their opportunities for horizontal and vertical mobility in the job market; and
- (c) without affecting the employment opportunities and remuneration of local people, improving the existing mechanism for admitting more effectively professionals from overseas and the Mainland, and correspondingly formulating complementary measures to attract talents to stay and develop their career in Hong Kong.

Question on Prof Hon NG Ching-fai's motion proposed.

The President stated that Hon CHEUNG Man-kwong 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 CHEUNG Man-kwong moved the following amendment to Prof Hon NG Ching-fai's motion and addressed the Council:

To add "providing additional resources for" after "(a) expeditiously"; to add "including reducing the class size in primary and secondary schools and subsidizing early childhood education," after "implementing measures to improve basic education,"; and to add ", and stopping curtailing the funding for universities" after "university education and the research work of the universities".

Question on Hon CHEUNG Man-kwong's amendment to Prof Hon NG Ching-fai's motion proposed.

18 Members spoke on the motion and the amendment.

Prof Hon NG Ching-fai spoke on the amendment.

The Secretary for Education and Manpower spoke on the motion and the amendment.

Question on Hon CHEUNG Man-kwong's amendment to Prof Hon NG Ching-fai's motion put and agreed to.

Prof Hon NG Ching-fai replied.

Question on Prof Hon NG Ching-fai's motion as amended by Hon CHEUNG Man-kwong put and agreed to.

**Next Meeting**

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

The Council was adjourned at 8:30 pm.

(Mrs Rita FAN HSU Lai-tai)  
President

Council Chamber  
Hong Kong