

LEGISLATIVE COUNCIL

MINUTES

No. 17

Minutes of the meeting held on Wednesday 26 January 2005 at 2:30 pm,
Thursday 27 January 2005 at 9:00 am and Friday 28 January 2005 at 9:00 am

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 (absent on 28.1.2005)

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

Public officers attending:

On 26.1.2005, 27.1.2005 and 28.1.2005

The Hon Donald TSANG Yam-kuen, GBM, JP
The Chief Secretary for Administration

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

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

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

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

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

On 26.1.2005 and 27.1.2005

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

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

On 26.1.2005 and 28.1.2005

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

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

On 27.1.2005 and 28.1.2005

The Hon Frederick MA Si-hang, JP
Secretary for Financial Services and the Treasury

On 27.1.2005

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

On 28.1.2005

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

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

Clerks in attendance:

On 26.1.2005, 27.1.2005 and 28.1.2005

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)

On 27.1.2005 and 28.1.2005

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

Special Motions

Proposed resolution under Rule 91 of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

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

Resolved that Rules 23(2) and 24(3) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be suspended to enable Members to ask, at this Council meeting, the questions scheduled for the Council meeting held on 19 January 2005 but were not asked.

Question on the motion proposed, put and agreed to.

Questions

1. Hon Andrew LEUNG Kwan-yuen asked Question 1.

The Secretary for the Civil Service replied.

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

2. Hon Martin LEE asked Question 2.

The Secretary for the Environment, Transport and Works replied.

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

3. Hon Margaret NG asked Question 3.

The Secretary for Justice replied.

Six Members asked supplementaries and the Secretary for Justice replied.

4. Hon LAU Wong-fat asked Question 4.

The Secretary for the Environment, Transport and Works replied.

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

5. Hon Frederick FUNG asked Question 5.

The Secretary for Constitutional Affairs replied.

Seven Members asked supplementaries and the Secretary for Constitutional Affairs replied.

6. Dr Hon Fernando CHEUNG asked Question 6.

The Secretary for Education and Manpower replied.

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

Written replies to Questions 7 to 39 were tabled for Members' information.

Bills

First Reading

Merchant Shipping (Limitation of Shipowners Liability) (Amendment) Bill 2005

The Bill was read the first time and ordered to be set down for Second Reading pursuant to Rule 53(3) of the Rules of Procedure.

Second Reading

Merchant Shipping (Limitation of Shipowners Liability) (Amendment) Bill 2005

The Secretary for Economic Development and Labour moved the Second Reading and addressed the Council.

Question on the Second Reading proposed. The President stated that in accordance with Rule 54(4) of the Rules of Procedure, the debate was adjourned and the Bill was referred to the House Committee.

Motions

Proposed resolution under the Pharmacy and Poisons Ordinance

The Secretary for Health, Welfare and Food moved the following motion and addressed the Council:

Resolved that the following Regulations, made by the Pharmacy and Poisons Board on 28 December 2004, be approved -

- (a) the Pharmacy and Poisons (Amendment)(No. 4) Regulation 2004; and
- (b) the Poisons List (Amendment)(No. 4) Regulation 2004.

Question on the motion proposed, put and agreed to.

Members' Motions

Motion of Thanks

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

That this Council thanks the Chief Executive for his address.

Question on the motion proposed. The President stated that Hon LEE Wing-tat would move an amendment to the motion. The motion and the amendment would be debated together in a joint debate.

The President announced the commencement of the first debate session, which covered the following policy areas: administration of justice and legal services, constitutional affairs, public service and security.

Seven Members and Hon WONG Kwok-hing spoke.

While Hon WONG Kwok-hing was speaking, the President left the chair at 6:31 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Another nine Members and Hon Mrs Selina CHOW spoke.

While Hon Mrs Selina CHOW was speaking, Hon LEUNG Kwok-hung drew the attention of the President's Deputy to the absence of a quorum. The President's Deputy directed the Clerk to summon Members to the meeting.

At 7:59 pm, the President resumed the chair. A quorum was then present and Hon Mrs Selina CHOW continued to speak.

13 further Members spoke.

The President suspended the meeting at 10:25 pm.

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The Council resumed at 9:00 am on 27 January 2005 to continue to debate the Motion of Thanks moved by Hon Miriam LAU and the amendment to the motion to be moved by Hon LEE Wing-tat.

Noting the absence of a quorum, the President directed the Clerk to summon Members to the meeting. A quorum was then present.

Four more Members spoke.

At 10:12 am, the President suspended the meeting for ten minutes.

The Council resumed at 10:22 am.

The Chief Secretary for Administration, the Secretary for the Civil Service, the Secretary for Constitutional Affairs, the Secretary for Security and the Secretary for Justice spoke.

The President announced the end of the first debate session and the commencement of the second debate session, which covered the following policy areas: commerce and industry, economic services, financial affairs, information technology and broadcasting and labour.

Nine Members and Hon Andrew CHENG spoke.

While Hon Andrew CHENG was speaking, the President left the chair at 1:08 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Another two Members and Hon Andrew LEUNG spoke.

At 1:40 pm, while Hon Andrew LEUNG was speaking, the President resumed the chair.

Another seven Members and Hon Howard YOUNG spoke.

While Hon Howard YOUNG was speaking, the President left the chair at 2:54 pm temporarily and the President's Deputy, Hon Fred LI, took the chair.

Another six Members and Hon Margaret NG spoke.

While Hon Margaret NG was speaking, Hon LEUNG Kwok-hung drew the attention of the President's Deputy to the absence of a quorum. The President's Deputy directed the Clerk to summon Members to the meeting.

At 4:07 pm, the President resumed the chair. A quorum was then present and Hon Margaret NG continued to speak.

Hon LEUNG Kwok-hung spoke and 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 and Hon LEUNG Kwok-hung continued to speak.

Two more Members spoke.

At 4:58 pm, the President suspended the meeting for ten minutes.

The Council resumed at 5:08 pm.

Noting the absence of a quorum, the President directed the Clerk to summon Members to the meeting. A quorum was then present.

The Financial Secretary, the Secretary for Financial Services and the Treasury, the Secretary for Commerce, Industry and Technology and the Secretary for Economic Development and Labour spoke.

The Financial Secretary spoke again.

The President announced the end of the second debate session and the commencement of the third debate session, which covered the following policy areas: food safety and environmental hygiene, health services and welfare services.

One Member and Hon Tommy CHEUNG spoke.

While Hon Tommy CHEUNG was speaking, the President left the chair at 6:14 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Another seven Members and Dr Hon Fernando CHEUNG spoke.

At 8:05 pm, while Dr Hon Fernando CHEUNG was speaking, the President resumed the chair.

11 more Members spoke.

The Secretary for Health, Welfare and Food spoke.

The President announced the end of the third debate session and suspended the meeting at 10:20 pm.

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The Council resumed at 9:00 am on 28 January 2005 to continue to debate the Motion of Thanks moved by Hon Miriam LAU and the amendment to the motion to be moved by Hon LEE Wing-tat.

The President announced the commencement of the fourth debate session, which covered the following policy areas: education, home affairs and manpower.

16 Members spoke.

Hon Albert Jinghan CHENG 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.

Hon Albert Jinghan CHENG spoke and again 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 and Hon Albert Jinghan CHENG continued to speak.

Another four Members spoke.

At 11:18 am, the President suspended the meeting for ten minutes.

The Council resumed at 11:28 am.

Noting the absence of a quorum, the President directed the Clerk to summon Members to the meeting. A quorum was then present.

The Secretary for Education and Manpower and the Secretary for Home Affairs spoke.

The President announced the end of the fourth debate session and the commencement of the fifth debate session, which covered the following policy areas: housing, planning, lands and works, environmental affairs and transport.

Six Members and Hon LAU Wong-fat spoke.

While Hon LAU Wong-fat was speaking, the President left the chair at 12:57 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Another nine Members and Hon Abraham SHEK spoke.

At 2:15 pm, while Hon Abraham SHEK was speaking, the President resumed the chair.

17 more Members spoke.

At 4:00 pm, the President suspended the meeting for ten minutes.

The Council resumed at 4:10 pm.

Noting the absence of a quorum, the President directed the Clerk to summon Members to the meeting. A quorum was then present.

The Secretary for Housing, Planning and Lands and the Secretary for the Environment, Transport and Works spoke.

The President announced the end of the fifth debate session.

Hon Miriam LAU spoke on the amendment.

Hon LEE Wing-tat moved the following amendment to Hon Miriam LAU's motion:

To add “, but as the Policy Address has failed to fully identify the inadequacies and put in place a democratic political system, this Council expresses deep regret and urges the Chief Executive to expeditiously propose the election of the Chief Executive and all Members of the Legislative Council by universal suffrage in 2007 and 2008 respectively, to enhance the Government's accountability and the standard of its governance, so that the Government can follow public opinion more closely and improve its governance” after “That this Council thanks the Chief Executive for his address”.

Question on Hon LEE Wing-tat's amendment to Hon Miriam LAU's motion proposed and put.

Hon LEE Wing-tat 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, 27 were present, seven were in

favour of the amendment and 20 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 15 were in favour of the amendment and 10 against it. (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 replied.

Question on Hon Miriam LAU's motion put.

Hon Miriam 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, 28 were present, 21 were in favour of the motion and seven against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 28 were present, 10 were in favour of the motion and 17 against it. (Voting record in Appendix II.) 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.

Introducing a fair competition law for the oil industries

Hon Mrs Selina CHOW moved the following motion and addressed the Council:

That, as the adjustments of local oil product prices are always quick in going up but slow in coming down and the pace of price adjustments by various oil companies tends to be synchronized, while oil product pump prices often fail to truly reflect import costs, this Council urges the Government to actively consider introducing a fair competition law and other effective measures for the oil industries, including requesting the Competition Policy Advisory Group to take heed of any unfair mode of competition that may emerge in the local oil market, and entrusting the Group to monitor and study the situation, with a view to increasing competition in the oil industries and enhancing the transparency of product prices, thereby avoiding oligopoly, promoting fair competition and safeguarding commercial clients and the public against high oil prices.

Question on Hon Mrs Selina CHOW's motion proposed.

The President stated that Hon WONG Kwok-hing and Hon Fred LI 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 WONG Kwok-hing and Hon Fred LI respectively spoke on the motion and their amendments.

14 Members spoke on the motion and the amendments.

Hon Mrs Selina CHOW spoke on the amendments.

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

Hon WONG Kwok-hing moved the following amendment to Hon Mrs Selina CHOW's motion:

To delete "actively consider introducing" after "this Council urges the Government to" and substitute with "comprehensively introduce"; and to delete "for" after "other effective measures" and substitute with "starting from".

Question on Hon WONG Kwok-hing's amendment to Hon Mrs Selina CHOW's motion proposed and put.

Hon WONG Kwok-hing 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, 24 were present, six were in favour of the amendment and 18 against it; while among the Members returned by geographical constituencies through direct elections, 25 were present, seven were in favour of the amendment and 17 against it. (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 "Introducing a fair competition law for the oil industries", 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 Fred LI moved the following amendment to Hon Mrs Selina CHOW's motion:

To add "comprehensive" after "consider introducing a"; to delete "for the oil industries" after "other effective measures"; to delete "requesting" after "including" and substitute with "reforming"; to delete "to take heed of" after "the Competition Policy Advisory Group" and substitute with "and providing it with statutory power of investigation, so as to enable it to regulate"; and to delete "and entrusting the Group to monitor and study the situation," after "local oil market,".

Question on Hon Fred LI's amendment to Hon Mrs Selina CHOW's motion proposed and 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, 24 were present, nine were in favour of the amendment and 15 against it; while among the Members returned by geographical constituencies through direct elections, 25 were present, 16 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 Mrs Selina CHOW replied.

Question on Hon Mrs Selina CHOW's motion put and agreed to.

Enacting legislation on freedom of information

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

That this Council urges the HKSAR Government to enact legislation on freedom of information so as to safeguard Hong Kong's freedom of the press and information, and to enhance the transparency and accountability of the HKSAR Government with a view to consolidating the core values of Hong Kong.

While Hon James TO was addressing the Council, the President left the chair at 7:37 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Hon James TO's motion proposed.

The President's Deputy stated that Hon Albert Jinghan CHENG, Hon TSANG Yok-sing and Hon Margaret NG would move amendments to the motion. In accordance with the Rules of Procedure, the motion and the three amendments would be debated together in a joint debate.

Hon Albert Jinghan CHENG, Hon TSANG Yok-sing and Hon Margaret NG respectively spoke on the motion and their amendments.

Six Members and Dr Hon KWOK Ka-ki spoke on the motion and the amendments.

At 8:52 pm, while Dr Hon KWOK Ka-ki was speaking, the President resumed the chair.

Another five Members spoke on the motion and the amendments.

Hon James TO spoke on the amendments.

The Secretary for Home Affairs spoke on the motion and the amendments.

Hon Albert Jinghan CHENG moved the following amendment to Hon James TO's motion:

To add ", as the current Code on Access to Information is inadequate for safeguarding freedom of the press, freedom of information and the public's right to know," after "That"; to add "and amend the existing Official Secrets Ordinance and other legislation that may be in conflict with freedom of the press, freedom of information and the public's right to know," after "freedom of information"; and to add "as well as the public's right to know" after "freedom of the press and information".

Question on Hon Albert Jinghan CHENG's amendment to Hon James TO's motion proposed and put.

Hon Albert Jinghan 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, 20 were present, nine were in favour of the amendment, 10 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 15 were present, nine were in favour of the amendment and five abstained. (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 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 legislation on freedom of information", 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 TSANG Yok-sing moved the following amendment to Hon James TO's motion::

To add ", on the premise of fully consulting various sectors of the community and having regard for the public's right to know and their social responsibilities," after "freedom of information"; to delete "and to" after "press and information,"; and to delete "with a view to consolidating" after "accountability of the HKSAR Government" and substitute with ", safeguard the public interests of the Hong Kong community, and consolidate".

Question on Hon TSANG Yok-sing's amendment to Hon James TO's motion proposed, put and agreed to.

The President stated that as Hon TSANG Yok-sing's amendment had been agreed, she granted leave for Hon Margaret NG to revise the terms of her amendment and explain them to the Council.

Hon Margaret NG moved the following further amendment to Hon James TO's motion as amended by Hon TSANG Yok-sing and explained the revised terms of her amendment to the Council:

To add "as well as facilitate public participation in assessing and proposing public policies; and the relevant legislation should provide for: (a) the public's right of access to information held by public authorities; (b) clearly defined categories of information the disclosure of which may be refused; and (c) the mechanisms for enforcing the right and for appeal," after "core values of Hong Kong".

Question on Hon Margaret NG's amendment to Hon James TO's motion as amended by Hon TSANG Yok-sing proposed, put and agreed to.

Hon James TO replied.

Question on Hon James TO's motion as amended by Hon TSANG Yok-sing and Hon Margaret NG put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 2 February 2005 at 2:30 pm.

The Council was adjourned at 10:06 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

投票 VOTE: 1
日期 DATE: 28/01/2005
時間 TIME: 05:01:41 下午

動議 MOTION: 李永達議員對劉健儀議員所提的「致謝議案」作出的修正案
AMENDMENT BY HON LEE WING-TAT TO HON MIRIAM LAU'S "MOTION OF THANKS"

動議人 MOVED BY: 李永達LEE Wing-tat

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	27	26	
投票 Vote	27	25	
贊成 Yes	7	15	
反對 No	20	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	
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	反對 NO	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	反對 NO	陳婉嫻 CHAN Yuen-han	反對 NO
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	反對 NO
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	反對 NO	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	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李國麟 Dr Joseph LEE	贊成 YES	陳偉業 Albert CHAN	
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	贊成 YES
詹培忠 CHING Pui-chung	反對 NO	梁國雄 LEUNG Kwok-hung	
劉秀成 Patrick LAU		張學明 CHEUNG Hok-ming	反對 NO
鄭志堅 KWONG Chi-kin	反對 NO	湯家驊 Ronny TONG	贊成 YES
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	贊成 YES

投票 VOTE: 2
 日期 DATE: 28/01/2005
 時間 TIME: 05:09:38 下午

動議 MOTION: 「致謝議案」
 "MOTION OF THANKS"

動議人 MOVED BY: 劉健儀 Miriam LAU

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	28	28	
投票 Vote	28	27	
贊成 Yes	21	10	
反對 No	7	17	
棄權 Abstain	0	0	
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
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
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	贊成 YES	何俊仁 Albert HO	反對 NO
吳靄儀 Margaret NG	反對 NO	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	贊成 YES	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	贊成 YES	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	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	贊成 YES	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-hing	贊成 YES	譚耀宗 TAM Yiu-chung	贊成 YES
李國麟 Dr Joseph LEE	反對 NO	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	反對 NO
梁君彥 Andrew LEUNG	贊成 YES	李永達 LEE Wing-tat	反對 NO
郭家麒 Dr KWOK Ka-ki	反對 NO	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	反對 NO
詹培忠 CHIM Pui-chung	贊成 YES	梁國雄 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	贊成 YES	湯家驊 Ronny TONG	反對 NO
譚香文 TAM Heung-man	反對 NO	鄭經翰 Albert CHENG	反對 NO

投票 VOTE: 3
日期 DATE: 28/01/2005
時間 TIME: 07:25:46 下午

動議 MOTION: 王國興議員對周梁淑怡議員就「在石油行業引入公平競爭法」所提議案作出的修正案
AMENDMENT BY HON WONG KWOK-HING TO HON MRS SELINA CHOW'S MOTION ON
"INTRODUCING A FAIR COMPETITION LAW FOR THE OIL INDUSTRIES"

動議人 MOVED BY: 王國興 WONG Kwok-hing

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	24	25	
投票 Vote	24	24	
贊成 Yes	6	7	
反對 No	18	17	
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	
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	
呂明華 Dr Lui Ming-wah	反對 NO	何俊仁 Albert HO	反對 NO
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	
張文光 CHEUNG Man-kwong	反對 NO	李柱銘 Martin LEE	反對 NO
陳智思 Bernard CHAN		李華明 Fred LI	反對 NO
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	反對 NO	涂謹申 James TO	反對 NO
黃宜弘 Dr Philip WONG	反對 NO	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	反對 NO
劉健儀 Miriam LAU	反對 NO	楊森 Dr YEUNG Sum	反對 NO
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	贊成 YES	劉慧卿 Emily LAU	反對 NO
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	反對 NO
王國興 WONG Kwok-hing	贊成 YES	譚耀宗 TAM Yiu-chung	反對 NO
李國麟 Dr Joseph LEE	反對 NO	陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM		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	反對 NO
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	反對 NO
黃定光 WONG Ting-kwong		梁家傑 Alan LEONG	
詹培忠 CHIM Pui-chung	反對 NO	梁國雄 LEUNG Kwok-hung	贊成 YES
劉秀成 Patrick LAU	反對 NO	張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 Ronny TONG	贊成 YES
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	反對 NO

投票 VOTE: 4
日期 DATE: 28/01/2005
時間 TIME: 07:29:03 下午

動議 MOTION: 李華明議員對周梁淑怡議員就「在石油行業引入公平競爭法」所提議案作出的修正案
AMENDMENT BY HON FRED LI TO HON MRS SELINA CHOW'S MOTION ON
"INTRODUCING A FAIR COMPETITION LAW FOR THE OIL INDUSTRIES"

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	24	25	
投票 Vote	24	24	
贊成 Yes	9	16	
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
功能團體 Functional Constituencies		地方選區 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	
呂明華 Dr LUI Ming-wah	反對 NO	何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	贊成 YES
陳智思 Bernard CHAN		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	反對 NO	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	反對 NO
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	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	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	贊成 YES	陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM		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	反對 NO
黃定光 WONG Ting-kwong		梁家傑 Alan LEONG	
詹培忠 CHIM Pui-chung	反對 NO	梁國雄 LEUNG Kwok-hung	贊成 YES
劉秀成 Patrick LAU	反對 NO	張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 Ronny TONG	贊成 YES
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	贊成 YES

投票 VOTE: 5
日期 DATE: 28/01/2005
時間 TIME: 09:59:03 下午

動議 MOTION: 鄭經翰議員對涂謹申議員就「制定資訊自由法」所提議案作出的修正案
AMENDMENT BY HON ALBERT CHENG TO HON JAMES TO'S MOTION ON "ENACTING
LEGISLATION ON FREEDOM OF INFORMATION"

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	20	15	
投票 Vote	20	14	
贊成 Yes	9	9	
反對 No	10	0	
棄權 Abstain	1	5	
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	
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	
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	
陳智思 Bernard CHAN	反對 NO	李華明 Fred LI	
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	周梁淑怡 Mrs Selina CHOW	
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	
黃容根 WONG Yung-kan	棄權 ABSTAIN	陳鑑林 CHAN Kam-lam	
楊孝華 Howard YOUNG	反對 NO	梁耀忠 LEUNG Yiu-chung	
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	棄權 ABSTAIN
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	棄權 ABSTAIN
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	棄權 ABSTAIN
方剛 Vincent FANG	反對 NO	鄭家富 Andrew CHENG	
王國興 WONG Kwok-hing	贊成 YES	譚耀宗 TAM Yiu-chung	棄權 ABSTAIN
李國麟 Dr Joseph LEE	贊成 YES	陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM		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	
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	棄權 ABSTAIN
張超雄 Dr Fernando CHEUNG	贊成 YES	馬力 MA Lik	
黃定光 WONG Ting-kwong		梁家傑 Alan LEONG	贊成 YES
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	
劉秀成 LAU Siu-sing		張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 Ronny TONG	贊成 YES
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	贊成 YES