

LEGISLATIVE COUNCIL

MINUTES

No. 18

Minutes of the meeting held on Wednesday 27 February 2002 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, GBS, JP

Dr the Hon David CHU Yu-lin, JP

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

Dr the Hon David LI Kwok-po, GBS, JP

The Hon Fred LI Wah-ming, JP

Dr the Hon LUI Ming-wah, JP

The Hon NG Leung-sing, JP

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, JP
The Hon CHAN Kwok-keung
The Hon CHAN Yuen-han, JP
The Hon Bernard CHAN
The Hon CHAN Kam-lam
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, BBS
The Hon LAU Chin-shek, JP
The Hon LAU Kong-wah
The Hon LAU Wong-fat, GBS, JP
The Hon Miriam LAU Kin-yee, JP
The Hon Ambrose LAU Hon-chuen, GBS, 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

The Hon MA Fung-kwok

Members absent:

The Hon Margaret NG

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

The Hon Emily LAU Wai-hing, 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

Mr I G M WINGFIELD, JP
The Secretary for Justice

Mr Nicholas NG Wing-fui, JP
Secretary for Transport

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

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

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 LEE Shing-see, JP
Secretary for Works

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

Clerks in attendance:

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mr LAW Kam-sang, JP, Deputy Secretary General

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. Factories and Industrial Undertakings (Safety Management Regulation (Cap. 59 sub. leg.) (Commencement) Notice 2002 (gazetted on 8.2.2002)	21/2002
2. Pension Benefits Ordinance (Established Offices) Order (gazetted on 15.2.2002)	22/2002
3. Pension Benefits Ordinance (Amendment of Schedule) Order 2002 (gazetted on 15.2.2002)	23/2002
4. Mutual Legal Assistance in Criminal Matters (Canada) Order (L.N. 290 of 2001) (Commencement) Notice 2002 (gazetted on 15.2.2002)	24/2002
5. Statutes of The Chinese University of Hong Kong (Amendment) Statutes 2002 (gazetted on 22.2.2002)	25/2002

Other Papers

- No.59 - AIDS Trust Fund 2000-2001 Annual Accounts together with the Director of Audit's Report (published on 18.2.2002)
- No.60 - Audited Financial Statements and Programme of Activities of the Hong Kong Examinations Authority for the year ending 31 August 2001 (published on 18.2.2002)
- No.61 - Audited Statement of Accounts together with the Auditor's Report and Trustee's Report on the administration of the Education Scholarships Fund for the year ending 31 August 2001 (published on 18.2.2002)
- No.62 - Hong Kong Tourist Association Annual Report 2000-2001 (published on 22.2.2002)
- No.63 - Vocational Training Council Annual Report 2000/2001 (published on 22.2.2002)
- Report of the Bills Committee on Road Traffic Legislation (Amendment) Bill 2001 (published on 22.2.2002)

Questions

1. Hon LEUNG Yiu-chung asked Question 1.

The Secretary for Education and Manpower replied.

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

2. Hon LAW Chi-kwong asked Question 2.

The Secretary for Economic Services replied.

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

3. Hon Albert HO asked Question 3.

The Secretary for Security replied.

Five Members asked supplementaries. The Secretary for Security and the Secretary for Justice replied.

4. Hon Frederick FUNG asked Question 4.

The Secretary for Housing replied.

Four Members asked supplementaries and the Secretary for Housing replied.

5. Hon CHOY So-yuk asked Question 5.

The Secretary for Works replied.

Five Members asked supplementaries and the Secretary for Works replied.

6. Hon TAM Yiu-chung 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

Employees Compensation Assistance (Amendment) Bill 2002

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

Employees Compensation Assistance (Amendment) Bill 2002

The Secretary for Education and Manpower 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.

Road Traffic Legislation (Amendment) Bill 2001

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 20 June 2001 resumed.

Hon Andrew CHENG, Chairman of the Bills Committee on Road Traffic Legislation (Amendment) Bill 2001, addressed the Council on the Report of the Bills Committee on the Bill.

Two Members spoke on the Bill.

The Secretary for Transport 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 **Road Traffic Legislation (Amendment) Bill 2001**.

Question that clauses 1, 2, 3 and 7 to 16 stand part of the Bill proposed, put and agreed to.

Question that clauses 4, 5 and 6 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 4, 5 and 6, as amended, stand part of the Bill proposed, put and agreed to.

New clause 5A read the first time.

The Secretary for Transport moved the Second Reading of the new clause 5A and addressed the Committee.

Question on the Second Reading of the new clause 5A proposed, put and agreed to.

New clause 5A read the second time.

The Secretary for Transport moved the addition of the new clause 5A to the Bill.

Question on the addition proposed, put and agreed to.

Question that schedules 1 and 2 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Transport reported that

the **Road Traffic Legislation (Amendment) 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.

Members' Motions

Expectations for the 2002-03 Budget

Hon SIN Chung-kai moved the following motion and addressed the Council:

That this Council hopes that, in formulating its Budget for the next financial year, the Government will refrain from raising taxes or reducing social services in order to address the problem of budget deficit, and that the Government will implement more measures to alleviate people's hardship and create more job opportunities, so as to promote the recovery of the economy.

While Hon SIN Chung-kai was addressing the Council, the President left the chair at 5:00 pm temporarily and the President's Deputy, Hon Mrs Selina CHOW, took the chair.

Question on the motion proposed.

12 Members and Hon Ambrose LAU spoke on the motion.

At 6:18 pm, while Hon Ambrose LAU was speaking, the President resumed the chair.

Another seven Members and the Secretary for the Treasury spoke on the motion.

The President allowed another Member who had not spoken to speak on the motion.

Hon SIN Chung-kai replied.

Question on the motion put and agreed to.

Promoting community spirit

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

That, as the economy is in the doldrums and people are under immense pressure, with suicide and family violence incidents occurring repeatedly recently, this Council urges the Government to allocate additional resources to improve services and actively promote the development of the "third sector", so as to optimize the social capital, promote community development services, encourage self-help and mutual support among the public, strengthen the community support network, enhance the capabilities of individuals and families in solving their problems in life and prevent family violence, for the purposes of cultivating the community spirit of mutual support, care and love among residents.

Question on the motion proposed.

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

Hon TAM Yiu-chung 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 6 March 2002 at 2:30 pm.

The Council was adjourned at 9:30 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong