

LEGISLATIVE COUNCIL

MINUTES

No. 8

Minutes of the meeting held on Wednesday 19 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

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, GBS, JP

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:

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

Public officers attending:

The Hon Donald TSANG Yam-kuen, GBM, JP

The Chief Secretary for Administration

The Hon Stephen IP Shu-kwan, GBS, JP

The Financial Secretary, and
Secretary for Economic Development and Labour

The Hon Michael SUEN Ming-yeung, GBS, JP

Secretary for Housing, Planning and Lands

Dr the Hon YEOH Eng-kiong, JP

Secretary for Health, Welfare and Food

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

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Import and Export (Fees) (Amendment) Regulation 2003 (gazetted on 14.11.2003)	247/2003
2. Import and Export (Facilitation) Ordinance 2003 (33 of 2003) (Commencement) Notice 2003 (gazetted on 14.11.2003)	248/2003
3. Mutual Legal Assistance in Criminal Matters (Netherlands) Order (L.N. 243 of 2003) (Commencement) Notice 2003 (gazetted on 14.11.2003)	249/2003

Other Paper

- No.24 - Supplemental Report of the Public Accounts Committee on Report No. 40 of the Director of Audit on the Results of Value for Money Audits (November 2003 - P.A.C. Report No. 40A) (published on 19.11.2003)

Address

Hon Emily LAU, Deputy Chairman of the Public Accounts Committee, addressed the Council on the Committee's Supplemental Report on Report No. 40 of the Director of Audit on the Results of Value for Money Audits.

Questions

1. Hon HUI Cheung-ching asked Question 1.

The Secretary for Economic Development and Labour replied.

Seven Members asked supplementaries and the Secretary for Economic Development and Labour replied.

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

The Secretary for Home Affairs replied.

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

3. Hon Emily LAU asked Question 3.

The Secretary for Home Affairs replied.

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

4. Hon Albert HO asked Question 4.

The Secretary for Housing, Planning and Lands replied.

One Member asked a supplementary and the Secretary for Housing, Planning and Lands replied.

After declaring his interest that the company he served might be involved in the development project mentioned in the question, Hon LAU Ping-cheung asked a supplementary and the Secretary for Housing, Planning and Lands replied.

Another three Members asked supplementaries. The Secretary for Housing, Planning and Lands and the Secretary for Home Affairs replied.

5. Hon Albert CHAN asked Question 5.

The Secretary for Security replied.

Eight Members asked supplementaries and the Secretary for Security replied.

6. Hon LAU Kong-wah asked Question 6.

The Secretary for Health, Welfare and Food replied.

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

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

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

Hon Cyd HO moved the following motion and addressed the Council:

Resolved that in relation to the -

- (a) Chinese Medicine Ordinance (Cap. 549) (Commencement) (No. 2) Notice 2003, published in the Gazette as Legal Notice No. 227 of 2003;
- (b) Chinese Medicine (Fees) Regulation (Cap. 549 sub. leg. E) (Commencement) (No. 2) Notice 2003, published in the Gazette as Legal Notice No. 228 of 2003; and
- (c) Chinese Medicines Regulation (Cap. 549 sub. leg. F) (Commencement) (No. 2) Notice 2003, published in the Gazette as Legal Notice No. 229 of 2003,

and laid on the table of the Legislative Council on 29 October 2003, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 17 December 2003.

Question on the motion proposed, put and agreed to.

Backbone industries as part of the infrastructure

Dr Hon LUI Ming-wah moved the following motion and addressed the Council:

That, as the Mainland and Hong Kong Closer Economic Partnership Arrangement will bring about new opportunities for the manufacturing industry in Hong Kong, this Council urges the Government to embrace the new development with a new way of thinking and treat backbone industries as part of the infrastructure, and to formulate strategic measures to attract suitable backbone industries to invest and set up factories and production lines in Hong Kong in order that they will become the driving forces of their industrial chains, thereby attracting related trades and industries to the territory, with a view to revitalizing the local manufacturing industry and promoting the sustained growth of Hong Kong's economy.

Question on Dr Hon LUI Ming-wah's motion proposed.

The President stated that Hon SIN Chung-kai 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 SIN Chung-kai moved the following amendment to Dr Hon LUI Ming-wah's motion and addressed the Council:

To add "and study the establishment of a border industrial zone or a river-loop industrial zone" after "and to formulate strategic measures".

Question on Hon SIN Chung-kai's amendment to Dr Hon LUI Ming-wah's motion proposed.

Seven Members spoke on the motion and the amendment.

Dr Hon LUI Ming-wah spoke on the amendment.

The Secretary for Economic Development and Labour spoke on the motion and the amendment.

Question on Hon SIN Chung-kai's amendment to Dr Hon LUI Ming-wah's motion put and agreed to.

Dr Hon LUI Ming-wah replied.

Question on Dr Hon LUI Ming-wah's motion as amended by Hon SIN Chung-kai put and agreed to.

Grasping the opportunities brought about by CEPA to enhance employment

As the Secretary for Economic Development and Labour, who was the Public Officer to attend and speak in the debate on this motion, was not in the Chamber, the President suspended the meeting at 6:20 pm.

The Council resumed at 6:26 pm.

Hon CHAN Yuen-han moved the following motion and addressed the Council:

That, as the unemployment rate in the territory remains high with the unemployed population reaching 300 000, this Council urges that, in order to tie in with the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) which will be formally implemented in 2004, the Government should collect views from different sectors of the community for the purpose of reviewing and improving the existing policies relating to various industrial and commercial sectors and, having regard to the characteristics of the different sectors, implement the policies flexibly, abolish unnecessary regulations and restrictions, and assist small and medium enterprises in grasping the opportunities brought about by CEPA, thereby creating more employment opportunities and improving the acute unemployment situation.

While Hon CHAN Yuen-han was addressing the Council, the President left the chair at 6:38 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Hon CHAN Yuen-han's motion proposed.

The President's Deputy stated that Hon Kenneth TING, Hon LEE Cheuk-yan and Dr Hon YEUNG Sum would move amendments to the motion. In accordance with the Rules of Procedure, the motion and the three amendments would be debated together in a joint debate.

Hon Kenneth TING, Hon LEE Cheuk-yan and Dr Hon YEUNG Sum respectively spoke on the motion and their amendments.

Nine Members and Hon LEUNG Yiu-chung spoke on the motion and the amendments.

At 7:58 pm, while Hon LEUNG Yiu-chung was speaking, the President resumed the chair.

Hon CHAN Yuen-han spoke on the amendments.

The Secretary for Economic Development and Labour spoke on the motion and the amendments.

Hon Kenneth TING moved the following amendment to Hon CHAN Yuen-han's motion:

To add "expeditiously honour the pledge in this year's Policy Address to set up a high-level task force to improve the business environment," after "the Government should"; and to add ", laws and regulations" after "reviewing and improving the existing policies".

Question on Hon Kenneth TING's amendment to Hon CHAN Yuen-han's motion proposed, put and agreed to.

The President stated that as Hon Kenneth TING's amendment had been agreed, she granted leave for Hon LEE Cheuk-yan to revise the terms of his amendment and explain them to the Council.

Hon LEE Cheuk-yan moved the following revised amendment to Hon CHAN Yuen-han's motion as amended by Hon Kenneth TING and explained the revised terms of his amendment to the Council:

To delete "and" after "abolish unnecessary regulations and restrictions,"; and to add "and expeditiously conduct an impact assessment on the employment situation, thoroughly analyse the impact of the arrangement on the local labour market with a view to improving the existing manpower development policy," after "assist small and medium enterprises in grasping the opportunities brought about by CEPA,".

Question on Hon LEE Cheuk-yan's amendment to Hon CHAN Yuen-han's motion as amended by Hon Kenneth TING proposed, put and agreed to.

The President stated that as Hon Kenneth TING and Hon LEE Cheuk-yan's amendments had been agreed, she granted leave for Dr Hon YEUNG Sum to revise the terms of his amendment and explain them to the Council.

Dr Hon YEUNG Sum moved the following revised amendment to Hon CHAN Yuen-han's motion as amended by Hon Kenneth TING and Hon LEE Cheuk-yan and explained the revised terms of his amendment to the Council:

To add "; this Council also urges that the Government should, having regard to the arrangement, study the establishment of a border industrial zone or a river-loop industrial zone" after "thereby creating more employment opportunities and improving the acute unemployment situation".

Question on Dr Hon YEUNG Sum's amendment to Hon CHAN Yuen-han's motion as amended by Hon Kenneth TING and Hon LEE Cheuk-yan proposed, put and agreed to.

Hon CHAN Yuen-han replied.

Question on Hon CHAN Yuen-han's motion as amended by Hon Kenneth TING, Hon LEE Cheuk-yan and Dr Hon YEUNG Sum put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 26 November 2003 at 2:30 pm.

The Council was adjourned at 8:32 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong