

LEGISLATIVE COUNCIL

MINUTES

No. 37

Minutes of the meeting held on Wednesday 11 July 2007 at 11:00 am and
on Thursday 12 July 2007 at 9:00 am

Members present:

President

The Hon Mrs Rita FAN HSU Lai-tai, GBM, 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 (absent on 12.7.2007)

Dr the Hon David LI Kwok-po, GBM, GBS, JP (absent on 12.7.2007)

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, SBS, JP

The Hon Bernard CHAN, GBS, JP

The Hon CHAN Kam-lam, SBS, JP

The Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP

The Hon LEUNG Yiu-chung

The Hon SIN Chung-kai, SBS, JP

Dr the Hon Philip WONG Yu-hong, GBS

The Hon WONG Yung-kan, SBS, JP

The Hon Jasper TSANG Yok-sing, GBS, JP

The Hon Howard YOUNG, SBS, JP

Dr the Hon YEUNG Sum, JP

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 (absent on 12.7.2007)

The Hon TAM Yiu-chung, GBS, JP

The Hon Abraham SHEK Lai-him, SBS, JP

The Hon LI Fung-ying, BBS, JP

The Hon Tommy CHEUNG Yu-yan, SBS, JP

The Hon Albert CHAN Wai-yip

The Hon Frederick FUNG Kin-kee, SBS, JP (absent on 12.7.2007)

The Hon Audrey EU Yuet-mee, SC, JP

The Hon Vincent FANG Kang, JP (absent on 12.7.2007)

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 (absent on 12.7.2007)

The Hon Daniel LAM Wai-keung, SBS, 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 (absent on 12.7.2007)

Prof the Hon Patrick LAU Sau-shing, SBS, JP

The Hon Albert Jinghan CHENG, JP

The Hon KWONG Chi-kin

The Hon TAM Heung-man

Members absent:

The Hon Timothy FOK Tsun-ting, GBS, JP

The Hon MA Lik, GBS, JP

The Hon CHIM Pui-chung

Public officers attending:

On 11.7.2007 and 12.7.2007

The Hon Frederick MA Si-hang, JP
Secretary for Commerce and Economic Development

On 11.7.2007

The Hon Henry TANG Ying-yen, GBS, JP
The Chief Secretary for Administration

The Hon John TSANG Chun-wah, 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 Education

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

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

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

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

The Hon TSANG Tak-sing, JP
Secretary for Home Affairs

The Hon Matthew CHEUNG Kin-chung, GBS, JP
Secretary for Labour and Welfare

Prof the Hon Ceajer CHAN Ka-keung, SBS, JP
Secretary for Financial Services and the Treasury

The Hon Mrs Carrie LAM CHENG Yuet-ngor, JP
Secretary for Development

The Hon Edward YAU Tang-Wah, JP
Secretary for the Environment

The Hon Eva CHENG, JP
Secretary for Transport and Housing

Clerks in attendance:

On 11.7.2007 and 12.7.2007

Mr Ricky FUNG Choi-cheung, JP, Secretary General

On 11.7.2007

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

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

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

Tabling of Papers

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

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Building Management (Third Party Risks Insurance) Regulation (gazetted on 6.7.2007)	146/2007
2. Shipping and Port Control (Ferry Terminals) (Amendment: Fee Reduction) Regulation 2007 (gazetted on 6.7.2007)	147/2007
3. Merchant Shipping (Local Vessels) (Fees) (Amendment: Fee Reduction) Regulation 2007 (gazetted on 6.7.2007)	148/2007
4. Merchant Shipping (Prevention of Air Pollution) Regulation (gazetted on 6.7.2007)	149/2007
5. Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Maximum Permitted Smoke or Visible Vapour Emissions) Regulation 2007 (gazetted on 6.7.2007)	150/2007
6. Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Requirements for Speedometers and Speed Display Devices) Regulation 2007 (gazetted on 6.7.2007)	151/2007
7. Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Safety Requirements for Passenger Seats in Student Service Vehicles) Regulation 2007 (gazetted on 6.7.2007)	152/2007
8. Road Traffic (Traffic Control) (Amendment: Addition of Traffic Signs) Regulation 2007 (gazetted on 6.7.2007)	153/2007
9. Solicitors (Professional Indemnity) (Amendment) Rules 2007 (gazetted on 6.7.2007)	154/2007

