

LEGISLATIVE COUNCIL

MINUTES

No. 30

Minutes of the meeting held on Wednesday 30 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 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

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-ye, JP

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon HUI Cheung-ching

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 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

Members absent:

The Hon Eric LI Ka-cheung, JP

The Hon CHAN Kwok-keung

The Hon Abraham SHEK Lai-him, JP

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

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

Mr LAM Woon-kwong, GBS, JP
Secretary for Home Affairs

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 Carrie YAU TSANG Ka-lai, JP
Secretary for Information Technology and Broadcasting

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

Clerks in attendance:

Mr LAW Kam-sang, JP, Acting 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 paper was laid on the table pursuant to Rule 21(2) of the Rules of Procedure:

No.88 - Vocational Training Council
Annual Report 1999/2000 (published on 23.5.2001)

Questions

1. Hon SIN Chung-kai asked Question 1.

The Secretary for Health and Welfare replied.

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

2. Hon James TIEN asked Question 2.

The Secretary for Education and Manpower replied.

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

3. Hon YEUNG Yiu-chung asked Question 3.

The Secretary for Education and Manpower replied.

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

4. Ir Dr Hon HO Chung-tai asked Question 4.

The Secretary for the Environment and Food replied.

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

5. Hon LAU Kong-wah asked Question 5.

The Secretary for Security replied.

Three Members asked supplementaries and the Secretary for Security replied.

6. Hon CHOY So-yuk asked Question 6.

The Secretary for the Environment and Food replied.

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

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

Bills

First Reading

The Ombudsman (Amendment) 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

The Ombudsman (Amendment) Bill 2001

The Chief Secretary for Administration 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

Attracting eligible persons from the Mainland to invest and spend money in Hong Kong

Hon James TIEN moved the following motion and addressed the Council:

That, in order to further promote Hong Kong's economic development, this Council urges the Government to step up discussions with the relevant Mainland authorities, with a view to exploring measures to admit eligible persons from the Mainland to invest and take up residence in Hong Kong and to attract high-income earners from the Mainland to spend money in Hong Kong, including:

- (a) in addition to the existing One Way Permit Quota System which is mainly for family reunion, exploring the introduction of a points system for admitting eligible

persons from the Mainland to invest and take up residence in Hong Kong; and

- (b) examining whether the current entry restrictions on Mainland visitors can be relaxed, particularly the issuance of multiple entry permits to high-income earners in the Pearl River Delta Region, thereby facilitating their coming to Hong Kong to travel and spend money.

Question on Hon James TIEN's motion proposed.

The President stated that Hon Margaret NG 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 Margaret NG moved the following amendment to Hon James TIEN's motion and addressed the Council:

To add ", cultural and academic" after "Hong Kong's economic"; to delete "measures" after "with a view to exploring" and substitute with "appropriate arrangements"; to delete "admit eligible" and substitute with "facilitate"; to delete "invest and take up residence in Hong Kong and to attract high-income earners from the Mainland to spend" and substitute with "engage in ordinary activities such as investing and spending"; to delete ", including" after "money in Hong Kong" and substitute with "; these arrangements should include"; to delete "admitting" after "the introduction of a points system for"; to delete "invest and take up" and substitute with "apply for"; to add ", which takes into account the applicants' connections with Hong Kong, their academic and other expertise, working abilities and investment plans" after "residence in Hong Kong"; to delete "particularly the issuance of" after "the current entry restrictions on Mainland visitors can be relaxed,"; to delete "to high-income earners in the Pearl River Delta Region" and substitute with "can be issued"; and to add ", and allowing persons from the Mainland sufficient time to stay and attend meetings and participate in academic, professional and cultural exchanges, in order to promote long-term development of the two regions" after "their coming to Hong Kong to travel and spend money".

Question on Hon Margaret NG's amendment to Hon James TIEN's motion proposed.

Three Members spoke on the motion and the amendment.

At 4:40 pm, the President's Deputy took the chair during the temporary absence of the President.

Another nine Members spoke on the motion and the amendment.

At 5:23 pm, the President resumed the chair.

Six further Members spoke on the motion and the amendment.

Hon James TIEN spoke on the amendment.

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

One more Member spoke on the motion and the amendment.

Question on Hon Margaret NG's amendment to Hon James TIEN's motion put.

Hon James TIEN 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, 13 were in favour of the amendment and 13 abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 23 were present, 15 were in favour of the amendment and seven 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 James TIEN replied.

Question on Hon James TIEN's motion put.

Hon Margaret NG 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, 23 were present, 22 were in favour of the motion and one against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 24 were present, 20 were in favour of the motion, two against it and one abstained. (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.

Assisting owners' corporations and mutual aid committees to operate

Hon TAM Yiu-chung moved the following motion and addressed the Council:

That this Council urges the Government to strengthen the support services for owners' corporations (OCs) and mutual aid committees (MACs), provide more professional training to members of OCs and MACs, and examine the provision of more protection for such members, so as to enhance more active participation by residents in building management; furthermore, the Government must increase the overall manpower of the District Building Management Liaison Teams in various districts and upgrade their professional standard, so that the teams can actively participate in solving the problems faced by OCs and MACs, with a view to improving building management and enabling the public to live and work in contentment.

Question on Hon TAM Yiu-chung's motion proposed.

The President stated that Hon James TO 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 James TO moved the following amendment to Hon TAM Yiu-chung's motion and addressed the Council:

To delete ", " after "mutual aid committees (MACs)" and substitute with "; extend the scope of the Building Management Ordinance to the effect that owners holding divided shares of buildings are provided with feasible means to set up OCs; establish a mechanism for amending those provisions in the deed of mutual covenant which are extremely unfair;"; and to delete ", and examine" after "professional training to members of OCs or MACs" and substitute with "; and amend the legislation for".

Question on Hon James TO's amendment to Hon TAM Yiu-chung's motion proposed.

10 Members spoke on the motion and the amendment.

Hon TAM Yiu-chung spoke on the amendment.

The Secretary for Home Affairs spoke on the motion and the amendment.

Question on Hon James TO's amendment to Hon TAM Yiu-chung's motion put.

Hon TAM Yiu-chung claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

Before the President ordered that the voting be stopped, Hon CHOY So-yuk informed the President that she had cast her vote incorrectly and could not amend it. She said her intention was to vote in favour of the amendment.

The President then ordered that the voting be stopped and the results be displayed. Having taken account of Hon CHOY So-yuk's declared voting intention, she announced that among the Members returned by functional constituencies, 21 were present, seven were in favour of the amendment, 12 against it and two abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were present, 16 were in favour of the amendment, four against it and only one abstained. (Voting record as amended by the President 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 amendment was negatived.

Hon TAM Yiu-chung replied.

Question on Hon TAM Yiu-chung's motion put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 6 June 2001 at 2:30 pm.

The Council was adjourned at 8:41 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong