

# LEGISLATIVE COUNCIL

## MINUTES

No. 15

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Minutes of the meeting held on Wednesday 14 January 2004 at 2:30 pm

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### 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 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

**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 Elsie LEUNG Oi-sie, GBM, JP  
The Secretary for Justice  
  
Prof the Hon Arthur LI Kwok-cheung, GBS, JP  
Secretary for Education and Manpower  
  
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

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

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

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

The Hon John TSANG Chun-wah, JP  
Secretary for Commerce, Industry and Technology

**Clerks in attendance:**

Mr LAW Kam-sang, JP, Deputy Secretary General

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

Ms Pauline NG Man-wah, Assistant Secretary General (1)

### **Tabling of Papers**

The following papers were laid on the table pursuant to Rule 21(2) of the Rules of Procedure:

- No.50 - Estate Agents Authority  
Annual Report 2002/2003 (published on 6.1.2004)
- No.51 - Report of changes to the approved Estimates of  
Expenditure approved during the second quarter of  
2003-04 (Public Finance Ordinance : Section 8)  
(published on 6.1.2004)
- No.52 - Consumer Council  
Annual Report 2002-2003 (published on 12.1.2004)
- No.53 - Legal Aid Services Council  
Annual Report 2002-2003 (published on 12.1.2004)
- Report of the Bills Committee on Education (Miscellaneous  
Amendments) Bill 2003 (published on 8.1.2004)

### **Questions**

1. Hon IP Kwok-him asked Question 1.

The Secretary for Home Affairs replied.

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

2. Hon Audrey EU asked Question 2.

The Secretary for Security replied.

Five Members asked supplementaries and the Secretary for Security replied.

3. Hon YEUNG Yiu-chung asked Question 3.

The Secretary for Education and Manpower replied.

Four Members asked supplementaries. The Secretary for Education and Manpower and the Secretary for Economic Development and Labour replied.

4. Hon LEUNG Fu-wah asked Question 4.

The Secretary for Security replied.

Five Members asked supplementaries and the Secretary for Security replied.

5. Hon Martin LEE asked Question 5.

The Secretary for the Environment, Transport and Works replied.

Four Members asked supplementaries and the Secretary for the Environment, Transport and Works replied.

6. Dr Hon LO Wing-lok asked Question 6.

The Secretary for Health, Welfare and Food replied.

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

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

## **Bills**

### **First Reading**

#### **Vocational Training Council (Amendment) Bill 2003**

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**

#### **Vocational Training Council (Amendment) Bill 2003**

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.

#### **Education (Miscellaneous Amendments) Bill 2003**

### **Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 9 April 2003 resumed.

Hon Cyd HO, Chairman of the Bills Committee on Education (Miscellaneous Amendments) Bill 2003, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill as a Member.

Two more Members spoke on the Bill.

The Secretary for Education and Manpower 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 **Education (Miscellaneous Amendments) Bill 2003**.

Question that clauses 8, 9, 10, 12, 13, 15, 16 and 21 stand part of the Bill proposed, put and agreed to.

Question that clauses 1 to 7, 11, 14 and 17 to 20 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 1 to 7, 11, 14 and 17 to 20, as amended, stand part of the Bill proposed, put and agreed to.

New clause 20A read the first time.

The Secretary for Education and Manpower moved the Second Reading of new clause 20A and addressed the Committee.

Question on the Second Reading of new clause 20A proposed, put and agreed to.

New clause 20A read the second time.

The Secretary for Education and Manpower moved the addition of new clause 20A to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

### **Third Reading**

The Secretary for Education and Manpower reported that

the **Education (Miscellaneous Amendments) Bill 2003**

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.

### **Motions**

#### **Proposed resolution under the Interpretation and General Clauses Ordinance**

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

Resolved that the Summary Disposal of Complaints (Solicitors) Rules, published in the Gazette as Legal Notice No. 251 of 2003 and laid on the table of the Legislative Council on 26 November 2003, be amended -

(a) in section 4(2) -

(i) in paragraph (a)(ii), by repealing "and" at the end;

(ii) in paragraph (b), by repealing the full stop at the end and substituting "; and";

(iii) by adding -

"(c) stating that if the relevant person does not notify the Council representative as required by paragraph (b), the matter shall be disposed of by the Solicitors Disciplinary Tribunal.";

(b) in section 5(1), by repealing "at any time within 21 days thereafter" and substituting ", at any time within 21 days thereafter but before the receipt by the Council representative of notification from the relevant person as to whether he wishes to discuss the matter with the Council representative,".

Question on the motion proposed.



Hon Margaret NG, Chairman of the Subcommittee on Summary Disposal of Complaints (Solicitors) Rules, spoke on the motion.

Question on the motion put and agreed to.

### **Members' Bills**

#### **Second Reading**

**Ling Liang World-Wide Evangelistic Mission Incorporation (Amendment) Bill 2003**

#### **Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 10 December 2003 resumed.

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 **Ling Liang World-Wide Evangelistic Mission Incorporation (Amendment) Bill 2003**.

Question that clauses 1 to 17 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

#### **Third Reading**

Hon Kenneth TING reported that

the **Ling Liang World-Wide Evangelistic Mission Incorporation (Amendment) Bill 2003**

had passed through the Committee without amendment. 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**

### **Proposed resolution under the Interpretation and General Clauses Ordinance**

Hon HUI Cheung-ching moved the following motion and addressed the Council:

Resolved that in relation to the Particulars Relating to Candidates on Ballot Papers (Legislative Council) Regulation, published in the Gazette as Legal Notice No. 263 of 2003 and laid on the table of the Legislative Council on 17 December 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 4 February 2004.

Question on the motion proposed, put and agreed to.

### **Supporting the import and export industries**

Hon HUI Cheung-ching moved the following motion and addressed the Council:

That this Council urges the Government to expeditiously study how Hong Kong's import and export industries will be affected by the implementation of the Mainland and Hong Kong Closer Economic Partnership Arrangement and the changes to be introduced by European countries and the United States in 2005 to the export quota system for major textile products from Hong Kong and the Mainland, and to formulate corresponding measures.

While Hon HUI Cheung-ching was addressing the Council, the President left the chair at 5:17 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on the motion proposed.

Five Members and the Secretary for Commerce, Industry and Technology spoke on the motion.

At 5:54 pm, while the Secretary for Commerce, Industry and Technology was speaking, the President resumed the chair.

Hon HUI Cheung-ching replied.

Question on the motion put and agreed to.

### **Better health care financing policy**

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

That, as the existing health care financing policy fails to enable the public to receive sustained good-quality health care services, this Council urges the Government to work out a better health care financing plan in the light of overseas experience and to consult the public, so as to expeditiously formulate a long-term new policy that is workable.

Question on the motion proposed.

Six Members and the Secretary for Health, Welfare and Food spoke on the motion.

Hon Michael MAK 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 4 February 2004 at 2:30 pm, in the Year of Monkey.

The Council was adjourned at 7:25 pm.

(Mrs Rita FAN HSU Lai-tai)  
President

Council Chamber  
Hong Kong