

LEGISLATIVE COUNCIL

MINUTES

No. 3

Minutes of the meetings held on Wednesday 18 October 2006 at 11:00 am
and on Thursday 19 October 2006 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, SBS, 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

Dr the Hon LUI Ming-wah, SBS, JP

The Hon Margaret NG

The Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon CHAN Yuen-han, JP

The Hon Bernard CHAN, GBS, JP

The Hon CHAN Kam-lam, SBS, 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, GBM, GBS, JP
The Hon Miriam LAU Kin-yee, GBS, JP
The Hon Emily LAU Wai-hing, JP
The Hon CHOY So-yuk, JP
The Hon Andrew CHENG Kar-foo
The Hon Timothy FOK Tsun-ting, GBS, JP
The Hon TAM Yiu-chung, GBS, 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, SBS, 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, JP
Dr the Hon Joseph LEE Kok-long, JP
The Hon Daniel LAM Wai-keung, SBS, JP
The Hon Jeffrey LAM Kin-fung, SBS, JP

The Hon MA Lik, GBS, JP (absent on 19.10.2006)

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

Prof 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 Fred LI Wah-ming, JP

The Hon Abraham SHEK Lai-him, JP

Public officers attending:

On 18.10.2006 and 19.10.2006

The Hon Rafael HUI Si-yan, GBS, JP
The Chief Secretary for Administration

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

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

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

The Hon Denise YUE Chung-yee, GBS, JP
Secretary for the Civil Service

On 18.10.2006

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

On 19.10.2006

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

The Hon WONG Yan-lung, SC, JP
The Secretary for Justice

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

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

The Hon Joseph WONG Wing-ping, GBS, JP
Secretary for Commerce, Industry and Technology

Dr the Hon Patrick HO Chi-ping, JP
Secretary for Home Affairs

Clerks in attendance:

On 18.10.2006 and 19.10.2006

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mrs Vivian KAM NG Lai-man, Assistant Secretary General (2)

Mrs Justina LAM CHENG Bo-ling, Assistant Secretary General (3)

On 18.10.2006

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

Tabling of Papers

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

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Electoral Procedure (Chief Executive Election) (Amendment) Regulation 2006 (gazetted on 13.10.2006)	209/2006
2. Employees Retraining Ordinance (Amendment of Schedule 2) (No. 2) Notice 2006 (gazetted on 13.10.2006)	210/2006
3. Chief Executive Election (Election Petition) (Amendment) Rules 2006 (gazetted on 13.10.2006)	211/2006

Other Papers

- No.3 - Report by the Trustee of the Customs and Excise Service Children's Education Trust Fund for the year ending 31 March 2006, together with the Director of Audit's Report and the Audited Statement of Accounts (published on 11.10.2006)
- No.4 - Annual Report 2005-06 of the Protection of Wages on Insolvency Fund Board (published on 11.10.2006)
- No.5 - Environment and Conservation Fund Trustee Report 2005-2006 (published on 11.10.2006)
- No.6 - Report of changes to the approved Estimates of Expenditure approved during the first quarter of 2006-07 (Public Finance Ordinance : Section 8) (published on 11.10.2006)
- No.7 - The Land Registry Trading Fund Hong Kong Annual Report 2005/06 (published on 12.10.2006)
- No.8 - Traffic Accident Victims Assistance Fund Annual Report for the year from 1 April 2005 to 31 March 2006 (published on 12.10.2006)
- No.9 - Electrical and Mechanical Services Trading Fund Annual Report 2005/2006 (published on 12.10.2006)
- No.10 - Companies Registry Trading Fund Annual Report for the period from 1 April 2005 to 31 March 2006 (published on 12.10.2006)

- No.11 - Urban Renewal Authority
Annual Report 2005-2006 (published on 13.10.2006)
- No.12 - Hong Kong Deposit Protection Board
Annual Report 2005-2006 (published on 13.10.2006)
- No.13 - Construction Workers Registration Authority
Annual Report 2005/06 (published on 13.10.2006)
- No.14 - The Government Minute in response to the Report
No.46 of the Public Accounts Committee dated July
2006 (published on 16.10.2006)
- Report of the Bills Committee on Smoking (Public Health)
(Amendment) Bill 2005 (published on 16.10.2006)

Addresses

The Chief Secretary for Administration addressed the Council on the Government Minute in response to the Report No. 46 of the Public Accounts Committee dated July 2006.

One Member sought elucidation on the Government Minute and the Chief Secretary for Administration replied.

Questions

1. Hon CHAN Yuen-han asked Question 1.

The Secretary for Health, Welfare and Food replied.

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

2. Hon Jeffrey LAM Kin-fung asked Question 2.

The Secretary for Financial Services and the Treasury replied.

Eight Members asked supplementaries and the Secretary for Financial Services and the Treasury replied.

3. Hon LEUNG Yiu-chung asked Question 3.

The Secretary for the Civil Service replied.

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

4. Hon Margaret NG 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 LAU Kong-wah asked Question 5.

The Secretary for Economic Development and Labour replied.

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

6. Dr Hon KWOK Ka-ki asked Question 6.

The Secretary for Health, Welfare and Food replied.

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

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

Bills

Smoking (Public Health) (Amendment) Bill 2005

Resumption of Second Reading debate

The debate on the Second Reading which was moved on 11 May 2005 resumed.

Hon Andrew CHENG, Chairman of the Bills Committee on Smoking (Public Health) (Amendment) Bill 2005, addressed the Council on the Committee's Report.

While Hon Andrew CHENG was speaking, the President left the chair at 1:18 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

After the address, Hon Andrew CHENG spoke on the Bill in his personal capacity as a Member.

Two Members and Hon LI Kwok-ying spoke on the Bill.

At 2:30 pm, while Hon LI Kwok-ying was speaking, the President resumed the chair.

Eighteen other Members spoke on the Bill.

The Secretary for Health, Welfare and Food replied.

Question on the Second Reading put.

Hon Emily LAU claimed a division. The President then ordered the Council to proceed to a division under Rule 47(1) of the Rules of Procedure.

The President announced that 55 Members were present, 52 were in favour of the motion and two abstained. (Voting record in Appendix I.) Since the question was agreed by a majority of the Members present, she declared that the motion was carried.

Bill read the second time and committed to a Committee of the whole Council.

Committee Stage

The Council went into Committee and considered the **Smoking (Public Health) (Amendment) Bill 2005**.

Question that clauses 1, 3, 7, 9, 10, 12, 14, 16, 17, 21 to 29, 31, 34 and 35 stand part of the Bill proposed, put and agreed to.

Question that clauses 4, 5 and 20 stand part of the Bill proposed.

The Chairman stated that the Secretary for Health, Welfare and Food had given notice to move amendments to clauses 4, 5(a) and (c) and 20, which were related to designated no smoking areas and exempt areas. In this regard, Hon Andrew CHENG and Dr Hon KWOK Ka-ki had separately given notice to move amendments to clause 20. Hon Tommy CHEUNG and Hon Albert CHAN had also separately given notice to move amendments to clauses 4 and 20. She ordered that the aforesaid clauses and amendments thereto be debated together in a joint debate.

The Chairman invited the Secretary for Health, Welfare and Food to move his amendments.

The Secretary for Health, Welfare and Food moved amendments to clauses 4, 5(a) and (c) and 20 and addressed the Committee.

Hon Andrew CHENG spoke on the amendments and his proposed amendment.

Hon Tommy CHEUNG spoke on the amendments and his own proposed amendments, and withdrew the notice of his eight proposed amendments in relation to "smoking room".

Dr Hon KWOK Ka-ki spoke on the amendments and his proposed amendment.

While Dr Hon KWOK Ka-ki was speaking, the Chairman left the chair at 6:54 pm temporarily and the Chairman's Deputy, Hon Miriam LAU, took the chair.

Hon Albert CHAN spoke on the amendments and his proposed amendments.

Two Members and Hon Martin LEE spoke on these amendments.

At 7:36 pm, while Hon Martin LEE was speaking, the Chairman resumed the chair.

Two other Members spoke on these amendments.

Hon Andrew CHENG and Hon Albert CHAN spoke again.

The Secretary for Health, Welfare and Food and three Members who had spoken spoke again.

Dr Hon KWOK Ka-ki and Hon Andrew CHENG spoke again.

One more Member spoke on these amendments.

Question on the amendment to clause 20 moved by the Secretary for Health, Welfare and Food put and agreed to.

The Chairman stated that as the Secretary for Health, Welfare and Food's amendment had been passed, Hon Andrew CHENG, Hon Tommy CHEUNG, Dr Hon KWOK Ka-ki and Hon Albert CHAN might not move their respective relevant amendments which were inconsistent with the decision already taken.

Question that clause 20, as amended, stand part of the Bill proposed, put and agreed to.

Question on the amendments to clauses 4 and 5(a) and (c) moved by the Secretary for Health, Welfare and Food put and agreed to.

Question that clause 18 stand part of the Bill proposed.

The Secretary for Health, Welfare and Food moved amendments to clause 18 to amend the proposed sections 15E and 15G and add the proposed section 15GA and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 4 and 18, as amended, stand part of the Bill proposed, put and agreed to.

Council resumed by order of the Chairman. The President then granted leave for the Secretary for Health, Welfare and Food to move a motion under Rule 91 of the Rules of Procedure that Rule 58(5) of the Rules of Procedure be suspended to enable the Committee of the whole Council to consider new clause 22A together with clause 5.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New clause 22A read the first time.

The Secretary for Health, Welfare and Food moved the Second Reading of new clause 22A and addressed the Committee.

Question on the Second Reading of new clause 22A proposed, put and agreed to.

New clause 22A read the second time.

The Secretary for Health, Welfare and Food moved the addition of new clause 22A to the Bill.

Question on the addition proposed, put and agreed to.

The Secretary for Health, Welfare and Food moved an amendment to add paragraph (ba) to clause 5 and addressed the Committee.

Question on the amendment put and agreed to.

Hon Tommy CHEUNG moved the addition of paragraph (bb) to clause 5 and addressed the Committee.

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

Question on the amendment put and negatived.

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

Question that clauses 6, 8 and 19 stand part of the Bill proposed.

The Chairman stated that Secretary for Health, Welfare and Food and Hon Andrew CHENG had separately given notice to move amendments to clauses 6, 8 and 19 and the addition of new clause 31A to the bill. She ordered that the aforesaid clauses and amendments thereto be debated together in a joint debate.

The Chairman invited the Secretary for Health, Welfare and Food to move his amendments.

The Secretary for Health, Welfare and Food moved amendments to clauses 6, 8 and 19 and addressed the Committee.

Hon Andrew CHENG spoke on the amendments and his proposed amendments.

Three Members spoke on these amendments.

Hon Andrew CHENG, one Member who had spoken and the Secretary for Health, Welfare and Food spoke again.

One other Member spoke on these amendments.

Hon Andrew CHENG spoke for the third time.

Another Member spoke on these amendments and one Member who had spoken spoke again.

Hon Andrew CHENG and one Member who had spoken spoke again.

Hon Andrew CHENG spoke for the fifth time and one more Member spoke on these amendments.

Question on the amendments moved by the Secretary for Health, Welfare and Food put.

Hon Andrew CHENG claimed a division. The Chairman then ordered the Committee to proceed to a division under Rule 47(1) of the Rules of Procedure.

The Chairman announced that 53 Members were present, 33 were in favour of the amendments, 17 against it and 2 abstained. (Voting record in Appendix II.) Since the question was agreed by a majority of the Members present, she declared that the amendments were agreed.

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

That in the event of further divisions in relation to the remaining clauses of Smoking (Public Health) (Amendment) Bill 2005 or amendments thereto, the Committee do proceed to each of such divisions after the division bell has been rung for one minute.

Question on the motion proposed, put and agreed to.

The Chairman stated that as the Secretary for Health, Welfare and Food's amendments had been passed, Hon Andrew CHENG might not move his amendments to clauses 6, 8 and 19 and the addition of his new clause 31A, which were inconsistent with the decision already taken.

Question that clauses 6, 8 and 19, as amended, stand part of the Bill proposed, put and agreed to.

Council resumed by order of the Chairman. The President then granted leave for the Secretary for Health, Welfare and Food to move a motion under Rule 91 of the Rules of Procedure that Rule 58(5) of the Rules of Procedure be suspended to enable the Committee of the whole Council to consider new clause 31A ahead of other clauses.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New clause 31A read the first time.

The Secretary for Health, Welfare and Food moved the Second Reading of new clause 31A and addressed the Committee.

Question on the Second Reading of new clause 31A proposed, put and agreed to.

New clause 31A read the second time.

The Secretary for Health, Welfare and Food moved the addition of new clause 31A to the Bill.

Question on the addition proposed, put and agreed to.

Question that clauses 11, 13, 30 and 32 stand part of the Bill proposed.

The Secretary for Health, Welfare and Food moved amendments to the aforesaid clauses and addressed the Committee.

One Member spoke on the amendments.

Question on the amendments put and agreed to.

Question that clauses 11, 13, 30 and 32, as amended, stand part of the Bill proposed, put and agreed to.

Question that clauses 15, 33 and 36 stand part of the Bill proposed.

Council resumed by order of the Chairman. The President then granted leave for the Secretary for Health, Welfare and Food to move a motion under Rule 91 of the Rules of Procedure that Rule 58(5) of the Rules of Procedure be suspended to enable the Committee of the whole Council to consider new clause 35A together with clauses 15, 33 and 36.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New clause 35A read the first time.

The Secretary for Health, Welfare and Food moved the Second Reading of new clause 35A and addressed the Committee.

Question on the Second Reading of new clause 35A proposed, put and agreed to.

New clause 35A read the second time.

The Secretary for Health, Welfare and Food moved the addition of new clause 35A to the Bill.

Question on the addition proposed, put and agreed to.

The Secretary for Health, Welfare and Food moved amendments to clauses 15, 33 and 36 and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 15 and 33, as amended, stand part of the Bill proposed, put and agreed to.

Question that Part 4 stand part of the Bill proposed.

The Secretary for Health, Welfare and Food moved amendment to Part 4 which included clauses 37 and 38 and addressed the Committee.

Question on the amendment put and agreed to.

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

The Chairman suspended the meeting at 10:05 pm.

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The Committee resumed at 2:30 pm on 19 October 2006.

Question that clause 2 stand part of the Bill proposed.

Council resumed by order of the Chairman. The President then granted leave for Hon Andrew CHENG to move a motion under Rule 91 of the Rules of Procedure that Rule 58(5) of the Rules of Procedure be suspended to enable the Committee of the whole Council to consider new clauses 17A, 17B and 17C together with clauses 2 and 36.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New clauses 17A, 17B and 17C read the first time.

The Chairman stated that Hon Andrew CHENG had given notice to move the addition of new clauses 17A, 17B and 17C and his amendments to clauses 2 and 36 in relation to prohibition on selling tobacco products, etc. to persons in school uniform. The Secretary for Health, Welfare and Food and Hon Tommy CHEUNG had also separately given notice to move their respective amendments to clause 2. She ordered that the aforesaid clauses and amendments thereto be debated together in a joint debate.

The Chairman invited Hon Andrew CHENG to move the Second Reading of new clauses 17A, 17B and 17C.

Hon Andrew CHENG moved the Second Reading of new clauses 17A, 17B and 17C and addressed the Committee.

Question on the Second Reading of new clauses 17A, 17B and 17C proposed.

Hon Tommy CHEUNG and the Secretary for Health, Welfare and Food spoke on the aforesaid clauses and their proposed amendments.

Three Members spoke on the aforesaid clauses and amendments.

With the Chairman's permission, Hon Tommy CHEUNG elucidated on a point he had made earlier which was misunderstood by Hon Margaret NG.

Six other Members spoke on the aforesaid clauses and amendments.

One Member who had spoken spoke another time.

Another Member spoke on the aforesaid clauses and amendments.

Hon Andrew CHENG spoke again.

Question on the Second Reading of new clauses 17A, 17B and 17C put.

Hon Andrew CHENG claimed a division. The Chairman then ordered the Committee to proceed to a division under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 24 were present, eight were in favour of the motion, 15 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 19 were present, 12 were in favour of the motion and six 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 motion was negatived.

The Chairman stated that as Hon Andrew CHENG's motion had been negatived, he might not move his amendments to clauses 2 and 36, which were inconsistent with the decision already taken.

Question that clause 36, as amended earlier by the Secretary for Health, Welfare and Food, stand part of the Bill proposed, put and agreed to.

The Secretary for Health, Welfare and Food move the amendment to clause 2.

Question on the amendment to clause 2 put and agreed to.

The Chairman stated that as the Secretary for Health, Welfare and Food's amendment had been passed, Hon Tommy CHEUNG might not move his amendment to clause 2, which was inconsistent with the decision already taken.

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

New clause 16A read the first time.

The Secretary for Health, Welfare and Food moved the Second Reading of new clause 16A and addressed the Committee.

Question on the Second Reading of new clause 16A proposed, put and agreed to.

New clause 16A read the second time.

The Secretary for Health, Welfare and Food moved the addition of new clause 16A to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Health, Welfare and Food reported that

the **Smoking (Public Health) (Amendment) Bill 2005**

had passed through the Committee with amendments. He moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed.

Three Members spoke on the motion.

The Secretary for Health, Welfare and Food replied.

Question on the Third Reading put and agreed to.

Bill read the third time and passed.

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 25 September 2006, be approved -

- (a) the Pharmacy and Poisons (Amendment) (No. 4) Regulation 2006; and
- (b) the Poisons List (Amendment) (No. 4) Regulation 2006.

Question on the motion proposed, put and agreed to.

Members' Bills

First Reading

City University of Hong Kong (Amendment) Bill 2006

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.

The President stated that as the City University of Hong Kong (Amendment) Bill 2006 presented by Ir Dr Hon HO Chung-tai related to Government policies, in accordance with Rule 54(1) of the Rules of Procedure, the signification of the written consent of the Chief Executive by a designated public officer was required before the Council entered upon consideration of the second reading of the Bill.

The Secretary for Education and Manpower confirmed that the Chief Executive had given his written consent for the City University of Hong Kong (Amendment) Bill 2006 to be introduced into this Council.

Second Reading

City University of Hong Kong (Amendment) Bill 2006

Ir Dr Hon Raymond HO 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.

Hong Kong Society for the Protection of Children Incorporation (Amendment) Bill 2006

Resumption of Second Reading debate

The debate on the Second Reading which was moved on 21 June 2006 resumed.

Question on the Second Reading put and agreed to.

Bill read the second time and committed to a Committee of the whole Council.

Committee Stage

The Council went into Committee and considered the **Hong Kong Society for the Protection of Children Incorporation (Amendment) Bill 2006**.

Question that clauses 1 to 6 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

Hon Bernard CHAN reported that

the Hong Kong Society for the Protection of Children Incorporation (Amendment) Bill 2006

had passed through the Committee without amendment. He moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed, put and agreed to.

Bill read the third time and passed.

Members' Motions

Proposed resolutions under the Interpretation and General Clauses Ordinance

1. Public Health (Animals and Birds) (Exhibitions) (Amendment) Regulation 2006

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

RESOLVED that in relation to the Public Health (Animals and Birds) (Exhibitions) (Amendment) Regulation 2006, published in the Gazette as Legal Notice No. 167 of 2006 and laid on the table of the Legislative Council on 10 July 2006, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) and deemed to be extended under section 34(3) of that Ordinance, be extended under section 34(4) of that Ordinance to the meeting of 8 November 2006.

Question on the motion proposed, put and agreed to.

2. Food Business (Amendment) Regulation 2006

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

RESOLVED that in relation to the Food Business (Amendment) Regulation 2006, published in the Gazette as Legal Notice No. 169 of 2006 and laid on the table of the Legislative Council on 10 July 2006, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) and deemed to be extended under section 34(3) of that Ordinance, be extended under section 34(4) of that Ordinance to the meeting of 8 November 2006.

Question on the motion proposed, put and agreed to.

Proposed resolution under the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

Hon TSANG Yok-sing moved the following motion and addressed the Council:

RESOLVED that the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be amended -

- (a) in Rule 79(2), in the English text, by adding "and the place" after "at the time";
- (b) in Rule 79A(4), by repealing "a joint subcommittee appointed under Rule 77(9A) (Panels) and";
- (c) by adding -

"79B. Determining the Time and the Place of a Meeting of a Committee by the Deputy Chairman of the Committee

Where a Rule of this Part provides that a committee shall meet at the time and the place determined by the chairman of the committee, if a member of the committee makes a request for a meeting to discuss a specific issue of urgent importance for consideration by the chairman and within 48 hours of the request being made, the chairman cannot be contacted for making any such determination, the determination may be made by the deputy chairman (if any), who may also direct that a shorter notice of the meeting be given as provided in that Rule."

- (d) in Rule 93(e), by adding ", including a joint subcommittee appointed under Rule 77(9A) (Panels)" after "such committees".

Question on the motion proposed, put and agreed to.

Opposing the introduction of a Goods and Services Tax

Dr Hon YEUNG Sum moved the following motion and addressed the Council:

That this Council opposes the introduction of a Goods and Services Tax.

Question on Dr Hon YEUNG Sum's motion proposed.

The President stated that Dr Hon David LI would move an amendment to the motion. In accordance with the Rules of Procedure, the motion and the amendment would be debated together in a joint debate.

Dr Hon David LI moved the following amendment to Dr Hon YEUNG Sum's motion and addressed the Council:

To add "urges the Government to continue the public consultation on the introduction of a Goods and Services Tax as a means to broaden the tax base, and if there are other feasible options that are accepted by the majority of the public, this Council" after "That this Council".

Question on Dr Hon David LI's amendment to Dr Hon YEUNG Sum's motion proposed.

12 Members and Hon Emily LAU spoke on the motion and the amendment.

While Hon Emily LAU was speaking, the President left the chair at 7:03 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Four more Members and Hon CHIM Pui-chung spoke on the motion and the amendment.

At 7:42 pm, while Hon CHIM Pui-chung was speaking, the President resumed the chair.

12 other Members spoke on the motion and the amendment.

Dr Hon YEUNG Sum spoke on the amendment.

The Financial Secretary spoke on the motion and the amendment.

Question on Dr Hon David LI's amendment to Dr Hon YEUNG Sum's motion put.

Dr Hon YEUNG Sum claimed a division. The President then ordered the Council to proceed to a division under Rule 47(1) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 23 were present, five were in favour of the amendment, 16 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 23 were present, three were in favour of the amendment, 19 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.

Dr Hon YEUNG Sum replied.

Question on Dr Hon YEUNG Sum's motion put.

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

The President announced that among the Members returned by functional constituencies, 24 were present, 17 were in favour of the motion, two against it and five abstained; 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 agreed by a majority of each of the two groups of Members present, she declared that the motion was carried.

Introducing legislation to regulate clandestine photo-taking

Hon Andrew LEUNG Kwan-yuen moved the following motion and addressed the Council:

That, as there are from time to time complaints about serious invasion of personal privacy by some media organizations and earlier on, peep photos of a female artiste changing her clothes had been taken and published by a magazine which seriously invaded the privacy of the artiste and trampled on women's dignity, thereby causing a great public outcry; this Council urges the Government to expeditiously take measures, including:

- (a) reviewing the imposition of sentence under the existing Control of Obscene and Indecent Articles Ordinance so that penalty with deterrent effect is imposed on the offenders;
- (b) criminalizing the invasion of privacy on the basis of the recommendations made by the Law Reform Commission on the protection of personal privacy in March this year, and encouraging in-depth discussion among the media, the performing arts sector and the general public about the contents of the bill concerned; and
- (c) urging the media to exercise more self-discipline,

so as to strike a proper balance between protection of personal privacy and freedom of the press.

Question on Hon Andrew LEUNG Kwan-yuen's motion proposed.

The President stated that Hon Albert HO would move an amendment to the motion. Hon Jeffrey LAM Kin-fung and Hon Albert CHAN would respectively move an amendment to Hon Albert HO's amendment. In accordance with the Rules of Procedure, the motion, the amendment, and the two amendments to amendment would be debated together in a joint debate.

Hon Albert HO moved the following amendment to Hon Andrew LEUNG Kwan-yuen's motion and addressed the Council:

To add "and its overall implementation" after "Control of Obscene and Indecent Articles Ordinance"; to add "studying the proposals on" before "criminalizing the invasion of privacy" and to add ", establishing a self-regulating commission and enacting additional civil tort law on privacy" thereafter; and to add "and December 2004" after "in March this year".

Question on Hon Albert HO's amendment to Hon Andrew LEUNG Kwan-yuen's motion proposed.

Hon Jeffrey LAM Kin-fung, Hon Albert CHAN and 14 Members spoke on the motion and the amendments.

Hon Andrew LEUNG Kwan-yuen spoke on the amendments.

The Secretary for Commerce, Industry and Technology and the Secretary for Home Affairs spoke on the motion and the amendments.

Hon Jeffrey LAM Kin-fung moved the following amendment to Hon Albert HO's amendment.

To add "the implementation of" after "studying"; and to add "consisting of representatives from the trade and the public," after "self-regulating commission".

Question on Hon Jeffrey LAM Kin-fung's amendment to Hon Albert HO's amendment proposed and put.

Hon Emily LAU claimed a division. The President then ordered the Council to proceed to a division under Rule 47(1) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 19 were present, 14 were in favour of the amendment, and five abstained; while among the Members returned by geographical constituencies through direct elections, 18 were present, seven were in favour of the amendment, two against it and eight abstained. (Voting record in Appendix VI.) 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 on "Introducing legislation to regulate clandestine photo-taking" or amendments thereto, 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 CHAN moved the following amendment to Hon Albert HO's amendment.

To delete ", establishing a self-regulating commission" after "criminalizing the invasion of privacy".

Question on Hon Albert CHAN's amendment to Hon Albert HO's amendment proposed and put.

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

The President announced that among the Members returned by functional constituencies, 19 were present, eight were in favour of the amendment, nine against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 18 were present, 10 were in favour of the amendment, two against it and five abstained. (Voting record in Appendix VII.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Question on Hon Albert HO's amendment to Hon Andrew LEUNG Kwan-yuen's motion put.

Hon Emily LAU claimed a division. The President then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 19 were present, 17 were in favour of the amendment, and two abstained; while among the Members returned by geographical constituencies through direct elections, 18 were present, 11 were in favour of the amendment, two against it and four abstained. (Voting record in Appendix VIII.) 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 Andrew LEUNG Kwan-yuen replied.

Question on Hon Andrew LEUNG Kwan-yuen's motion as amended by Hon Albert HO put.

Hon Andrew LEUNG Kwan-yuen claimed a division. The President then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 19 were present, 17 were in favour of the motion, and two abstained; while among the Members returned by geographical constituencies through direct elections, 17 were present, 10 were in favour of the motion, three against it and three abstained. (Voting record in Appendix IX.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the motion as amended by Hon Albert HO was carried.

Next Meeting

The President declared that the next meeting of the Council would be held on 25 October 2006 at 11:00 am.

The Council was adjourned at 00:25 am on 20 October 2006.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

投票 VOTE: 1
 日期 DATE: 18/10/2006
 時間 TIME: 06:13:27 下午

動議 MOTION: 《2005年吸煙（公眾衛生）（修訂）條例草案》 - 二讀
 SMOKING (PUBLIC HEALTH) (AMENDMENT) BILL 2005 - SECOND READING

動議人 MOVED BY: 衛生福利及食物局局長 Secretary for Health, Welfare and Food

出席 Present :55
 投票 Vote :54
 贊成 Yes :52
 反對 No :0
 棄權 Abstain :2
 結果 Result :通過 Passed

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

議員	MEMBER	投票	VOTE	議員	MEMBER	投票	VOTE
范徐麗泰	Mrs Rita FAN	出席	PRESENT	鄭家富	Andrew CHENG	贊成	YES
田北俊	James TIEN	贊成	YES	霍震霆	Timothy FOK	贊成	YES
何俊仁	Albert HO	贊成	YES	譚耀宗	TAM Yiu-chung	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	石禮謙	Abraham SHEK		
李卓人	LEE Cheuk-yan	贊成	YES	李鳳英	LI Fung-ying	贊成	YES
李柱銘	Martin LEE	贊成	YES	張宇人	Tommy CHEUNG	贊成	YES
李國寶	Dr David LI	贊成	YES	陳偉業	Albert CHAN	棄權	ABSTAIN
李華明	Fred LI			馮檢基	Frederick FUNG	贊成	YES
呂明華	Dr LUI Ming-wah	贊成	YES	余若薇	Audrey EU	贊成	YES
吳靄儀	Margaret NG			方剛	Vincent FANG	贊成	YES
周梁淑怡	Mrs Selina CHOW	贊成	YES	王國興	WONG Kwok-hing	贊成	YES
涂謹申	James TO	贊成	YES	李永達	LEE Wing-tat	贊成	YES
張文光	CHEUNG Man-kwong	贊成	YES	李國英	LI Kwok-ying	贊成	YES
陳婉嫻	CHAN Yuen-han	贊成	YES	李國麟	Dr Joseph LEE	贊成	YES
陳智思	Bernard CHAN	贊成	YES	林偉強	Daniel LAM	贊成	YES
陳鑑林	CHAN Kam-lam	贊成	YES	林健鋒	Jeffrey LAM	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	馬力	MA Lik	贊成	YES
梁耀忠	LEUNG Yiu-chung	贊成	YES	梁君彥	Andrew LEUNG	贊成	YES
單仲偕	SIN Chung-kai	贊成	YES	梁家傑	Alan LEONG		
黃宜弘	Dr Philip WONG	贊成	YES	梁國雄	LEUNG Kwok-hung	棄權	ABSTAIN
黃容根	WONG Yung-kan	贊成	YES	郭家麒	Dr KWOK Ka-ki	贊成	YES
曾鈺成	TSANG Yok-sing	贊成	YES	張超雄	Dr Fernando CHEUNG	贊成	YES
楊孝華	Howard YOUNG	贊成	YES	張學明	CHEUNG Hok-ming	贊成	YES
楊森	Dr YEUNG Sum	贊成	YES	黃定光	WONG Ting-kwong	贊成	YES
劉千石	LAU Chin-shek	贊成	YES	湯家驊	Ronny TONG	贊成	YES
劉江華	LAU Kong-wah	贊成	YES	詹培忠	CHIM Pui-chung		
劉皇發	LAU Wong-fat	贊成	YES	劉秀成	Patrick LAU	贊成	YES
劉健儀	Miriam LAU	贊成	YES	鄭經翰	Albert CHENG	贊成	YES
劉慧卿	Emily LAU	贊成	YES	鄭志堅	KWONG Chi-kin	贊成	YES
蔡素玉	CHOY So-yuk	贊成	YES	譚香文	TAM Heung-man	贊成	YES

投票 VOTE: 2
日期 DATE: 18/10/2006
時間 TIME: 09:38:59 下午

動議 MOTION: 《2005年吸煙（公眾衛生）（修訂）條例草案》- 全體委員會審議階段 - 就第6、8及19條
動議的修正案
SMOKING (PUBLIC HEALTH) (AMENDMENT) BILL 2005 - COMMITTEE STAGE -
AMENDMENTS TO CLAUSES 6, 8 AND 19

動議人 MOVED BY: 衛生福利及食物局局長 Secretary for Health, Welfare and Food

出席 Present :53
投票 Vote :52
贊成 Yes :33
反對 No :17
棄權 Abstain :2
結果 Result :通過 Passed

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

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

投票 VOTE: 3
 日期 DATE: 19/10/2006
 時間 TIME: 04:38:51 下午

動議 MOTION: 《2005年吸煙（公眾衛生）（修訂）條例草案》- 全體委員會審議階段 - 新訂的第17A、17B及17C條，予以二讀
 SMOKING (PUBLIC HEALTH) (AMENDMENT) BILL 2005 - COMMITTEE STAGE - NEW CLAUSES 17A, 17B AND 17C BE READ THE SECOND TIME

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	24	19	
投票 Vote	24	18	
贊成 Yes	8	12	
反對 No	15	6	
棄權 Abstain	1	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	贊成 YES	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI	反對 NO	田北俊 James TIEN	
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	
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	涂謹申 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	反對 NO	劉千石 LAU Chin-shek	贊成 YES
石禮謙 Abraham SHEK		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	棄權 ABSTAIN	譚耀宗 TAM Yiu-chung	
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	
郭家麒 Dr KWOK Ka-ki		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 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	
劉秀成 Patrick LAU		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	

秘書 CLERK

投票 VOTE: 4
 日期 DATE: 19/10/2006
 時間 TIME: 09:29:34 下午

動議 MOTION: 李國寶議員對楊森議員就「反對開徵商品及服務稅」所提議案作出的修正案
 AMENDMENT BY DR HON DAVID LI TO DR HON YEUNG SUM'S MOTION ON "OPPOSING THE INTRODUCTION OF A GOODS AND SERVICES TAX"

動議人 MOVED BY: 李國寶 Dr David LI

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	23	
投票 Vote	23	22	
贊成 Yes	5	3	
反對 No	16	19	
棄權 Abstain	2	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	贊成 YES	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI	贊成 YES	田北俊 James TIEN	反對 NO
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	
陳智思 Bernard CHAN	贊成 YES	李華明 Fred LI	
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	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	棄權 ABSTAIN	陳婉嫻 CHAN Yuen-han	反對 NO
黃容根 WONG Yung-kan		陳鑑林 CHAN Kam-lam	反對 NO
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	反對 NO
霍震霆 Timothy FOK	贊成 YES	劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK		劉江華 LAU Kong-wah	反對 NO
李鳳英 LI Fung-ying	反對 NO	劉慧卿 Emily LAU	反對 NO
張宇人 Tommy CHEUNG		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	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李國麟 Dr Joseph LEE	反對 NO	陳偉業 Albert CHAN	
林偉強 Daniel LAM		馮檢基 Frederick FUNG	反對 NO
林健鋒 Jeffrey LAM	反對 NO	余若薇 Audrey EU	反對 NO
梁君彥 Andrew LEUNG	反對 NO	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	反對 NO
張超雄 Dr Fernando CHEUNG	反對 NO	馬力 MA Lik	
黃定光 WONG Ting-kwong	反對 NO	梁家傑 Alan LEONG	反對 NO
詹培忠 CHIM Pui-chung	棄權 ABSTAIN	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	反對 NO
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	贊成 YES

Victoria Chan

秘書 CLERK

投票 VOTE: 5
 日期 DATE: 19/10/2006
 時間 TIME: 09:36:51 下午

動議 MOTION: 「反對開徵商品及服務稅」議案
 MOTION "OPPOSING THE INTRODUCTION OF A GOODS AND SERVICES TAX"

動議人 MOVED BY: 楊森 Dr YEUNG Sum

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	24	26	
投票 Vote	24	25	
贊成 Yes	17	23	
反對 No	2	2	
棄權 Abstain	5	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
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO	棄權 ABSTAIN	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI	反對 NO	田北俊 James TIEN	贊成 YES
呂明華 Dr LUI Ming-wah	棄權 ABSTAIN	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	
陳智思 Bernard CHAN	反對 NO	李華明 Fred LI	
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	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	棄權 ABSTAIN	陳婉嫻 CHAN Yuen-han	贊成 YES
黃容根 WONG Yung-kan		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		曾鈺成 TSANG Yok-sing	反對 NO
劉健儀 Miriam LAU	贊成 YES	楊森 Dr YEUNG Sum	贊成 YES
霍震霆 Timothy FOK	棄權 ABSTAIN	劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK		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	贊成 YES	蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG	贊成 YES	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	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	棄權 ABSTAIN	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	贊成 YES	梁國雄 LEUNG Kwok-hung	贊成 YES
劉秀成 Patrick LAU		張學明 CHEUNG Hok-ming	贊成 YES
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


 秘書 CLERK

投票 VOTE: 6
日期 DATE: 20/10/2006
時間 TIME: 12:14:25 上午

動議 MOTION: 林健鋒議員就何俊仁議員對梁君彥議員的「立法規管偷拍行為」議案所提修正案，作出的修正案
HON JEFFREY LAM'S AMENDMENT TO HON ALBERT HO'S AMENDMENT TO HON ANDREW LEUNG'S MOTION ON "INTRODUCING LEGISLATION TO REGULATE CLANDESTINE PHOTO-TAKING"

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	19	18	
投票 Vote	19	17	
贊成 Yes	14	7	
反對 No	0	2	
棄權 Abstain	5	8	
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		何俊仁 Albert HO	棄權 ABSTAIN
吳靄儀 Margaret NG	棄權 ABSTAIN	李卓人 LEE Cheuk-yan	棄權 ABSTAIN
張文光 CHEUNG Man-kwong	棄權 ABSTAIN	李柱銘 Martin LEE	
陳智思 Bernard CHAN		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	棄權 ABSTAIN	涂謹申 James TO	棄權 ABSTAIN
黃宜弘 Dr Philip WONG		陳婉嫻 CHAN Yuen-han	
黃容根 WONG Yung-kan		陳鑑林 CHAN Kam-lam	贊成 YES
楊孝華 Howard YOUNG	贊成 YES	梁耀忠 LEUNG Yiu-chung	
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	棄權 ABSTAIN
霍震霆 Timothy FOK	贊成 YES	劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK		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	贊成 YES	蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG	贊成 YES	鄭家富 Andrew CHENG	棄權 ABSTAIN
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	反對 NO
林偉強 Daniel LAM		馮檢基 Frederick FUNG	
林健鋒 Jeffrey LAM	贊成 YES	余若薇 Audrey EU	棄權 ABSTAIN
梁君彥 Andrew LEUNG	贊成 YES	李永達 LEE Wing-tat	
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	棄權 ABSTAIN	馬力 MA Lik	
黃定光 WONG Ting-kwong	贊成 YES	梁家傑 Alan LEONG	棄權 ABSTAIN
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	反對 NO
劉秀成 Patrick LAU	贊成 YES	張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 Ronny TONG	
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	

秘書 CLERK

投票 VOTE: 7
 日期 DATE: 20/10/2006
 時間 TIME: 12:17:21 上午

動議 MOTION: 陳偉業議員就何俊仁議員對梁君彥議員的「立法規管偷拍行為」議案所提修正案，作出的修正案
 HON ALBERT CHAN'S AMENDMENT TO HON ALBERT HO'S AMENDMENT TO HON ANDREW LEUNG'S MOTION ON "INTRODUCING LEGISLATION TO REGULATE CLANDESTINE PHOTO-TAKING"

動議人 MOVED BY: 陳偉業 Albert CHAN

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	18	
投票 Vote	19	17	
贊成 Yes	8	10	
反對 No	9	2	
棄權 Abstain	2	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	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	
陳智思 Bernard CHAN		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	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		陳鑑林 CHAN Kam-lam	棄權 ABSTAIN
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	
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 SHK		劉江華 LAU Kong-wah	棄權 ABSTAIN
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	棄權 ABSTAIN
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	棄權 ABSTAIN
李國麟 Dr Joseph LI		陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM		馮檢基 Frederick FUNG	
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	棄權 ABSTAIN	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	棄權 ABSTAIN	張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 Ronny TONG	
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	

投票 VOTE: 8
 日期 DATE: 20/10/2006
 時間 TIME: 12:19:35 上午

動議 MOTION: 何俊仁議員對梁君彥議員就「立法規管偷拍行為」所提議案作出的修正案
 AMENDMENT BY HON ALBERT HO TO HON ANDREW LEUNG'S MOTION ON
 "INTRODUCING LEGISLATION TO REGULATE CLANDESTINE PHOTO-TAKING"

動議人 MOVED BY: 何俊仁 Albert HO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	18	
投票 Vote	19	17	
贊成 Yes	17	11	
反對 No	0	2	
棄權 Abstain	2	4	
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	贊成 YES
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	棄權 ABSTAIN	李卓人 LEE Cheuk-yan	棄權 ABSTAIN
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	
陳智思 Bernard CHAN		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	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		陳鑑林 CHAN Kam-lam	贊成 YES
楊孝華 Howard YOUNG	贊成 YES	梁耀忠 LEUNG Yiu-chung	
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	贊成 YES
霍震霆 Timothy FOK	贊成 YES	劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK		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	贊成 YES	蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG	贊成 YES	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	反對 NO
林偉強 Daniel LAM		馮檢基 Frederick FUNG	
林健鋒 Jeffrey LAM	贊成 YES	余若薇 Audrey EU	棄權 ABSTAIN
梁君彥 Andrew LEUNG	贊成 YES	李永達 LEE Wing-tat	
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	棄權 ABSTAIN	馬力 MA Lik	
黃定光 WONG Ting-kwong	贊成 YES	梁家傑 Alan LEONG	棄權 ABSTAIN
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	反對 NO
劉秀成 Patrick LAU	贊成 YES	張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 Ronny TONG	
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	

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投票 VOTE: 9
 日期 DATE: 20/10/2006
 時間 TIME: 12:23:37 上午

動議 MOTION: 由梁君彥議員動議，經何俊仁議員及林健鋒議員及陳偉業議員修正的「立法規管偷拍行為」議案
 MOTION MOVED BY HON ANDREW LEUNG ON "INTRODUCING LEGISLATION TO REGULATE CLANDESTINE PHOTO-TAKING" AS AMENDED BY HON ALBERT HO AND HON JEFFREY LAM / HON ALBERT CHAN

動議人 MOVED BY: 梁君彥 Andrew LEUNG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	17	
投票 Vote	19	16	
贊成 Yes	17	10	
反對 No	0	3	
棄權 Abstain	2	3	
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	贊成 YES
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	棄權 ABSTAIN	李卓人 LEE Cheuk-yan	棄權 ABSTAIN
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	
陳智思 Bernard CHAN		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	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		陳鑑林 CHAN Kam-lam	贊成 YES
楊孝華 Howard YOUNG	贊成 YES	梁耀忠 LEUNG Yiu-chung	
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	贊成 YES
霍震霆 Timothy FOK	贊成 YES	劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK		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	
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	反對 NO
林偉強 Daniel LAM		馮檢基 Frederick FUNG	
林健鋒 Jeffrey LAM	贊成 YES	余若薇 Audrey EU	棄權 ABSTAIN
梁君彥 Andrew LEUNG	贊成 YES	李永達 LEE Wing-tat	
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	棄權 ABSTAIN	馬力 MA Lik	
黃定光 WONG Ting-kwong	贊成 YES	梁家傑 Alan LEONG	棄權 ABSTAIN
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	反對 NO
劉秀成 Patrick LAU	贊成 YES	張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	贊成 YES	湯家驊 Ronny TONG	
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	

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