

# LEGISLATIVE COUNCIL

## MINUTES

### No. 4

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Minutes of the meeting held on Wednesday 20 October 2004 at 2:30 pm

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#### Members present:

President

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

The Hon James TIEN Pei-chun, GBS, JP

The Hon Albert HO Chun-yan

Ir Dr the Hon Raymond HO Chung-tai, S.B.St.J., JP

The Hon LEE Cheuk-yan

The Hon Martin LEE Chu-ming, SC, JP

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

The Hon Fred LI Wah-ming, JP

Dr the Hon LUI Ming-wah, JP

The Hon 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 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  
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 LAU Chin-shek, JP  
The Hon LAU Kong-wah, JP  
The Hon LAU Wong-fat, GBS, JP  
The Hon Miriam LAU Kin-yee, GBS, JP  
The Hon Emily LAU Wai-hing, JP  
The Hon CHOY So-yuk  
The Hon Andrew CHENG Kar-foo  
The Hon Timothy FOK Tsun-ting, GBS, JP  
The Hon TAM Yiu-chung, GBS, JP  
The Hon Abraham SHEK Lai-him, JP  
The Hon LI Fung-ying, BBS, JP  
The Hon Tommy CHEUNG Yu-yan, JP  
The Hon Albert CHAN Wai-yip  
The Hon Frederick FUNG Kin-kee, JP  
The Hon Audrey EU Yuet-mee, SC, JP  
The Hon Vincent FANG Kang, JP  
The Hon WONG Kwok-hing, MH  
The Hon LEE Wing-tat  
The Hon LI Kwok-ying, MH  
The Daniel LAM Wai-keung, BBS, JP

The Hon Jeffrey LAM Kin-fung, SBS, JP  
The Hon Andrew LEUNG Kwan-yuen, SBS, JP  
The Hon Alan LEONG Kah-kit, SC  
The Hon LEUNG Kwok-hung  
Dr the Hon KWOK Ka-ki  
Dr the Hon Fernando CHEUNG Chiu-hung  
The Hon CHEUNG Hok-ming, SBS, JP  
The Hon WONG Ting-kwong, BBS  
The Hon Ronny TONG Ka-wah, SC  
The Hon CHIM Pui-chung  
The Hon Patrick LAU Sau-shing, SBS, JP  
The Hon Albert Jinghan CHENG  
The Hon KWONG Chi-kin  
The Hon TAM Heung-man

**Members absent:**

Dr the Hon Joseph LEE Kok-long  
The Hon MA Lik, JP

**Public officers attending:**

The Hon Donald TSANG Yam-kuen, GBM, JP  
The Chief Secretary for Administration  
The Hon Henry TANG Ying-yen, GBS, JP  
The Financial Secretary  
The Hon Elsie LEUNG Oi-sie, GBM, JP  
The Secretary for Justice  
Prof the Hon Arthur LI Kwok-cheung, GBS, JP  
Secretary for Education and Manpower  
Dr the Hon Patrick HO Chi-ping, JP

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

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

Dr the Hon York CHOW Yat-ngok, SBS  
Secretary for Health, Welfare and Food

**Clerks in attendance:**

Mr Ricky FUNG Choi-cheung, JP, Secretary General

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

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

### Tabling of Papers

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

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Import and Export (General) (Amendment) Regulation 2004 (gazetted on 15.10.2004)	155/2004
2. Import and Export (Fees) (Amendment) Regulation 2004 (gazetted on 15.10.2004)	156/2004
3. Trade Descriptions (Country of Manufacture) (Piece-Knitted Garments) Order (gazetted on 15.10.2004)	157/2004
4. Trade Descriptions (Place of Manufacture) (Piece-Knitted Garments) (Amendment) Notice 2004 (gazetted on 15.10.2004)	158/2004
5. Trade Descriptions (Place of Manufacture) (Repeal) Notice 2004 (gazetted on 15.10.2004)	159/2004
6. Air Pollution Control (Motor Vehicle Fuel) (Amendment) Regulation 2004 (gazetted on 15.10.2004)	160/2004

### Other Papers

- No.13 - Urban Renewal Authority  
Annual Report 2003-2004 (published on 14.10.2004)
- No.14 - Companies Registry  
Annual Report 2003-04 (published on 15.10.2004)
- No.15 - The Land Registry Trading Fund Hong Kong  
Annual Report 2003/2004 (published on 15.10.2004)
- No.16 - Report of changes to the approved Estimates of  
Expenditure approved during the first quarter of  
2004-05 (Public Finance Ordinance : Section 8)  
(published on 15.10.2004)
- No.17 - The Government Minute in response to the Report  
No.42 of the Public Accounts Committee dated June  
2004 (published on 20.10.2004)

## Addresses

The Chief Secretary for Administration addressed the Council on the Government Minute in response to Report No. 42 of the Public Accounts Committee dated June 2004.

## Questions

1. Hon Emily LAU asked Question 1.

The Secretary for the Environment, Transport and Works replied.

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

2. Hon CHAN Yuen-han asked Question 2.

The Secretary for Health, Welfare and Food replied.

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

3. Hon LAU Kong-wah asked Question 3.

The Secretary for the Environment, Transport and Works replied.

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

4. Hon LI Kwok-ying asked Question 4.

The Secretary for Home Affairs replied.

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

5. Ir Dr Hon HO Chung-tai asked Question 5.

The Secretary for Home Affairs replied.

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

6. Hon Andrew CHENG asked Question 6.

The Secretary for Home Affairs replied.

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

Written replies to Questions 7 to 17 were tabled for Members' information.

### **Statements**

The Secretary for Education and Manpower made a statement on Consultation Document on Reforming the Academic Systems for Senior Secondary and Higher Education.

10 Members sought elucidation on the statement and the Secretary for Education and Manpower replied.

### **Members' Motions**

#### **Total smoking ban in workplaces**

Hon Bernard CHAN moved the following motion and addressed the Council:

That this Council urges the new Secretary for Health, Welfare and Food to actively expedite the implementation of a total smoking ban in workplaces so as to safeguard public interests and protect the public from the health hazards of passive smoking, and to step up anti-smoking efforts to combat the problem of young smokers.

While Hon Bernard CHAN was addressing the Council, the President left the chair at 5:14 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Hon Bernard CHAN's motion proposed.

The President's Deputy stated that Hon Andrew CHENG and Hon Albert Jinghan CHENG 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 Andrew CHENG and Hon Albert Jinghan CHENG respectively spoke on the motion and their amendments.

12 Members and Hon CHAN Yuen-han spoke on the motion and the amendments.

At 6:45 pm, while Hon CHAN Yuen-han was speaking, the President resumed the chair.

Another three Members spoke on the motion and the amendments.

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

Eight more Members spoke on the motion.

Hon Bernard CHAN spoke on the amendments.

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

Hon Andrew CHENG moved the following amendment to Hon Bernard CHAN's motion:

To add "indoor areas of" after "smoking ban in"; to add "and to introduce a bill to the Legislative Council in this session" after "workplaces"; to add "and comprehensive tobacco control" after "anti-smoking"; and to add ", which include imposing a total smoking ban in places such as restaurants, bars and karaoke, with a view to creating a social environment conducive to protecting young people from the harmful effects of tobacco" after "young smokers".

Question on Hon Andrew CHENG's amendment to Hon Bernard CHAN's motion proposed and put.

Hon Andrew CHENG claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 23 were present, 11 were in favour of the amendment, 11 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 23 were in favour of the amendment, three against it and one abstained. (Voting record in Appendix I.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Hon Miriam LAU rose to move the following motion without notice:

That in the event of further divisions in relation to the motion or amendments thereto on total smoking ban in workplaces, the Council 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.

Hon Albert Jinghan CHENG moved the following amendment to Hon Bernard CHAN's motion:

To add "and, at the same time, take proactive action to expedite the implementation of a total smoking ban in restaurants and air-conditioned indoor public areas" after "young smokers".

Question on Hon Albert Jinghan CHENG's amendment to Hon Bernard CHAN's motion proposed and put.

Hon Albert Jinghan CHENG claimed a division. The President then ordered the Council to divide under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 23 were present, 20 were in favour of the amendment and three against it; while among the Members returned by geographical constituencies through direct elections, 28 were present and 27 were in favour of the amendment. (Voting record in Appendix II.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the amendment was agreed.

Hon Bernard CHAN replied.

Question on Hon Bernard CHAN's motion as amended by Hon Albert Jinghan CHENG put and agreed to.

### **Enacting a fair competition law**

Hon Fred LI moved the following motion and addressed the Council:

That, as a survey conducted by the Consumer Council shows that the management companies of a number of private housing estates have, without giving prior notice to or obtaining the prior consent of the property owners, outsourced the estates' telecommunication services to their associate companies, with the charges of such services being bundled into the management fees, such practices have violated the principle of fair competition and undermined the interests of consumers, this Council urges the Government to thoroughly review the existing policy on fair competition, including the powers and operation of the Competition Policy Advisory Group, and to study the feasibility of enacting a fair competition law so as to safeguard the business environment in Hong Kong.

Question on Hon Fred LI's motion proposed.

The President stated that Hon Ronny TONG Ka-wah and Hon LEUNG Yiu-chung 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 Ronny TONG Ka-wah and Hon LEUNG Yiu-chung spoke respectively on the motion and their amendments.

24 Members spoke on the motion and the amendments.

Hon Fred LI spoke on the amendments.

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

Hon Ronny TONG Ka-wah moved the following amendment to Hon Fred LI's motion:

To delete ", as a survey conducted by the Consumer Council shows that the management companies of a number of private housing estates have, without giving prior notice to or obtaining the prior consent of the property owners, outsourced the estates' telecommunication services to their associate companies, with the charges of such services being bundled into the management fees, such practices have violated the principle of fair competition and undermined the interests of consumers," after "That"; to delete "existing policy on fair competition, including the powers and operation" after "thoroughly review the" and substitute with "function and effectiveness"; to delete ", and to study the feasibility of enacting a fair competition law" after "Competition Policy Advisory Group"; and to delete "safeguard the business environment in Hong Kong" after "so as to" and substitute with "ensure that there is a fairer trading environment in Hong Kong".

Question on Hon Ronny TONG Ka-wah's amendment to Hon Fred LI's motion proposed and put.

Hon SIN Chung-kai claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 23 were present, 16 were in favour of the amendment, six against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 10 were in favour of the amendment, 14 against it and one abstained. (Voting record in Appendix III.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the 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 motion or amendments thereto on enacting a fair competition law, the Council 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.

Hon LEUNG Yiu-chung moved the following amendment to Hon Fred LI's motion:

To delete ", such practices have violated" after "being bundled into the management fees" and substitute with ", and as practices violating"; to delete "undermined" after "the principle of fair competition and" and substitute with "contributing to unreasonable market domination also exist in many domains including power supply, gas, petroleum products and supermarkets, thus undermining"; to delete "study the feasibility of enacting" after "the Competition Policy Advisory Group, and to" and substitute with "expeditiously enact"; to add "as well as to set up a fair competition commission," after "a fair competition law"; to delete "the" after "so as to safeguard" and substitute with "fair competition in Hong Kong's"; and to delete "in Hong Kong" after "business environment" and substitute with "and the interests of the public".

Question on Hon LEUNG Yiu-chung's amendment to Hon Fred LI's motion proposed and put.

Hon LEUNG Yiu-chung claimed a division. The President then ordered the Council to divide under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 23 were present, eight were in favour of the amendment and 15 against it; while among the Members returned by geographical constituencies through direct elections, 26 were present, 17 were in favour of the amendment and eight against it. (Voting record in Appendix IV.) 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 Fred LI replied.

Question on Hon Fred LI's motion put.

Hon Fred LI claimed a division. The President then ordered the Council to divide under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 23 were present, 10 were in favour of the motion and 13 against it; while among the Members returned by geographical constituencies through direct elections, 26 were present, 23 were in favour of the motion and two against it. (Voting record in Appendix V.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the motion was negatived.

### **Next Meeting**

The President declared that the next meeting of the Council would be held on 27 October 2004 at 2:30 pm.

The Council was adjourned at 12:01 am on 21 October 2004.

(Mrs Rita FAN HSU Lai-tai)  
President

Council Chamber  
Hong

Kong

Appendix I

投票 VOTE: 1  
日期 DATE: 20/10/2004  
時間 TIME: 08:11:31 下午


動議 MOTION: 鄭家富議員對陳智思議員就「辦公室全面禁煙」所提議案作出的修正案  
AMENDMENT BY HON ANDREW CHENG TO HON BERNARD CHAN'S MOTION ON  
"TOTAL SMOKING BAN IN WORKPLACES"

動議人 MOVED BY: 鄭家富 Andrew CHENG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	28	
投票 Vote	23	27	
贊成 Yes	11	23	
反對 No	11	3	
棄權 Abstain	1	1	
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
<b>功能團體 Functional Constituencies</b>		<b>地方選區 Geographical Constituencies</b>	
何鍾泰 Dr Raymond HO		范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	反對 NO
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	贊成 YES
陳智思 Bernard CHAN	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	周梁淑怡 Mrs Selina CHOW	反對 NO
單仲偕 SIN Chung-kai	贊成 YES	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG		陳婉嫻 CHAN Yuen-han	贊成 YES
黃容根 WONG Yung-kan	贊成 YES	陳鑑林 CHAN Kam-lam	贊成 YES
楊孝華 Howard YOUNG	反對 NO	梁耀忠 LEUNG Yiu-chung	反對 NO
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	贊成 YES
劉健儀 Miriam LAU	反對 NO	楊森 Dr YEUNG Sum	贊成 YES
霍震霆 Timothy FOK	反對 NO	劉千石 LAU Chin-shek	贊成 YES
石禮謙 Abraham SHEK	反對 NO	劉江華 LAU Kong-wah	贊成 YES
李鳳英 LI Fung-ying	棄權 ABSTAIN	劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG	反對 NO	鄭家富 Andrew CHENG	贊成 YES
王國興 WONG Kwok-hing	贊成 YES	譚耀宗 TAM Yiu-chung	贊成 YES
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM	反對 NO	馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	李永達 LEE Wing-tat	贊成 YES
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	贊成 YES
張超雄 Dr Fernando CHEUNG	贊成 YES	馬力 MA Lik	
黃定光 WONG Ting-kwong	贊成 YES	梁家傑 Alan LEONG	
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	棄權 ABSTAIN
劉秀成 Patrick LAU	反對 NO	張學明 CHEUNG Hok-ming	贊成 YES
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 TONG Ka-wah	贊成 YES
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	贊成 YES



秘書 CLERK

Appendix II

投票 VOTE: 2  
日期 DATE: 20/10/2004  
時間 TIME: 08:14:42 下午

動議 MOTION: 鄭經翰議員對陳智思議員就「辦公室全面禁煙」所提議案作出的修正案  
AMENDMENT BY HON ALBERT CHENG TO HON BERNARD CHAN'S MOTION ON  
"TOTAL SMOKING BAN IN WORKPLACES"

動議人 MOVED BY: 鄭經翰 Albert CHENG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	28	
投票 Vote	23	27	
贊成 Yes	20	27	
反對 No	3	0	
棄權 Abstain	0	0	
結果 Result	通過 Passed	通過 Passed	通過 Passed

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
<b>功能團體</b> Functional Constituencies		<b>地方選區</b> Geographical Constituencies	
何鍾泰 Dr Raymond HO		范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	贊成 YES
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	贊成 YES
陳智思 Bernard CHAN	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	周梁淑怡 Mrs Selina CHOW	贊成 YES
單仲偕 SIN Chung-kai	贊成 YES	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG		陳婉嫻 CHAN Yuen-han	贊成 YES
黃容根 WONG Yung-kan	贊成 YES	陳鑑林 CHAN Kam-lam	贊成 YES
楊孝華 Howard YOUNG	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	贊成 YES
劉健儀 Miriam LAU	贊成 YES	楊森 Dr YEBUNG Sum	贊成 YES
霍震霆 Timothy FOK	贊成 YES	劉千石 LAU Chin-shek	贊成 YES
石禮謙 Abraham SHEK	贊成 YES	劉江華 LAU Kong-wah	贊成 YES
李鳳英 LI Fung-ying	贊成 YES	劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG	反對 NO	鄭家富 Andrew CHENG	贊成 YES
王國興 WONG Kwok-hing	贊成 YES	譚耀宗 TAM Yiu-chung	贊成 YES
李國麟 Dr Joseph LEE		Albert CHAN	贊成 YES
林偉強 Daniel LAM	贊成 YES	馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	贊成 YES	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	贊成 YES	李永達 LEE Wing-tat	贊成 YES
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	贊成 YES
張超雄 Dr Fernando CHEUNG	贊成 YES	馬力 MA Lik	
黃定光 WONG Ting-kwong	贊成 YES	梁家傑 Alan LEONG	贊成 YES
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	贊成 YES
劉秀成 Patrick LAU	贊成 YES	張學明 CHEUNG Hok-ming	贊成 YES
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 TONG Ka-wah	贊成 YES
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	贊成 YES

秘書 CLERK



Appendix III

投票 VOTE: 3  
日期 DATE: 20/10/2004  
時間 TIME: 11:51:25 下午

動議 MOTION: 湯家驊議員對李華明議員就「制定公平競爭法例」所提議案作出的修正案  
AMENDMENT BY HON TONG KA-WAH TO HON FRED LI'S MOTION ON "ENACTING A FAIR COMPETITION LAW"

動議人 MOVED BY: 湯家驊 TONG Ka-wah

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	26	
投票 Vote	23	25	
贊成 Yes	16	10	
反對 No	6	14	
棄權 Abstain	1	1	
結果 Result	通過 Passed	否決 Negatived	否決 Negatived

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
<b>功能團體 Functional Constituencies</b>		<b>地方選區 Geographical Constituencies</b>	
何鍾泰 Dr Raymond HO	贊成 YES	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	贊成 YES
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	反對 NO
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	反對 NO
張文光 CHEUNG Man-kwong	反對 NO	李柱銘 Martin LEE	反對 NO
陳智思 Bernard CHAN	贊成 YES	李華明 Fred LI	反對 NO
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	周梁淑怡 Mrs Selina CHOW	贊成 YES
單仲偕 SIN Chung-kai	反對 NO	涂謹申 James TO	反對 NO
黃宜弘 Dr Philip WONG		陳婉嫻 CHAN Yuen-han	反對 NO
黃容根 WONG Yung-kan	贊成 YES	陳鑑林 CHAN Kam-lam	贊成 YES
楊孝華 Howard YOUNG	贊成 YES	梁耀忠 LEUNG Yiu-chung	反對 NO
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	
劉健儀 Miriam LAU	贊成 YES	楊森 Dr YEUNG Sum	反對 NO
霍震霆 Timothy FOK	贊成 YES	劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK	贊成 YES	劉江華 LAU Kong-wah	贊成 YES
李鳳英 LI Fung-ying		劉慧卿 Emily LAU	反對 NO
張宇人 Tommy CHEUNG	贊成 YES	蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG	贊成 YES	鄭家富 Andrew CHENG	反對 NO
王國興 WONG Kwok-hung	反對 NO	譚耀宗 TAM Yiu-chung	贊成 YES
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	反對 NO
林偉強 Daniel LAM	贊成 YES	馮檢基 Frederick FUNG	反對 NO
林健鋒 Jeffrey LAM	贊成 YES	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	贊成 YES	李永達 LEE Wing-tat	反對 NO
郭家麒 Dr KWOK Ka-ki	棄權 ABSTAIN	李國英 LI Kwok-ying	贊成 YES
張超雄 Dr Fernando CHEUNG	反對 NO	馬力 MA Lik	
黃定光 WONG Ting-kwong	贊成 YES	梁家傑 Alan LEONG	
詹培忠 CHIM Pui-chung		梁國陸 LEUNG Kwok-hung	反對 NO
劉秀成 Patrick LAU	贊成 YES	張學明 CHEUNG Hok-ming	贊成 YES
鄭志堅 KWONG Chi-kin	反對 NO	湯家驊 TONG Ka-wah	贊成 YES
譚香文 TAM Heung-man	反對 NO	鄭經翰 Albert CHENG	棄權 ABSTAIN

秘書 CLERK

Appendix IV

投票 VOTE: 4  
日期 DATE: 20/10/2004  
時間 TIME: 11:54:26 下午

動議 MOTION: 梁耀忠議員對李華明議員就「制定公平競爭法例」所提議案作出的修正案  
AMENDMENT BY HON LEUNG YIU-CHUNG TO HON FRED LI'S MOTION ON "ENACTING A FAIR COMPETITION LAW"

動議人 MOVED BY: 梁耀忠 LEUNG Yiu-chung

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	26	
投票 Vote	23	25	
贊成 Yes	8	17	
反對 No	15	8	
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
<b>功能團體 Functional Constituencies</b>		<b>地方選區 Geographical Constituencies</b>	
何鍾泰 Dr Raymond HO	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	反對 NO
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	贊成 YES
陳智思 Bernard CHAN	反對 NO	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	周梁淑怡 Mrs Selina CHOW	反對 NO
單仲偕 SIN Chung-kai	贊成 YES	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG		陳婉嫻 CHAN Yuen-han	贊成 YES
黃容根 WONG Yung-kan	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
楊孝華 Howard YOUNG	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	
劉健儀 Miriam LAU	反對 NO	楊森 Dr YEUNG Sum	贊成 YES
霍震霆 Timothy FOK	反對 NO	劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK	反對 NO	劉江華 LAU Kong-wah	反對 NO
李鳳英 LI Fung-ying		劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	蔡素玉 CHOY So-yuk	反對 NO
方剛 Vincent FANG	反對 NO	鄭家富 Andrew CHENG	贊成 YES
王國興 WONG Kwok-hing	贊成 YES	譚耀宗 TAM Yiu-chung	反對 NO
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM	反對 NO	馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	李永達 LEE Wing-tat	贊成 YES
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	反對 NO
張超雄 Dr Fernando CHEUNG	贊成 YES	馬力 MA Lik	
黃定光 WONG Ting-kwong	反對 NO	梁家傑 Alan LEONG	
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	贊成 YES
劉秀成 Patrick LAU	反對 NO	張學明 CHEUNG Hok-ming	反對 NO
鄧志堅 KWONG Chi-kin	贊成 YES	湯家驊 TONG Ka-wah	贊成 YES
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	贊成 YES

秘書 CLERK

Appendix V

投票 VOTE: 5  
日期 DATE: 20/10/2004  
時間 TIME: 11:59:49 下午

動議 MOTION: 「制定公平競爭法例」議案  
MOTION "ENACTING A FAIR COMPETITION LAW"

動議人 MOVED BY: 李華明 Fred LI

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	26	
投票 Vote	23	25	
贊成 Yes	10	23	
反對 No	13	2	
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
<b>功能團體</b> Functional Constituencies		<b>地方選區</b> Geographical Constituencies	
何鍾泰 Dr Raymond HO	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	反對 NO
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	贊成 YES
陳智思 Bernard CHAN	反對 NO	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	周梁淑怡 Mrs Selina CHOW	反對 NO
單仲偕 SIN Chung-kai	贊成 YES	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG		陳婉嫻 CHAN Yuen-han	贊成 YES
黃容根 WONG Yung-kan	贊成 YES	陳鑑林 CHAN Kam-lam	贊成 YES
楊孝華 Howard YOUNG	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	
劉健儀 Miriam LAU	反對 NO	楊森 Dr YEUNG Sum	贊成 YES
霍震霆 Timothy FOK	反對 NO	劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK	反對 NO	劉江華 LAU Kong-wah	贊成 YES
李鳳英 LI Fung-ying		劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG	反對 NO	鄭家富 Andrew CHENG	贊成 YES
王國興 WONG Kwok-hing	贊成 YES	譚耀宗 TAM Yiu-chung	贊成 YES
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM	反對 NO	馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	李永達 LEE Wing-tat	贊成 YES
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	贊成 YES
張超雄 Dr Fernando CHEUNG	贊成 YES	馬力 MA Lik	
黃定光 WONG Ting-kwong	贊成 YES	梁家傑 Alan LEONG	
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	贊成 YES
劉秀成 Patrick LAU	反對 NO	張學明 CHEUNG Hok-ming	贊成 YES
鄺志堅 KWONG Chi-kin	贊成 YES	湯家驊 TONG Ka-wah	贊成 YES
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	贊成 YES

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