

LEGISLATIVE COUNCIL

MINUTES

No. 26

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

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 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

Dr the Hon David LI Kwok-po, 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:

The Hon Cyd HO Sau-lan

Public officers attending:

The Honourable Donald TSANG Yam-kuen, JP
The Chief Secretary for Administration

The Honourable Antony LEUNG Kam-chung, GBS, JP
The Financial Secretary

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

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

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

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

Mr Leo KWAN Wing-wah, JP
Secretary for Home Affairs

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>
1. Employees Compensation Assistance (Notice of Insolvency of Insurer) Regulation (gazetted on 27.4.2001)	85/2001
2. Road Traffic (Traffic Control) (Amendment) Regulation 2001 (gazetted on 27.4.2001)	86/2001
3. Clubs (Safety of Premises) (Exclusion) (Amendment) Order 2001 (gazetted on 27.4.2001)	87/2001
4. Shipping and Port Control (Closure of Waters) Notice 2001 (gazetted on 27.4.2001)	88/2001
5. Tax Reserve Certificates (Rate of Interest) (No. 5) Notice 2001 (gazetted on 27.4.2001)	89/2001
6. Education (Amendment) Ordinance 2001 (8 of 2001) (Commencement) Notice 2001 (gazetted on 27.4.2001)	90/2001
7. Hong Kong Science and Technology Parks Corporation Ordinance (5 of 2001) (Commencement) Notice 2001 (gazetted on 27.4.2001)	91/2001
8. Urban Renewal Authority Ordinance (Cap. 563) (Commencement) Notice 2001 (gazetted on 29.4.2001)	92/2001

Other Paper

Report of the Bills Committee on Rehabilitation Centres Bill (published on 25.4.2001)

Questions

1. Hon Bernard CHAN asked Question 1.

The Secretary for Education and Manpower replied.

The Member asked a supplementary and the Secretary for Education and Manpower replied.

2. Hon LAU Wong-fat asked Question 2.

The Secretary for Commerce and Industry replied.

Seven Members asked supplementaries. The Secretary for Commerce and Industry and the Secretary for the Environment and Food replied.

3. Hon Mrs Selina CHOW asked Question 3.

The Secretary for Security replied.

Eight Members asked supplementaries and the Secretary for Security replied.

4. Hon TAM Yiu-chung asked Question 4.

The Secretary for Home Affairs replied.

Six Members asked supplementaries. The Secretary for Home Affairs and the Secretary for Planning and Lands replied.

5. Hon LAW Chi-kwong asked Question 5.

The Secretary for Health and Welfare replied.

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

6. Hon Albert HO asked Question 6.

The Secretary for Education and Manpower replied.

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

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

Bills

First Reading

Copyright (Suspension of Amendments) Bill 2001

The Bill was 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

Copyright (Suspension of Amendments) 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.

Rehabilitation Centres Bill

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 18 October 2000 resumed.

Hon CHOY So-yuk, Chairman of the Bills Committee on Rehabilitation Centres Bill, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill as a Member.

One more Member spoke on the Bill.

The Secretary for Security replied.

Question on the Second Reading put and agreed to.

Bill read the second time and committed to a Committee of the whole Council.

Committee Stage

The Council went into Committee and considered the **Rehabilitation Centres Bill**.

Question that clauses 1, 2, 3, 5 to 8 and 13 to 18 stand part of the Bill proposed, put and agreed to.

Question that clauses 4 and 9 to 12 stand part of the Bill proposed.

The Secretary for Security moved amendments to the aforesaid clauses and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 4 and 9 to 12, as amended, stand part of the Bill proposed, put and agreed to.

Question that the schedule stand part of the Bill proposed.

The Secretary for Security moved the deletion of the schedule and addressed the Committee.

Question on the amendment put and agreed to.

The Chairman stated that as the amendment to the schedule, which dealt with deletion, had been agreed, the schedule was therefore deleted from the Bill.

The Council then resumed.

Third Reading

The Secretary for Security reported that

the Rehabilitation Centres Bill

had passed through the Committee with amendments. She moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed, put and agreed to.

Bill read the third time and passed.

Members' Motions

Establishing the technology industries processing zone

Dr Hon LUI Ming-wah moved the following motion and addressed the Council:

That, as countries are scrambling to develop high-technology and high value-added industries in order to strengthen their economic base and enhance their competitiveness, this Council urges the Government to designate land for establishing the technology industries processing zone, with a view to revitalizing the local manufacturing industry, promoting exports and creating job opportunities, thereby giving impetus to the development of the local economy.

At 4:57 pm, the President's Deputy took the chair during the temporary absence of the President.

Question on the motion proposed.

10 Members and the Secretary for Commerce and Industry on the motion.

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

One more Member spoke on the motion.

Dr Hon LUI Ming-wah replied.

Question on the motion put.

Dr Hon LUI Ming-wah 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, 22 were present, 12 were in favour of the motion, two against it and eight abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 23 were present, 11 were in favour of the motion, two against it and nine 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 motion was negatived.

Treatment of terminal patients

Dr Hon LO Wing-lok moved the following motion and addressed the Council:

That, as the treatment of terminal patients has aroused considerable controversy in various places over the world, and a country has already introduced legislation to decriminalize euthanasia and bring it under regulation, while some other places have legislated for a total prohibition of euthanasia, this Council urges the Government to attend to the treatment of terminal patients in Hong Kong and to study the need to establish a regulatory mechanism.

Question on the motion proposed.

11 Members and the Secretary for Health and Welfare spoke on the motion.

Question on the motion put.

Hon Martin LEE 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, 19 were present, 15 were in favour of the motion, two against it and two abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 20 were present, nine were in favour of the motion, one against it and nine abstained. (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.

Next Meeting

The President declared that the next meeting of the Council would be held on 9 May 2001 at 2:30 pm.

The Council was adjourned at 8:04 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong