

LEGISLATIVE COUNCIL

MINUTES

No. 25

Minutes of the meeting held on Wednesday 15 May 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 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, JP

The Hon CHAN Kwok-keung

The Hon CHAN Yuen-han, JP

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, BBS

The Hon LAU Chin-shek, JP

The Hon LAU Kong-wah

The Hon Miriam LAU Kin-yee, JP

The Hon Ambrose LAU Hon-chuen, GBS, JP

The Hon Emily LAU Wai-hing, JP

The Hon CHOY So-yuk

The Hon Andrew CHENG Kar-foo

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

The Hon MA Fung-kwok

Members absent:

The Hon LAU Wong-fat, GBS, JP

The Hon SZETO Wah

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

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

Ms AU King-chi, JP
Secretary for Financial 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>
Banking Ordinance (Amendment of Seventh Schedule) Notice 2002 (gazetted on 10.5.2002)	63/2002

Other Papers

- No.83 - Securities and Futures Commission
Annual Report 2001-2002 (published on 14.5.2002)
- No.84 - The Government Minute in response to the Report
No. 37 of the Public Accounts Committee dated
February 2002 (published on 15.5.2002)

Addresses

The Chief Secretary for Administration addressed the Council on the Government Minute in response to the Report No. 37 of the Public Accounts Committee dated February 2002.

Questions

1. Hon WONG Sing-chi asked Question 1.

The Secretary for Health and Welfare replied.

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

2. Ir Dr Hon HO Chung-tai asked Question 2.

The Secretary for the Environment and Food replied.

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

3. Hon CHAN Yuen-han asked Question 3.

The Financial Secretary replied.

Nine Members asked supplementaries and the Financial Secretary replied.

4. Hon LAU Kong-wah asked Question 4.

The Secretary for Security replied.

Eight Members asked supplementaries and the Secretary for Security replied.

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

The Secretary for Health and Welfare replied.

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

6. Hon Emily LAU asked Question 6.

The Secretary for Financial Services replied.

Five Members asked supplementaries. The Secretary for Financial Services and the Secretary for Health and Welfare replied.

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

Bills

First Reading

Adaptation of Laws (Miscellaneous Provisions) Bill 2002
Telecommunications (Amendment) Bill 2002

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

Adaptation of Laws (Miscellaneous Provisions) Bill 2002

The Secretary for Justice 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.

Telecommunications (Amendment) Bill 2002

The Secretary for Information Technology and Broadcasting 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.

Motions

Proposed resolution under the Immigration Ordinance

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

Resolved that Schedule 1 to the Immigration Ordinance (Cap. 115) be amended in paragraph 2(a) by repealing everything after "born in Hong" and substituting "Kong before or after the establishment of the Hong Kong Special Administrative Region."

Question on the motion proposed, put and agreed to.

Members' Motions

Promoting the employment of people with disabilities

Hon LAW Chi-kwong moved the following motion and addressed the Council:

That, as the unemployment rate of people with disabilities in Hong Kong is on the high side, this Council urges the Government to formulate appropriate measures to increase the employment opportunities of people with disabilities who are able to work; to establish an indicator for employing people with disabilities and have government departments, public bodies and subvented organizations to take the lead in its implementation; and to encourage the relevant organizations to formulate policies on and procedures for recruiting people with disabilities.

Question on Hon LAW Chi-kwong's motion proposed.

The President stated that Hon Tommy CHEUNG would move an amendment to the motion and that Hon LEUNG Yiu-chung would also move an amendment to Hon Tommy CHEUNG's amendment. In accordance with the Rules of Procedure, the motion, the amendment, and the amendment to the amendment would be debated together in a joint debate.

Hon Tommy CHEUNG moved the following amendment to Hon LAW Chi-kwong's motion and addressed the Council:

To add ", such as to encourage, through tax concessions, employers to employ people with disabilities, in order" after "this Council urges the Government to formulate appropriate measures"; and to delete "; to establish an indicator for employing people with disabilities and have government departments, public bodies and subvented organizations to take the lead in its implementation; and to encourage the relevant organizations to formulate policies on and procedures for recruiting people with disabilities" after "to increase the employment opportunities of people with disabilities who are able to work".

While Hon Tommy CHEUNG was speaking, the President left the chair at 4:52 pm temporarily and the President's Deputy, Hon Mrs Selina CHOW, took the chair.

Question on Hon Tommy CHEUNG's amendment to Hon LAW Chi-kwong's motion proposed.

Hon LEUNG Yiu-chung moved the following amendment to Hon Tommy CHEUNG's amendment and addressed the Council:

To delete ", such as to encourage, through tax concessions, employers" after "this Council urges the Government to formulate appropriate measures" and substitute with "and draw up a timetable for implementing in a gradual and orderly manner a quota system for the employment of people with disabilities in the government, public and subvented organizations, as well as by the contractors of the Government's outsourcing contracts, with the ultimate goal of prompting employers of all organizations in Hong Kong".

Question on Hon LEUNG Yiu-chung's amendment to Hon Tommy CHEUNG's amendment proposed.

16 Members spoke on the motion and the amendments.

Hon LAW Chi-kwong spoke on the amendments.

At 6:37 pm, the President resumed the chair after Hon LAW Chi-kwong had spoken.

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

Question on Hon LEUNG Yiu-chung's amendment to Hon Tommy CHEUNG's amendment put.

Hon LEUNG Yiu-Chung 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, 24 were present, seven were in favour of the amendment and 17 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 25 were present, 20 were in favour of the amendment and four against it. (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 Hon LEUNG Yiu-chung's amendment to Hon Tommy CHEUNG's 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 promoting the employment of people with disabilities 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.

Question on Hon Tommy CHEUNG's amendment to Hon LAW Chi-kwong's motion put.

Hon Mrs Selina CHOW 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, 25 were present, 13 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, 26 were present, two were in favour of the amendment and 23 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 Hon Tommy CHEUNG's amendment to Hon LAW Chi-kwong's motion was negatived.

Hon LAW Chi-kwong replied.

Question on Hon LAW Chi-kwong's motion put and agreed to.

Family problems

Dr Hon David CHU moved the following motion and addressed the Council:

That, in view of the impact of rapid changes over the years in the traditional cultural values and social environment on the

family as the most basic unit of the Hong Kong society and having regard to the proliferation of family problems and a growing trend in family tragedies arising from the economic downturn in recent years, this Council urges the Government to set up a "Family Affairs Commission" to assist the Government, through the introduction of policy initiatives in various areas such as taxation, housing and social welfare, in promoting mutual love and support among family members, and to consider developing family-oriented social services, so as to enable families to perform their proper functions more effectively.

Question on Dr Hon David CHU's motion proposed.

The President stated that Hon Howard YOUNG 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 Howard YOUNG moved the following amendment to Dr Hon David CHU's motion and addressed the Council:

To delete "set up a 'Family Affairs Commission' to assist the Government," after "this Council urges the Government to" and substitute with "promote mutual love and support among family members"; and to delete "in promoting mutual love and support among family members," after "through the introduction of policy initiatives in various areas such as taxation, housing and social welfare,".

Question on Hon Howard YOUNG's amendment to Dr Hon David CHU's motion proposed.

15 Members spoke on the motion and the amendment.

Dr Hon David CHU spoke on the amendment.

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

Question on Hon Howard YOUNG's amendment to Dr Hon David CHU's motion put and negatived.

Dr Hon David CHU replied.

Question on Dr Hon David CHU's motion put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 22 May 2002 at 2:30 pm.

The Council was adjourned at 9:14 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

投票 VOTE: 1
 日期 DATE: 15/05/2002
 時間 TIME: 06:49:38 PM

動議 MOTION: 梁耀忠議員就張宇人議員對羅致光議員的「促進殘疾人士就業」議案所提修正案，作出的修正案
 HON LEUNG YIU-CHUNG'S AMENDMENT TO HON TOMMY CHEUNG'S AMENDMENT TO HON LAW CHI-KWONG'S MOTION ON "PROMOTING THE EMPLOYMENT OF PEOPLE WITH DISABILITIES"

動議人 MOVED BY: 梁耀忠 LEUNG Yiu-chung

	功能團體 Functional Constituencies	地方選區及選舉委員會 Geographical Constituencies & Election Committee	最後結果 Final Result
出席 Present	24	25	
投票 Vote	24	24	
贊成 Yes	7	20	
反對 No	17	4	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

個別表決如下 THE INDIVIDUAL VOTES WERE AS FOLLOWS:

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
丁午壽 Kenneth TING	反對 NO	何秀蘭 Cyd HO	贊成 YES
田北俊 James TIEN		何俊仁 Albert HO	贊成 YES
何鍾泰 Dr Raymond HO	反對 NO	李卓人 LEE Cheuk-yan	贊成 YES
李家祥 Eric LI	反對 NO	李柱銘 Martin LEE	贊成 YES
李國寶 Dr David LI		李華明 Fred LI	贊成 YES
呂明華 Dr LUI Ming-wah	反對 NO	涂謹申 James TO	贊成 YES
吳靄儀 Margaret NG	反對 NO	陳婉嫻 CHAN Yuen-han	贊成 YES
周梁淑怡 Mrs Selina CHOW	反對 NO	陳鑑林 CHAN Kam-lam	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	贊成 YES
許長青 HUI Cheung-ching	反對 NO	黃宏發 Andrew WONG	反對 NO
陳國強 CHAN Kwok-keung	贊成 YES	曾鈺成 TSANG Yok-sing	贊成 YES
陳智思 Bernard CHAN	反對 NO	楊森 Dr YEUNG Sum	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	劉千石 LAU Chin-shek	贊成 YES
單仲偕 SIN Chung-kai	贊成 YES	劉江華 LAU Kong-wah	贊成 YES
黃直弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan		蔡素玉 CHOY So-yuk	
楊孝華 Howard YOUNG	反對 NO	鄭家富 Andrew CHENG	贊成 YES
劉皇發 LAU Wong-fat		司徒華 SZETO Wah	
劉健儀 Miriam LAU	反對 NO	譚耀宗 TAM Yiu-chung	贊成 YES
霍震霆 Timothy FOK	反對 NO	鄧兆棠 Dr TANG Siu-tong	
羅致光 LAW Chi-kwong	贊成 YES	陳偉業 Albert CHAN	贊成 YES
石禮謙 Abraham SHEK		黃成智 WONG Sing-chi	贊成 YES
李鳳英 LI Fung-ying	贊成 YES	馮檢基 Frederick FUNG	贊成 YES
胡經昌 Henry WU	反對 NO	余若薇 Audrey EU	
張宇人 Tommy CHEUNG	反對 NO	選舉委員會 Election Committee	
麥國風 Michael MAK	贊成 YES	范徐麗泰 Mrs Rita FAN	出席 PRESENT
梁富華 LEUNG Fu-wah		朱幼麟 Dr David CHU	反對 NO
勞永樂 Dr LU Wing-lok	反對 NO	吳亮星 NG Leung-sing	
葉國謙 IP Kwok-him	贊成 YES	楊耀忠 YEUNG Yiu-chung	贊成 YES
劉炳章 LAU Ping-cheung	反對 NO	劉漢銓 Ambrose LAU	反對 NO
		馬逢國 MA Fung kwok	反對 NO

秘書 CLERK



投票 VOTE: 2
日期 DATE: 15/05/2002
時間 TIME: 06:53:30 PM

動議 MOTION: 張宇人議員對羅致光議員就「促進殘疾人士就業」所提議案作出的修正案
AMENDMENT BY HON TOMMY CHEUNG TO HON LAW CHI-KWONG'S MOTION ON
"PROMOTING THE EMPLOYMENT OF PEOPLE WITH DISABILITIES"

動議人 MOVED BY: 張宇人 Tommy CHEUNG

	功能團體 Functional Constituencies	地方選區及選舉委員會 Geographical Constituencies & Election Committee	最後結果 Final Result
出席 Present	25	26	
投票 Vote	25	25	
贊成 Yes	13	2	
反對 No	12	23	
棄權 Abstain	0	0	
結果 Result	通過 Passed	否決 Negatived	否決 Negatived

個別表決如下 THE INDIVIDUAL VOTES WERE AS FOLLOWS:

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
丁午壽 Kenneth TING	贊成 YES	何秀蘭 Cyd HO	反對 NO
田北俊 James TIEN	贊成 YES	何俊仁 Albert HO	反對 NO
何鍾泰 Dr Raymond HO	反對 NO	李卓人 LEE Cheuk-yan	反對 NO
李家祥 Eric LI	反對 NO	李柱銘 Martin LEE	反對 NO
李國寶 Dr David LI		李華明 Fred LI	反對 NO
呂明華 Dr Lui Ming-wah	反對 NO	徐謹申 James TO	反對 NO
吳靄儀 Margaret NG	反對 NO	陳婉嫻 CHAN Yuen-han	反對 NO
周梁淑怡 Mrs Selina CHOW	贊成 YES	陳鑑林 CHAN Kam-lam	反對 NO
張文光 CHEUNG Man-kwong	反對 NO	梁耀忠 LEUNG Yiu-chung	反對 NO
許長青 HUI Cheung-ching	贊成 YES	黃宏發 Andrew WONG	反對 NO
陳國強 CHAN Kwok-keung	反對 NO	曾鈺成 TSANG Yok-sing	反對 NO
陳智思 Bernard CHAN	反對 NO	楊森 Dr YEUNG Sum	反對 NO
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	劉千石 LAU Chin-shek	反對 NO
單仲偕 SIN Chung-kai	反對 NO	劉江華 LAU Kong-wah	反對 NO
黃宜弘 Dr Philip WONG	贊成 YES	劉慧卿 Emily LAU	反對 NO
黃容根 WONG Yung-kan		蔡素玉 CHOY So-yuk	
楊孝華 Howard YOUNG	贊成 YES	鄭家富 Andrew CHENG	反對 NO
劉皇發 LAU Wong-fat		司徒華 SZETO Wah	
劉健儀 Miriam LAU	贊成 YES	譚耀宗 TAM Yiu-chung	反對 NO
霍震霆 Timothy FOK	贊成 YES	鄧兆棠 Dr TANG Siu-tong	
羅致光 LAW Chi-kwong	反對 NO	陳偉業 Albert CHAN	反對 NO
石禮謙 Abraham SHEK		黃成智 WONG Sing-chi	反對 NO
李鳳英 LI Fung-ying	贊成 YES	馮檢基 Frederick FUNG	反對 NO
胡經昌 Henry WU	贊成 YES	余若薇 Audrey EU	反對 NO
張宇人 Tommy CHEUNG	贊成 YES		
麥國風 Michael MAK	反對 NO	選舉委員會 Election Committee	
梁富華 LEUNG Fu-wah		范徐麗泰 Mrs Rita FAN	出席 PRESENT
勞永樂 Dr LO Wing-lok	反對 NO	朱幼麟 Dr David CHU	贊成 YES
葉國謙 IP Kwok-him	反對 NO	吳亮星 NG Leung-sing	
劉炳章 LAU Ping-cheung	贊成 YES	楊耀忠 YEUNG Yiu-chung	反對 NO
		劉漢銓 Ambrose LAU	贊成 YES
		馬逢國 MA Fung kwok	反對 NO

秘書 CLERK