

LEGISLATIVE COUNCIL

MINUTES

No. 7

Minutes of the meeting held on Wednesday 12 November 2003 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

Dr the Hon Eric LI Ka-cheung, GBS, 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 James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon HUI Cheung-ching, JP
The Hon CHAN Kwok-keung, JP
The Hon CHAN Yuen-han, JP
The Hon Bernard CHAN, JP
The Hon CHAN Kam-lam, JP
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, GBS
The Hon WONG Yung-kan
The Hon Jasper TSANG Yok-sing, GBS, JP
The Hon Howard YOUNG, SBS, JP
Dr the Hon YEUNG Sum
The Hon YEUNG Yiu-chung, BBS
The Hon LAU Chin-shek, JP
The Hon LAU Kong-wah, JP
The Hon LAU Wong-fat, GBS, JP
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 SZETO Wah
The Hon Timothy FOK Tsun-ting, SBS, JP
Dr 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, JP
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, JP
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, JP

Member absent:

The Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP

Public officers attending:

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

The Hon Elsie LEUNG Oi-sie, GBM, JP
The Secretary for Justice

Dr the Hon Patrick HO Chi-ping, JP
Secretary for Home Affairs

Dr the Hon Sarah LIAO Sau-tung, JP
Secretary for the Environment, Transport and Works

The Hon Frederick MA Si-hang, JP
Secretary for Financial Services and the Treasury

The Hon Stephen LAM Sui-lung, JP
Secretary for Constitutional Affairs

The Hon Ambrose LEE Siu-kwong, IDSM, JP
Secretary for Security

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:

Subsidiary Legislation / Instruments

L.N. No.

Pension Benefits Ordinance (Established Offices) (Amendment) Order 2003 (gazetted on 7.11.2003)	244/2003
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Other Papers

- | | | |
|-------|---|---|
| No.22 | - | Report of the Board of Trustees for Sir Edward Youde Memorial Fund for the period from 1 April 2002 to 31 March 2003 (published on 10.11.2003) |
| No.23 | - | Secretary for Home Affairs Incorporated Audited Statement of Accounts and Auditor's Report for the year ended 31 March 2003 (published on 10.11.2003) |

Questions

1. Hon James TIEN asked Question 1.

The Chief Secretary for Administration replied.

Five Members asked supplementaries and the Chief Secretary for Administration replied.

2. Dr Hon David LI asked Question 2.

The Secretary for Security replied.

A Member asked a supplementary and the Secretary for Security replied.

After declaring his interest, Hon Henry WU asked a supplementary and the Secretary for Security replied.

Another three Members asked supplementaries and the Secretary for Security replied.

3. Dr Hon LAW Chi-kwong asked Question 3.

The Secretary for Home Affairs replied.

Four Members asked supplementaries and the Secretary for Home Affairs replied.

4. Hon Ambrose LAU asked Question 4.

The Secretary for Financial Services and the Treasury replied.

Five Members asked supplementaries and the Secretary for Financial Services and the Treasury replied.

5. Hon Abraham SHEK asked Question 5.

The Secretary for Security replied.

Seven Members asked supplementaries and the Secretary for Security replied.

Written replies to Questions 6 to 19 were tabled for Members' information.

Members' Motions

Improving public transport fare system

Hon Andrew CHENG moved the following motion and addressed the Council:

That, in regard to public transport fare system, this Council urges the Government to:

- (a) discuss with various franchised bus companies ways to improve their existing fare structures and the setting of full and sectional fares of each bus route according to the distance of the journey, so that the fare structures become more transparent and reasonable and fares paid by each passenger are as fair as possible; and
- (b) examine jointly with various public transport operators the feasibility of issuing daily, weekly and monthly tickets that can be commonly used on various modes of public transport, so as to facilitate local passengers and tourists who need to use them to commute frequently, as well as to alleviate the burden of travelling expenses on them.

Question on Hon Andrew CHENG's motion proposed.

The President stated that Hon LAU Kong-wah would move an amendment to the motion and that Hon Albert HO would also move an amendment to Hon LAU Kong-wah'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 LAU Kong-wah moved the following amendment to Hon Andrew CHENG's motion and addressed the Council:

To delete "in regard to public transport fare system," after "That,"; to add "expeditiously discuss with various public transport operators to seek a 10% reduction of fares across the board and the re-introduction of half-fare travel concessions for students, and to encourage them to co-operate in offering more joint concessions and, in regard to public transport fare system, to" after "this Council urges the Government to"; to delete "and" after "(a) discuss with various franchised bus companies ways to improve their existing fare structures" and substitute with ", expeditiously revise the scale of fares under the Public Bus Services Ordinance as well as reformulate existing guidelines on the setting of fares, and study"; and to add "on condition that the burden on long-haul passengers will not be increased" after "the setting of full and sectional fares of each bus route according to the distance of the journey".

Question on Hon LAU Kong-wah's amendment to Hon Andrew CHENG's motion proposed.

Hon Albert HO moved the following amendment to Hon LAU Kong-wah's amendment and addressed the Council:

To delete "and" after "the re-introduction of half-fare travel concessions for students,"; to add "and to expeditiously implement a procedure and mechanism for public transport fare adjustment which allow increase as well as reduction in fares" after "to encourage them to co-operate in offering more joint concessions,"; and to add "and the groupings of routes in the scale" after "expeditiously revise the scale of fares".

Question on Hon Albert HO's amendment to Hon LAU Kong-wah's amendment proposed.

11 Members spoke on the motion and the amendments.

Hon Andrew CHENG spoke on the amendments.

The Secretary for the Environment, Transport and Works spoke on the motion and the amendments.

Question on Hon Albert HO's amendment to Hon LAU Kong-wah's amendment put.

Hon Miriam LAU 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, 14 were present, seven were in favour of the amendment, one against it and six abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were present, 20 were in favour of the amendment and one 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 the amendment was negatived.

Hon Miriam LAU 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 "Improving public transport fare system" 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 LAU Kong-wah's amendment to Hon Andrew CHENG's motion put.

Hon Miriam LAU 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, 14 were present, eight were in favour of the amendment and six abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were present, 20 were in favour of the amendment and one against it. (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 amendment was agreed.

Hon Andrew CHENG replied.

Question on Hon Andrew CHENG's motion as amended by Hon LAU Kong-wah put and agreed to.

Election of the Chief Executive and all Members of the Legislative Council by universal suffrage

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

That this Council urges the Government to publish a green paper on the reform of the political system of the Hong Kong Special Administrative Region by the end of this year so as to implement the election of the Chief Executive and all Members of the Legislative Council by universal suffrage in 2007 and 2008 respectively, and expeditiously abolish the appointed and ex-officio seats in the District Councils to return the political power to the people.

While Hon James TO was addressing the Council, the President left the chair at 6:21 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on the motion proposed.

6 Members spoke on the motion.

Hon Martin LEE drew the attention of the President's Deputy to the absence of a quorum. The President's Deputy directed the Clerk to summon Members to the meeting.

At 7:06 pm, the President resumed the chair. A quorum was then present.

Another two Members spoke on the motion.

Hon Martin LEE drew the attention of the President to the absence of a quorum. The President directed the Clerk to summon Members to the meeting. A quorum was then present.

11 more Members spoke on the motion.

With the President's permission, Hon TAM Yiu-chung elucidated on some points he had made earlier which had been misunderstood by Hon Emily LAU.

Another two Members and the Secretary for Constitutional Affairs spoke on the motion.

Hon James TO replied.

Question on the motion put.

Hon James TO 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, five were in favour of the motion, 14 against it and four abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 16 were in favour of the motion, five against it and four abstained. (Voting record 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 motion was negatived.

Next Meeting

The President declared that the next meeting of the Council would be held on 19 November 2003 at 2:30 pm.

The Council was adjourned at 9:03 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

Appendix I

投票 VOTE: 1
日期 DATE: 12/11/2003
時間 TIME: 06:07:41 下午

動議 MOTION: 何俊仁議員就劉江華議員對鄭家富議員的「改善公共交通收費制度」議案所提修正案，作出的修正案
HON ALBERT HO'S AMENDMENT TO HON LAU KONG-WAH'S AMENDMENT TO HON ANDREW CHENG'S MOTION ON "IMPROVING PUBLIC TRANSPORT FARE SYSTEM"

動議人 MOVED BY: 何俊仁 Albert HO

	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	14	22	
投票 Vote	14	21	
贊成 Yes	7	20	
反對 No	1	1	
棄權 Abstain	6	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	棄權 ABSTAIN	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		李卓人 LEE Cheuk-yan	贊成 YES
李家祥 Dr Eric LI		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		涂謹申 James TO	贊成 YES
吳靄儀 Margaret NG		陳婉嫻 CHAN Yuen-han	
周梁淑怡 Mrs Selina CHOW		陳鑑林 CHAN Kam-lam	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	贊成 YES
陳國強 CHAN Kwok-keung		曾鈺成 TSANG Yok-sing	
陳智思 Bernard CHAN	反對 NO	楊森 Dr YEUNG Sum	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	棄權 ABSTAIN	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
黃宜弘 Dr Philip WONG		劉慧卿 Emily LAU	贊成 YES
黃谷根 WONG Yung-kan	贊成 YES	蔡素玉 CHOY So-yuk	贊成 YES
楊孝華 Howard YOUNG	棄權 ABSTAIN	鄭家富 Andrew CHENG	贊成 YES
劉皇發 LAU Wong-fat	棄權 ABSTAIN	司徒華 SZETO Wah	贊成 YES
劉健儀 Miriam LAU	棄權 ABSTAIN	譚耀宗 TAM Yiu-chung	贊成 YES
霍震霆 Timothy FOK	贊成 YES	鄧兆棠 Dr TANG Siu-tong	贊成 YES
羅致光 Dr 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		馮檢基 Frederick FUNG	
胡經昌 Henry WU	棄權 ABSTAIN	余若薇 Audrey EU	
張宇人 Tommy CHEUNG			
麥國風 Michael MAK	贊成 YES	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		朱幼麟 Dr David CHU	
葉國謙 IP Kwok-him	贊成 YES	吳亮星 NG Leung-sing	
劉炳章 LAU Ping-cheung		楊耀忠 YEUNG Yiu-chung	贊成 YES
		Ambrose LAU	
		馬逢國 MA Fung kwok	反對 NO

秘書 CLERK

Appendix II

投票 VOTE: 2
日期 DATE: 12/11/2003
時間 TIME: 06:11:00 下午

動議 MOTION: 劉江華議員對鄭家富議員就「改善公共交通收費制度」所提議案作出的修正案
AMENDMENT BY HON LAU KONG-WAH TO HON ANDREW CHENG'S MOTION ON
"IMPROVING PUBLIC TRANSPORT FARE SYSTEM"

動議人 MOVED BY: 劉江華 LAU Kong-wah

	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	14	22	
投票 Vote	14	21	
贊成 Yes	8	20	
反對 No	0	1	
棄權 Abstain	6	0	
結果 Result	通過 Passed	通過 Passed	通過 Passed

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	棄權 ABSTAIN	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		李卓人 LEE Cheuk-yan	贊成 YES
李家祥 Dr Eric LI		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		涂謹申 James TO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	陳婉嫻 CHAN Yuen-han	
周梁淑怡 Mrs Selina CHOW		陳鑑林 CHAN Kam-lam	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	梁繼忠 LEUNG Yiu-chung	
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	反對 NO
陳國強 CHAN Kwok-keung		曾鈺成 TSANG Yok-sing	
陳智思 Bernard CHAN	贊成 YES	楊森 Dr YEUNG Sum	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	棄權 ABSTAIN	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
黃宜弘 Dr Philip WONG		劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	贊成 YES	蔡素玉 CHOY So-yuk	贊成 YES
楊孝華 Howard YOUNG	棄權 ABSTAIN	鄭家富 Andrew CHENG	贊成 YES
劉皇發 LAU Wong-fat	棄權 ABSTAIN	司徒華 SZETO Wah	贊成 YES
劉健儀 Miriam LAU	棄權 ABSTAIN	譚耀宗 TAM Yiu-chung	贊成 YES
霍震霆 Timothy FOK	贊成 YES	鄧兆棠 Dr TANG Siu-tong	贊成 YES
羅致光 Dr LAW Chi-kwong		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		馮檢基 Frederick FUNG	
胡經昌 Henry WU	棄權 ABSTAIN	余若薇 Audrey EU	
張宇人 Tommy CHEUNG		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	
勞永樂 Dr LO Wing-lok		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		劉漢銓 Ambrose LAU	
		馬逢國 MA Fung kwok	贊成 YES

秘書 CLERK

Appendix III

投票 VOTE: 3
日期 DATE: 12/11/2003
時間 TIME: 09:02:43 下午

動議 MOTION: 「普選行政長官及全體立法會議員」議案
MOTION "ELECTION OF THE CHIEF EXECUTIVE AND ALL MEMBERS OF THE LEGISLATIVE COUNCIL BY UNIVERSAL SUFFRAGE"

動議人 MOVED BY: 涂謹申James TO

	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	23	26	
投票 Vote	23	25	
贊成 Yes	5	16	
反對 No	14	5	
棄權 Abstain	4	4	
結果 Result	否決 Negated	通過 Passed	否決 Negated

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	反對 NO	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 Dr 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	贊成 YES	陳婉嫻 CHAN Yuen-han	
周梁淑怡 Mrs Selina CHOW		陳鑑林 CHAN Kam-lam	棄權 ABSTAIN
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	贊成 YES
陳國強 CHAN Kwok-keung	棄權 ABSTAIN	曾鈺成 TSANG Yok-sing	棄權 ABSTAIN
陳智思 Bernard CHAN	棄權 ABSTAIN	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	
黃宜弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	棄權 ABSTAIN	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	反對 NO	司徒華 SZETO Wah	贊成 YES
劉健儀 Miriam LAU	反對 NO	譚耀宗 TAM Yiu-chung	棄權 ABSTAIN
霍震霆 Timothy FOK	反對 NO	鄧兆棠 Dr TANG Siu-tong	反對 NO
羅致光 Dr LAW Chi-kwong	贊成 YES	陳偉業 Albert CHAN	
石禮謙 Abraham SHEK		黃成智 WONG Sing-chi	贊成 YES
李鳳英 LI Fung-ying		馮檢基 Frederick FUNG	贊成 YES
胡經昌 Henry WU	反對 NO	余若薇 Audrey EU	贊成 YES
張宇人 Tommy CHEUNG			
麥國風 Michael MAK	贊成 YES	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		朱幼麟 Dr David CHU	反對 NO
葉國謙 IP Kwok-him	棄權 ABSTAIN	吳亮星 NG Leung-sing	反對 NO
劉炳章 LAU Ping-cheung	反對 NO	楊耀忠 YEUNG Yiu-chung	棄權 ABSTAIN
		劉漢銓 Ambrose LAU	反對 NO
		馬逢國 MA Fung kwok	反對 NO

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