

LEGISLATIVE COUNCIL

MINUTES

No. 11

Minutes of the meeting held on Wednesday 8 December 2004 at 2:30 pm

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 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-yea, 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 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
Dr the Hon Joseph LEE Kok-long
The Daniel LAM Wai-keung, BBS, JP
The Hon Jeffrey LAM Kin-fung, SBS, JP

The Hon MA Lik, 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:

The Hon LEE Cheuk-yan

The Hon WONG Yung-kan, JP

Public officers attending:

The Hon Donald TSANG Yam-kuen, GBM, JP

The Chief Secretary for Administration

The Hon Michael SUEN Ming-yeung, GBS, JP

Secretary for Housing, Planning and Lands

Dr the Hon Sarah LIAO Sau-tung, JP

Secretary for the Environment, Transport and Works

The Hon Frederick MA Si-hang, JP

Secretary for Financial Services and the Treasury

The Hon Ambrose LEE Siu-kwong, IDSM, JP

Secretary for Security
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

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

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. Land Registration Fees (Amendment) Regulation 2004 (gazetted on 3.12.2004)	193/2004
2. Tax Reserve Certificates (Rate of Interest) (No. 7) Notice 2004 (gazetted on 3.12.2004)	194/2004
3. Construction Workers Registration (Levy) Notice (gazetted on 3.12.2004)	195/2004
4. Construction Workers Registration Ordinance (Commencement) (No. 2) Notice 2004 (gazetted on 3.12.2004)	196/2004
5. Land Registration (Amendment) Ordinance 2002 (20 of 2002) (Commencement) Notice 2004 (gazetted on 3.12.2004)	197/2004

Questions

1. Hon Albert CHAN asked Question 1.

The Secretary for Security replied.

Five Members asked supplementaries and the Secretary for Security replied.

2. Hon CHAN Kam-lam asked Question 2.

The Secretary for Housing, Planning and Lands replied.

Two Members and Hon LEUNG Kwok-hung asked supplementaries and the Secretary for Housing, Planning and Lands replied.

After the Secretary for Housing, Planning and Lands had replied to Hon LEUNG Kwok-hung's supplementary, Hon LEUNG Yiu-chung sought elucidation on the reply as he felt that the Secretary's reply contained incorrect information.

The President told Hon LEUNG Yiu-chung to wait for his turn to ask a supplementary. Hon LEUNG Yiu-chung said he did not want to raise a supplementary. He only wanted to seek elucidation as the Secretary's reply needed clarification. The President explained to Hon LEUNG Yiu-chung that Members could seek elucidation on the replies of public officers when their turn arrived during question time. As Hon LEUNG Yiu-chung insisted on seeking elucidation, the President suspended the meeting so that Hon LEUNG Yiu-chung could explain in her office what he was trying to seek elucidation on. The President then suspended the meeting at 3:09 pm.

The Council resumed at 3:18 pm.

The President stated that during the break, she had explained to Hon LEUNG Yiu-chung that Members were allowed to interrupt another Member or a public officer to seek elucidation during motion debates but not at question time; and Hon LEUNG Yiu-chung had agreed to wait for his turn to ask a supplementary.

Hon LEUNG Kwok-hung pointed out that his supplementary had not been fully answered and the Secretary for Housing, Planning and Lands replied.

Another two Members and Hon LEUNG Yiu-chung asked supplementaries and the Secretary for Housing, Planning and Lands replied.

3. Hon Margaret NG asked Question 3.

The Chief Secretary for Administration replied.

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

4. Hon TAM Yiu-chung asked Question 4.

The Secretary for the Environment, Transport and Works replied.

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

5. Hon Bernard CHAN asked Question 5.

The Secretary for Financial Services and the Treasury replied.

Three Members asked supplementaries. The Secretary for Financial Services and the Treasury and the Secretary for Security replied.

6. Hon Ronny TONG Ka-wah asked Question 6.

The Secretary for Health, Welfare and Food replied.

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

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

Members' Motions

Medical reform

Dr Hon KWOK Ka-ki moved the following motion and addressed the Council:

That, as the medical services in Hong Kong are now facing a big challenge in which the public medical organizations have to cope with unlimited demands with limited resources, and as the deficit of the Hospital Authority ("HA") is increasing year by year with hundreds of young doctors leaving the HA every year to go into private practice, yet there is not sufficient room for the healthy development of the private medical services, this Council urges the Government to:

- (a) expeditiously formulate a long-term medical policy that allows for sustainable development, and draw up a timetable for the implementation of the policy so that the difficulties currently faced by the medical services in Hong Kong can be overcome;
- (b) implement a target-subsidy approach whereby priorities for the provision of public medical services are set according to the importance and needs of the services;

- (c) establish an advisory framework that comprises front-line health care workers and incorporates broad representation to review the existing policies and assist in formulating future policy directions;
- (d) set up a training fund to provide proper specialist training for young doctors so as to nurture a sufficient number of qualified specialists and avoid any succession gap in medical professionals;
- (e) enhance the training on family medicine, provide training opportunities to existing family doctors and all young doctors engaging in family medicine practice, and assist them in acquiring specialist qualifications;
- (f) address the prevailing serious imbalance in the public and private medical services; and
- (g) study and implement options for financing health care.

While Dr Hon KWOK Ka-ki was addressing the Council, the President left the chair at 4:45 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Dr Hon KWOK Ka-ki's motion proposed.

The President's Deputy stated that Dr Hon Joseph LEE Kok-long, Hon LI Kwok-ying and Hon Andrew CHENG would move amendments to the motion. In accordance with the Rules of Procedure, the motion and the three amendments would be debated together in a joint debate.

Dr Hon Joseph LEE Kok-long, Hon LI Kwok-ying and Hon Andrew CHENG respectively spoke on the motion and their amendments.

10 Members and Hon SIN Chung-kai spoke on the motion and the amendments.

At 6:30 pm, while Hon SIN Chung-kai was speaking, the President resumed the chair.

Another five Members spoke on the motion and the amendments.

Dr Hon KWOK Ka-ki spoke on the amendments.

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

Dr Hon Joseph LEE Kok-long moved the following amendment to Dr Hon KWOK Ka-ki's motion:

To add "and health" after "That, as the medical"; to delete "(`HA`)" after "the Hospital Authority"; to delete "with hundreds of young doctors leaving the HA every year to go into private practice, yet" after "year by year" and substitute with "whilst"; to add "and health" after "development of the private medical"; to delete "medical" after "a long-term" and substitute with "health"; to add "and health" after "faced by the medical"; to delete "(b) implement a target-subsidy approach whereby priorities for the provision of public medical services are set according to the importance and needs of the services;"; to delete the original "(c)" and substitute with "(b)"; to delete the original "(d)" and substitute with "(c)"; to delete "specialist" after "to provide proper"; to delete "young doctors" after "training for" and substitute with "the new generation of health care personnel"; to delete "nurture a sufficient number of qualified specialists" after "so as to" and substitute with "tie in with the needs for clinical specialization in medical and health services"; to delete "medical" after "succession gap in" and substitute with "health care"; to delete the original "(e)" and substitute with "(d)"; to delete ", provide training opportunities to existing family doctors and all young doctors engaging in family medicine practice, and assist them in acquiring specialist qualifications" after "enhance the training on family medicine" and substitute with "and community health service so that health care professionals can effectively promote community health and public health"; to delete the original "(f)" and substitute with "(e)"; to add "and health" after "in the public and private medical"; and to delete the original "(g)" and substitute with "(f)".

Question on Dr Hon Joseph LEE Kok-long's amendment to Dr Hon KWOK Ka-ki's motion proposed, put and agreed to.

The President stated that as Dr Hon Joseph LEE Kok-long's amendment had been agreed, she granted leave for Hon LI Kwok-ying to revise the terms of his amendment and explain them to the Council.

Hon LI Kwok-ying moved the following further amendment to Dr Hon KWOK Ka-ki's motion as amended by Dr Hon Joseph LEE Kok-long and explained the revised terms of his amendment to the Council:

To delete "and" after "the public and private medical and health services;"; and to add "; (g) strengthen the efforts in the prevention of diseases and primary health care with a view to reducing the demand for in-patient services; (h) incorporate Chinese medicine services into the scope of health care services planning; and (i) adopt as the premise in formulating a medical policy an approach that is people-oriented and does not increase the health care burden on grass-roots people" after "financing health care".

Question on Hon LI Kwok-ying's amendment to Dr Hon KWOK Ka-ki's motion as amended by Dr Hon Joseph LEE Kok-long proposed, put and agreed to.

The President stated that as Dr Hon Joseph LEE Kok-long's and Hon LI Kwok-ying's amendments had been agreed, she granted leave for Hon Andrew CHENG to revise the terms of his amendment and explain them to the Council.

Hon Andrew CHENG moved the following further amendment to Dr Hon KWOK Ka-ki's motion as amended by Dr Hon Joseph LEE Kok-long and Hon LI Kwok-ying and explained the revised terms of his amendment to the Council:

To delete "and" after "the scope of health care services planning;"; and to add "; (j) enhance primary health efforts, including strengthening the prevention of and scientific research on infectious diseases to prevent any outbreak of epidemics in Hong Kong; and (k) ensure that there are representatives of patients' organizations in the relevant advisory framework when reviewing the existing policies and formulating future policy directions" after "grass-roots people".

Question on Hon Andrew CHENG's amendment to Dr Hon KWOK Ka-ki's motion as amended by Dr Hon Joseph LEE Kok-long and Hon LI Kwok-ying proposed, put and agreed to.

Dr Hon KWOK Ka-ki replied.

Question on Dr Hon KWOK Ka-ki's motion as amended by Dr Hon Joseph LEE Kok-long, Hon LI Kwok-ying and Hon Andrew CHENG put and agreed to.

Reviewing the basis for charging the trade effluent surcharge and its appeal mechanism

Hon Tommy CHEUNG moved the following motion and addressed the Council:

That this Council urges the Environment, Transport and Works Bureau to expeditiously conduct a comprehensive review of the basis for charging the trade effluent surcharge and its appeal mechanism with a view to ensuring that the charging scheme is fair and reasonable, thereby alleviating the heavy burden on the catering industry; furthermore, the Government should also assist the catering industry in introducing new and high technologies so as to further conserve water and reduce the discharge of effluent.

Question on Hon Tommy CHEUNG's motion proposed.

The President stated that Hon Martin LEE 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 Martin LEE moved the following amendment to Hon Tommy CHEUNG's motion and addressed the Council:

To delete "thereby alleviating the heavy burden on the catering industry" after "fair and reasonable," and substitute with "and that the polluter pays principle is put into effect"; to delete "catering industry in introducing" after "should also assist the" and substitute with "affected persons and businesses in adopting various means including"; and to delete "so as" after "technologies".

Question on Hon Martin LEE's amendment to Hon Tommy CHEUNG's motion proposed.

Seven Members spoke on the motion and the amendment.

Hon Tommy CHEUNG spoke on the amendment.

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

Question on Hon Martin LEE's amendment to Hon Tommy CHEUNG's motion put and agreed to.

Hon Tommy CHEUNG replied.

Question on Hon Tommy CHEUNG's motion as amended by Hon Martin LEE put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 15 December 2004 at 2:30 pm.

The Council was adjourned at 9:02 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong