

LEGISLATIVE COUNCIL

MINUTES

No. 35

Minutes of the meeting held on Wednesday 7 July 2004 at 2:30 pm,
Thursday 8 July 2004 at 9:00 am, Friday 9 July 2004 at 9:00 am and
Saturday 10 July 2004 at 9:00 am

Members present:

President

The Hon Mrs Rita FAN HSU Lai-tai, GBS, JP

The Hon Kenneth TING Woo-shou, SBS, JP

The Hon James TIEN Pei-chun, GBS, JP (absent on 10.7.2004)

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 (absent on 10.7.2004)

The Hon Fred LI Wah-ming, JP

Dr the Hon LUI Ming-wah, JP

The Hon NG Leung-sing, SBS, 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 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, JP

The Hon Andrew WONG Wang-fat, JP

Dr the Hon Philip WONG Yu-hong, GBS

The Hon WONG Yung-kan, JP

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, JP

The Hon LAU Chin-shek, JP

The Hon LAU Kong-wah, JP

The Hon LAU Wong-fat, GBS, JP (absent on 10.7.2004)

The Hon Miriam LAU Kin-yee, GBS, JP

The Hon Ambrose LAU Hon-chuen, GBS, JP (absent on 7.7.2004)

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, GBS, 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, BBS, 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 (absent on 10.7.2004)

The Hon LEUNG Fu-wah, MH, JP (absent on 10.7.2004)

Dr the Hon LO Wing-lok, JP

The Hon WONG Sing-chi

The Hon Frederick FUNG Kin-kee, JP

The Hon IP Kwok-him, GBS, JP

The Hon LAU Ping-cheung, SBS

The Hon Audrey EU Yuet-mee, SC, JP

The Hon MA Fung-kwok, SBS, JP

Member absent:

The Hon HUI Cheung-ching, SBS, JP

Public officers attending:

On 7.7.2004, 8.7.2004, 9.7.2004 and 10.7.2004

The Hon Donald TSANG Yam-kuen, GBM, JP

The Chief Secretary for Administration

On 7.7.2004, 8.7.2004 and 9.7.2004

Dr the Hon Sarah LIAO Sau-tung, JP

Secretary for the Environment, Transport and Works

On 7.7.2004 and 8.7.2004

Prof the Hon Arthur LI Kwok-cheung, GBS, JP
Secretary for Education and Manpower

On 7.7.2004 and 10.7.2004

The Hon Michael SUEN Ming-yeung, GBS, JP
Secretary for Housing, Planning and Lands

The Hon Joseph WONG Wing-ping, GBS, JP
Secretary for the Civil Service

On 7.7.2004

The Hon Stephen IP Shu-kwan, GBS, JP
Secretary for Economic Development and Labour

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

On 9.7.2004

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

On 10.7.2004

The Hon Henry TANG Ying-yen, GBS, JP
The Financial Secretary

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

Clerks in attendance:

On 7.7.2004, 8.7.2004, 9.7.2004 and 10.7.2004

Mr Ricky FUNG Choi-cheung, JP, Secretary General

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

On 8.7.2004 and 9.7.2004

Mrs Justina LAM CHENG Bo-ling, Assistant Secretary General (2)

On 9.7.2004

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:

Subsidiary Legislation / Instruments

L.N. No.

Declaration of Change of Titles (Information Technology Services Department and Director of Information Technology Services) Notice 2004 (gazetted on 2.7.2004) 131/2004

Other Papers

No.101 - J.E. Joseph Trust Fund Trustee's Report and Audited Statement of Accounts and Auditor's Report for the Fund for the year from 1 April 2003 to 31 March 2004 (published on 30.6.2004)

No.102 - Kadoorie Agricultural Aid Loan Fund Committee's Report and Audited Statement of Accounts and Auditor's Report for the Fund for the year from 1 April 2003 to 31 March 2004 (published on 30.6.2004)

No.103 - Independent Commission Against Corruption, Hong Kong Special Administrative Region Annual Report 2003 (published on 7.7.2004)

No.104 - Independent Commission Against Corruption Complaints Committee Annual Report 2003 (published on 7.7.2004)

No.105 - Hong Kong Export Credit Insurance Corporation Annual Report 2003-2004 (published on 5.7.2004)

No.106 - Clothing Industry Training Authority Annual Report 2003 (published on 6.7.2004)

No.107 - Construction Industry Training Authority Annual Report 2003 (published on 6.7.2004)

Report of the Committee on Members' Interests of the Second Legislative Council (published on 2.7.2004)

Committee on Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region Progress Report for the period July 2003 to June 2004 (published on 6.7.2004)

Report of the Panel on Manpower 2003/2004 (published on 2.7.2004)

Report of the Panel on Commerce and Industry 2003/2004 (published on 6.7.2004)

Report of the Panel on Administration of Justice and Legal Services 2003/2004 (published on 6.7.2004)

Report of the Panel on Transport 2003/2004 (published on 5.7.2004)

Report of the Panel on Constitutional Affairs 2003/2004 (published on 6.7.2004)

Report of the Panel on Food Safety and Environmental Hygiene 2003/2004 (published on 5.7.2004)

Report of the Panel on Financial Affairs 2003/2004 (published on 6.7.2004)

Report of the Panel on Education 2003/2004 (published on 5.7.2004)

Report of the Panel on Planning, Lands and Works 2003/2004 (published on 5.7.2004)

Report of the Panel on Economic Services 2003/2004 (published on 5.7.2004)

Report of the Panel on Environmental Affairs 2003/2004 (published on 5.7.2004)

Report of the Bills Committee on Town Planning (Amendment) Bill 2003 (published on 2.7.2004)

Report of the Bills Committee on Land Titles Bill (published on 5.7.2004)

Report of the Bills Committee on Education (Amendment) Bill 2002 (published on 5.7.2004)

Report of the Bills Committee on Adoption (Amendment) Bill 2003 (published on 29.6.2004)

Report of the Bills Committee on Human Organ Transplant (Amendment) Bill 2001 (published on 5.7.2004)

Report of the Bills Committee on Companies (Amendment) Bill 2003 (published on 2.7.2004)

Report of the Bills Committee on Criminal Procedure (Amendment) Bill 2004 (published on 28.6.2004)

Report of the Bills Committee on Professional Accountants (Amendment) Bill 2004 (published on 2.7.2004)

Report of the Select Committee to inquire into the handling of the Severe Acute Respiratory Syndrome outbreak by the Government and the Hospital Authority (published on 5.7.2004)

Addresses

Hon SIN Chung-kai addressed the Council on the Independent Commission Against Corruption Annual Report 2003.

Hon Tommy CHEUNG addressed the Council on the Independent Commission Against Corruption Complaints Committee Annual Report 2003.

Hon LAU Chin-shek, Chairman of the Panel on Manpower, addressed the Council on the Panel's report 2003/2004.

Hon Kenneth TING, Chairman of the Panel on Commerce and Industry, addressed the Council on the Panel's report 2003/2004.

Hon Margaret NG, Chairman of the Panel on Administration of Justice and Legal Services, addressed the Council on the Panel's report 2003/2004.

Hon LAU Kong-wah, Chairman of the Panel on Transport, addressed the Council on the Panel's report 2003/2004.

Hon Andrew WONG, Chairman of the Panel on Constitutional Affairs, addressed the Council on the Panel's report 2003/2004.

Hon Fred LI, Chairman of the Panel on Food Safety and Environmental Hygiene, addressed the Council on the Panel's report 2003/2004.

Hon Henry WU, Deputy Chairman of the Panel on Financial Affairs, addressed the Council on the Panel's report 2003/2004.

Hon YEUNG Yiu-chung, Chairman of the Panel on Education, addressed the Council on the Panel's report 2003/2004.

Dr Hon TANG Siu-tong, Chairman of the Panel on Planning, Lands and Works, addressed the Council on the Panel's report 2003/2004.

Hon James TIEN, Chairman of the Panel on Economic Services, addressed the Council on the Panel's report 2003/2004.

Hon CHOY So-yuk, Chairman of the Panel on Environmental Affairs, addressed the Council on the Panel's report 2003/2004.

Dr Hon LAW Chi-kwong, Chairman of the Select Committee to inquire into the handling of the Severe Acute Respiratory Syndrome outbreak by the Government and the Hospital Authority addressed the Council on the Committee's Report.

Hon Andrew WONG, Deputy Chairman of the Subcommittee on subsidiary legislation relating to 2004 Legislative Council elections, addressed the Council on the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) (Amendment) Regulation 2004, which was subsidiary legislation laid on the table of the Council on 19 May 2004.

Questions

1. Hon CHAN Kwok-keung asked Question 1.

The Secretary for the Civil Service replied.

Six Members asked supplementaries and the Secretary for the Civil Service replied.

2. Hon SZETO Wah asked Question 2.

The Chief Secretary for Administration replied.

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

3. Hon IP Kwok-him asked Question 3.

The Secretary for Commerce, Industry and Technology replied.

Four Members asked supplementaries and the Secretary for Commerce, Industry and Technology replied.

4. Hon NG Leung-sing asked Question 4.

The Secretary for Education and Manpower replied.

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

5. Hon CHAN Yuen-han asked Question 5.

The Secretary for Economic Development and Labour replied.

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

6. Hon Martin LEE asked Question 6.

The Secretary for the Environment, Transport and Works replied.

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

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

Personal Explanations

Dr Hon LO Wing-lok made a personal explanation regarding his premature disclosure of the contents of the Report of the Legislative Council Select Committee to inquire into the handling of the Severe Acute Respiratory Syndrome outbreak to the medical profession. He apologized for the embarrassment caused to the Council and the inconvenience caused to Members.

Three Members sought to raise questions on the personal explanation made. The President stated that the questions were not seeking elucidation and ruled them out.

Bills

Town Planning (Amendment) Bill 2003

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 21 May 2003 resumed.

Hon James TO, Chairman of the Bills Committee on Town Planning (Amendment) Bill 2003, addressed the Council on the Report of the Bills Committee on the Bill.

While Hon James TO was addressing the Council, the President left the chair at 5:57 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Seven Members and Hon James TO spoke on the Bill.

At 7:00 pm, while Hon James TO was speaking, the President resumed the chair.

The Secretary for Housing, Planning and Lands 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 **Town Planning (Amendment) Bill 2003**.

Question that clauses 15, 23 and 25 stand part of the Bill proposed, put and agreed to.

Question that clauses 1 to 14, 16 to 22, 24, 26, 27 and 28 stand part of the Bill proposed.

The Secretary for Housing, Planning and Lands moved the deletion of clauses 11 and 27 and amendments to the other aforesaid clauses and addressed the Committee.

Two Members spoke on the amendments.

A Member who had spoken spoke again.

The Secretary for Housing, Planning and Lands spoke again.

Question on the amendments put and agreed to.

The Chairman stated that as the amendments to clauses 11 and 27, which dealt with deletion, had been agreed, these clauses were therefore deleted from the Bill.

Question that clauses 1 to 10, 12, 13, 14, 16 to 22, 24, 26 and 28, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Housing, Planning and Lands reported that

the Town Planning (Amendment) 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.

Land Titles Bill

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 18 December 2002 resumed.

Hon Margaret NG, Chairman of the Bills Committee on Land Titles Bill, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill in her personal capacity as a Member.

Seven more Members spoke on the Bill.

The Secretary for Housing, Planning and Lands 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 **Land Titles Bill**.

Question that clauses 1, 9, 37, 40, 55, 56, 75 and 85 stand part of the Bill proposed, put and agreed to.

Question that clauses 2 to 8 and 10 to 20, the heading before clause 21, clauses 21 to 25, the heading before clause 26, clauses 26, 27 and 28, the heading before clause 29, clauses 29 to 36, 38, 39, 41 to 54, 57 to 74 and 76 to 79, the heading before clause 80, clauses 80 to 84, 86 and 87, the heading before clause 88, and clauses 88 to 102 stand part of the Bill proposed.

The Secretary for Housing, Planning and Lands moved the deletion of clauses 4, 10 to 13, 18, 25, 30, 52, 60, 68 and 88 and amendments to the other aforesaid clauses and headings and addressed the Committee.

One Member spoke on the amendments.

Question on the amendments put and agreed to.

The Chairman stated that as the amendments to clauses 4, 10 to 13, 18, 25, 30, 52, 60, 68 and 88, which dealt with deletion, had been agreed, these clauses were therefore deleted from the Bill.

Question that clauses 2, 3, 5 to 8, 14 to 17, 19 and 20, the heading before clause 21, clauses 21 to 24, the heading before clause 26, clauses 26, 27 and 28, the heading before clause 29, clauses 29, 31 to 36, 38, 39, 41 to 51, 53, 54, 57, 58, 59, 61 to 67, 69 to 74 and 76 to 79, the heading before clause 80, clauses 80 to 84, 86 and 87, the heading before clause 88, and clauses 89 to 102, as amended, stand part of the Bill proposed, put and agreed to.

New clauses 5A, 5B, 5C and 6A, the new heading before clause 14, new clause 16A, the new heading before new clause 20A, new clauses 20A, 20B, 20C, 20D, 20E, 61A, 69A and 81A, the new heading before clause 82, and new clause 87A read the first time.

The Secretary for Housing, Planning and Lands moved the Second Reading of the aforesaid new headings and new clauses and addressed the Committee.

Question on the Second Reading of the aforesaid new headings and new clauses proposed, put and agreed to.

New clauses 5A, 5B, 5C and 6A, the new heading before clause 14, new clause 16A, the new heading before new clause 20A, new clauses 20A, 20B, 20C, 20D, 20E, 61A, 69A and 81A, the new heading before clause 82, and new clause 87A read the second time.

The Secretary for Housing, Planning and Lands moved the addition of the aforesaid new headings and new clauses to the Bill.

Question on the addition proposed, put and agreed to.

Question that schedules 1 and 2 stand part of the Bill proposed.

The Secretary for Housing, Planning and Lands moved amendments to the aforesaid schedules and addressed the Committee.

Question on the amendments put and agreed to.

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

New schedules 1A and 3 read the first time.

The Secretary for Housing, Planning and Lands moved the Second Reading of the aforesaid new schedules and addressed the Committee.

Question on the Second Reading of the aforesaid new schedules proposed, put and agreed to.

New schedules 1A and 3 read the second time.

The Secretary for Housing, Planning and Lands moved the addition of the aforesaid new schedules to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Housing, Planning and Lands reported that

the **Land Titles Bill**

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.

Education (Amendment) Bill 2002

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 4 December 2002 resumed.

Hon Cyd HO, Chairman of the Bills Committee on Education (Amendment) Bill 2002, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill in her personal capacity as a Member.

The President suspended the meeting at 9:52 pm.

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The Council resumed at 9:00 am on 8 July 2004 and continued to debate the Second Reading of the Education (Amendment) Bill 2002.

21 Members spoke on the Bill.

The Secretary for Education and Manpower replied.

Ir Dr Hon HO Chung-tai declared his interest as a member of the management committee of Ng Yuk Secondary School.

Question on the Second Reading 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 54 Members were present, 34 were in favour of the motion and 19 against it. (Voting record in Appendix 1.) Since the question was agreed by a majority of the Members present, she declared that the motion was carried.

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 (Amendment) Bill 2002**.

Question that clauses 5, 6, 9, 10, 14, 15, 16, 19, 20, 21, 23, 25, 27, 34, 36, 39, 43, 46 and 52 to 57 stand part of the Bill proposed, put and agreed to.

Question that clauses 1 to 4, 7, 11, 13, 22, 24, 28, 29, 31, 32, 33, 35, 37, 38, 40, 41, 42, 44, 45 and 48 to 51 stand part of the Bill proposed.

The Chairman left the chair at 1:38 pm temporarily and the Chairman's Deputy, Hon Miriam LAU, took the chair.

The Secretary for Education and Manpower moved the deletion of clauses 11 and 40 and amendments to the other aforesaid clauses and addressed the Committee.

Two Members spoke on the amendments.

Question on the amendments put and agreed to.

The Chairman's Deputy stated that as the amendments to clauses 11 and 40, which dealt with deletion, had been agreed, these clauses were therefore deleted from the Bill.

Question that clauses 1 to 4, 7, 13, 22, 24, 28, 29, 31, 32, 33, 35, 37, 38, 41, 42, 44, 45 and 48 to 51, as amended, stand part of the Bill proposed, put and agreed to.

Question that clause 8 stand part of the Bill proposed.

Hon Emily LAU moved an amendment to clause 8 and addressed the Committee.

Hon CHEUNG Man-kwong spoke on the amendment.

At 2:05 pm, while Hon CHEUNG Man-kwong was speaking, the Chairman resumed the chair.

Another two Members spoke on the amendment.

A Member who had spoken spoke again and the Secretary for Education and Manpower spoke on the amendment.

Hon Emily LAU and a Member who had spoken spoke again.

Hon Emily LAU spoke again and one more Member spoke on the amendment.

The Secretary for Education and Manpower spoke again.

Question on the amendment put.

Hon Emily LAU claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 19 were present, four were in favour of the amendment and 15 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were present, 12 were in favour of the amendment and nine against it. (Voting record in Appendix 2.) 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 in relation to the remaining clauses or amendments thereto on Education (Amendment) Bill 2002, the Committee do proceed to each of such divisions after the division bell has been rung for one minute.

Question on the motion proposed, put and agreed to.

Question that clause 8 stand part of the Bill proposed and put and agreed to.

Question that clause 18 stand part of the Bill proposed.

The Chairman stated that the Secretary for Education and Manpower and Hon Emily LAU had separately given notice to move amendments to clause 18 of the Bill. She ordered that the proposed amendments be debated together in a joint debate.

The Chairman invited the Secretary for Education and Manpower to move his amendment first.

The Secretary for Education and Manpower moved an amendment to clause 18 and addressed the Committee.

Hon Emily LAU spoke on the Secretary for Education and Manpower's amendment as well as her own proposed amendment.

Two Members spoke on the amendment and the proposed amendment.

The Secretary for Education and Manpower spoke again.

Hon Emily LAU spoke again.

Question on the amendment moved by the Secretary for Education and Manpower put.

Hon Emily LAU claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that 45 Members were present, 27 were in favour of the amendment and 17 against it. (Voting record in Appendix 3.) Since the question was agreed by a majority of the Members present, she declared that the amendment was agreed.

The Chairman stated that as the Secretary for Education and Manpower's amendment had been passed, Hon Emily LAU might not move her amendment to clause 18, as it was inconsistent with the decision already taken by the Committee.

Question that clause 18, as amended, stand part of the Bill proposed, put and agreed to.

Question that clause 30 stand part of the Bill proposed.

The Chairman stated that Hon Emily LAU and the Secretary for Education and Manpower had separately given notice to move amendments to clause 30. She ordered that the proposed amendments be debated together in a joint debate.

The Chairman invited Hon Emily LAU to move her amendment first.

Hon Emily LAU moved an amendment to clause 30 and addressed the Committee.

The Secretary for Education and Manpower spoke on Hon Emily LAU's amendment as well as his own proposed amendment.

Five Members spoke on the amendment and the proposed amendment.

Two Members who had spoken spoke again.

The Secretary for Education and Manpower and Hon Emily LAU spoke again.

A Member who had spoken spoke again.

Another Member spoke on the amendment and the proposed amendment.

The Secretary for Education and Manpower and Hon Emily LAU spoke again.

Two Members who had spoken spoke again.

Question on the amendment moved by Hon Emily LAU put.

Hon Emily LAU claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 19 were present, four were in favour of the amendment and 15 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 25 were present, 14 were in favour of the amendment and 10 against it. (Voting record in Appendix 4.) 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.

The Secretary for Education and Manpower moved an amendment to clause 30.

Question on the amendment moved by the Secretary for Education and Manpower put.

Hon Emily LAU claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that 45 Members were present, 26 were in favour of the amendment and 18 against it. (Voting record in Appendix 5.) Since the question was agreed by a majority of the Members present, she declared that the amendment was agreed.

Question that clause 30, as amended, stand part of the Bill proposed, put and agreed to.

Question that clause 12 stand part of the Bill proposed.

The Secretary for Education and Manpower moved amendments to clause 12 and addressed the Committee.

Question on the amendments put and agreed to.

Hon Cyd HO moved a further amendment to clause 12 and addressed the Committee.

Seven Members and the Secretary for Education and Manpower spoke on the amendment.

Hon Cyd HO spoke again.

Question on the amendment put.

Hon Albert HO claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 21 were present, five were in favour of the amendment and 16 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 14 were in favour of the amendment and 11 against it. (Voting record in Appendix 6.) 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.

Question that clause 12, as amended, stand part of the Bill proposed, put and agreed to.

Question that clauses 17 and 26 stand part of the Bill proposed.

The Chairman stated that the Secretary for Education and Manpower and Hon LEE Cheuk-yan had separately given notice to move amendments to add new section 40AEA to clause 17. She ordered that the amendments be debated together in a joint debate.

The Chairman invited the Secretary for Education and Manpower to move his amendment first.

The Secretary for Education and Manpower moved an amendment to add new section 40AEA to clause 17 and addressed the Committee.

Hon LEE Cheuk-yan spoke on the Secretary for Education and Manpower's amendment as well as his own proposed amendment.

Three Members spoke on the amendment and the proposed amendment.

Hon CHEUNG Man-kwong requested the Chairman to suspend the meeting for about five minutes to enable Members to deliberate the amendments.

The Chairman acceded to the request and suspended the meeting at 4:21 pm.

At 4:36 pm, the Committee resumed.

Hon LEE Cheuk-yan and the Secretary for Education and Manpower spoke again.

Question on the amendment moved by the Secretary for Education and Manpower put.

Hon LEE Cheuk-yan claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that 40 Members were present, 26 were in favour of the amendment, eight against it and five abstained. (Voting record in Appendix 7.) Since the question was agreed by a majority of the Members present, she declared that the amendment was agreed.

The Chairman stated that as the Secretary for Education and Manpower's amendment had been passed, Hon LEE Cheuk-yan might not move his amendment to add new section 40AEA to clause 17, as it was inconsistent with the decision already taken by the Committee.

The Chairman stated that the Secretary for Education and Manpower, Hon CHEUNG Man-kwong and Hon Cyd HO had separately given notice to move amendments to proposed section 40BJ in clause 17. She ordered that the amendments be debated together in a joint debate.

The Chairman invited the Secretary for Education and Manpower to move his amendment first.

The Secretary for Education and Manpower moved an amendment to proposed section 40BJ in clause 17 and addressed the Committee.

Hon CHEUNG Man-kwong and Hon Cyd HO spoke on the Secretary for Education and Manpower's amendment as well as their own proposed amendments.

Four Members spoke on the amendment and the proposed amendments.

Hon CHEUNG Man-kwong and Hon Cyd HO spoke again.

The Secretary for Education and Manpower spoke again.

Hon CHEUNG Man-kwong and Hon Cyd HO spoke again.

A Member who had spoken spoke again.

Question on the amendment moved by the Secretary for Education and Manpower put.

Hon CHEUNG Man-kwong claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that 49 Members were present, 29 were in favour of the amendment and 19 against it. (Voting record in Appendix 8.) Since the question was agreed by a majority of the Members present, she declared that the amendment was agreed.

The Chairman stated that as the Secretary for Education and Manpower's amendment had been passed, Hon CHEUNG Man-kwong and Hon Cyd HO might not move their respective amendments to proposed section 40BJ in clause 17, as it was inconsistent with the decision already taken by the Committee.

The Chairman stated that Hon Cyd HO had given notice to move amendments to delete proposed section 40BR from clause 17 and to clause 26. The Secretary for Education and Manpower had also given notice to move amendments to proposed section 40BR in clause 17 and clause 26. She ordered that the amendments be debated together in a joint debate.

The Chairman invited Hon Cyd HO to move her amendments first.

Hon Cyd HO moved the deletion of proposed section 40BR from clause 17 and the amendment to clause 26 and addressed the Committee.

The Secretary for Education and Manpower spoke on Hon Cyd HO's amendments as well as his own proposed amendments.

12 Members spoke on the amendments and the proposed amendments. Whilst five of them spoke once, five spoke twice, one spoke thrice and one four times.

The Secretary for Education and Manpower spoke again.

Five Members who had spoken and another two Members spoke on the amendments and the proposed amendments.

Hon Cyd HO spoke again.

Question on the amendments moved by Hon Cyd HO put.

Hon Cyd HO claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 24 were present, five were in favour of the amendments and 19 against them; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 16 were in favour of the amendments and 10 against them. (Voting record in Appendix 9.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendments were negatived.

The Secretary for Education and Manpower moved amendments to proposed section 40BR in clause 17 and to clause 26.

Question on the amendments moved by the Secretary for Education and Manpower put and agreed to.

Question that clause 26, as amended, stand part of the Bill proposed, put and agreed to.

The Secretary for Education and Manpower moved further amendments to clause 17 and addressed the Committee.

While the Secretary for Education and Manpower was addressing the Committee, the Chairman left the chair at 8:18 pm temporarily and the Chairman's Deputy, Hon Miriam LAU, took the chair.

Hon CHEUNG Man-kwong spoke on the amendments.

At 8:35 pm, while Hon CHEUNG Man-kwong was speaking, the Chairman resumed the chair.

Question on the amendments put and agreed to.

Question that clause 17, as amended, stand part of the Bill proposed, put and agreed to.

Question that clause 47 stand part of the Bill proposed.

The Chairman stated that Hon Cyd HO and the Secretary for Education and Manpower had separately given notice to move amendments to clause 47. She ordered that the amendments be debated together in a joint debate.

The Chairman invited Hon Cyd HO to move her amendment first.

Hon Cyd HO moved an amendment to clause 47 and addressed the Committee.

The Secretary for Education and Manpower spoke on Hon Cyd HO's amendment as well as his own proposed amendment.

Two Members spoke on the amendment and the proposed amendment.

Hon Cyd HO spoke again.

Question on the amendment moved by Hon Cyd HO put.

Hon Cyd HO claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 22 were present, four were in favour of the amendment and 18 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 25 were present, 15 were in favour of the amendment and nine against it. (Voting record in Appendix 10.) 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.

The Secretary for Education and Manpower moved an amendment to clause 47.

Question on the amendment moved by the Secretary for Education and Manpower put and agreed to.

Question that clause 47, as amended, stand part of the Bill proposed, put and agreed to.

New clause 13A read the first time.

Hon Emily LAU moved the Second Reading of new clause 13A and addressed the Committee.

The Secretary for Education and Manpower spoke on the motion.

Hon Emily LAU spoke again.

Question on the Second Reading of new clause 13A proposed and put.

Hon Emily LAU claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 21 were present, four were in favour of the motion and 17 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 23 were present, 13 were in favour of the motion and nine against it. (Voting record in Appendix 11.) 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.

New clause 28A read the first time.

Hon Emily LAU moved the Second Reading of new clause 28A and addressed the Committee.

Question on the Second Reading of new clause 28A proposed and put.

Hon Emily LAU claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 21 were present, four were in favour of the motion and 17 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 23 were present, 13 were in favour of the motion and nine against it. (Voting record in Appendix 12.) 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.

New clauses 17A, 26A, 34A, 34B, 34C, 34D, 34E, 36A, 36B, 37A, 46A, 46B, 46C, 47A, 47B, 48A and 49A, the new heading before new clause 58 and new clause 58 read the first time.

The Secretary for Education and Manpower moved the Second Reading of the aforesaid new heading and new clauses and addressed the Committee.

Question on the Second Reading of the aforesaid new heading and new clauses proposed, put and agreed to.

New clauses 17A, 26A, 34A, 34B, 34C, 34D, 34E, 36A, 36B, 37A, 46A, 46B, 46C, 47A, 47B, 48A and 49A, the new heading before new clause 58 and new clause 58 read the second time.

The Secretary for Education and Manpower moved the addition of the aforesaid new heading and new clauses to the Bill.

Question on the addition proposed, put and agreed to.

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

Question that schedules 1 and 3 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that schedules 1 and 3, as amended, stand part of the Bill proposed, put and agreed to.

Question that the long title stand part of the Bill proposed.

The Secretary for Education and Manpower moved an amendment to the long title and addressed the Committee.

Question on the amendment put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Education and Manpower reported that

the **Education (Amendment) Bill 2002**

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 and 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 51 Members were present, 29 were in favour of the motion and 21 against it. (Voting record in Appendix 13.) Since the question was agreed by a majority of the Members present, she declared that the motion was carried.

Bill read the third time and passed.

Adoption (Amendment) Bill 2003

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 18 June 2003 resumed.

Hon Margaret NG, Chairman of the Bills Committee on Adoption (Amendment) Bill 2003, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill in her personal capacity as a Member.

Two more Members spoke on the Bill.

The Secretary for the Environment, Transport and Works spoke.

Question on the Second Reading put and agreed to.

Bill read the second time.

The President suspended the meeting at 9:46 pm.

* * * * *

The Council resumed at 9:00 am on 9 July 2004.

Adoption (Amendment) Bill 2003

Committee Stage

The Council went into Committee and considered the **Adoption (Amendment) Bill 2003**.

Question that clauses 1, 2, 3, 5, 6, 11, 14, 15, 20 to 23, 25, 26, 28 and 33 stand part of the Bill proposed, put and agreed to.

Question that clauses 4, 7 to 10, 12, 13, 16 to 19, 24, 27 and 29 to 32 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 4, 7 to 10, 12, 13, 16 to 19, 24, 27 and 29 to 32, as amended, stand part of the Bill proposed, put and agreed to.

New clauses 9A and 31A read the first time.

The Secretary for the Environment, Transport and Works moved the Second Reading of the aforesaid new clauses and addressed the Committee.

Question on the Second Reading of the aforesaid new clauses proposed, put and agreed to.

New clauses 9A and 31A read the second time.

The Secretary for the Environment, Transport and Works moved the addition of the aforesaid new clauses to the Bill.

Question on the addition proposed, put and agreed to.

Question that the schedule stand part of the Bill proposed.

The Secretary for the Environment, Transport and Works moved amendments to the schedule and addressed the Committee.

Question on the amendments put and agreed to.

Question that the schedule, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for the Environment, Transport and Works reported that

the **Adoption (Amendment) Bill 2003**

had passed through the Committee with amendments. She 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.

Human Organ Transplant (Amendment) Bill 2001

Resumption of Second Reading debate

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

Dr Hon LO Wing-lok, Chairman of the Bills Committee on Human Organ Transplant (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 the Environment, Transport and Works spoke.

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 **Human Organ Transplant (Amendment) Bill 2001**.

Question that clauses 2, 8, 9 and 11 to 17 stand part of the Bill proposed, put and agreed to.

Question that clauses 1, 3, 4, 6, 7 and 10 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 1, 3, 4, 6, 7 and 10, as amended, stand part of the Bill proposed, put and agreed to.

Question that clause 5 stand part of the Bill proposed.

Secretary for the Environment, Transport and Works moved amendments to clause 5 and addressed the Committee.

Question on the amendments put and agreed to.

Hon Cyd HO moved a further amendment to clause 5 and addressed the Committee.

Two Members and the Secretary for the Environment, Transport and Works spoke on the amendment.

Hon Cyd HO spoke again.

Question on the amendment put.

Hon Cyd HO claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 18 were present, six were in favour of the amendment, eight against it and four abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 18 were present, eight were in favour of the amendment, six against it and three abstained. (Voting record in Appendix 14.) 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.

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

New clauses 2A, 3A, 4A, 5A and 6A read the first time.

The Secretary for the Environment, Transport and Works moved the Second Reading of the aforesaid new clauses and addressed the Committee.

Question on the Second Reading of the aforesaid new clauses proposed, put and agreed to.

New clauses 2A, 3A, 4A, 5A and 6A read the second time.

The Secretary for the Environment, Transport and Works moved the addition of the aforesaid new clauses to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for the Environment, Transport and Works reported that

the **Human Organ Transplant (Amendment) Bill 2001**

had passed through the Committee with amendments. She 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.

Companies (Amendment) Bill 2003

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 25 June 2003 resumed.

Hon Audrey EU, Chairman of the Bills Committee on Companies (Amendment) Bill 2003, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill in her personal capacity as a Member.

Four more Members spoke on the Bill.

The Secretary for Financial Services and the Treasury 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 **Companies (Amendment) Bill 2003**.

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

Question that clauses 2, 3 and 4 stand part of the Bill proposed.

Council resumed by order of the Chairman. The President then granted leave for the Secretary for Financial Services and the Treasury to move a motion under Rule 91 of the Rules of Procedure that Rule 58(7) of the Rules of Procedure be suspended to enable the Committee of the whole Council to consider schedules 1 to 5 ahead of clauses 2, 3 and 4.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

Question that schedules 1 to 5 stand part of the Bill proposed.

The Secretary for Financial Services and the Treasury moved amendments to schedules 1, 3, 4 and 5 and the deletion of schedule 2 and addressed the Committee.

Two Members spoke on the amendments.

The Secretary for Financial Services and the Treasury spoke again.

Question on the amendments put and agreed to.

The Chairman stated that as the amendment to schedule 2, which dealt with deletion, had been agreed, schedule 2 was therefore deleted from the Bill.

Question that schedules 1, 3, 4 and 5, as amended, stand part of the Bill proposed, put and agreed to.

The Secretary for Financial Services and the Treasury moved amendments to clauses 2, 3 and 4 and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 2, 3 and 4, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Financial Services and the Treasury reported that

the Companies (Amendment) 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.

Supplementary Appropriation (2003-2004) Bill

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 16 June 2004 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 **Supplementary Appropriation (2003-2004) Bill**.

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

Question that the schedule stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Financial Services and the Treasury reported that

the **Supplementary Appropriation (2003-2004) Bill**

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.

Criminal Procedure (Amendment) Bill 2004

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 17 March 2004 resumed.

Hon Margaret NG, Chairman of the Bills Committee on Criminal Procedure (Amendment) Bill 2004, addressed the Council on the Report of the Bills Committee on the Bill.

Three Members spoke on the Bill.

The Secretary for Security 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 **Criminal Procedure (Amendment) Bill 2004**.

Question that clauses 5 to 10 stand part of the Bill proposed, put and agreed to.

Question that clauses 1 to 4 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 1 to 4, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Security reported that

the **Criminal Procedure (Amendment) Bill 2004**

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 resolutions under the Interpretation and General Clauses Ordinance

1. Food and Drugs (Composition and Labelling) (Amendment) Regulation 2004

The Secretary for the Environment, Transport and Works moved the following motion and addressed the Council:

Resolved that the Food and Drugs (Composition and Labelling)(Amendment) Regulation 2004, published in the Gazette as Legal Notice No. 85 of 2004 and laid on the table of the Legislative Council on 19 May 2004, be amended -

(a) by adding -

"2A. Offences and penalties

Regulation 5 is amended by adding -

"(3A) Without affecting paragraph (3), in any proceedings for an offence against paragraph (1) in relation to any prepackaged food which is not marked or labelled in accordance with paragraph 2(4E) of Schedule 3, it shall be a defence for the defendant to show that he -

- (a) reasonably and in good faith relied on information provided by the importer or manufacturer as to whether the food consisted of or contained any substance referred to in that sub-paragraph; or
- (b) (i) has used his best endeavours to obtain such information from the importer or manufacturer but such information is not available; and
- (ii) has in good faith marked on the food that he does not know whether the food consists of or contains any such substance."."

(b) in section 5 -

- (i) in paragraph (a), by repealing "Paragraph 2" and substituting "The whole Schedule except paragraphs 3 and 4";
- (ii) in paragraph (b), by repealing "Paragraphs 2 and 4" and substituting "The whole Schedule except paragraph 3";

(c) in section 6, by repealing "January 2006" and substituting "July 2007".

Question on the motion proposed.

Dr Hon LO Wing-lok, Chairman of the Subcommittee on Food and Drugs (Composition and Labelling) (Amendment) Regulation 2004, spoke on the motion.

Two Members spoke on the motion.

The Secretary for the Environment, Transport and Works replied.

Question on the motion put and agreed to.

**2. Electoral Affairs Commission (Electoral Procedure)
(Legislative Council) (Amendment) Regulation 2004**

The Secretary for Constitutional Affairs moved the motion in Appendix 15 and addressed the Council.

Question on the Secretary for Constitutional Affairs' motion proposed.

The President stated that Hon Andrew WONG 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 Andrew WONG moved the following amendment to the Secretary for Constitutional Affairs' motion and addressed the Council:

Resolved that the motion to be moved by the Secretary for Constitutional Affairs under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) at the Legislative Council meeting of 7 July 2004 be amended in paragraph (c) by deleting "500" and substituting "7,000".

Question on Hon Andrew WONG's amendment to the Secretary for Constitutional Affairs' motion proposed.

Five Members spoke on the motion and the amendment.

The Secretary for Constitutional Affairs spoke on the amendment.

Question on Hon Andrew WONG's amendment to the Secretary for Constitutional Affairs' motion put.

Hon Andrew WONG 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, 21 were present, eight were in favour of the amendment and 13 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 20 were present, eight were in favour of the amendment and 11 against it. (Voting record in Appendix 16.) 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.

The Secretary for Constitutional Affairs replied.

Question on the Secretary for Constitutional Affairs' motion put and agreed to.

Members' Bills

Professional Accountants (Amendment) Bill 2004

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 24 March 2004 resumed.

Hon SIN Chung-kai, Chairman of the Bills Committee on Professional Accountants (Amendment) Bill 2004, addressed the Council on the Report of the Bills Committee on the Bill. After the address, he spoke on the Bill in his personal capacity as a Member.

While Hon SIN Chung-kai was addressing the Council, the President left the chair at 2:40 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

One more Member spoke on the Bill.

Dr Hon Eric LI 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 **Professional Accountants (Amendment) Bill 2004**.

Question that clauses 2 to 9, 11 to 15, 18 to 21, 23, 24, 26, 27, 30 to 36, 38 to 53, 55 and 56 stand part of the Bill proposed, put and agreed to.

Question that clauses 1, 10, 16, 17, 22, 25, 28, 29, 37 and 54 stand part of the Bill proposed.

Dr Hon Eric LI moved amendments to the aforesaid clauses and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 1, 10, 16, 17, 22, 25, 28, 29, 37 and 54, as amended, stand part of the Bill proposed, put and agreed to.

Question that schedules 1 and 2 stand part of the Bill proposed.

Dr Hon Eric LI moved amendments to the aforesaid schedules and addressed the Committee.

Question on the amendments put and agreed to.

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

The Council then resumed.

Third Reading

Dr Hon Eric LI reported that

the **Professional Accountants (Amendment) Bill 2004**

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.

Wing Hang Bank, Limited (Merger) Bill

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 9 June 2004 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 **Wing Hang Bank, Limited (Merger) Bill**.

Question that clauses 1 to 15, 17, 18 and 19 stand part of the Bill proposed, put and agreed to.

Question that clause 16 stand part of the Bill proposed.

Dr Hon David LI moved an amendment to clause 16 and addressed the Committee.

Question on the amendment put and agreed to.

Question that clause 16, as amended, stand part of the Bill proposed, put and agreed to.

Question about the preamble to the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

Dr Hon David LI reported that

the Wing Hang Bank, Limited (Merger) Bill

had passed through the Committee with an 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

Report of the Select Committee

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

That this Council endorses the Report of the Select Committee to inquire into the handling of the Severe Acute Respiratory Syndrome outbreak by the Government and the Hospital Authority.

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

The President's Deputy stated that Dr Hon YEUNG Sum 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.

Dr Hon YEUNG Sum moved the following amendment to Dr Hon LAW Chi-kwong's motion and addressed the Council:

To add ", and condemns the former Director of Health, Dr Margaret CHAN FUNG Fu-chun" after "the Hospital Authority".

Question on Dr Hon YEUNG Sum's amendment to Dr Hon LAW Chi-kwong's motion proposed.

Hon Mrs Sophie LEUNG spoke on the motion and the amendment.

At 3:52 pm, while Hon Mrs Sophie LEUNG was speaking, the President resumed the chair.

Another 17 Members and Hon Frederick FUNG spoke on the motion and the amendment.

While Hon Frederick FUNG was speaking, the President left the chair at 7:01 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Another Member spoke on the motion and the amendment.

Hon Michael MAK declared his interest as an employee of the Hospital Authority and spoke on the motion and the amendment.

Another Member and Dr Hon LO Wing-lok spoke on the motion and the amendment.

At 8:06 pm, while Dr Hon LO Wing-lok was speaking, the President resumed the chair.

Dr Hon LAW Chi-kwong spoke on the amendment.

The Chief Secretary for Administration spoke on the motion and the amendment.

Question on Dr Hon YEUNG Sum's amendment to Dr Hon LAW Chi-kwong's motion put.

Hon Emily 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, 17 were present and 17 were in favour of the amendment; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 18 were present, 16 were in favour of the amendment and one abstained. (Voting record in Appendix 17.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the amendment was agreed.

Dr Hon LAW Chi-kwong replied.

Question on Dr Hon LAW Chi-kwong's motion as amended by Dr Hon YEUNG Sum put.

Dr Hon LO Wing-lok 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, 20 were present and 20 were in favour of the motion; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 17 were present, 15 were in favour of the motion and one abstained. (Voting record in Appendix 18.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that Dr Hon LAW Chi-kwong's motion as amended by Dr Hon YEUNG Sum was carried.

Facilitating communication between the Central Government and the pro-democracy camp in Hong Kong

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

That, in order to maintain the long-term prosperity and stability of Hong Kong, this Council urges the HKSAR Government to actively facilitate better communication between the Central Government and the pro-democracy camp in Hong Kong with a view to eliminating the division and polarization in the community, and to assist the democrats, where necessary, in obtaining Home Visit Permit for Hong Kong and Macao Residents so that they can go to the Mainland to find out for themselves the economic, social and political developments etc. of our country over the years.

Question on Hon James TIEN's motion proposed.

The President stated that Hon SZETO Wah 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 SZETO Wah moved the following amendment to Hon James TIEN's motion and addressed the Council:

To delete "facilitate" after "the HKSAR Government to actively" and substitute with "strive for"; to delete ", where necessary," after "to assist the democrats"; and to add "in order to safeguard the right of Chinese nationals in Hong Kong to return to their home places," after "Hong Kong and Macao Residents".

Question on Hon SZETO Wah's amendment to Hon James TIEN's motion proposed.

13 Members spoke on the motion and the amendment.

Hon James TIEN spoke on the amendment.

The Secretary for Constitutional Affairs spoke on the motion and the amendment.

Question on Hon SZETO Wah's amendment to Hon James TIEN's motion put.

Hon James TIEN 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, 19 were present, five were in favour of the amendment, one against it and 13 abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 18 were present, 10 were in favour of the amendment and seven abstained. (Voting record in Appendix 19.) 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 James TIEN replied.

Question on Hon James TIEN's motion put and agreed to.

The President suspended the meeting at 10:37 pm.

* * * * *

The Council resumed at 9:00 am on 10 July 2004.

Big market and small government

Hon NG Leung-sing moved the following motion and addressed the Council:

That this Council urges the Government to conscientiously implement the "big market and small government" principle of governance, with a view to achieving the following objectives:

- (a) streamlining operating structures and procedures, enhancing administrative efficiency and creating a better business environment for the various trades and industries;
- (b) preventing overlapping of functions in the provision of services by the public sector and by the relevant industries, thereby increasing investment opportunities in the market; and
- (c) reducing public expenditure and eliminating the fiscal deficit.

Question on Hon NG Leung-sing's motion proposed.

The President stated that Hon SIN Chung-kai and Hon CHAN Yuen-han would move amendments to the motion. In accordance with the Rules of Procedure, the motion and the two amendments would be debated together in a joint debate.

Hon SIN Chung-kai and Hon CHAN Yuen-han spoke respectively on the motion and their amendments.

Six Members and Hon LEE Cheuk-yan spoke on the motion and the amendments.

While Hon LEE Cheuk-yan was speaking, the President left the chair at 10:22 am temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Another eight Members spoke on the motion and the amendments.

Hon NG Leung-sing spoke on the amendments.

At 11:18 pm, while Hon NG Leung-sing was speaking, the President resumed the chair.

The Financial Secretary spoke on the motion and the amendments.

Hon SIN Chung-kai moved the following amendment to Hon NG Leung-sing's motion:

To delete "reducing public expenditure and eliminating" after "(c)" and substitute with "ensuring that government departments make optimal use of resources, minimize wastage of public funds, and eliminate".

Question on Hon SIN Chung-kai's amendment to Hon NG Leung-sing's motion proposed, put and agreed to.

The President stated that as Hon SIN Chung-kai's amendment to Hon NG Leung Sing's motion had been agreed, she granted leave for Hon CHAN Yuen-han to revise the terms of her amendment and explain them to the Council.

Hon CHAN Yuen-han moved the following revised amendment to Hon NG Leung-sing's motion as amended by Hon SIN Chung-kai and explained the revised terms of her amendment to the Council:

To add "; at the same time, the Government should ensure that the establishment and job security of civil servants are not affected, and formulate policies on employment and labour protection so that grass-roots workers can earn their own living and live with dignity; the Government should also continue to provide the disadvantaged groups with reasonable protection of their livelihood" after "the fiscal deficit".

Question on Hon CHAN Yuen-han's amendment to Hon NG Leung-sing's motion as amended by Hon SIN Chung-kai proposed and put.

Hon CHAN Yuen-han 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, 20 were present, eight were in favour of the amendment, 11 against it and one abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were present, 17 were in favour of the amendment, two against it and two abstained. (Voting record in Appendix 20.) 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 NG Leung-sing replied.

Question on Hon NG Leung-sing's motion as amended by Hon SIN Chung-kai put and agreed to.

Valedictory Motion

Hon Miriam LAU moved the following motion and addressed the Council:

That this Council concludes its work and wishes for the smooth formation of the third Legislative Council to continue to serve the people of the Hong Kong Special Administrative Region.

Question on the motion proposed.

The Chief Secretary for Administration and eight Members spoke on the motion.

Hon NG Leung-sing spoke on the motion. While he was speaking, the President left the chair at 1:01 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

At 1:02 pm, while Hon NG Leung-sing was still speaking, the President resumed the chair.

Another 21 Members spoke on the motion.

Hon Miriam LAU replied.

Question on the motion put and agreed to.

President's address

Next Meeting

The President addressed the Council. After the address, she declared that the next meeting of the Council would be held on 13 July 2004 at 3:00 pm.

The Council was adjourned at 3:31 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

投票 VOTE: 1
 日期 DATE: 08/07/2004
 時間 TIME: 01:36:50 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 二讀
 EDUCATION (AMENDMENT) BILL 2002 - SECOND READING

動議人 MOVED BY: 教育統籌局局長 Secretary for Education and Manpower

出席 Present :54
 投票 Vote :53
 贊成 Yes :34
 反對 No :19
 棄權 Abstain :0
 結果 Result :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
范徐麗泰	Mrs Rita FAN	出席	PRESENT	楊孝華	Howard YOUNG	贊成	YES
丁午壽	Kenneth TING	贊成	YES	楊森	Dr YEUNG Sum	反對	NO
田北俊	James TIEN	贊成	YES	楊耀忠	YEUNG Yiu-chung	贊成	YES
朱幼麟	Dr David CHU	贊成	YES	劉千石	LAU Chin-shek	反對	NO
何秀蘭	Cyd HO	贊成	YES	劉江華	LAU Kong-wah	贊成	YES
何俊仁	Albert HO	反對	NO	劉皇發	LAU Wong-fat	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	反對	NO	劉慧卿	Emily LAU	贊成	YES
李家祥	Dr Eric LI			蔡素玉	CHOY So-yuk	贊成	YES
李國寶	Dr David LI	贊成	YES	鄭家富	Andrew CHENG	反對	NO
李華明	Fred LI	反對	NO	司徒華	SZETO Wah	反對	NO
呂明華	Dr LUI Ming-wah	贊成	YES	霍震霆	Timothy FOK	贊成	YES
吳亮星	NG Leung-sing	贊成	YES	羅致光	Dr LAW Chi-kwong	反對	NO
吳靄儀	Margaret NG	反對	NO	譚耀宗	TAM Yiu-chung	贊成	YES
周梁淑怡	Mrs Selina CHOW	贊成	YES	鄧兆棠	Dr TANG Siu-tong	贊成	YES
涂謹申	James TO	反對	NO	石禮謙	Abraham SHEK	贊成	YES
張文光	CHEUNG Man-kwong	反對	NO	李鳳英	LI Fung-ying	贊成	YES
許長青	HUI Cheung-ching			胡經昌	Henry WU	贊成	YES
陳國強	CHAN Kwok-keung	贊成	YES	張宇人	Tommy CHEUNG	贊成	YES
陳婉嫻	CHAN Yuen-han			麥國風	Michael MAK	反對	NO
陳智思	Bernard CHAN	贊成	YES	陳偉業	Albert CHAN	反對	NO
陳鑑林	CHAN Kam-lam	贊成	YES	梁富華	LEUNG Fu-wah	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	勞永樂	Dr LO Wing-lok		
梁耀忠	LEUNG Yiu-chung	反對	NO	黃成智	WONG Sing-chi	反對	NO
單仲偕	SIN Chung-kai	反對	NO	馮檢基	Frederick FUNG		
黃宏發	Andrew WONG	反對	NO	葉國謙	IP Kwok-him	贊成	YES
黃宜弘	Dr Philip WONG	贊成	YES	劉炳章	LAU Ping-cheung		
黃容根	WONG Yung-kan	贊成	YES	余若薇	Audrey EU	反對	NO
曾鈺成	TSANG Yok-sing	贊成	YES	馬達國	MA Fung kwok	贊成	YES

投票 VOTE: 2
 日期 DATE: 08/07/2004
 時間 TIME: 02:31:46 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 修正第8條
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - AMENDMENT TO
 CLAUSE 8

動議人 MOVED BY: 劉慧卿 Emily LAU

	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	19	22	
投票 Vote	19	21	
贊成 Yes	4	12	
反對 No	15	9	
棄權 Abstain	0	0	
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		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	反對 NO	陳鑑林 CHAN Kam-lam	
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	贊成 YES
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	
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	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG		劉千石 LAU Chin-shek	
單仲偕 SIN Chung-kai	贊成 YES	劉江華 LAU Kong-wah	反對 NO
黃宜弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	反對 NO	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	反對 NO
霍震霆 Timothy FOK		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	
胡經昌 Henry WU		余若薇 Audrey EU	
張宇人 Tommy CHEUNG	反對 NO	選舉委員會 Election Committee	
麥國凱 Michael MAK	贊成 YES	范徐麗泰 Mrs Rita FAN	出席 PRESENT
梁富華 LEUNG Fu-wah	反對 NO	朱幼麟 Dr David CHU	反對 NO
岑永樂 Dr LO Wing-lok		吳亮星 NG Leung-sing	反對 NO
葉國謙 IP Kwok-him	反對 NO	楊耀忠 YEUNG Yiu-chung	反對 NO
劉雲章 LAU Ping-cheung	反對 NO	劉漢銓 Ambrose LAU	反對 NO
		馬逢國 MA Fung kwek	反對 NO

投票 VOTE: 3
 日期 DATE: 08/07/2004
 時間 TIME: 02:45:56 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 修正第18條
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - AMENDMENT TO
 CLAUSE 18

動議人 MOVED BY: 教育統籌局局長 Secretary for Education and Manpower

出席 Present :45
 投票 Vote :44
 贊成 Yes :27
 反對 No :17
 棄權 Abstain :0
 結果 Result :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
范徐麗泰	Mrs Rita FAN	出席	PRESENT	楊孝華	Howard YOUNG	贊成	YES
丁午壽	Kenneth TING	贊成	YES	楊森	Dr YEUNG Sum	反對	NO
田北俊	James TIEN	贊成	YES	楊耀忠	YEUNG Yiu-chung	贊成	YES
朱幼麟	Dr David CHU	贊成	YES	劉千石	LAU Chin-shek		
何秀蘭	Cyd HO	反對	NO	劉江華	LAU Kong-wah	贊成	YES
何俊仁	Albert HO	反對	NO	劉皇發	LAU Wong-fat	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	反對	NO	劉慧卿	Emily LAU	反對	NO
李家祥	Dr Eric LI			蔡素玉	CHOY So-yuk		
李國寶	Dr David LI			鄭家富	Andrew CHENG	反對	NO
李華明	Fred LI	反對	NO	司徒華	SZETO Wah	反對	NO
呂明華	Dr LUI Ming-wah	贊成	YES	霍震霆	Timothy FOK		
吳亮星	NG Leung-sing	贊成	YES	羅致光	Dr LAW Chi-kwong	反對	NO
吳靄儀	Margaret NG			譚耀宗	TAM Yiu-chung	贊成	YES
周梁淑怡	Mrs Selina CHOW	贊成	YES	鄧兆棠	Dr TANG Siu-tong	贊成	YES
涂謹申	James TO	反對	NO	石禮謙	Abraham SHEK		
張文光	CHEUNG Man-kwong	反對	NO	李鳳英	LI Fung-ying	贊成	YES
許長青	HUI Cheung-ching			胡經昌	Henry WU		
陳國強	CHAN Kwok-keung	贊成	YES	張宇人	Tommy CHEUNG	贊成	YES
陳婉嫻	CHAN Yuen-han			麥國風	Michael MAK	反對	NO
陳智思	Bernard CHAN	贊成	YES	陳偉業	Albert CHAN		
陳鑑林	CHAN Kam-lam			梁富華	LEUNG Fu-wah	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	勞永樂	Dr LO Wing-lok		
梁耀忠	LEUNG Yiu-chung	反對	NO	黃成智	WONG Sing-chi	反對	NO
單仲偕	SIN Chung-kai	反對	NO	馮檢基	Frederick FUNG	反對	NO
黃宏發	Andrew WONG			葉國謙	IP Kwok-him	贊成	YES
黃宜弘	Dr Philip WONG	贊成	YES	劉炳章	LAU Ping-cheung	贊成	YES
黃容根	WONG Yung-kan	贊成	YES	余若薇	Audrey EU		
曾鈺成	TSANG Yok-sing	贊成	YES	馬逢國	MA Fung kwok	贊成	YES

投票 VOTE: 4
 日期 DATE: 08/07/2004
 時間 TIME: 03:22:38 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 修正第30條
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - AMENDMENT TO
 CLAUSE 30

動議人 MOVED BY: 劉慧卿Emily LAU

	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	19	25	
投票 Vote	19	24	
贊成 Yes	4	14	
反對 No	15	10	
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 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	反對 NO	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	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	贊成 YES
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	
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	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	反對 NO
黃宜弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	反對 NO	蔡素玉 CHOY So-yuk	反對 NO
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	贊成 YES
劉健儀 Miriam LAU	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
霍震霆 Timothy FOK		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	反對 NO	馮檢基 Frederick FUNG	贊成 YES
胡經昌 Henry WU		余若薇 Audrey EU	
張宇人 Tommy CHEUNG	反對 NO		
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	反對 NO	吳亮星 NG Leung-sing	反對 NO
劉炳章 LAU Ping-cheung	反對 NO	楊耀忠 YEUNG Yiu-chung	反對 NO
		劉漢銓 Ambrose LAU	反對 NO
		馬達國 MA Fung kwok	

投票 VOTE: 5
 日期 DATE: 08/07/2004
 時間 TIME: 03:24:47 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 修正第30條
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - AMENDMENTS TO
 CLAUSE 30

動議人 MOVED BY: 教育統籌局局長 Secretary for Education and Manpower

出席 Present :45
 投票 Vote :44
 贊成 Yes :26
 反對 No :18
 棄權 Abstain :0
 結果 Result :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
范徐麗泰	Mrs Rita FAN	出席	PRESENT	楊孝華	Howard YOUNG	贊成	YES
丁午壽	Kenneth TING	贊成	YES	楊森	Dr YEUNG Sum	反對	NO
田北俊	James TIEN			楊耀忠	YEUNG Yiu-chung	贊成	YES
朱幼麟	Dr David CHU	贊成	YES	劉千石	LAU Chin-shek	反對	NO
何秀蘭	Cyd HO	反對	NO	劉江華	LAU Kong-wah	贊成	YES
何俊仁	Albert HO	反對	NO	劉皇發	LAU Wong-fat	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	反對	NO	劉慧卿	Emily LAU	反對	NO
李家祥	Dr Eric LI			蔡素玉	CHOY So-yuk	贊成	YES
李國寶	Dr David LI			鄭家富	Andrew CHENG	反對	NO
李華明	Fred LI	反對	NO	司徒華	SZETO Wah	反對	NO
呂明華	Dr LUI Ming-wah	贊成	YES	霍震霆	Timothy FOK		
吳亮星	NG Leung-sing	贊成	YES	羅致光	Dr LAW Chi-kwong	反對	NO
吳靄儀	Margaret NG			譚耀宗	TAM Yiu-chung	贊成	YES
周梁淑怡	Mrs Selina CHOW	贊成	YES	鄧兆棠	Dr TANG Siu-tong	贊成	YES
涂謹申	James TO	反對	NO	石禮謙	Abraham SHEK		
張文光	CHEUNG Man-kwong	反對	NO	李鳳英	LI Fung-ying	贊成	YES
許長青	HUI Cheung-ching			胡經昌	Henry WU		
陳國強	CHAN Kwok-keung	贊成	YES	張宇人	Tommy CHEUNG	贊成	YES
陳婉嫻	CHAN Yuen-han			麥國風	Michael MAK	反對	NO
陳智思	Bernard CHAN	贊成	YES	陳偉業	Albert CHAN		
陳鑑林	CHAN Kam-lam	贊成	YES	梁富華	LEUNG Fu-wah		
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	勞永樂	Dr LO Wing-lok		
梁耀忠	LEUNG Yiu-chung	反對	NO	黃成智	WONG Sing-chi	反對	NO
單仲偕	SIN Chung-kai	反對	NO	馮檢基	Frederick FUNG	反對	NO
黃宏發	Andrew WONG			葉國謙	IP Kwok-him	贊成	YES
黃宜弘	Dr Philip WONG	贊成	YES	劉炳章	LAU Ping-cheung	贊成	YES
黃容根	WONG Yung-kan	贊成	YES	余若薇	Audrey EU		
曾鈺成	TSANG Yok-sing	贊成	YES	馬達國	MA Fung kwok		

投票 VOTE: 6
 日期 DATE: 08/07/2004
 時間 TIME: 04:07:12 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 進一步修正第12條，以在主體條例第30條加入新訂的第(1B)款
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - FURTHER AMENDMENTS TO CLAUSE 12 WHICH IS TO ADD NEW SUB-SECTION (1B) TO SECTION 30 OF THE ORDINANCE

動議人 MOVED BY: 何秀蘭Cyd 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	21	26	
投票 Vote	21	25	
贊成 Yes	5	14	
反對 No	16	11	
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 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	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	反對 NO
周梁淑怡 Mrs Selina CHOW	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	贊成 YES
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	
陳國強 CHAN Kwok-keung	反對 NO	曾鈺成 TSANG Yok-sing	反對 NO
陳智思 Bernard CHAN		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	反對 NO
黃宜弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	反對 NO	蔡素玉 CHOY So-yuk	反對 NO
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	反對 NO
霍震霆 Timothy FOK		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	反對 NO	馮檢基 Frederick FUNG	贊成 YES
胡經昌 Henry WU		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	反對 NO	朱幼麟 Dr David CHU	反對 NO
勞永榮 Dr LO Wing-lok		吳亮星 NG Leung-sing	反對 NO
葉國謙 IP Kwok-him	反對 NO	楊耀忠 YEUNG Yiu-chung	反對 NO
劉炳章 LAU Ping-cheung	反對 NO	劉漢銓 Ambrose LAU	反對 NO
		馬逢國 MA Fung kwok	

投票 VOTE: 7
 日期 DATE: 08/07/2004
 時間 TIME: 04:45:41 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 就第17條增補新訂的第40AEA
 條動議修正案
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - AMENDMENT TO ADD
 NEW SECTION 40AEA TO CLAUSE 17

動議人 MOVED BY: 教育統籌局局長 Secretary for Education and Manpower

出席 Present :40
 投票 Vote :39
 贊成 Yes :26
 反對 No :8
 棄權 Abstain :5
 結果 Result :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
范徐麗泰	Mrs Rita FAN	出席	PRESENT	楊孝華	Howard YOUNG	贊成	YES
丁午壽	Kenneth TING	贊成	YES	楊森	Dr YEUNG Sum	贊成	YES
田北俊	James TIEN			楊耀忠	YEUNG Yiu-chung	棄權	ABSTAIN
朱幼麟	Dr David CHU	贊成	YES	劉千石	LAU Chin-shek	反對	NO
何秀蘭	Cyd HO	反對	NO	劉江華	LAU Kong-wah	棄權	ABSTAIN
何俊仁	Albert HO	贊成	YES	劉皇發	LAU Wong-fat	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	贊成	YES	劉慧卿	Emily LAU	反對	NO
李家祥	Dr Eric LI			蔡素玉	CHOY So-yuk		
李國寶	Dr David LI			鄭家富	Andrew CHENG	贊成	YES
李華明	Fred LI	贊成	YES	司徒華	SZETO Wah	贊成	YES
呂明華	Dr LUI Ming-wah			霍震霆	Timothy FOK		
吳亮星	NG Leung-sing	贊成	YES	羅致光	Dr LAW Chi-kwong	贊成	YES
吳靄儀	Margaret NG			譚耀宗	TAM Yiu-chung	棄權	ABSTAIN
周梁淑怡	Mrs Selina CHOW	贊成	YES	鄧兆棠	Dr TANG Siu-tong	贊成	YES
涂謹申	James TO	贊成	YES	石禮謙	Abraham SHEK		
張文光	CHEUNG Man-kwong	贊成	YES	李鳳英	LI Fung-ying	反對	NO
許長青	HUI Cheung-ching			胡經昌	Henry WU	贊成	YES
陳國強	CHAN Kwok-keung	棄權	ABSTAIN	張宇人	Tommy CHEUNG	贊成	YES
陳婉嫻	CHAN Yuen-han			麥國風	Michael MAK	反對	NO
陳智思	Bernard CHAN			陳偉業	Albert CHAN		
陳鑑林	CHAN Kam-lam			梁富華	LEUNG Fu-wah		
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	勞永樂	Dr LO Wing-lok		
梁耀忠	LEUNG Yiu-chung	反對	NO	黃成智	WONG Sing-chi	贊成	YES
單仲偕	SIN Chung-kai			馮檢基	Frederick FUNG	反對	NO
黃宏發	Andrew WONG			葉國謙	IP Kwok-him	棄權	ABSTAIN
黃宜弘	Dr Philip WONG	贊成	YES	劉炳章	LAU Ping-cheung	贊成	YES
黃容根	WONG Yung-kan			余若薇	Audrey EU		
曾鈺成	TSANG Yok-sing	贊成	YES	馬逢國	MA Fung kwok		

投票 VOTE: 8
 日期 DATE: 08/07/2004
 時間 TIME: 05:53:55 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 就第17條的擬議第40BJ條動議修正案
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - AMENDMENT TO PROPOSED SECTION 40BJ IN CLAUSE 17

動議人 MOVED BY: 教育統籌局局長 Secretary for Education and Manpower

出席 Present :49
 投票 Vote :48
 贊成 Yes :29
 反對 No :19
 棄權 Abstain :0
 結果 Result :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
范徐麗泰	Mrs Rita FAN	出席	PRESENT	楊孝華	Howard YOUNG	贊成	YES
丁午壽	Kenneth TING	贊成	YES	楊森	Dr YEUNG Sum	反對	NO
田北俊	James TIEN			楊耀忠	YEUNG Yiu-chung	贊成	YES
朱幼麟	Dr David CHU	贊成	YES	劉千石	LAU Chin-shek	反對	NO
何秀蘭	Cyd HO	反對	NO	劉江華	LAU Kong-wah	贊成	YES
何俊仁	Albert HO	反對	NO	劉皇發	LAU Wong-fat	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	反對	NO	劉慧卿	Emily LAU	反對	NO
李家祥	Dr Eric LI			蔡素玉	CHOY So-yuk	贊成	YES
李國寶	Dr David LI	贊成	YES	鄭家富	Andrew CHENG	反對	NO
李華明	Fred LI	反對	NO	司徒華	SZETO Wah	反對	NO
呂明華	Dr LUI Ming-wah			霍震霆	Timothy FOK	贊成	YES
吳亮星	NG Leung-sing	贊成	YES	羅致光	Dr LAW Chi-kwong	反對	NO
吳靄儀	Margaret NG			譚耀宗	TAM Yiu-chung	贊成	YES
周梁淑怡	Mrs Selina CHOW	贊成	YES	鄧兆棠	Dr TANG Siu-tong	贊成	YES
涂謹申	James TO	反對	NO	石禮謙	Abraham SHEK	贊成	YES
張文光	CHEUNG Man-kwong	反對	NO	李鳳英	LI Fung-ying	贊成	YES
許長青	HUI Cheung-ching			胡經昌	Henry WU	贊成	YES
陳國強	CHAN Kwok-keung			張宇人	Tommy CHEUNG	贊成	YES
陳婉嫻	CHAN Yuen-han			麥國風	Michael MAK	反對	NO
陳智思	Bernard CHAN	贊成	YES	陳偉業	Albert CHAN	反對	NO
陳鑑林	CHAN Kam-lam	贊成	YES	梁富華	LEUNG Fu-wah	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG			勞永樂	Dr LO Wing-lok		
梁耀忠	LEUNG Yiu-chung	反對	NO	黃成智	WONG Sing-chi	反對	NO
單仲偕	SIN Chung-kai			馮檢基	Frederick FUNG	反對	NO
黃宏發	Andrew WONG			葉國謙	IP Kwok-him	贊成	YES
黃宜弘	Dr Philip WONG	贊成	YES	劉炳章	LAU Ping-cheung	贊成	YES
黃容根	WONG Yung-kan	贊成	YES	余若薇	Audrey EU	反對	NO
曾鈺成	TSANG Yok-sing	贊成	YES	馬逢國	MA Fung kwok	贊成	YES

投票 VOTE: 9
 日期 DATE: 08/07/2004
 時間 TIME: 08:15:49 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 刪去第17條的擬議第40BR條，
 以及修正第26條
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - DELETION OF PROPOSED
 SECTION 40BR FROM CLAUSE 17 AND AMENDMENT TO CLAUSE 26

動議人 MOVED BY: 何秀蘭Cyd 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	24	27	
投票 Vote	24	26	
贊成 Yes	5	16	
反對 No	19	10	
棄權 Abstain	0	0	
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		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	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	贊成 YES
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	
陳國強 CHAN Kwok-keung		曾鈺成 TSANG Yok-sing	反對 NO
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	反對 NO
黃宜弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	反對 NO	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	反對 NO
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	贊成 YES
石禮謙 Abraham SHEK	反對 NO	黃成智 WONG Sing-chi	贊成 YES
李鳳英 LI Fung-ying	反對 NO	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	反對 NO		
麥國風 Michael MAK	贊成 YES	選舉委員會 Election Committee	
梁富華 LEUNG Fu-wah	反對 NO	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	反對 NO	吳亮星 NG Leung-sing	反對 NO
劉炳章 LAU Ping-cheung	反對 NO	楊耀忠 YEUNG Yiu-chung	反對 NO
		劉漢銓 Ambrose LAU	反對 NO
		馬逢國 MA Fung kwok	反對 NO

投票 VOTE: 10
 日期 DATE: 08/07/2004
 時間 TIME: 08:51:39 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 修正第47條
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - AMENDMENT TO
 CLAUSE 47

動議人 MOVED BY: 何秀蘭Cyd 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	22	25	
投票 Vote	22	24	
贊成 Yes	4	15	
反對 No	18	9	
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	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		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		陳婉嫻 CHAN Yuen-han	
周梁淑怡 Mrs Selina CHOW	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	贊成 YES
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	
陳國強 CHAN Kwok-keung		曾鈺成 TSANG Yok-sing	反對 NO
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	反對 NO
黃宜弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	反對 NO	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	反對 NO
霍震霆 Timothy FOK		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	贊成 YES
石禮謙 Abraham SHEK	反對 NO	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	
張宇人 Tommy CHEUNG	反對 NO		
麥國風 Michael MAK	贊成 YES	選舉委員會 Election Committee	
梁富華 LEUNG Fu-wah	反對 NO	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	反對 NO	吳亮星 NG Leung-sing	反對 NO
劉炳章 LAU Ping-cheung	反對 NO	楊耀忠 YEUNG Yiu-chung	反對 NO
		劉漢銓 Ambrose LAU	反對 NO
		馬逢國 MA Fung kwok	

秘書 CLERK

投票 VOTE: 11
 日期 DATE: 08/07/2004
 時間 TIME: 08:58:43 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 新訂的第13A條，予以二讀
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - NEW CLAUSE 13A BE
 READ THE SECOND TIME

動議人 MOVED BY: 劉慧卿Emily LAU

	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	21	23	
投票 Vote	21	22	
贊成 Yes	4	13	
反對 No	17	9	
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	
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	反對 NO	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	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	贊成 YES
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	
陳國強 CHAN Kwok-keung		曾鈺成 TSANG Yok-sing	反對 NO
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	
單仲偕 SIN Chung-kai	贊成 YES	劉江華 LAU Kong-wah	反對 NO
黃宜弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	反對 NO	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	贊成 YES
劉健儀 Miriam LAU	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
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	贊成 YES
石禮謙 Abraham SHEK	反對 NO	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	
張宇人 Tommy CHEUNG	反對 NO		
麥國風 Michael MAK	贊成 YES	選舉委員會 Election Committee	
梁富華 LEUNG Fu-wah	反對 NO	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	反對 NO	吳亮星 NG Leung-sing	反對 NO
劉炳章 LAU Ping-cheung	反對 NO	楊耀忠 YEUNG Yiu-chung	反對 NO
		劉漢銓 Ambrose LAU	反對 NO
		馬逢國 MA Fung kwok	

秘書 CLERK

投票 VOTE: 12
 日期 DATE: 08/07/2004
 時間 TIME: 09:02:31 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 全體委員會審議階段 - 新訂的第28A條，予以二讀
 EDUCATION (AMENDMENT) BILL 2002 - COMMITTEE STAGE - NEW CLAUSE 28A BE
 READ THE SECOND TIME

動議人 MOVED BY: 劉慧卿Emily LAU

	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	21	23	
投票 Vote	21	22	
贊成 Yes	4	13	
反對 No	17	9	
棄權 Abstain	0	0	
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			何俊仁	Albert HO	贊成	YES
何鍾泰	Dr Raymond HO	反對	NO	李卓人	LEE Cheuk-yan		
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	反對	NO	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	反對	NO	陳鑑林	CHAN Kam-lam	反對	NO
張文光	CHEUNG Man-kwong	贊成	YES	梁耀忠	LEUNG Yiu-chung	贊成	YES
許長青	HUI Cheung-ching			黃宏發	Andrew WONG		
陳國強	CHAN Kwok-keung			曾鈺成	TSANG Yok-sing	反對	NO
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		
單仲偕	SIN Chung-kai	贊成	YES	劉江華	LAU Kong-wah	反對	NO
黃宜弘	Dr Philip WONG	反對	NO	劉慧卿	Emily LAU	贊成	YES
黃容根	WONG Yung-kan	反對	NO	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	贊成	YES
劉健儀	Miriam LAU	反對	NO	譚耀宗	TAM Yiu-chung	反對	NO
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	贊成	YES
石禮謙	Abraham SHEK	反對	NO	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		
張宇人	Tommy CHEUNG	反對	NO				
麥國風	Michael MAK	贊成	YES	選舉委員會 Election Committee			
梁富華	LEUNG Fu-wah	反對	NO	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	反對	NO	吳亮星	NG Leung-sing	反對	NO
劉炳章	LAU Ping-cheung	反對	NO	楊耀忠	YEUNG Yiu-chung	反對	NO
				劉漢銓	Ambrose LAU	反對	NO
				馬逢國	MA Fung kwok		

投票 VOTE: 13
 日期 DATE: 08/07/2004
 時間 TIME: 09:17:08 下午

動議 MOTION: 《2002年教育（修訂）條例草案》- 三讀
 EDUCATION (AMENDMENT) BILL 2002 - THIRD READING

動議人 MOVED BY: 教育統籌局局長 Secretary for Education and Manpower

出席 Present :51
 投票 Vote :50
 贊成 Yes :29
 反對 No :21
 棄權 Abstain :0
 結果 Result :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
范徐麗泰	Mrs Rita FAN	出席	PRESENT	楊孝華	Howard YOUNG	贊成	YES
丁午壽	Kenneth TING	贊成	YES	楊森	Dr YEUNG Sum	反對	NO
田北俊	James TIEN	贊成	YES	楊耀忠	YEUNG Yiu-chung	贊成	YES
朱幼麟	Dr David CHU	贊成	YES	劉千石	LAU Chin-shek	反對	NO
何秀蘭	Cyd HO	反對	NO	劉江華	LAU Kong-wah	贊成	YES
何俊仁	Albert HO	反對	NO	劉皇發	LAU Wong-fat	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	反對	NO	劉慧卿	Emily LAU	反對	NO
李家祥	Dr Eric LI			蔡素玉	CHOY So-yuk		
李國寶	Dr David LI			鄭家富	Andrew CHENG	反對	NO
李華明	Fred LI	反對	NO	司徒華	SZETO Wah	反對	NO
呂明華	Dr LUI Ming-wah	贊成	YES	霍震霆	Timothy FOK	贊成	YES
吳亮星	NG Leung-sing	贊成	YES	羅致光	Dr LAW Chi-kwong	反對	NO
吳靄儀	Margaret NG	反對	NO	譚耀宗	TAM Yiu-chung	贊成	YES
周梁淑怡	Mrs Selina CHOW	贊成	YES	鄧兆棠	Dr TANG Siu-tong	贊成	YES
涂謹申	James TO	反對	NO	石禮謙	Abraham SHEK	贊成	YES
張文光	CHEUNG Man-kwong	反對	NO	李鳳英	LI Fung-ying		
許長青	HUI Cheung-ching			胡經昌	Henry WU	贊成	YES
陳國強	CHAN Kwok-keung			張宇人	Tommy CHEUNG	贊成	YES
陳婉嫻	CHAN Yuen-han			麥國風	Michael MAK	反對	NO
陳智思	Bernard CHAN	贊成	YES	陳偉業	Albert CHAN	反對	NO
陳鑑林	CHAN Kam-lam	贊成	YES	梁富華	LEUNG Fu-wah	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	勞永樂	Dr LO Wing-lok		
梁耀忠	LEUNG Yiu-chung	反對	NO	黃成智	WONG Sing-chi	反對	NO
單仲偕	SIN Chung-kai	反對	NO	馮檢基	Frederick FUNG	反對	NO
黃宏發	Andrew WONG			葉國謙	IP Kwok-him	贊成	YES
黃宜弘	Dr Philip WONG	贊成	YES	劉炳章	LAU Ping-cheung	贊成	YES
黃容根	WONG Yung-kan	贊成	YES	余若薇	Audrey EU	反對	NO
曾鈺成	TSANG Yok-sing	贊成	YES	馬逢國	MA Fung kwok	贊成	YES

投票 VOTE: 14
 日期 DATE: 09/07/2004
 時間 TIME: 10:22:46 上午

動議 MOTION: 《2001年人體器官移植（修訂）條例草案》- 全體委員會審議階段 - 進一步修正第5條
 HUMAN ORGAN TRANSPLANT (AMENDMENT) BILL 2001 - COMMITTEE STAGE -
 FURTHER AMENDMENT TO CLAUSE 5

動議人 MOVED BY: 何秀蘭Cyd 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	18	18	
投票 Vote	18	17	
贊成 Yes	6	8	
反對 No	8	6	
棄權 Abstain	4	3	
結果 Result	否決 Negatived	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	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		李卓人 LEE Cheuk-yan	贊成 YES
李家祥 Dr Eric LI	贊成 YES	李柱銘 Martin LEE	反對 NO
李國寶 Dr David LI		李華明 Fred LI	
呂明華 Dr LUI Ming-wah		涂謹申 James TO	
吳靄儀 Margaret NG		陳婉嫻 CHAN Yuen-han	棄權 ABSTAIN
周梁淑怡 Mrs Selina CHOW	反對 NO	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		黃宏發 Andrew WONG	
陳國強 CHAN Kwok-keung		曾鈺成 TSANG Yok-sing	反對 NO
陳智思 Bernard CHAN		楊森 Dr YEUNG Sum	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	劉千石 LAU Chin-shek	
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		鄭家富 Andrew CHENG	
劉皇發 LAU Wong-fat		司徒華 SZETO Wah	贊成 YES
劉健儀 Miriam LAU	反對 NO	譚耀宗 TAM Yiu-chung	
霍震霆 Timothy FOK		鄧兆棠 Dr TANG Siu-tong	
羅致光 Dr LAW Chi-kwong	贊成 YES	陳偉業 Albert CHAN	贊成 YES
石禮謙 Abraham SHEK	反對 NO	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	反對 NO	余若微 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	棄權 ABSTAIN	朱幼麟 Dr David CHU	
勞永樂 Dr LO Wing-lok	棄權 ABSTAIN	吳亮星 NG Leung-sing	反對 NO
葉國謙 IP Kwok-him	棄權 ABSTAIN	楊耀忠 YEUNG Yiu-chung	棄權 ABSTAIN
劉炳章 LAU Ping-cheung		劉漢銓 Ambrose LAU	反對 NO
		馬逢國 MA Fung kwok	

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

(Under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1))

ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE)
(LEGISLATIVE COUNCIL)(AMENDMENT) REGULATION 2004

RESOLVED that the Electoral Affairs Commission (Electoral Procedure)(Legislative Council)(Amendment) Regulation 2004, published in the Gazette as Legal Notice No. 84 of 2004 and laid on the table of the Legislative Council on 19 May 2004, be amended -

- (a) in section 2(a)(iii)(A), by repealing " (視何者適用而定)" and substituting "(視何者適用而定)";
- (b) in section 14, in the heading, by adding "某" before "地方選區";
- (c) in section 19(a), in the new section 28(1B), by repealing "200" and substituting "500";

(d) in section 19(a), in the new section 28(1C), by
adding "any of the small polling" before
"stations,";

(e) by adding -

**"27A. Presiding Officer to exhibit
at polling station notice
providing information for
the guidance of electors**

Section 39 is amended by adding -

"(1A) The Presiding Officer of
a small polling station must ensure
that, before the commencement of
the poll, a notice providing
information of the main counting
station designated for counting the
votes of the small polling station
is exhibited outside the small
polling station.";

(f) by repealing section 29(a) and substituting -

"(a) in subsection (1) -

(i) in paragraph (a), by repealing
"(17)(a)" and substituting
"(17)";

(ii) by adding -

"(aa) conduct any activity
for canvassing for
votes, so that the
sound of the activity

can be heard in the

no canvassing zone;"

(iii) in paragraph (ca) -

(A) by repealing "(17)(b)" and
substituting "(18)";

(B) by adding "or wear" after
"display";

(C) by repealing "or clothing"
and substituting ",
clothing or head-dress";

(D) by repealing subparagraph
(ii) and substituting -

"(ii) makes direct

reference to -

(A) a body any

member of

which is

standing as

a candidate

in the

election; or

(B) a prescribed

body the

registered

name or

registered

emblem of
which has
been printed
on any
ballot paper
for the
election;
or";";

- (g) by repealing section 32(a) and substituting -
 - "(a) in subsection (1), by repealing "Presiding Officer" and substituting "Returning Officer, Assistant Returning Officer, Presiding Officer or any polling officer";";
- (h) in section 32(b), in the new section 45(2)(b), by adding "或界別" after ")有關選區";
- (i) in section 32(d), by repealing the full stop and substituting a semicolon;
- (j) in section 32, by adding -
 - "(e) in subsection (7), by repealing everything after "an" and substituting -
 - "offence -
 - (a) under subsection (2)
 - is liable to a fine
 - at level 2 and to

imprisonment for 6
months;

(b) under subsection (1),
(3), (4) or (5) is
liable to a fine at
level 2 and to
imprisonment for 3
months.".";

(k) in section 36, in the new section 53A, by adding -

"(8) In this section, references to
"elector" are to be construed as including an
authorized representative.";

(l) in section 37(c), in the new section 54(3)(a), by
repealing "内";

(m) in section 37(c), in the new section 54(3)(b), by
repealing "内" where it secondly appears;

(n) in section 42, in the new section 63A(3), by
repealing everything after "boxes" and substituting
", the sealed packets and the ballot paper accounts
prepared by that Officer to the Presiding Officer
of the main counting station.".";

(o) in section 49(b), in the new section 69(2), by
repealing everything after "of the counting" where
it first appears and substituting -

"station,

the Chief Returning Officer or the Returning

Officer, as may be appropriate, may order the person to leave the counting station or the vicinity of the counting station, as the case may be, immediately.";;

(p) by repealing section 50(a) and substituting -

"(a) in subsection (1), by repealing everything after "power under" and substituting -

"section 28(9)(a) -

(a) the Presiding Officer of a GC polling station which is also designated as a counting station (other than a main counting station) must deliver or arrange to be delivered to the central counting station the ballot boxes for the FC ballot papers from that

Officer's
polling station,
together with
the sealed
packets under
section 63 and
the ballot paper
accounts
prepared by that
Officer for the
functional
constituencies;
and

(b) the Presiding
Officer of a GC
polling station
which is also
designated as a
main counting
station must, in
addition to the
ballot boxes,
sealed packets
and ballot paper
accounts
referred to in

paragraph (a),
deliver or
arrange to be
delivered to the
central counting
station the
relevant ballot
box or boxes,
sealed packets
and ballot paper
accounts
delivered to
that Officer
under section
63A(3) for the
functional
constituencies."
;"

(q) in section 55(c), by adding -

"(ia) in paragraph (a), by repealing "Chief
Returning Officer or to the";"

(r) in section 63, in the new section 79A(1), by adding
"recorded on the GC ballot papers for a
geographical constituency (other than those
recorded on the GC ballot papers to be handed over
to the Returning Officer under section 74(8)(c))"

before "are counted";

- (s) in section 63, in the new section 79A(3), by repealing "completion of the count or re-count," and substituting "completion, of the count or re-count";
- (t) in section 63, in the new section 79A(5), by adding "under subsection (4)" after "constituency" where it first appears;
- (u) in section 63, by repealing the new section 79A(6), (7), (8), (9) and (10) and substituting -

"(6) After the Returning Officer has been notified of the results of the counting of votes of all the counting stations for the geographical constituency under subsection (5), that Officer must make known the results to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes of all the counting stations for the geographical constituency, that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable.

(7) After the Returning Officer has made known the results under subsection (6), that Officer must also make known the estimated number of GC ballot papers to be handed over to him under section 74(8)(c) for the geographical constituency (if any) to the candidates or their election agents or counting agents at the place specified by the Returning Officer. A candidate or the election agent of the candidate who is present at the specified place may make a request to the Returning Officer for a re-count of the votes of all the counting stations for the geographical constituency and the votes recorded on the GC ballot papers to be handed over to that Officer under section 74(8)(c) for the geographical constituency.

(8) Where there is no request for a re-count of the votes of all the counting stations for the geographical constituency under subsection (6) or such request is rejected by the Returning Officer, that Officer must add together -

- (a) the results made known under subsection (6); and

(b) the result of the counting of the votes recorded on the GC ballot papers handed over to that Officer under section 74(8)(c) for the geographical constituency (if any), and make known the aggregate result to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes referred to in paragraph (b), that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable.

(9) If the Returning Officer decides to comply with the request referred to in subsection (6), that Officer must require all the Assistant Returning Officers to instruct the Presiding Officers of the counting stations in their respective charge to conduct a re-count at the relevant counting stations forthwith.

(10) The Presiding Officer of each of the counting stations for the geographical constituency must make known the result of the re-count at the counting station to the candidates or their election agents or counting agents who are present at the counting station and must report that result to the relevant Assistant Returning Officer.

(11) After the Assistant Returning Officer has been notified of the results of the re-count of all the counting stations in his charge for the geographical constituency under subsection (10), that Officer must make known the results to the Returning Officer for the geographical constituency.

(12) After the Returning Officer has been notified of the results of the re-count of all the counting stations for the geographical constituency under subsection (11), that Officer must add together -

- (a) such results; and
- (b) the result of the counting of the votes recorded on the GC ballot papers handed over to that Officer under section

74(8)(c) for the
geographical constituency
(if any),

and make known the aggregate result to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes referred to in paragraph (b), that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable.

(13) Subject to subsection (14), if the Returning Officer decides to comply with a request referred to in subsection (7), that Officer must conduct a re-count of -

- (a) the votes of all the counting stations in accordance with the steps as described in subsections (9), (10) and (11);
and
- (b) the votes recorded on the GC ballot papers handed over to that Officer under section

74(8)(c) for the geographical
constituency,

and make known the final result to the
candidates or their election agents or
counting agents at the place specified by that
Officer. When the final result has been made
known, the counting of the votes and re-counts
are completed for the purposes of section
83(1).

(14) The Returning Officer must not
conduct a re-count under subsection (7) -

- (a) unless the request for such
re-count is made immediately
after that Officer makes known,
under that subsection, the
estimated number of GC ballot
papers to be handed over to
him under section 74(8)(c) for
the geographical constituency;
or
- (b) if the estimated number of GC
ballot papers to be handed
over to that Officer under
section 74(8)(c) for the
geographical constituency is
less than the difference

between the numbers of
remaining votes cast for any 2
lists of candidates for the
geographical constituency, as
determined in accordance with
the counting system under
section 49 of the Legislative
Council Ordinance (Cap. 542).";

(v) by adding -

**"72A. Enforcement of provisions
as to secrecy**

Section 96(10) is amended by repealing

"3" and substituting "6".";

(w) in section 78, by adding -

"(ba) in section 5(1) and (5), by repealing "or
section 18 of Schedule 2 to that
Ordinance";";

(x) by repealing section 78(c)(i) and substituting -

"(i) in subsection (1) -

(A) by repealing "or section 18 of
Schedule 2 to that Ordinance";

(B) by adding "or the Presiding Officer,
as may be appropriate," after
"Returning Officer";".

投票 VOTE: 15
 日期 DATE: 09/07/2004
 時間 TIME: 02:33:37 下午

動議 MOTION: 黃宏發議員對政制事務局局長就《2004年選舉管理委員會（選舉程序）（立法會）（修訂）規例》動議的決議案作出的修正案
 AMENDMENT BY HON ANDREW WONG TO SECRETARY FOR CONSTITUTIONAL AFFAIRS' PROPOSED RESOLUTION ON THE ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) (AMENDMENT) REGULATION 2004

動議人 MOVED BY: 黃宏發 Andrew WONG

	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	21	20	
投票 Vote	21	19	
贊成 Yes	8	8	
反對 No	13	11	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	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	反對 NO	何秀蘭 Cyd HO	贊成 YES
田北俊 James TIEN		何俊仁 Albert HO	
何鍾泰 Dr Raymond HO		李卓人 LEE Cheuk-yan	贊成 YES
李家祥 Dr Eric LI	贊成 YES	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	贊成 YES	涂謹申 James TO	
吳靄儀 Margaret NG	贊成 YES	陳婉嫻 CHAN Yuen-han	
周梁淑怡 Mrs Selina CHOW	反對 NO	陳鑑林 CHAN Kam-lam	
張文光 CHEUNG Man-kwong	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
許長青 HUI Cheung-ching		黃宏發 Andrew WONG	贊成 YES
陳國強 CHAN Kwok-keung	反對 NO	曾鈺成 TSANG Yok-sing	反對 NO
陳智思 Bernard CHAN	贊成 YES	楊森 Dr YEUNG Sum	反對 NO
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	劉千石 LAU Chin-shek	
單仲偕 SIN Chung-kai	反對 NO	劉江華 LAU Kong-wah	反對 NO
黃宜弘 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	反對 NO
劉皇發 LAU Wong-fat		司徒華 SZETO Wah	反對 NO
劉健儀 Miriam LAU	反對 NO	譚耀宗 TAM Yiu-chung	
霍震霆 Timothy FOK		鄧兆棠 Dr TANG Siu-tong	
羅致光 Dr LAW Chi-kwong	反對 NO	陳偉業 Albert CHAN	反對 NO
石禮謙 Abraham SHEK	贊成 YES	黃成智 WONG Sing-chi	反對 NO
李鳳英 LI Fung-ying	贊成 YES	馮檢基 Frederick FUNG	贊成 YES
胡經昌 Henry WU		余若薇 Audrey EU	贊成 YES
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	反對 NO	朱幼麟 Dr David CHU	
勞永樂 Dr LO Wing-lok	贊成 YES	吳亮星 NG Leung-sing	反對 NO
葉國謙 IP Kwok-him	反對 NO	楊耀忠 YEUNG Yiu-chung	反對 NO
劉炳章 LAU Ping-cheung	反對 NO	劉漢銓 Ambrose LAU	
		馬逢國 MA Fung kwok	贊成 YES

投票 VOTE: 16
 日期 DATE: 09/07/2004
 時間 TIME: 08:28:48 下午

動議 MOTION: 楊森議員對羅致光議員就「專責委員會報告」所提議案作出的修正案
 AMENDMENT BY DR HON YEUNG SUM TO DR HON LAW CHI-KWONG'S MOTION ON
 "REPORT OF THE SELECT COMMITTEE"

動議人 MOVED BY: 楊森 Dr YEUNG Sum

	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	17	18	
投票 Vote	17	17	
贊成 Yes	17	16	
反對 No	0	0	
棄權 Abstain	0	1	
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	贊成 YES	何秀蘭 Cyd HO	贊成 YES
田北俊 James TIEN	贊成 YES	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	贊成 YES	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	贊成 YES	涂謹申 James TO	贊成 YES
吳靄儀 Margaret NG		陳婉嫻 CHAN Yuen-han	贊成 YES
周梁淑怡 Mrs Selina CHOW	贊成 YES	陳鑑林 CHAN Kam-lam	
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	
陳國強 CHAN Kwok-keung	贊成 YES	曾鈺成 TSANG Yok-sing	
陳智思 Bernard CHAN		楊森 Dr YEUNG Sum	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	劉千石 LAU Chin-shek	
單仲偕 SIN Chung-kai	贊成 YES	劉江華 LAU Kong-wah	
黃宜弘 Dr Philip WONG		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	贊成 YES	鄭家富 Andrew CHENG	贊成 YES
劉皇發 LAU Wong-fat		司徒華 SZETO Wah	贊成 YES
劉健儀 Miriam LAU	贊成 YES	譚耀宗 TAM Yiu-chung	
霍震霆 Timothy FOK		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	
石禮謙 Abraham SHEK		黃成智 WONG Sing-chi	
李鳳英 LI Fung-ying	贊成 YES	馮檢基 Frederick FUNG	贊成 YES
胡經昌 Henry WU		余若薇 Audrey EU	
張宇人 Tommy CHEUNG	贊成 YES		
麥國風 Michael MAK	贊成 YES		
梁富華 LEUNG Fu-wah		選舉委員會 Election Committee	
勞永樂 Dr LO Wing-lok		范徐麗泰 Mrs Rita FAN	出席 PRESENT
葉國謙 IP Kwok-him	贊成 YES	朱幼麟 Dr David CHU	贊成 YES
劉炳章 LAU Ping-cheung	贊成 YES	吳亮星 NG Leung-sing	棄權 ABSTAIN
		楊耀忠 YEUNG Yiu-chung	贊成 YES
		劉漢銓 Ambrose LAU	贊成 YES
		馬逢國 MA Fung kwok	

投票 VOTE: 17
 日期 DATE: 09/07/2004
 時間 TIME: 08:41:46 下午

動議 MOTION: 由羅致光議員動議，經楊森議員修正的「專責委員會報告」議案
 MOTION MOVED BY DR HON LAW CHI-KWONG ON "REPORT OF THE SELECT COMMITTEE" AS AMENDED BY DR HON YEUNG SUM

動議人 MOVED BY: 羅致光LAW Chi-kwong

	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	20	17	
投票 Vote	20	16	
贊成 Yes	20	15	
反對 No	0	0	
棄權 Abstain	0	1	
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	贊成 YES	何秀蘭 Cyd HO	贊成 YES
田北俊 James TIEN	贊成 YES	何俊仁 Albert HO	贊成 YES
何鍾泰 Dr Raymond HO		李卓人 LEE Cheuk-yan	
李家祥 Dr Eric LI	贊成 YES	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	贊成 YES	涂謹申 James TO	贊成 YES
吳靄儀 Margaret NG		陳婉嫻 CHAN Yuen-han	贊成 YES
周梁淑怡 Mrs Selina CHOW	贊成 YES	陳鑑林 CHAN Kam-lam	
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	
陳國強 CHAN Kwok-keung	贊成 YES	曾鈺成 TSANG Yok-sing	
陳智思 Bernard CHAN		楊森 Dr YEUNG Sum	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	劉千石 LAU Chin-shek	
單仲偕 SIN Chung-kai	贊成 YES	劉江華 LAU Kong-wah	
黃宜弘 Dr Philip WONG		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	贊成 YES	鄭家富 Andrew CHENG	贊成 YES
劉皇發 LAU Wong-fat		司徒華 SZETO Wah	贊成 YES
劉健儀 Miriam LAU	贊成 YES	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	
石禮謙 Abraham SHEK		黃成智 WONG Sing-chi	
李鳳英 LI Fung-ying	贊成 YES	馮檢基 Frederick FUNG	贊成 YES
胡經昌 Henry WU	贊成 YES	余若薇 Audrey EU	
張宇人 Tommy CHEUNG	贊成 YES		
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	贊成 YES	朱幼麟 Dr David CHU	贊成 YES
葉國謙 IP Kwok-him	贊成 YES	吳亮星 NG Leung-sing	棄權 ABSTAIN
劉炳章 LAU Ping-cheung	贊成 YES	楊耀忠 YEUNG Yiu-chung	
		劉漢銓 Ambrose LAU	贊成 YES
		馬逢國 MA Fung kwok	

投票 VOTE: 18
 日期 DATE: 09/07/2004
 時間 TIME: 10:34:51 下午

動議 MOTION: 司徒華議員對田北俊議員就「協助中央政府與香港民主派人士溝通」所提議案作出的修正案
 AMENDMENT BY HON SZETO WAH TO HON JAMES TIEN'S MOTION ON "FACILITATING COMMUNICATION BETWEEN THE CENTRAL GOVERNMENT AND THE PRO-DEMOCRACY CAMP IN HONG KONG"

動議人 MOVED BY: 司徒華SZETO 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	19	18	
投票 Vote	19	17	
贊成 Yes	5	10	
反對 No	1	0	
棄權 Abstain	13	7	
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		何秀蘭 Cyd HO	贊成 YES
田北俊 James TIEN	棄權 ABSTAIN	何俊仁 Albert HO	贊成 YES
何鍾泰 Dr Raymond HO		李卓人 LEE Cheuk-yan	
李家祥 Dr Eric LI	棄權 ABSTAIN	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	棄權 ABSTAIN	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	棄權 ABSTAIN	陳鑑林 CHAN Kam-lam	棄權 ABSTAIN
張文光 CHEUNG Man-kwong	贊成 YES	梁耀忠 LEUNG Yiu-chung	
許長青 HUI Cheung-chung		黃宏發 Andrew WONG	
陳國強 CHAN Kwok-keung	棄權 ABSTAIN	曾鈺成 TSANG Yok-sing	棄權 ABSTAIN
陳智思 Bernard CHAN		楊森 Dr YEUNG Sum	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	棄權 ABSTAIN	劉千石 LAU Chin-shek	
單仲偕 SIN Chung-kai	贊成 YES	劉江華 LAU Kong-wah	
黃宜弘 Dr Philip WONG		劉慧卿 Emily LAU	贊成 YES
黃容根 WONG Yung-kan	棄權 ABSTAIN	蔡素玉 CHOY So-yuk	棄權 ABSTAIN
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	棄權 ABSTAIN
霍震霆 Timothy FOK	棄權 ABSTAIN	鄧兆棠 Dr TANG Siu-tong	
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	贊成 YES	馮檢基 Frederick FUNG	
胡經昌 Henry WU	反對 NO	余若薇 Audrey EU	
張宇人 Tommy CHEUNG	棄權 ABSTAIN		
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	棄權 ABSTAIN
葉國謙 IP Kwok-him	棄權 ABSTAIN	吳亮星 NG Leung-sing	棄權 ABSTAIN
劉炳章 LAU Ping-cheung		楊耀忠 YEUNG Yiu-chung	
		劉漢銓 Ambrose LAU	棄權 ABSTAIN
		馬逢國 MA Fung kwok	

投票 VOTE: 19
 日期 DATE: 10/07/2004
 時間 TIME: 11:41:36 上午

動議 MOTION: 陳婉嫻議員對吳亮星議員就「大市場、小政府」所提，經單仲偕議員修正的議案，作出的修正案
 AMENDMENT BY HON CHAN YUEN-HAN TO HON NG LEUNG-SING'S MOTION ON "BIG MARKET AND SMALL GOVERNMENT" AS AMENDED BY HON SIN CHUNG-KAI

動議人 MOVED BY: 陳婉嫻 CHAN Yuen-han

	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	20	22	
投票 Vote	20	21	
贊成 Yes	8	17	
反對 No	11	2	
棄權 Abstain	1	2	
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	棄權 ABSTAIN
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 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	贊成 YES
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	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	
單仲偕 SIN Chung-kai	贊成 YES	劉江華 LAU Kong-wah	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	劉慧卿 Emily LAU	棄權 ABSTAIN
黃容根 WONG Yung-kan	贊成 YES	蔡素玉 CHOY So-yuk	贊成 YES
楊孝華 Howard YOUNG		鄭家富 Andrew CHENG	
劉皇發 LAU Wong-fat		司徒華 SZETO Wah	贊成 YES
劉健儀 Miriam LAU	反對 NO	譚耀宗 TAM Yiu-chung	贊成 YES
霍震霆 Timothy FOK	棄權 ABSTAIN	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	
石禮謙 Abraham SHEK	反對 NO	黃成智 WONG Sing-chi	贊成 YES
李鳳英 LI Fung-ying	贊成 YES	馮檢基 Frederick FUNG	
胡經昌 Henry WU	反對 NO	余若薇 Audrey EU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO		
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	反對 NO
劉炳章 LAU Ping-cheung		楊耀忠 YEUNG Yiu-chung	
		劉漢銓 Ambrose LAU	
		馬逢國 MA Fung kwok	反對 NO

秘書 CLERK