

LEGISLATIVE COUNCIL

MINUTES

No. 18

Minutes of the meeting held on Wednesday 2 February 2005 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-ye, GBS, JP

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

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 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 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 CHAN Yuen-han, JP

The Hon Timothy FOK Tsun-ting, GBS, JP

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

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

The Hon Stephen IP Shu-kwan, GBS, JP

Secretary for Economic Development and Labour

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

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

Dr the Hon York CHOW Yat-ngok, SBS, JP
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>
Official Languages (Alteration of Text under Section 4D) (Medical Officer of Schools) Order (gazetted on 28.1.2005)	9/2005

Other Papers

- No.53 - Occupational Safety and Health Council Annual Report 2003-2004 (published on 26.1.2005)
- No.54 - Report by the Controller, Government Flying Service on the Administration of the Government Flying Service Welfare Fund for the year ended 31 March 2004 (published on 28.1.2005)
- No.55 - Report by the Commissioner of Correctional Services of Hong Kong Incorporated on the Administration of the Correctional Services Department Welfare Fund for the year ended 31 March 2004 (published on 28.1.2005)

Questions

1. Hon Audrey EU asked Question 1.

The Secretary for Economic Development and Labour replied.

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

2. Dr Hon Joseph LEE Kok-long asked Question 2.

The Secretary for Health, Welfare and Food replied.

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

3. Hon TSANG Yok-sing asked Question 3.

The Secretary for Health, Welfare and Food replied.

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

4. Hon LEUNG Kwok-hung asked Question 4.

The Secretary for the Civil Service replied.

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

5. Hon James TO asked Question 5.

The Secretary for Constitutional Affairs replied.

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

Written replies to Questions 6 to 20 were tabled for Members' information.

Motions

Proposed resolutions under the Interpretation and General Clauses Ordinance

1. Employees' Compensation Ordinance (Amendment of Second Schedule) Order 2004

The Secretary for Economic Development and Labour moved the following motion and addressed the Council:

Resolved that the Employees' Compensation Ordinance (Amendment of Second Schedule) Order 2004, published in the Gazette as Legal Notice No. 213 of 2004 and laid on the table of the Legislative Council on 15 December 2004, be amended -

- (a) in section 1, by repealing "a day to be appointed by the Commissioner for Labour by notice published in the Gazette" and substituting "8 February 2005";
- (b) in section 2 -
 - (i) in the new item B11, by repealing "頻繁地" and substituting "經常";
 - (ii) in the new item B12, by repealing "頻繁地" and substituting "經常";

- (iii) in the new item B12, in paragraph (a), by repealing “remains, residues or” and substituting “uncooked remains or residues, or their”.

Question on the motion proposed.

Hon KWONG Chi-kin, member of the Subcommittee on Employees' Compensation Ordinance (Amendment of Second Schedule) Order 2004 and Occupational Safety and Health Ordinance (Amendment of Schedule 2) Order 2004, spoke on the motion.

Another two Members spoke on the motion.

Question on the motion put and agreed to.

2. Occupational Safety and Health Ordinance (Amendment of Schedule 2) Order 2004

The Secretary for Economic Development and Labour moved the following motion and addressed the Council:

Resolved that the Occupational Safety and Health Ordinance (Amendment of Schedule 2) Order 2004, published in the Gazette as Legal Notice No. 214 of 2004 and laid on the table of the Legislative Council on 15 December 2004, be amended -

- (a) in section 1, by repealing “a day to be appointed by the Commissioner for Labour by notice published in the Gazette” and substituting “8 February 2005”;
- (b) in section 2 -
 - (i) in the new item 50, by repealing “頻繁地” and substituting “經常”;
 - (ii) in the new item 51, by repealing “頻繁地” and substituting “經常”;
 - (iii) in the new item 51, in paragraph (a), by repealing “remains, residues or” and substituting “uncooked remains or residues, or their”.

Question on the motion proposed, put and agreed to.

3. Telecommunications (Method for Determining Spectrum Utilization Fees) (Third Generation Mobile Services) (Amendment) Regulation 2004 and Telecommunications (Level of Spectrum Utilization Fees) (Second Generation Mobile Services) Regulation

The Secretary for Commerce, Industry and Technology moved the motion in Appendix I and addressed the Council.

Question on the motion proposed.

Hon SIN Chung-kai spoke on the motion as the Chairman of the Subcommittee on Telecommunications (Designation of Frequency Bands subject to Payment of Spectrum Utilization Fee) (Amendment) Order 2004, Telecommunications (Method for Determining Spectrum Utilization Fees) (Third Generation Mobile Services) (Amendment) Regulation 2004 and Telecommunications (Level of Spectrum Utilization Fees) (Second Generation Mobile Services) Regulation, and then in his personal capacity as a Member.

Another Member spoke on the motion.

Question on the motion put and agreed to.

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

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

Resolved that in relation to the –

- (a) Merchant Shipping (Prevention of Pollution by Sewage) Regulation, published in the Gazette as Legal Notice No. 7 of 2005; and
- (b) Merchant Shipping (Prevention and Control of Pollution) (Fees) Regulation, published in the Gazette as Legal Notice No. 8 of 2005,

and laid on the table of the Legislative Council on 19 January 2005, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 9 March 2005.

Question on the motion proposed, put and agreed to.

Monitoring the post-retirement employment of the Chief Executive, principal officials under the accountability system

and civil servants at directorate level with private-sector organizations

Hon CHEUNG Man-kwong moved the following motion and addressed the Council:

That, since the approval granted to Ms Elaine CHUNG Lai-kwok, former Deputy Director of Housing, for her post-retirement employment with a private-sector organization has aroused severe criticisms from the community and called into question the existence of a conflict of interest between her present job and her previous service in the Government, in order to restore the public's confidence in the retirement system of senior officials, this Council urges the Government to immediately amend, monitor the implementation of and strictly enforce the policies and measures governing the post-retirement employment of civil servants with private-sector organizations, which should include:

- (a) extending the present period of six months to two years the sanitization period for officers retiring at the rank of Administrative Officer Staff Grade A1 or above, and to one year for other directorate officers;
- (b) prohibiting directorate officers from taking up employment with private-sector organizations during their pre-retirement leave to guard against double pay;
- (c) expanding the regulation of business or employment locations to cover Mainland China and the Macao Special Administrative Region, in addition to Hong Kong;
- (d) identifying loopholes in the work of the Advisory Committee on Post-retirement Employment to prevent the Committee from becoming a rubber stamp which approves applications indiscriminately;
- (e) making public information on the approvals granted by the Government for civil servants at directorate level to take up post-retirement employment with private-sector organizations; and
- (f) closely monitoring the changes in the nature of post-retirement employment taken up by directorate officers with private-sector organizations after such approvals have been granted so as to ensure that there is no conflict of interest between their post-retirement employment and their previous service in the Government;

furthermore, this Council also calls upon Mr Joseph WONG Wing-ping, Secretary for the Civil Service, to apologize for the mishandling of the incident of Ms Elaine CHUNG Lai-kok, and urges the Administration to amend the relevant policies by

exercising appropriate and forceful regulation over the post-departure or post-retirement employment of the Chief Executive and the principal officials under the accountability system with private-sector organizations, so as to achieve the policy direction of "resolutely against collusion between business and the Government to eliminate any transfer of benefits" announced in the Chief Executive's 2005 Policy Address, thereby ensuring that upon the departure of the Chief Executive, principal officials and directorate officers, they do not enter into any business or take up any employment which may constitute a conflict of interest with their previous service in the Government or adversely affect the image of the Government.

Question on Hon CHEUNG Man-kwong's motion proposed.

The President stated that Hon TAM Yiu-chung 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 TAM Yiu-chung moved the following amendment to Hon CHEUNG Man-kwong's motion and addressed the Council:

To delete "to Ms Elaine CHUNG Lai-kwok, former Deputy Director of Housing, for her" after "That, since the approval granted" and substitute with "in recent years to a number of civil servants at directorate level for their"; to delete "a" after "post-retirement employment with"; to delete "organization" after "private-sector" and substitute with "organizations"; to delete "severe criticisms from the community and called into question the existence of a conflict of interest between her present job and her previous service in the Government" after "has aroused" and substitute with "public concern"; to delete "restore the public's confidence in the retirement system of senior officials" after "in order to" and substitute with "fortify the prevention of civil servants at directorate level from taking up post-retirement employment that involves conflicts of interests with their previous service in the Government"; to delete "amend" after "the Government to immediately" and substitute with "tighten up"; to add "at directorate level" after "post-retirement employment of civil servants"; to delete "extending the present period of six months to two years the" after "(a)" and substitute with "imposing across the board a"; to delete "for officers retiring at the rank of Administrative Officer Staff Grade A1 or above, and to one year for other" after "sanitization period" and substitute with "of at least one year for"; to delete "(c) expanding the regulation of business or employment locations to cover Mainland China and the Macao Special Administrative Region, in addition to Hong Kong"; to delete

the original "(d)" and substitute with "(c)"; to delete the original "(e)" and substitute with "(d)"; to delete the original "(f)" and substitute with "(e)"; to delete "Mr Joseph WONG Wing-ping, Secretary for the Civil Service, to apologize for the mishandling of" after "this Council also calls upon" and substitute with "the Civil Service Bureau to expeditiously complete the investigation into"; to add "and publish the relevant report" after "the incident of Ms Elaine CHUNG Lai-kok"; and to delete "amend" after "urges the Administration to" and substitute with "strictly enforce".

Question on Hon TAM Yiu-chung's amendment to Hon CHEUNG Man-kwong's motion proposed.

18 Members and Hon SIN Chung-kai spoke on the motion and the amendment.

While Hon SIN Chung-kai was speaking, the President left the chair at 7:02 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Hon CHEUNG Man-kwong spoke on the amendment.

The Secretary for the Civil Service spoke on the motion and the amendment.

At 7:28 pm, while the Secretary for the Civil Service was speaking, the President resumed the chair.

Question on Hon TAM Yiu-chung's amendment to Hon CHEUNG Man-kwong's motion put.

Hon CHEUNG Man-kwong 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, 25 were present, 23 were in favour of the amendment and two against it; while among the Members returned by geographical constituencies through direct elections, 25 were present, 14 were in favour of the amendment, eight against it and two abstained. (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 CHEUNG Man-kwong replied.

Question on Hon CHEUNG Man-kwong's motion as amended by Hon TAM Yiu-chung put and agreed to.

Opposing collusion between business and the Government and transfer of benefits

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

That, as the Chief Executive has stated in his 2005 Policy Address that while ensuring the efficiency of Hong Kong's free market and its capacity to create wealth, the Administration also seeks to properly balance the interests of different social strata and sectors, and is resolutely against "collusion between business and the Government" and will strictly enforce the monitoring systems to eliminate any "transfer of benefits", this Council urges the Administration to:

- (a) clearly define what constitutes "collusion between business and the Government" and "transfer of benefits", and elaborate on how the monitoring systems will operate;
- (b) review the existing political system and the procedure for allocating resources, and plug the loopholes;
- (c) open up the mechanism for nominating members to advisory and statutory bodies and enhance its transparency, strictly enforce the rules whereby a person should not serve as a member on more than six boards/committees and should not serve more than six years in any board/committee as well as the principle of "making appointments on the basis of merits", listen widely to the views of different sectors of the community, and avoid "cronyism" and "transfer of benefits"; and
- (d) implement the election of the Chief Executive and all Members of the Legislative Council by universal suffrage in 2007 and 2008 respectively to prevent the small-circle electoral system from continuing to give rise to problems of "collusion between business and the Government" and "transfer of benefits".

Question on Hon Emily LAU's motion proposed.

The President stated that Hon Jeffrey LAM Kin-fung 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 Jeffrey LAM Kin-fung moved the following amendment to Hon Emily LAU's motion and addressed the Council:

To delete "define what constitutes" after "(a) clearly" and substitute with "explain how to prevent"; to delete "elaborate

on how the monitoring systems will operate” after “and ‘transfer of benefits’, and” and substitute with “ensure that the normal partnering relationship between business and the Government is not undermined; and”; to delete “the existing political system and the procedure for allocating resources, and plug the loopholes;” after “(b) review” and substitute with “the procedure for determining business and Government partnership projects and to enhance its transparency,”; and to delete “(c) open up the mechanism for nominating members to advisory and statutory bodies and enhance its transparency, strictly enforce the rules whereby a person should not serve as a member on more than six boards/committees and should not serve more than six years in any board/committee as well as the principle of ‘making appointments on the basis of merits’, listen widely to the views of different sectors of the community, and avoid ‘cronyism’ and ‘transfer of benefits’; and (d) implement the election of the Chief Executive and all Members of the Legislative Council by universal suffrage in 2007 and 2008 respectively to prevent the small-circle electoral system from continuing to give rise to problems of ‘collusion between business and the Government’ and ‘transfer of benefits’ ” and substitute with “so as to safeguard public interest”.

Question on Hon Jeffrey LAM Kin-fung’s amendment to Hon Emily LAU’s motion proposed.

31 Members spoke on the motion and the amendment.

With the President’s permission, Hon Andrew CHENG elucidated on some points he had made earlier which had been misunderstood.

Another two Members spoke on the motion and the amendment.

Hon Emily LAU spoke on the amendment.

The Financial Secretary spoke on the motion and the amendment.

Question on Hon Jeffrey LAM Kin-fung’s amendment to Hon Emily LAU’s motion put.

Hon Jeffrey LAM Kin-fung 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 amendment and seven against it; while among the Members returned by geographical constituencies through direct elections, 25 were present, nine were in favour of the amendment and 15 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 Emily LAU replied.

Question on Hon Emily LAU'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, 28 were present, seven were in favour of the motion and 21 against it; while among the Members returned by geographical constituencies through direct elections, 25 were present, 15 were in favour of the motion and nine 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 motion was negatived.

Next Meeting

The President declared that the next meeting of the Council would be held on 23 February 2005 at 2:30 pm.

The Council was adjourned at 12:16 am on 3 February 2005.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

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

TELECOMMUNICATIONS (METHOD FOR DETERMINING SPECTRUM
UTILIZATION FEES) (THIRD GENERATION MOBILE
SERVICES) (AMENDMENT) REGULATION 2004

TELECOMMUNICATIONS (LEVEL OF SPECTRUM UTILIZATION
FEES) (SECOND GENERATION MOBILE SERVICES)
REGULATION

RESOLVED that -

- (a) the Telecommunications (Method for Determining
Spectrum Utilization Fees) (Third Generation Mobile
Services) (Amendment) Regulation 2004, published in
the Gazette as Legal Notice No. 209 of 2004 and
laid on the table of the Legislative Council on 15
December 2004, be amended by adding -

**"3. Action that may be
taken by Authority if
licensee fails to keep
proper accounts for**

**purposes of determining
spectrum utilization
fees**

Section 10 is amended -

- (a) by repealing "完全或局部關乎" and substituting "關乎(不論是完全關乎或局部關乎)";
- (b) by repealing "按照";
- (c) in paragraph (a) -
 - (i) by adding "按照" before "規";
 - (ii) by adding "備存" after "件";
- (d) in paragraph (b) -
 - (i) by adding "按照" before "根";
 - (ii) by adding "該" before "持";
 - (iii) by adding "備存" after "規";
- (e) by repealing "備存,";
- (f) in paragraph (c)(i) -
 - (i) by repealing "必需的方式處理該等帳目, 以使它們" and substituting "為使該等帳目";

(ii) by adding “而需用的方式，看待該等帳目” after “定)” ;

(g) in paragraph (c)(ii) by repealing everything before “有關” and substituting -

“(ii) 以該等如此看待的帳目作基準，就該持牌人評核” ;

(h) in paragraph (d) by repealing everything before “，而” and substituting -

“(d) 該等如此看待的帳目及經如此評核的網絡營業額須用於釐定該使用費” .” ;

(b) the Telecommunications (Level of Spectrum Utilization Fees) (Second Generation Mobile Services) Regulation, published in the Gazette as Legal Notice No. 210 of 2004 and laid on the table of the Legislative Council on 15 December 2004, be amended in section 3 -

(i) in paragraph (a), by repealing “and” at the end;

(ii) in paragraph (b), by repealing the full stop and substituting “; and” ;

(iii) by adding -

“(c) “relevant mobile carrier licence” (有關的移動傳送者牌照)

means a mobile carrier licence
which -

(i) is granted after the
commencement of this
Regulation; and

(ii) entitles its holder to
use the spectrum referred
to in section 2."

投票 VOTE: 1
日期 DATE: 02/02/2005
時間 TIME: 07:47:47 下午

動議 MOTION: 譚耀宗議員對張文光議員就「監管行政長官、問責官員及首長級公務員退休後任職私營機構」所提議案作出的修正案
AMENDMENT BY HON Y.C. TAM TO HON M.K. CHEUNG'S MOTION ON "MONITORING THE POST-RETIREMENT EMPLOYMENT OF THE CHIEF EXECUTIVE, PRINCIPAL OFFICIALS UNDER THE ACCOUNTABILITY SYSTEM AND CIVIL SERVANTS AT DIRECTORATE LEVEL WITH PRIVATE-SECTOR ORGANIZATIONS"

動議人 MOVED BY: 譚耀宗 TAM Yiu-chung

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	25	25	
投票 Vote	25	24	
贊成 Yes	23	14	
反對 No	2	8	
棄權 Abstain	0	2	
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	
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	
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	
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	
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	贊成 YES
劉皇發 LAU Wong-fat	贊成 YES	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		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	棄權 ABSTAIN
張宇人 Tommy CHEUNG		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	贊成 YES	陳偉業 Albert CHAN	反對 NO
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	反對 NO
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		梁家傑 Alan LEONG	贊成 YES
詹培忠 CHIM Pui-chung	贊成 YES	梁國雄 LEUNG Kwok-hung	棄權 ABSTAIN
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	
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	贊成 YES

投票 VOTE: 2
 日期 DATE: 03/02/2005
 時間 TIME: 12:09:36 上午

動議 MOTION: 林健鋒議員對劉慧卿議員就「反對官商勾結及利益輸送」所提議案作出的修正案
 AMENDMENT BY HON JEFFREY LAM TO HON EMILY LAU'S MOTION ON "OPPOSING COLLUSION BETWEEN BUSINESS AND THE GOVERNMENT AND TRANSFER OF BENEFITS"

動議人 MOVED BY: 林健鋒 Jeffrey LAM

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	28	25	
投票 Vote	28	24	
贊成 Yes	21	9	
反對 No	7	15	
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	
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	
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	
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	贊成 YES	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		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: 03/02/2005
 時間 TIME: 12:14:19 上午

動議 MOTION: 「反對官商勾結及利益輸送」議案
 MOTION "OPPOSING COLLUSION BETWEEN BUSINESS AND THE GOVERNMENT AND
 TRANSFER OF BENEFITS"

動議人 MOVED BY: 劉慧卿 Emily LAU

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	28	25	
投票 Vote	28	24	
贊成 Yes	7	15	
反對 No	21	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	
何鍾泰 Dr Raymond HO	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國賢 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	
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	
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	徐謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳婉嫻 CHAN Yuen-han	
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	反對 NO	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		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
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鄺志堅 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