

LEGISLATIVE COUNCIL

MINUTES

No. 34

Minutes of the meeting held on Wednesday 20 June 2001 and
Thursday 21 June 2001 at 2:30 pm respectively

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 (absent on 21.6.2001)

The Hon David CHU Yu-lin

The Hon Cyd HO Sau-lan

The Hon Albert HO Chun-yan (absent on 21.6.2001)

Ir Dr the Hon Raymond HO Chung-tai, JP (absent on 21.6.2001)

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 (absent on 21.6.2001)

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 (absent on 21.6.2001)

The Hon CHEUNG Man-kwong

The Hon CHAN Kwok-keung

The Hon CHAN Yuen-han

The Hon Bernard CHAN

The Hon CHAN Kam-lam

The Hon LEUNG Yiu-chung

The Hon SIN Chung-kai

Dr the Hon Philip WONG Yu-hong

The Hon WONG Yung-kan

The Hon Jasper TSANG Yok-sing, JP

Dr the Hon YEUNG Sum

The Hon LAU Chin-shek, JP (absent on 21.6.2001)

The Hon LAU Kong-wah

The Hon LAU Wong-fat, GBS, JP

The Hon Mrs Miriam LAU Kin-yea, JP (absent on 21.6.2001)

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 (absent on 21.6.2001)

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 HUI Cheung-ching

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

The Hon Andrew WONG Wang-fat, JP

The Hon Howard YOUNG, JP

The Hon YEUNG Yiu-chung

Public officers attending:

On 20.6.2001 & 21.6.2001

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

Mr LEE Shing-see, JP
Secretary for Works

On 20.6.2001 only

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 CHAU Tak-hay, JP
Secretary for Commerce and Industry

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

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

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

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

Mr Stephen IP Shu-kwan, JP
Secretary for Financial Services

Mrs Regina IP LAU Suk-yee, JP
Secretary for Security

Mr Kevin HO Chi-ming, JP
Secretary for Transport

Clerks in attendance:

On 20.6.2001 & 21.6.2001

Mr Ricky FUNG Choi-cheung, JP, Secretary General

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

On 21.6.2001

Mr LAW Kam-sang, JP, Deputy Secretary General

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. Designation of Libraries (No. 2) Order 2001 (gazetted on 15.6.2001)	138/2001
2. Public Health and Municipal Services Ordinance (Public Markets) (Designation and Amendment of Tenth Schedule) (No. 2) Order 2001 (gazetted on 15.6.2001)	139/2001
3. Declaration of Markets Notice (Amendment) (No. 2) Declaration 2001 (gazetted on 15.6.2001)	140/2001

Other Papers

- No.90 - Report of changes to the approved Estimates of Expenditure approved during the final quarter of 2000-01 (Public Finance Ordinance : Section 8) (published on 11.6.2001)
- No.91 - 2000 Annual Report by the Commissioner of the Independent Commission Against Corruption of the Hong Kong Special Administrative Region (published on 20.6.2001)
- No.92 - Independent Commission Against Corruption Complaints Committee
Annual Report 2000 (published on 19.6.2001)
- Report of the Finance Committee on the examination of the Draft Estimates of Expenditure 2001-2002 (June 2001) (published on 19.6.2001)
- Report of the Bills Committee on Copyright (Suspension of Amendments) Bill 2001 (published on 18.6.2001)
- Report of the Bills Committee on Revenue Bill 2001 and Revenue (No.2) Bill 2001 (published on 18.6.2001)

Addresses

Hon Fred LI addressed the Council on the 2000 Annual Report by the Commissioner of the Independent Commission Against Corruption of the Hong Kong Special Administrative Region.

Prof Hon NG Ching-fai addressed the Council on the Independent Commission Against Corruption Complaints Committee Annual Report 2000.

Dr Hon Philip WONG, Chairman of the Finance Committee, addressed the Council on the Committee's report on the examination of the Draft Estimates of Expenditure 2001-2002 (June 2001).

Questions

1. Hon Audrey EU asked Question 1.

The Secretary for Justice replied.

Four Members asked supplementaries and the Secretary for Justice replied.

2. Hon LAW Chi-kwong asked Question 2.

The Secretary for Financial Services replied.

Six Members asked supplementaries and the Secretary for Financial Services replied.

3. Hon Frederick FUNG asked Question 3.

The Secretary for Housing replied.

Six Members asked supplementaries and the Secretary for Housing replied.

4. Hon James TO asked Question 4.

The Secretary for Security replied.

Four Members asked supplementaries and the Secretary for Security replied.

5. Hon Albert CHAN asked Question 5.

The Secretary for Works replied.

Six Members asked supplementaries and the Secretary for Works replied.

6. Hon Emily LAU asked Question 6.

The Secretary for Financial Services replied.

Six Members asked supplementaries and the Secretary for Financial Services replied.

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

Bills

First Reading

Road Traffic Legislation (Amendment) Bill 2001
Landlord and Tenant (Consolidation) (Amendment) Bill 2001
Supplementary Appropriation (2000-2001) Bill 2001
Human Organ Transplant (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

Road Traffic Legislation (Amendment) Bill 2001

The Secretary for Transport 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.

Landlord and Tenant (Consolidation) (Amendment) Bill 2001

The Secretary for Housing 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.

Supplementary Appropriation (2000-2001) Bill 2001

The Secretary for the Treasury 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.

Human Organ Transplant (Amendment) Bill 2001

The Secretary for Health and Welfare 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.

Copyright (Suspension of Amendments) Bill 2001

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 2 May 2001 resumed.

Hon SIN Chung-kai, Chairman of the Bills Committee on Copyright (Suspension of Amendments) Bill 2001, addressed the Council on the Report of the Bills Committee on the Bill. After the address, he spoke on the Bill as a Member.

Another Member spoke on the Bill.

At 5:23 pm, the President's Deputy took the chair during the temporary absence of the President.

Two further Members spoke on the Bill.

At 5:30 pm, the President resumed the chair.

Five more Members spoke on the Bill.

The Secretary for Commerce and Industry 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 **Copyright (Suspension of Amendments) Bill 2001**.

Question that clauses 1 and 3 stand part of the Bill proposed, put and agreed to.

Question that clause 2 stand part of the Bill proposed.

The Chairman stated that Hon Margaret NG, the Secretary for Commerce and Industry and Hon Timothy FOK Tsun-ting had separately given notice to move amendments to clause 2. She ordered that the proposed amendments be debated together in a joint debate.

The Chairman invited Hon Margaret NG to move her amendments.

Hon Margaret NG moved amendments to clause 2 and addressed the Committee.

The Secretary for Commerce and Industry and Hon Timothy FOK Tsun-ting spoke on Hon Margaret NG's amendments as well as their own amendments.

Three Members spoke on the amendments.

The Secretary for Commerce and Industry spoke on the amendments a second time.

Hon Margaret NG spoke again.

Question on the amendments moved by Hon Margaret NG put.

Hon Margaret NG claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 22 were present, three were in favour of the amendments and 19 against them; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, five were in favour of the amendments, 19 against them and two 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 amendments were negatived.

The Secretary for Commerce and Industry moved amendments to subclauses (1), (2)(a), (2)(c) and (3) of, the deletion of subclause (2)(d) from and the addition of subclauses (2A) to (2E) to clause 2.

Question on the amendments moved by the Secretary for Commerce and Industry put and agreed to.

Hon Timothy FOK Tsun-ting moved an amendment to subclause (2)(b) of clause 2.

Question on the amendment moved by Hon Timothy FOK Tsun-ting put.

Hon CHAN Kam-lam claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 22 were present, 16 were in favour of the amendment, five against it and one abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, nine were in favour of the amendment and 17 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 amendment was negatived.

The Secretary for Commerce and Industry moved amendments to subclause (2)(b) of clause 2.

Question on the amendments moved by the Secretary for Commerce and Industry put and agreed to.

Question that clause 2, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Commerce and Industry reported that

the Copyright (Suspension of Amendments) Bill 2001

had passed through the Committee with amendments. He 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.

Revenue Bill 2001

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 25 April 2001 resumed.

Hon Margaret NG, Chairman of the Bills Committee on Revenue Bill 2001, addressed the Council on the Report of the Bills Committee on the Bill.

10 Members spoke on the Bill.

The Secretary for the Treasury 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 **Revenue Bill 2001**.

Question that clause 2 stand part of the Bill proposed.

Two Members spoke on the motion.

The Secretary for the Treasury replied.

Question that clause 2(a) stand part of the Bill proposed and put.

Hon LAU Chin-shek claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that 45 Members were present, 32 were in favour of the motion and 12 against it. (Voting record in Appendix III.) Since the question was agreed by a majority of the 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 at the Committee Stage of the Revenue Bill 2001 at this meeting, Rule 47(1)(c) of the Rules of Procedure be suspended so that the Chairman may order that the Committee 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.

Question that clause 2(b) stand part of the Bill proposed, put and agreed to.

Question that clause 2 stand part of the Bill put and agreed to.

Question that the heading before clause 2 stand part of the Bill proposed, put and agreed to.

Question that clause 3 stand part of the Bill proposed.

The Secretary for the Treasury moved amendments to clause 3 and addressed the Committee.

Question on the amendments put.

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

The Chairman announced that 45 Members were present, 12 were in favour of the amendments and 32 against them. (Voting record in Appendix IV.) Since the question was not agreed by a majority of the Members present, she declared that the amendments were negatived.

The Chairman stated that as the amendments to clause 3 moved by the Secretary for the Treasury had been negatived, the Secretary for the Treasury might not move relevant amendment to clause 1 which was inconsistent with the decision already taken by the Committee.

Question that clause 3 stand part of the Bill put.

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

The Chairman announced that 45 Members were present, 12 were in favour of the motion and 32 against it. (Voting record in Appendix V.) Since the question was not agreed by a majority of the Members present, she declared that the motion was negatived.

The Chairman stated that as the motion that clause 3 stand part of the Bill had been negatived, clause 3 was therefore deleted from the Bill.

Question that the heading before clause 3 and clause 4 stand part of the Bill proposed.

The Chairman ordered that the heading before clause 3 and clause 4 be deleted from the Bill as they related to clause 3.

Question that clause 6 stand part of the Bill proposed and put.

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

The Chairman announced that 46 Members were present, 13 were in favour of the motion and 32 against it. (Voting record in Appendix VI.) Since the question was not agreed by a majority of the Members present, she declared that the motion was negatived.

The Chairman stated that as the motion that clause 6 stand part of the Bill had been negatived, clause 6 was therefore deleted from the Bill.

Question that the heading before clause 5, clauses 5 and 7 stand part of the Bill proposed.

The Chairman ordered that the heading before clause 5, clauses 5 and 7 be deleted from the Bill as they related to clause 6. She also stated that the Secretary for the Treasury might not move amendments to clause 5 and the relevant amendment to clause 1, which were inconsistent with the decision already taken by the Committee.

Question that clause 1 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for the Treasury reported that

the Revenue Bill 2001

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.

Revenue (No.2) Bill 2001

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 25 April 2001 resumed.

Hon Margaret NG, Chairman of the Bills Committee on Revenue (No.2) Bill 2001, addressed the Council on the Report of the Bills Committee on the Bill.

Four Members spoke on the Bill.

The Secretary for the Treasury 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 **Revenue (No.2) Bill 2001**.

Question that the heading before clause 2 and clause 2 stand part of the Bill proposed, put and agreed to.

Question that clauses 3, 4 and 6 stand part of the Bill proposed.

A Member spoke on the motion.

Question that clauses 3, 4 and 6 stand part of the Bill put.

Hon LAU Chin-shek claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that 44 Members were present, 28 were in favour of the motion and 15 against it. (Voting record in Appendix VII.) Since the question was agreed by a majority of the 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 at the Committee Stage of the Revenue (No. 2) Bill 2001 at this meeting, Rule 47(1)(c) of the Rules of Procedure be suspended so that the Chairman may order that the Committee 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.

Question that clause 5 stand part of the Bill proposed, put and agreed to.

Question that the heading before clause 3 and clause 1 stand part of the Bill proposed, put and agreed to.

Question that the heading before clause 7 and clause 7 stand part of the Bill proposed and put.

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

The Chairman announced that 44 Members were present, 18 were in favour of the motion and 25 against it. (Voting record in Appendix VIII.) Since the question was not agreed by a majority of the Members present, she declared that the motion was negatived.

The Chairman stated that as the motion that the heading before clause 7 and clause 7 stand part of the Bill had been negatived, the heading before clause 7 and clause 7 were therefore deleted from the Bill.

The Council then resumed.

Third Reading

The Secretary for the Treasury reported that

the Revenue (No.2) Bill 2001

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.

Motion

Proposed resolution under the Dutiable Commodities Ordinance

The Secretary for the Treasury moved the following motion and addressed the Council:

Resolved that the Dutiable Commodities Ordinance be amended, in Part III of Schedule 1 -

- (a) in paragraph 1A(a) -
 - (i) by repealing "30 June 2001" and substituting "31 March 2002";
 - (ii) by adding "and" at the end;
- (b) by repealing paragraph 1A(b) and substituting -

"(b) from 1 April 2002, at \$2.89 per litre."
(c) by repealing paragraph 1A(c).

Question on the motion proposed.

Two Members spoke on the motion.

Question on the motion put and agreed to.

The President suspended the meeting at 9:44 pm.

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The Council resumed at 2:30 pm on 21 June 2001.

Members' Motions

Preventing and reducing suicide

Hon Michael MAK moved the following motion and addressed the Council:

That, as the problem of suicide has become serious in Hong Kong in recent years, this Council urges the Government to set up a policy group specially responsible for formulating effective strategies to prevent and reduce suicide.

Question on Hon Michael MAK's motion proposed.

The President stated that Hon CHOY So-yuk 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 CHOY So-yuk moved the following amendment to Hon Michael MAK's motion and addressed the Council:

To delete "policy group specially responsible" after "this Council urges the Government to set up a" and substitute with "task force"; and to add ", which include: (a) allocating more resources to enhance the counselling services provided by the Social Welfare Department and various social service agencies; (b) enhancing publicity and education in order to instil in members of the public, particularly the young people, the positive values of cherishing their lives; and (c) strengthening various studies on the problem of suicide, such as the causes of suicide, the backgrounds and psychological conditions of the people who committed suicide and the act of copycat suicide, and using them as the basis for formulating

the relevant strategies" after "to prevent and reduce suicide".

Question on Hon CHOY So-yuk's amendment to Hon Michael MAK's motion proposed.

12 Members spoke on the motion and the amendment.

Hon Michael MAK spoke on the amendment.

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

Question on Hon CHOY So-yuk's amendment to Hon Michael MAK's motion put and agreed to.

Hon Michael MAK replied.

Question on Hon Michael MAK's motion as amended by Hon CHOY So-yuk put and agreed to.

Quality of Dongjiang water

Hon Frederick FUNG moved the following motion and addressed the Council:

That, whilst Dongjiang has become Hong Kong's major source of potable water supply, the pollutant level of the raw water of Dongjiang often exceeds the standards, and that the cost of more than HK\$2 billion a year for purchasing Dongjiang water has not been appropriately spent on the construction of sufficient water treatment facilities in the Dongjiang basin, resulting in the quality of the Dongjiang water supplied to Hong Kong not being able to fully meet the standards stipulated in the water supply agreement; at the same time, the current construction of the closed aqueduct, which is being supported by the Hong Kong Government through an interest-free loan of HK\$2.3 billion, not only fails to safeguard the quality of the water supplied to Hong Kong, but also disrupts the local ecological environment and may pollute the fresh foods supplied to Hong Kong; in view of the above, this Council expresses concern and urges the Government to:

- (a) strengthen co-operation with the Guangdong Authorities in order to critically assess and announce the extent to which the ecological environment and the quality of the water supplied to Hong Kong have been affected by the sharp rise of the pollutant level of the original water supply course and the back-flow of the effluent into Dongjiang caused by the works on the closed aqueduct, and assess the additional resources required to remedy the damage to and the pollution of the local ecological environment and the Dongjiang water source;

- (b) propose to the Guangdong Authorities that the cost of purchasing Dongjiang water be appropriately spent on the construction of sufficient water treatment facilities in the Dongjiang basin until the water quality fully meets the standards;
- (c) ensure that the water quality standards and the legal and economic liabilities where the pollutant level exceeds the standards, are stated clearly in any new water supply agreement between Hong Kong and Guangdong;
- (d) strengthen co-operation with the Guangdong Authorities on waterworks, and stipulate more clearly the obligations and rights of each party in policy co-ordination and financial co-operation regarding the distribution of the quantity of water to be supplied, safeguards for water quality and environmental protection;
- (e) ensure that any large-scale joint waterworks projects with the Guangdong Authorities in future will be commensurate with the principle of sustainable development, and that extensive public consultation will be conducted before undertaking such projects; and
- (f) expeditiously formulate policies on recycling water resources, optimizing the use of local water sources and water conservation, and to conduct studies on alternative water sources.

Question on Hon Frederick FUNG's motion proposed.

The President stated that Hon LAU Kong-wah and Hon LAW Chi-kwong 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.

Hon LAU Kong-wah and Hon LAW Chi-kwong spoke respectively on the motion and their amendments.

Four Members spoke on the motion and the amendments.

Hon Frederick FUNG spoke on the amendments.

The Secretary for Works spoke on the motion and the amendments.

Hon LAU Kong-wah moved the following amendment to Hon Frederick FUNG's motion:

To add "in the water quality tests conducted in the past, several items pertaining to" after "Hong Kong's major source of potable water supply,"; to delete "often exceeds" after "the pollutant level of the raw water of Dongjiang" and

substitute with "had exceeded"; to delete "and that the cost of more than HK\$2 billion a year for purchasing Dongjiang water has not been appropriately spent on the construction of sufficient water treatment facilities in the Dongjiang basin, resulting in the quality of the Dongjiang water supplied to Hong Kong not being able to fully meet the standards stipulated in the water supply agreement; at the same time" and substitute with "and, in the long run"; to delete "not only fails to safeguard" after "an interest-free loan of HK\$2.3 billion," and substitute with "is also unable to ensure that"; to delete ", but also disrupts the local ecological environment and may pollute the fresh foods supplied to Hong Kong; in view of the above," and substitute with "will not have been contaminated before it is drawn at the Tai Yuen Pumping Stations; this Council therefore considers that the Government should actively strive for the supply of the surface water of the Xingfengjiang Reservoir, which meets the national Class I standard, to Hong Kong; at the same time,"; to delete "expresses concern and" after "this Council"; to add "take the following actions" after "urges the Government to"; to add "(a) expeditiously explore with the Guangdong Authorities the feasibility of supplying to Hong Kong the surface water of the Xingfengjiang Reservoir in He Yuan City which meets the national Class I standard;" after ":"; to delete "(a)" and substitute with "(b)"; to delete "to critically assess and announce the extent to which the ecological environment and the quality of the water supplied to Hong Kong have been affected by the sharp rise of the pollutant level of the original water supply course and the back-flow of the effluent into Dongjiang caused by the works on the closed aqueduct, and assess the additional resources required to remedy the damage to and the pollution of the local ecological environment and the Dongjiang water source" and substitute with "that, apart from continuing to regularly publish the test results of the water drawn at the intake point of the closed aqueduct, the information on the test items relating to the sediments on the river bed will also be made public, so that Hong Kong people will be further informed of the conditions of the quality of Dongjiang water"; to delete "(b)" and substitute with "(c)"; to delete "(c)" and substitute with "(d)"; to delete "(d)" and substitute with "(e)"; to delete "(e)" and substitute with "(f)"; to delete "and" after "before undertaking such projects;"; to delete "(f)" and substitute with "(g)"; and to add "; and (h) expeditiously implement the Public Accounts Committee's recommendation, published in its Report No. 33B tabled in this Council in April 2000, that the Administration should, "in line with international best practice, actively consider legislating on the standard of quality of treated water in accordance with the WHO Guidelines, so that consumers are given a statutory undertaking as to the quality of treated water" " after "and to conduct studies on alternative water sources".

Question on Hon LAU Kong-wah's amendment to Hon Frederick FUNG's motion proposed and put.

Hon Frederick FUNG 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, 16 were present, 11 were in favour of the amendment, two against it and three abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 19 were present, seven were in favour of the amendment, four against it and seven abstained. (Voting record in Appendix IX.) 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 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 to the motion on Quality of Dongjiang water 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.

Hon LAW Chi-kiang moved the following amendment to Hon Frederick FUNG's motion:

To delete "critically assess" after "(a) strengthen co-operation with the Guangdong Authorities in order to" and substitute with "monitor"; to delete "the extent to which the ecological environment and the quality of the water supplied to Hong Kong have been affected by the sharp rise of the pollutant level of the original water supply course and the back-flow of the effluent into Dongjiang caused by" and substitute with "regularly the adverse effects of"; to delete ", and assess the additional resources required to remedy the damage to and the pollution of"; to delete "and the Dongjiang water source" and substitute with ", and to formulate appropriate mitigation measures"; to delete "until" after "water treatment facilities in the Dongjiang basin" and substitute with ", and that the enforcement, planning and management work be enhanced, so that"; to add ", as well as introduce more flexible terms" after "the Guangdong Authorities on waterworks"; and to delete "co-operation" after "rights of each party in policy co-ordination and financial" and substitute with "arrangements".

Question on Hon LAW Chi-kwong's amendment to Hon Frederick FUNG's motion proposed and put.

Hon LAU Kong-wah 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, 16 were present, 13 were in favour of the amendment and three abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 19 were present, 12 were in favour of the amendment and six abstained. (Voting record in Appendix X.) 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 Frederick FUNG replied.

Question on Hon Frederick FUNG's motion as amended by Hon LAW Chi-kwong put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 27 June 2001 at 2:30 pm.

The Council was adjourned at 6:06 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong