

LEGISLATIVE COUNCIL

MINUTES

No. 9

Minutes of the meeting held on Wednesday 29 November 2006 at 11:00 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, 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

The Hon Fred LI Wah-ming, 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 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, 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

The Hon Andrew LEUNG Kwan-yuen, SBS, JP

The Hon Alan LEONG Kah-kit, SC

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 Timothy FOK Tsun-ting, GBS, JP

The Hon LEUNG Kwok-hung

Public officers attending:

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

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

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

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

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

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

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

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

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

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

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. Air Pollution Control (Volatile Organic Compounds) Regulation (gazetted on 24.11.2006)	258/2006
2. Public Health and Municipal Services (Designation of Public Markets) Order 2006 (gazetted on 24.11.2006)	259/2006
3. Public Health and Municipal Services Ordinance (Amendment of Tenth Schedule) (No.2) Order 2006 (gazetted on 24.11.2006)	260/2006

Other Papers

- No.28 - Hong Kong Science and Technology Parks Corporation Annual Report 2005-2006 (published on 22.11.2006)
- No.29 - Hong Kong Productivity Council Annual Report 2005-2006 (published on 22.11.2006)
- No.30 - Report of changes to the approved Estimates of Expenditure approved during the second quarter of 2006-2007 (Public Finance Ordinance : Section 8) (published on 22.11.2006)
- No.31 - Ocean Park Corporation Annual Report 2005-2006 (published on 29.11.2006)

Addresses

Prof Hon Patrick LAU Sau-shing, a Board Member of the Ocean Park Corporation, addressed the Council on the Ocean Park Corporation Annual Report 2005-2006.

Questions

1. Hon Ronny TONG Ka-wah asked Question 1.
The Secretary for Commerce, Industry and Technology replied.

Five Members asked supplementary questions and the Secretary for Commerce, Industry and Technology replied.

2. Dr Hon Fernando CHEUNG asked Question 2.

The Secretary for Commerce, Industry and Technology replied.

Four Members asked supplementary questions and the Secretary for Commerce, Industry and Technology replied.

3. Hon Frederick FUNG asked Question 3.

The Financial Secretary replied.

Five Members asked supplementary questions and the Financial Secretary replied.

4. In accordance with Rule 26(6) of the Rules of Procedure, Dr Hon Fernando CHEUNG asked Question 4 on behalf of Hon Audrey EU, who was absent.

The Secretary for Financial Services and the Treasury replied.

Five Members asked supplementary questions and the Secretary for Financial Services and the Treasury replied.

5. In accordance with Rule 26(6) of the Rules of Procedure, Hon Ronny TONG Ka-wah asked Question 5 on behalf of Hon TAM Heung-man, who was absent.

The Secretary for the Environment, Transport and Works replied.

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

6. Hon James TO asked Question 6.

The Secretary for Housing, Planning and Lands replied.

Five Members asked supplementary questions and the Secretary for Housing, Planning and Lands replied.

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

Motions

Proposed resolutions under the Interpretation and General Clauses Ordinance

1. Merchant Shipping (Local Vessels) (General) Regulation and Merchant Shipping (Local Vessels) (Safety and Survey) Regulation

The Secretary for Economic Development and Labour moved the motion in Appendix I and addressed the Council.

Question on the motion proposed.

One Member spoke on the motion.

The Secretary for Economic Development and Labour replied.

Question on the motion put and agreed to.

2. Increase of fines in the Waterworks Ordinance and the Waterworks Regulations

The Secretary for the Environment, Transport and Works moved the following motion and addressed the Council:

RESOLVED that -

- (a) the Waterworks Ordinance (Cap. 102) be amended -
 - (i) in section 30(4) by repealing "of \$20,000" and substituting "at level 5";
 - (ii) in section 32 by repealing "of \$5,000" and substituting "at level 4";
 - (iii) in section 35(1) by repealing "of \$5,000" and substituting "at level 4";
 - (iv) in section 35(2) by repealing "\$200 for every day" and substituting "\$1,000 for every day";
 - (v) in section 37(2) by repealing "of \$4,000" and substituting "at level 3";

- (b) the Waterworks Regulations (Cap. 102 sub. leg. A) be amended -
 - (i) in regulation 44 by repealing "of \$4,000" and substituting "at level 3";
 - (ii) in regulation 51(2) by repealing "of \$4,000" and substituting "at level 3".

Question on the motion proposed.

Hon Fred LI, Chairman of the Subcommittee to Study the Proposed Resolution on Increase of Fines in Waterworks Ordinance and Waterworks Regulations, spoke on the motion.

Another one Member spoke on the motion.

Question on the motion put and agreed to.

3. Banking (Capital) Rules

The Secretary for Financial Services and the Treasury moved the motion in Appendix II and addressed the Council.

Question on the motion proposed, put and agreed to.

4. Banking (Disclosure) Rules

The Secretary for Financial Services and the Treasury moved the motion in Appendix III and addressed the Council.

Question on the motion proposed, put and agreed to.

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

Hon Albert HO moved the following motion and addressed the Council:

RESOLVED that in relation to the—

- (a) Protection of Children and Juveniles (Places of Refuge) (Amendment) Order 2006, published in the Gazette as Legal Notice No. 237 of 2006;
- (b) Places of Detention (Juvenile Offenders) Appointment (Consolidation) (Amendment) Order 2006, published in the Gazette as Legal Notice No. 238 of 2006;

- (c) Probation of Offenders (Approved Institution) (Consolidation) (Amendment) Order 2006, published in the Gazette as Legal Notice No. 239 of 2006;
- (d) Reformatory School (Establishment) (Consolidation) (Amendment) Order 2006, published in the Gazette as Legal Notice No. 240 of 2006;
- (e) Immigration (Places of Detention) (Amendment) Order 2006, published in the Gazette as Legal Notice No. 241 of 2006; and
- (f) Remand Home (Amendment) Rules 2006, published in the Gazette as Legal Notice No. 242 of 2006,

and laid on the table of the Legislative Council on 1 November 2006, 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 20 December 2006.

Question on the motion proposed, put and agreed to.

Electing the Legislative Council by universal suffrage

Hon LEE Cheuk-yan 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 LEE Cheuk-yan moved the following motion and addressed the Council:

That this Council considers the year 2012 or before appropriate for electing all Members of the Legislative Council by universal suffrage.

While Hon LEE Cheuk-yan was addressing the Council, the President left the chair at 1:39 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Hon LEE Cheuk-yan's motion proposed.

The President's Deputy stated that Hon Albert CHAN 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 Albert CHAN moved the following amendment to Hon LEE Cheuk-yan's motion and addressed the Council:

To delete "2012 or before" after "the year" and substitute with "2008".

Question on Hon Albert CHAN's amendment to Hon LEE Cheuk-yan's motion proposed.

Five Members and Hon Tommy CHEUNG spoke on the motion and the amendment.

At 2:30 pm, while Hon Tommy CHEUNG was speaking, the President resumed the chair.

Another 19 Members spoke on the motion and the amendment.

Hon LEE Cheuk-yan spoke on the amendment.

The Secretary for Constitutional Affairs spoke on the motion and the amendment.

Question on Hon Albert CHAN's amendment to Hon LEE Cheuk-yan's motion put.

Hon Albert CHAN 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, 29 were present, seven were in favour of the amendment, 21 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 17 were in favour of the amendment 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 amendment was negatived.

Hon LEE Cheuk-yan replied.

With the Chairman's permission, Hon Abraham SHEK elucidated on a point he had made earlier which was misunderstood by Hon LEE Cheuk-yan.

Question on Hon LEE Cheuk-yan's motion put.

Hon LEE Cheuk-yan 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, 29 were present, seven were in favour of the motion, 20 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 17 were in favour of the motion and nine against it. (Voting record in Appendix V.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the motion was negatived.

Relief measures and compensation policies for the live poultry trades

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

That, as the Government is determined to implement central slaughtering of live poultry, which will permanently damage the live poultry trades, this Council urges the Government to expeditiously discuss with the trades to formulate a scheme that enables exit from the trades with reasonable compensation, having regard to the circumstances of live poultry farmers, wholesalers, retailers, transporters and workers; furthermore, prior to the implementation of central slaughtering of live poultry, if there is a need to suspend the import of live poultry and birds from the Mainland in the event of an outbreak of avian influenza there, in order to prevent the trades from being severely hit, this Council urges the Government to introduce the following relief measures:

- (a) setting up an emergency relief fund to provide assistance or low interest loans to the trades, so as to tide them over the difficult times;
- (b) granting a rent waiver to tenants of the Government's wholesale and retail markets; and
- (c) providing emergency financial assistance to workers who are not employed on a long-term basis.

Question on the motion proposed.

Nine Members and the Secretary for Health, Welfare and Food spoke on the motion.

Hon Tommy CHEUNG replied.

Question on the motion put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 6 December 2006 at 11:00 am.

The Council was adjourned at 6:41 pm.

(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))

MERCHANT SHIPPING (LOCAL VESSELS)(GENERAL)
REGULATION

MERCHANT SHIPPING (LOCAL VESSELS)(SAFETY
AND SURVEY) REGULATION

RESOLVED that –

(a) the Merchant Shipping (Local Vessels)(General)
Regulation, published in the Gazette as Legal Notice No.
193 of 2006 and laid on the table of the Legislative
Council on 11 October 2006, be amended –

(i) by repealing section 91 and substituting –

**“91. Control over bunkering
activities**

(1) Except with the permission of the
Director, no bunker shall be delivered –

(a) from a local vessel to any
other vessel; or

Kong declared under section 56 of the Shipping and Port Control Ordinance (Cap. 313) as Victoria port.

- (3) If subsection (1) is contravened –
- (a) the owner of the vessel from which bunker is delivered, his agent and the coxswain or person in charge or command of the vessel; and
 - (b) the owner of the vessel to which bunker is delivered, his agent and the coxswain or person in charge or command of the vessel,

commit an offence and each of them is liable on conviction to a fine at level 5 and to imprisonment for 6 months.”;

- (ii) in Schedule 4, in section 2, by repealing “91(4)” and substituting “91”;
- (b) the Merchant Shipping (Local Vessels)(Safety and Survey) Regulation, published in the Gazette as Legal Notice No. 194 of 2006 and laid on the table of the Legislative Council on 11 October 2006, be amended –
 - (i) by repealing section 27(1)(b) and substituting –

- “(b) if, on the date of completion of the survey, the period of validity of the existing certificate of inspection issued in respect of the local vessel concerned has not expired, the expiry date of such existing certificate,”;
- (ii) in section 86(1)(a), in the English text, by repealing “withholding the approval of any plan temporarily” and substituting “temporarily withholding the approval of any plan”;
- (iii) in section 86(1)(d), in the English text, by repealing “withholding the issue of a certificate of inspection temporarily” and substituting “temporarily withholding the issue of a certificate of inspection”;
- (iv) in section 86(1)(g), in the English text, by repealing “withholding the issue of a certificate of survey temporarily” and substituting “temporarily withholding the issue of a certificate of survey”;
- (v) in section 86(1)(h), in the English text, by repealing “survey” and substituting “survey”;
- (vi) in section 86(1)(k), in the English text, by repealing “withholding the issue of a survey record of safety equipment, HKLL certificate, FA certificate or declaration of fitness temporarily” and substituting “temporarily withholding the issue of a survey record of safety equipment, HKLL certificate, FA certificate or declaration of fitness”;

(vii) in section 86(2), by repealing everything after “shall” and substituting –

“be made within 14 days after the following date –

- (a) in the case of a decision referred to in subsection (1)(a), (c), (d), (f), (g), (h), (j), (k) or (l), the date on which the person aggrieved has received notice of the decision; or
- (b) in the case of a decision referred to in subsection (1)(b), (e) or (i), the date on which the person aggrieved has received the certificate, survey record or declaration concerned.”.

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

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

BANKING (CAPITAL) RULES

RESOLVED that the Banking (Capital) Rules, published in the
Gazette as Legal Notice No. 228 of 2006 and laid on the
table of the Legislative Council on 1 November 2006, be
amended -

(a) in section 2(1), by repealing the definition of
"collective provisions" and substituting -

"collective provisions" (集體準備金), in relation to
the exposures of an authorized institution,
means an allowance for impairment loss in
respect of a group of exposures considered by
the institution as having similar credit risk
characteristics which are indicative of the
debtors' ability to pay all amounts due
according to the contractual terms of the
group of exposures, where the impairment loss

has been assessed by the institution on a collective basis in respect of the group of exposures by reference to historical loss experience in respect of exposures with similar credit risk characteristics, relevant observable data reflecting current market conditions and other relevant factors;"

- (b) in section 2(1), by repealing the definition of "specific provisions" and substituting -
- "specific provisions" (特定準備金), in relation to an exposure of an authorized institution, means an allowance for impairment loss in respect of that exposure where -
- (a) the institution reasonably considers that an event has occurred causing the impairment loss;
 - (b) the event occurs after the exposure is originated or acquired by the institution; and
 - (c) the allowance is assessed by the institution by reference to the impact that the event has on the cash flows in respect of the exposure insofar as that impact can be reliably estimated;"
- (c) in section 2(1), in the Chinese text, in the definition of "有效雙邊淨額結算協議" -

- (i) in paragraph (d), by repealing "若干";
- (ii) by repealing paragraph (g) and substituting -

"(g) 該協議並不受符合以下說明的條文規限：該條文准許無違責的對手方只作有限付款、或甚至不付款予有關違責者或有關違責者的產業，而無須顧及該違責者是否該協議下的淨額債權人；";

- (d) in section 2(1), by adding -

"regulatory reserve" (監管儲備), in relation to an authorized institution, means that portion of the institution's retained earnings which, for the purposes of paragraph 9 of the Seventh Schedule to the Ordinance, is earmarked or appropriated to maintain adequate provision for losses which the institution will or may incur;"

- (e) by repealing section 48(1)(a) and substituting -

"(a) the amount of any goodwill which is recognized by the institution as an intangible asset of the institution;"

- (f) in the Chinese text, by repealing section 65(7) and substituting -

"(7) 金融管理專員可藉向認可機構發出書面通知，指示該機構—

(a) 在計算該通知指明的住宅按揭貸款的貸款與價值比率時；或

(b) 在計算屬該通知指明的住宅按揭貸款種類的住宅按揭貸款的貸款與價值比率時，

須包括有關貸款款額的某部分，而該部分若非有本款規定是會依據第

(6)款被豁除的。";

(g) in section 66(1)(a), by adding "which do not fall within section 62" after "institution";

(h) in the Chinese text, by repealing section 115(4) and substituting -

"(4) 金融管理專員可藉向認可機構發出書面通知，指示該機構 —

(a) 在計算該通知指明的住宅按揭貸款的貸款與價值比率時；或

(b) 在計算屬該通知指明的住宅按揭貸款種類的住宅按揭貸款的貸款與價值比率時，

須包括有關貸款款額的某部分，而該部分若非有本款規定是會依據第

(3)款被豁除的。";

(i) in section 153(b), by repealing "a business cycle" and substituting "an economic cycle";

(j) in section 157(2), by adding "in terms of a million" after "S is expressed";

(k) in section 173(b), by repealing "a business cycle" and substituting "an economic cycle";

- (l) in section 191(b), by repealing "a business cycle" and substituting "an economic cycle";
- (m) in section 202, by repealing ", with all necessary modifications,";
- (n) in section 234(4), by repealing everything after "effective principal amount of the exposure" and substituting "(being the stated principal amount of the exposure adjusted to take into account the effect of the leverage or enhancement provided by the structure of the exposure) for the purposes of this Division.";
- (o) in section 260(4), by repealing everything after "effective principal amount of the exposure" and substituting "(being the stated principal amount of the exposure adjusted to take into account the effect of the leverage or enhancement provided by the structure of the exposure) for the purposes of this Division.";
- (p) in section 268(2), by repealing everything after "effective principal amount of the exposure" and substituting "(being the stated principal amount of the exposure adjusted to take into account the effect of the leverage or enhancement provided by the structure of the exposure) for the purposes of this Division.";

- (q) in section 284(3), by repealing everything after "effective notional amount of the exposure" and substituting "(being the stated notional amount of the exposure adjusted to take into account the effect of the leverage or enhancement provided by the structure of the exposure) for the purposes of this Part.";
- (r) in section 295, by adding -
- "(3) In subsection (2) -
- "structural position" (結構性持倉), in relation to an authorized institution, means a position in foreign exchange held by the institution with the intention of hedging any adverse effect of exchange rate movements on its capital adequacy ratio.";
- (s) by repealing section 296(2)(a)(ii) and substituting -
- "(ii) its Hong Kong dollars position;"
- (t) in section 305(1), by repealing "a proportional shift in volatility of $\pm 25\%$ " and substituting "a positive or negative change of 25% in the volatility of the value of the underlying exposures of those option contracts";
- (u) in section 327(1), by adding ", after each calendar quarter end date," after "An authorized institution shall";

- (v) in section 331(1), by adding ", after each calendar quarter end date," after "An authorized institution shall";
- (w) in section 336(1), by adding ", after each calendar quarter end date," after "An authorized institution shall";
- (x) in section 338(1), by adding ", after each calendar quarter end date," after "an authorized institution shall".

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

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

BANKING (DISCLOSURE) RULES

RESOLVED that the Banking (Disclosure) Rules, published in
the Gazette as Legal Notice No. 229 of 2006 and laid on
the table of the Legislative Council on 1 November 2006,
be amended -

- (a) in the heading of section 19, in the Chinese text,
by repealing "損益表" and substituting "收益表";
- (b) in section 24(2)(c), in the Chinese text, by
repealing "總額" and substituting "總數";
- (c) in section 25(2), in the Chinese text, by repealing
"總額" and substituting "毛額";
- (d) in the heading of section 35, in the Chinese text,
by repealing "損益表" and substituting "收益表";

- (e) in section 35(3)(b), in the Chinese text, by repealing "該等目的" and substituting "提撥該等準備金的目的";
- (f) in section 36(4)(b)(iv), by adding "in the annual reporting period" after "recoveries";
- (g) in section 37(7)(a)(iv), in the Chinese text, by adding "持有的" before "以";
- (h) by repealing section 37(7)(a)(v) and substituting -
"(v) available-for-sale debt securities; and";
- (i) by repealing section 37(7)(a)(vi) and substituting -
"(vi) held-to-maturity debt securities; and";
- (j) in section 37(7)(b)(ii), in the Chinese text, by repealing "尚欠";
- (k) in section 37(9)(b), in the Chinese text, by repealing "毛額";
- (l) in section 40(2)(d), in the Chinese text, by repealing "損益表中" and substituting "收益表中";
- (m) in section 42, by adding "as included in the institution's audited annual accounts lodged with the Monetary Authority pursuant to section 60 of the Ordinance in respect of the annual reporting period" after "statement";
- (n) in section 45(3)(c), in the Chinese text, by repealing "總額" and substituting "總數";

- (o) in section 46(8), in the Chinese text, by repealing "總額" and substituting "毛額";
- (p) in section 56(2)(c)(i), by repealing "the title or position of the board and senior management members" and substituting "the titles or positions of the members of the board of directors or the senior management";
- (q) in section 68(2)(c)(i), by repealing "the title or position of the board and senior management members" and substituting "the titles or positions of the members of the board of directors or the senior management";
- (r) in section 75(2)(c)(i), by repealing "the title or position of the board and senior management members" and substituting "the titles or positions of the members of the board of directors or the senior management";
- (s) in section 92(2), by adding "(except section 90(3))" after "of this Part";
- (t) in the heading of section 93, in the Chinese text, by repealing "損益表" and substituting "收益表";
- (u) in section 98(2)(a), in the Chinese text, by repealing "總額" and substituting "毛額".

投票 VOTE: 1
日期 DATE: 29/11/2006
時間 TIME: 04:56:59 下午

動議 MOTION: 陳偉業議員對李卓人議員的「普選立法會」議案，作出的修正案
AMENDMENT BY HON ALBERT CHAN TO HON LEE CHEUK-YAN'S MOTION ON
"ELECTING THE LEGISLATIVE COUNCIL BY UNIVERSAL SUFFRAGE"

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	29	27	
投票 Vote	29	26	
贊成 Yes	7	17	
反對 No	21	9	
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	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI	反對 NO	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	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	贊成 YES
石禮謙 Abraham SHEK	反對 NO	劉江華 LAU Kong-wah	反對 NO
李鳳英 LI Fung-ying	棄權 ABSTAIN	劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	蔡素玉 CHOY So-yuk	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	贊成 YES
林偉強 Daniel LAM	反對 NO	馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	李永達 LEE Wing-tat	贊成 YES
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	
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	反對 NO	梁國雄 LEUNG Kwok-hung	
劉秀成 Prof Patrick LAU	反對 NO	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

秘書 CLERK

投票 VOTE: 2
 日期 DATE: 29/11/2006
 時間 TIME: 05:07:48 下午

動議 MOTION: 「普選立法會」議案
 MOTION "ELECTING THE LEGISLATIVE COUNCIL BY UNIVERSAL SUFFRAGE"

動議人 MOVED BY: 李卓人 LEE Cheuk-yan

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	29	27	
投票 Vote	29	26	
贊成 Yes	7	17	
反對 No	20	9	
棄權 Abstain	2	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	反對 NO	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	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	贊成 YES
石禮謙 Abraham SHEK	反對 NO	劉江華 LAU Kong-wah	反對 NO
李鳳英 LI Fung-ying	棄權 ABSTAIN	劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	蔡素玉 CHOY So-yuk	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	贊成 YES
林偉強 Daniel LAM	反對 NO	馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	李永達 LEE Wing-tat	贊成 YES
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	
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黃定光 WONG Ting-kwong	反對 NO	梁家傑 Alan LEONG	贊成 YES
詹培忠 CHIM Pui-chung	反對 NO	梁國雄 LEUNG Kwok-hung	
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	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

秘書 CLERK