Other Papers

- No.103 - Report by the Commissioner of Correctional Services on the administration of the Prisoners' Welfare Fund for the year ended 31 March 2007 (published on 4.7.2007)

- No.104 - Hong Kong Trade Development Council Annual Report 2006-2007 (published on 5.7.2007)
- No.105 - Hong Kong Export Credit Insurance Corporation Annual Report 2006-2007 (published on 6.7.2007)
- No.106 - Report of the Independent Police Complaints Council 2006 (published on 11.7.2007)
- No.107 - Report of the J.E. Joseph Trust Fund Trustee, and Audited Statement of Accounts and Auditor's Report for the Fund, for the year from 1 April 2006 to 31 March 2007 (published on 9.7.2007)
- No.108 - Report of the Kadoorie Agricultural Aid Loan Fund Committee, and Audited Statement of Accounts and Auditor's Report for the Fund, for the year from 1 April 2006 to 31 March 2007 (published on 9.7.2007)
- No.109 - Sir David Trench Fund for Recreation Trustee's Report 2006-2007 (published on 9.7.2007)
- No.110 - Report of the Public Accounts Committee on Report No. 48 of the Director of Audit on the Results of Value for Money Audits and Supplemental Report of the Public Accounts Committee on Report No. 47 of the Director of Audit on the Results of Value for Money Audits (July 2007 - P.A.C. Report No. 48) (published on 11.7.2007)

Report of the Finance Committee on the examination of the Estimates of Expenditure 2007-2008 (published on 10.7.2007)

Committee on Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region — Progress Report for the 2006-2007 session (13 July 2006 to 11 July 2007) (published on 10.7.2007)

Report of the Panel on Manpower 2006-2007 (published on 9.7.2007)

Report of the Panel on Commerce and Industry 2006-2007 (published on 9.7.2007)

Report of the Panel on Public Service 2006-2007 (published on 9.7.2007)

Report of the Panel on Administration of Justice and Legal Services 2006-2007 (published on 9.7.2007)

Report of the Panel on Transport 2006-2007 (published on 9.7.2007)

Report of the Panel on Housing 2006-2007 (published on 9.7.2007)

Report of the Panel on Security 2006-2007 (published on 9.7.2007)

Report of the Panel on Constitutional Affairs 2006-2007 (published on 9.7.2007)

Report of the Panel on Food Safety and Environmental Hygiene 2006-2007 (published on 5.7.2007)

Report of the Panel on Education 2006-2007 (published on 9.7.2007)

Report of the Panel on Planning, Lands and Works 2006-2007 (published on 9.7.2007)

Report of the Panel on Information Technology and Broadcasting 2006-2007 (published on 9.7.2007)

Report of the Panel on Economic Services 2006-2007 (published on 9.7.2007)

Report of the Bills Committee on Hazardous Chemicals Control Bill (published on 26.6.2007)

Addresses

Dr Hon LUI Ming-wah addressed the Council on the Report of the Independent Police Complaints Council 2006.

Dr Hon Philip WONG, Chairman of the Public Accounts Committee, addressed the Council on the Committee's Report No. 48.

Hon Emily LAU, Chairman of the Finance Committee, addressed the Council on the Committee's report on the examination of the Estimates of Expenditure 2007-2008.

Hon LAU Chin-shek, Chairman of the Panel on Manpower, addressed the Council on the Panel's report 2006-2007.

Hon Vincent FANG Kang, Chairman of the Panel on Commerce and Industry, addressed the Council on the Panel's report 2006-2007.

Hon Howard YOUNG, Chairman of the Panel on Public Service, addressed the Council on the Panel's report 2006-2007.

Hon Margaret NG, Chairman of the Panel on Administration of Justice and Legal Services, addressed the Council on the Panel's report 2006-2007.

Hon Andrew CHENG, Chairman of the Panel on Transport, addressed the Council on the Panel's report 2006-2007.

Hon LEE Wing-tat, Chairman of the Panel on Housing, addressed the Council on the Panel's report 2006-2007.

Hon LAU Kong-wah, Chairman of the Panel on Security, addressed the Council on the Panel's report 2006-2007.

Dr Hon LUI Ming-wah, Chairman of the Panel on Constitutional Affairs, addressed the Council on the Panel's report 2006-2007.

Hon Tommy CHEUNG, Chairman of the Panel on Food Safety and Environmental Hygiene, addressed the Council on the Panel's report 2006-2007.

Hon TSANG Yok-sing, Chairman of the Panel on Education, addressed the Council on the Panel's report 2006-2007.

Hon LAU Wong-fat, Chairman of the Panel on Planning, Lands and Works, addressed the Council on the Panel's report 2006-2007.

Hon Albert Jinghan CHENG, Chairman of the Panel on Information Technology and Broadcasting, addressed the Council on the Panel's report 2006-2007.

Hon Jeffrey LAM Kin-fung, Chairman of the Panel on Economic Services, addressed the Council on the Panel's report 2006-2007.

Questions

1. Hon LAU Chin-shek asked Question 1.

The Secretary for Financial Services and the Treasury replied.

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

2. Hon James TIEN asked Question 2.

The Secretary for Security replied.

Five Members asked supplementary questions and the Secretary for Security replied.

3. Dr Hon YEUNG Sum asked Question 3.

The Secretary for Food and Health replied.

Five Members asked supplementary questions and the Secretary for Food and Health replied.

4. Hon Audrey EU asked Question 4.

The Secretary for Education replied.

Four Members asked supplementary questions and the Secretary for Education replied.

5. Hon Mrs Selina CHOW asked Question 5.

The Secretary for Labour and Welfare replied.

Six Members asked supplementary questions and the Secretary for Labour and Welfare replied.

6. Hon Jeffrey LAM Kin-fung asked Question 6.

The Secretary for Commerce and Economic Development replied.

Seven Members asked supplementary questions and the Secretary for Commerce and Economic Development replied.

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

Statements

The Chief Secretary for Administration made a statement on Green Paper on Constitutional Development.

Nine Members sought elucidation on the statement and the Chief Secretary for Administration replied.

Bills

First Reading

Prevention of Bribery (Amendment) Bill 2007
Independent Police Complaints Council Bill

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

Second Reading

Prevention of Bribery (Amendment) Bill 2007

The Chief Secretary for Administration moved the Second Reading and addressed the Council.

While the Chief Secretary for Administration was addressing the Council, the President left the chair at 3:42 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on the Second Reading proposed. The President's Deputy 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.

Independent Police Complaints Council Bill

The Secretary for Security moved the Second Reading and addressed the Council.

Question on the Second Reading proposed. The President's Deputy 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.

Hazardous Chemicals Control Bill

Resumption of Second Reading debate

The debate on the Second Reading which was moved on 24 May 2006 resumed.

Hon CHOY So-yuk, Chairman of the Bills Committee on Hazardous Chemicals Control Bill, addressed the Council on the Committee's Report. She then spoke on the Bill in her personal capacity as a Member.

Three Members spoke on the Bill.

The Secretary for the Environment replied.

At 4:31 pm, while the Secretary for the Environment was speaking, the President resumed the chair.

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 **Hazardous Chemicals Control Bill**.

Question that clauses 3, 5 to 9, 12, 14, 15, 17, 18, 20, 24, 25, 26, 30, 32 to 40, 42, 43, 45, 46, 49 and 51 stand part of the Bill proposed, put and agreed to.

Question that clauses 1, 2, 4, 10, 11, 13, 16, 19, 21, 22, 23, 27, 28, 29, 31, 41, 44, 47, 48 and 50 stand part of the Bill proposed.

The Secretary for the Environment moved amendments to the aforesaid clauses and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 1, 2, 4, 10, 11, 13, 16, 19, 21, 22, 23, 27, 28, 29, 31, 41, 44, 47, 48 and 50, as amended, stand part of the Bill proposed, put and agreed to.

New clause 50A read the first time.

The Secretary for the Environment moved the Second Reading of new clause 50A and addressed the Committee.

Question on the Second Reading of new clause 50A proposed, put and agreed to.

New clause 50A read the second time.

The Secretary for the Environment moved the addition of new clause 50A to the Bill.

Question on the addition proposed, put and agreed to.

Question that Schedules 1, 2 and 3 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for the Environment reported that

the **Hazardous Chemicals Control Bill**

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, put and agreed to.

Bill read the third time and passed.

Motions

Proposed resolutions under the Mass Transit Railway Ordinance

1. Mass Transit Railway (Amendment) Bylaw 2007

The Secretary for Transport and Housing moved the following motion and addressed the Council:

RESOLVED that the Mass Transit Railway (Amendment) Bylaw 2007, made by the MTR Corporation Limited on 20 June 2007, be approved.

Question on the Secretary for Transport and Housing motion's proposed.

The President stated that Hon James TO had given notice to move three amendments to the motion. In accordance with the Rules of Procedure, the motion and the three amendments would be debated together in a joint debate.

Hon James TO spoke on the motion and his amendments.

Hon Miriam LAU spoke on the motion and amendments as Chairman of the Subcommittee to Study the Draft Subsidiary Legislation Relating to the Rail Merger, and then in her personal capacity as a Member.

Three other Members and Hon LEUNG Yiu-chung spoke on the motion and the amendments.

While Hon LEUNG Yiu-chung was speaking, Hon Mrs Selina CHOW raised a point of order on whether Hon LEUNG Yiu-chung's speech was related to the motion and amendments. The President reminded Hon LEUNG Yiu-chung to speak on the motion and the three amendments. Hon LEUNG Yiu-chung continued to speak.

Hon Mrs Selina CHOW spoke on the motion and amendments.

With the President's permission, Hon James TO elucidated on two points he had made earlier which he considered to be misunderstood by Hon Mrs Selina CHOW.

Two more Members spoke on the motion and the amendments.

The Secretary for Transport and Housing spoke on the amendments.

Hon James TO moved the first amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

(a) by deleting "be approved." and substituting "subject to the following amendments, be approved -";

(b) by adding at the end -

"in section 8(b), by adding -

"(3) Paragraphs (1) and (2) do not apply in case of accident or other emergency."."

Question on Hon James To's amendment to the Secretary for Transport and Housing's motion proposed and put.

Hon Miriam 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, 22 were present, four were in favour of the amendment and 18 against it; while among the Members returned by geographical constituencies through direct elections, 22 were present, 10 were in favour of the amendment and 11 against it. (Voting record in Appendix I.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

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

That in the event of further divisions in relation to the motion on "Mass Transit Railway (Amendment) Bylaw 2007" 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 James To moved the second amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

(a) by deleting "be approved." and substituting "subject to the following amendments, be approved -";

(b) by adding at the end -

"in section 18, in new by-law 32A, by deleting "for the purpose of advertisement or publicity" and substituting "with intent to do so for the purpose of commercial advertisement or commercial publicity"."

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed, put and negatived.

Hon James TO moved the third amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

(a) by deleting "be approved." and substituting "subject to the following amendments, be approved -";

(b) by adding at the end -

"by deleting section 21."

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed, put and negatived.

The Secretary for Transport and Housing replied.

Question on the Secretary for Transport and Housing's motion put.

Hon Miriam 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 there were 43 Members present, 30 were in favour of the motion, two against it and 10 abstained. (Voting record in Appendix II.) Since the question was agreed by a majority of the Members present, she declared that the motion was carried.

2. Mass Transit Railway (North-west Railway) Bylaw

The Secretary for Transport and Housing moved the following motion and addressed the Council:

RESOLVED that the Mass Transit Railway (North-west Railway) Bylaw, made by the MTR Corporation Limited on 20 June 2007, be approved.

Question on the Secretary for Transport and Housing's motion proposed.

The President stated that Hon James TO had given notice to move seven amendments to the motion. In accordance with the Rules of Procedure, the motion and the amendments would be debated together in a joint debate.

Hon James TO spoke on the motion and his amendments.

Hon Miriam LAU spoke on the motion and the amendments.

With the President's permission, Hon James TO elucidated on some points he had made earlier which he considered to be misunderstood by Hon Miriam LAU.

The Secretary for Transport and Housing spoke on the amendments.

Hon James TO moved the first amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

- (a) by deleting "be approved." and substituting "subject to the following amendments, be approved -";

(b) by adding at the end -

"in section 18, by adding -

"(1A) The Corporation may, by notice published in the Gazette, declare any notice and indicator that shall be complied with within the railway premises.

(1B) The notice published under subsection (1A) shall specify the date on which a notice or indicator is to take effect."."

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed and put.

Hon James TO 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, 20 were present, four were in favour of the amendment and 16 against it; while among the Members returned by geographical constituencies through direct elections, 18 were present, nine were in favour of the amendment and eight against it. (Voting record in Appendix III.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

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

That in the event of further divisions in relation to the motion on "Mass Transit Railway (North-west Railway) Bylaw" 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 James TO moved the second amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

(a) by deleting "be approved." and substituting "subject to the following amendments, be approved -";

(b) by adding at the end -

"(a) by deleting section 22(1)(a) and substituting -

"(a) behave in a noisy or disorderly manner, or use threatening, abusive or insulting

words, with intent to cause a breach of the peace on the railway premises, or whereby a breach of the peace on the railway premises is likely to be caused;";

(b) in section 22, by adding -

"(3) Notwithstanding the provisions of section 39(4), an official shall have power to detain any person who contravenes subsection (1)(a) until he can be delivered into the custody of a police officer to be dealt with according to law.";

(c) in the Schedule, in the entry relating to section 22, in the first column, by deleting "22" and substituting "22(1)(b), (c), (d) and (e)".

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed, put and negatived.

Hon James To moved the third amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

(a) by deleting "be approved." and substituting "subject to the following amendments, be approved -";

(b) by adding at the end -

"(a) by deleting section 23 and substituting -

"23. Prohibited persons

An official may refuse the admission into or remove from the railway premises -

(a) any person whom he believes or is given reasonable cause to believe is under the influence of alcohol or drugs or in a state of intoxication resulting from consuming or abusing medicine;

(b) any person whom he believes or is given reasonable cause to believe is suffering from a contagious disease; or

- (c) any person whom he believes or is given reasonable cause to believe may prejudice the safety of railway premises.”;

(b) in the Schedule, by deleting -

“23 Passengers in unfit \$5,000 fine”.”.
or improper
condition entering
railway premises,
etc.

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed, put and negatived.

Hon James To moved the fourth amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

- (a) by deleting “be approved.” and substituting “subject to the following amendments, be approved -”;
- (b) by adding at the end -

“in section 26(b), by deleting “for the purpose of advertisement or publicity” and substituting “with intent to do so for the purpose of commercial advertisement or commercial publicity”.”.

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed, put and negatived.

Hon James To moved the fifth amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

- (a) by deleting “be approved.” and substituting “subject to the following amendments, be approved -”;
- (b) by adding at the end -

“(a) by deleting section 28 and substituting -

“28. **Loitering prohibited**

An official may request a person to leave, or remove the person from, the railway premises if he believes or is given reasonable cause to believe that the person, while in or upon any part of the railway premises, is -

- (a) loitering with intent to commit an arrestable offence;
- (b) loitering in any way as to wilfully obstruct any other person using the railway premises; or
- (c) loitering, and his presence in the railway premises, either alone or with others, causes any other person reasonably to be concerned for his safety or well-being.”;

(b) in the Schedule, by deleting -

“28 Loitering \$2,000 fine”.”.

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed, put and negatived.

Hon James To moved the sixth amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

- (a) by deleting "be approved." and substituting "subject to the following amendments, be approved -";
- (b) by adding at the end -

"in section 36(1)(b), by deleting "1 month" and substituting "3 months".”.

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed and put.

Hon James TO 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, 20 were present, four were in favour of the amendment and 16 against it; while among the

Members returned by geographical constituencies through direct elections, 18 were present, 10 were in favour of the amendment and seven 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 James To moved the seventh amendment to the Secretary for Transport and Housing's motion as follows:

RESOLVED that the motion to be moved by the Secretary for Transport and Housing under section 34 of the Mass Transit Railway Ordinance (Cap. 556) at the Legislative Council meeting of 11 July 2007 be amended -

(a) by deleting "be approved." and substituting "subject to the following amendments, be approved -";

(b) by adding at the end-

"by adding immediately after section 41 -

"42. Cessation of the Bylaw

This Bylaw shall cease to have effect upon the expiry of 15 months immediately following the Merger Date."."

Question on Hon James TO's amendment to the Secretary for Transport and Housing's motion proposed and put.

Hon James TO 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, three were in favour of the amendment and 16 against it; while among the Members returned by geographical constituencies through direct elections, 17 were present, 10 were in favour of the amendment and six 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 amendment was negatived.

The Secretary for Transport and Housing replied.

Question on the Secretary for Transport and Housing's motion put.

Hon Miriam 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 there were 36 Members present, 27 were in favour of the motion, one against it and seven abstained. (Voting record in Appendix VI.) Since the question was agreed by a majority of the Members present, she declared that the motion was carried.

3. Mass Transit Railway (Transport Interchange) (Amendment) Bylaw 2007

The Secretary for Transport and Housing moved the following motion and addressed the Council:

RESOLVED that the Mass Transit Railway (Transport Interchange) (Amendment) Bylaw 2007, made by the MTR Corporation Limited on 20 June 2007, be approved.

Question on the motion proposed, put and agreed to.

Proposed resolution under the Kowloon-Canton Railway Corporation Ordinance

The Secretary for Transport and Housing moved the following motion and addressed the Council:

RESOLVED that the Kowloon-Canton Railway Corporation (Suspension of Bylaws) Bylaw 2007, made by the Kowloon-Canton Railway Corporation on 15 June 2007, be approved.

Question on the motion proposed, put and agreed to.

Members' Motions

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 Rule 33 of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be amended -

- (a) in subrule (3A), by repealing "When" and substituting "Subject to subrule (3B), when";
- (b) by adding -

"(3B) Except in the case of a motion moved by a designated public officer or under Rule 13(1) (The Chief Executive's Policy Address) or Rule 16(4) (Motions for the Adjournment of the Council), the President shall call upon designated public officers attending the debate to speak -

- (a) before any Member who indicates his intention to speak is called upon to speak; and
- (b) when no more Member indicates his intention to speak or, in the case of a joint debate on the motion and its amendments, after the mover of the motion has been called upon to speak on the amendments and has spoken."

Question on the motion proposed, put and agreed to.

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

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

RESOLVED that the amended terms of reference and list of corresponding bureaux/bodies set out in the Schedule, as recommended by the House Committee, be approved in respect of the existing 18 Panels formed by resolutions made and passed by this Council at its meetings of 8 July 1998, 20 December 2000 and 9 October 2002; and that the amendments so approved shall take effect on the day when the 2007-2008 session of the Council begins.

Question on the motion proposed, put and agreed to.

Rights and interests of ethnic minorities

Hon Fred LI moved the following motion and addressed the Council:

That, as the Administration has failed to provide the necessary support and protection for some 300 000 ethnic minorities in Hong Kong, and many of them have encountered difficulties on various fronts, creating barriers to their development and integration into the Hong Kong community, this Council urges the Administration to adopt measures to protect the rights and interests of ethnic minorities, including:

- (a) on the education front, allocating additional resources to increase the number of designated schools in various districts which admit more non-Chinese speaking primary and secondary students and to provide appropriate support

to the schools concerned and, at the same time, offering a curriculum and public examination for the subject of Chinese Language which are suitable for students of ethnic minorities, so that such students who are not proficient in Chinese can have equal opportunities to further their studies in schools, especially universities, and in employment;

- (b) on the employment front, conducting vocational training courses and trade tests in English or the languages of ethnic minorities according to their needs, relaxing the entry requirement in respect of Chinese proficiency in the recruitment of staff by the Government and public sector organizations, and arranging for suitable posts to be filled by ethnic minorities as far as practicable, and also providing information on job vacancies in both Chinese and English and setting up a dedicated employment counter by the Labour Department to assist ethnic minorities visiting the Department in seeking employment;
- (c) on the public services front, providing free interpretation service for ethnic minorities using public services, such as public healthcare, social and employment services, etc;
- (d) on the religion and culture fronts, providing venues and other facilities in the districts in which a larger number of ethnic minorities resided in for conducting religious and cultural activities and, at the same time, enhancing civic education to promote public understanding of and respect for the cultures of ethnic minorities;
- (e) ensuring, by means of comprehensive legislation and complementary measures, that ethnic minorities are not discriminated against; and
- (f) formulating a well-thought out policy to facilitate the integration of ethnic minorities into the Hong Kong community.

While Hon Fred LI was addressing the Council, the President left the chair at 7:40 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Hon Fred LI's motion proposed.

The President's Deputy stated that Hon CHOY So-yuk 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 CHOY So-yuk moved the following amendment to Hon Fred LI's motion and addressed the Council:

To add "(b) in respect of young people of ethnic minorities, allocating additional resources to strengthen social services for young people of ethnic minorities, and assisting those who are beyond school age to complete secondary and vocational education;" after "in schools, especially universities, and in employment;"; to delete the original "(b)" and substitute with "(c)"; to add "and making enquiries about labour laws as well as workers' rights and interests" after "ethnic minorities visiting the Department in seeking employment"; to delete the original "(c)" and substitute with "(d)"; to delete the original "(d)" and substitute with "(e)"; to add "(f) appointing ethnic minorities with ability to public organizations or advisory bodies, such as the Equal Opportunities Commission, so as to reflect the aspirations of ethnic minorities;" after "respect for the cultures of ethnic minorities;"; to delete the original "(e)" and substitute with "(g)"; and to delete the original "(f)" and substitute with "(h) setting up a comprehensive database to collect, in a systematic and focused manner, data relating to ethnic minorities in such areas as employment, education, use of public services, religion and culture, with a view to understanding their needs and thereby".

Question on Hon CHOY So-yuk's amendment to Hon Fred LI's motion proposed.

Nine other Members and Dr Hon YEUNG Sum spoke on the motion and the amendment.

At 8:55 pm, while Dr Hon YEUNG Sum was speaking, the President resumed the chair.

10 more Members spoke on the motion and the amendment.

Hon Fred LI spoke on the amendment.

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

Question on Hon CHOY So-yuk's amendment to Hon Fred LI's motion put and agreed to.

Hon Fred LI replied.

Question on Hon Fred LI's motion as amended by Hon CHOY So-yuk put and agreed to.

The President suspended the meeting at 10:38 pm.

* * * * *

The Council resumed at 9:00 am on 12 July 2007.

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

Developing co-operative relationship with the Mainland

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

That, as Hong Kong's relationship with the Mainland is increasingly close since its reunification with the motherland, and experience has proved that enhancing co-operation between the two places can bring about a mutually beneficial and win-win effect, this Council urges the Government to continue to develop its co-operative relationship with the Mainland on all fronts, and set up a co-operation mechanism which is permanent and authoritative, covering more areas and levels, to undertake overall planning, co-ordination and policy formulation on important issues concerning co-operative development.

Question on Hon TSANG Yok-sing's motion proposed.

The President stated that three Members would move amendments to the motion. In accordance with the Rules of Procedure, the motion and the three amendments would be debated together in a joint debate.

Hon Emily LAU, Hon Audrey EU and Hon Albert HO, who would move amendments to the motion, spoke on the motion and their amendments.

30 other Members spoke on the motion and the amendments.

Hon TSANG Yok-sing spoke on the amendments.

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

Hon Emily LAU moved the following amendment to Hon TSANG Yok-sing's motion:

To add ", on the premise of 'one country, two systems and a high degree of autonomy'," after "urges the Government to continue"; and to add "and urges the Central Government to issue Home Visit Permits to those Hong Kong people who cannot return to the Mainland, including Members of the Legislative Council and District Councils who belong to the democratic camp, and communicate with the Legislature and political parties in Hong Kong and develop a normal working relationship

to enhance mutual understanding, so that the relationship between the HKSAR and the Mainland can be normalized," after "on all fronts,".

Question on Hon Emily LAU's amendment to Hon TSANG Yok-sing's motion 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, 21 were present, seven were in favour of the amendment and 14 against it; while among the Members returned by geographical constituencies through direct elections, 20 were present, 11 were in favour of the amendment and eight against it. (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.

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

That in the event of further divisions in relation to the motion on "Developing co-operative relationship with the Mainland" 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 Audrey EU moved the following amendment to Hon TSANG Yok-sing's motion:

To delete "and" after "on all fronts," and substitute with "especially on issues concerning immigration policies, environment, air quality and food safety, and to"; and to delete "authoritative" after "permanent and" and substitute with "efficient".

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

As Hon Audrey EU's amendment had been agreed, the President granted leave for Hon Albert HO to revise the terms of his amendment and explain them to the Council.

Hon Albert HO moved the following further amendment to Hon TSANG Yok-sing's motion as amended by Hon Audrey EU, and explained the revised terms of his amendment to the Council:

To add "; in addition, the Government should promote expeditious development in the country's constitutional democracy with Hong Kong's experience in practising full democracy, and urge the Mainland to draw on Hong Kong's experience in the rule of law to establish a law regime which respects judicial independence and protects the autonomy of the law profession" after "co-operative development".

Question on Hon Albert HO's amendment to Hon TSANG Yok-sing's motion as amended by Hon Audrey EU proposed and put.

Hon Albert HO 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, 21 were present, seven were in favour of the amendment and 14 against it; while among the Members returned by geographical constituencies through direct elections, 20 were present, 11 were in favour of the amendment and eight against it. (Voting record in Appendix VIII.) 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 TSANG Yok-sing replied.

Question on Hon TSANG Yok-sing's motion as amended by Hon Audrey EU put and agreed to.

End of session

As it was the last meeting in the session, the President wished Members a restful time during the summer recess. She then declared that the first meeting in the next session would be held on 10 October 2007 at 11:00 am.

The Council was adjourned at 1:44 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

投票 VOTE: 1
 日期 DATE: 11/07/2007
 時間 TIME: 06:31:36 下午

動議 MOTION: 涂謹申議員對運輸及房屋局局長的《2007年地下鐵路（修訂）附例》決議案，作出的修正案 - 修訂第8(b)條
 AMENDMENT BY HON JAMES TO TO SECRETARY FOR TRANSPORT AND HOUSING'S PROPOSED RESOLUTION ON THE MASS TRANSIT RAILWAY (AMENDMENT) BYLAW 2007 - TO AMEND SECTION 8(b)

動議人 MOVED BY: 涂謹申 James TO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	22	
投票 Vote	22	21	
贊成 Yes	4	10	
反對 No	18	11	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	否決 Negatived	否決 Negatived

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	反對 NO
呂明華 Dr LUI Ming-wah	反對 NO	何俊仁 Albert HO	
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	
張文光 CHEUNG Man-kwong		李柱銘 Martin LEE	
陳智思 Bernard CHAN		李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	周梁淑怡 Mrs Selina CHOW	反對 NO
單仲偕 SIN Chung-kai		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	
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		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	反對 NO	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	
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	反對 NO
張超雄 Dr Fernando CHEUNG	贊成 YES	馬力 MA Lik	
黃定光 WONG Ting-kwong	反對 NO	梁家傑 Alan LEONG	贊成 YES
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	
劉秀成 Prof Patrick LAU		張學明 CHEUNG Hok-ming	反對 NO
鄭志堅 KWONG Chi-kin	反對 NO	湯家驊 Ronny TONG	贊成 YES
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	反對 NO

秘書 CLERK

投票 VOTE: 2
日期 DATE: 11/07/2007
時間 TIME: 06:36:49 下午

動議 MOTION: 批准《2007年地下鐵路（修訂）附例》決議案
PROPOSED RESOLUTION TO APPROVE THE MASS TRANSIT RAILWAY (AMENDMENT)
BYLAW 2007

動議人 MOVED BY: 運輸及房屋局局長 Secretary for Transport and Housing

出席 Present :43
投票 Vote :42
贊成 Yes :30
反對 No :2
棄權 Abstain :10
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	棄權	ABSTAIN
田北俊	James TIEN	贊成	YES	霍震霆	Timothy FOK		
何俊仁	Albert HO			譚耀宗	TAM Yiu-chung	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	石禮謙	Abraham SHEK	贊成	YES
李卓人	LEE Cheuk-yan			李鳳英	LI Fung-ying		
李柱銘	Martin LEE			張宇人	Tommy CHEUNG	贊成	YES
李國寶	Dr David LI			陳偉業	Albert CHAN	反對	NO
李華明	Fred LI	棄權	ABSTAIN	馮檢基	Frederick FUNG	贊成	YES
呂明華	Dr LUI Ming-wah	贊成	YES	余若薇	Audrey EU	棄權	ABSTAIN
吳靄儀	Margaret NG	棄權	ABSTAIN	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	棄權	ABSTAIN	李永達	LEE Wing-tat		
張文光	CHEUNG Man-kwong			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			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		
梁耀忠	LEUNG Yiu-chung	反對	NO	梁君彥	Andrew LEUNG	贊成	YES
單仲偕	SIN Chung-kai			梁家傑	Alan LEONG	棄權	ABSTAIN
黃宜弘	Dr Philip WONG	贊成	YES	梁國雄	LEUNG Kwok-hung		
黃容根	WONG Yung-kan	贊成	YES	郭家麒	Dr KWOK Ka-ki	棄權	ABSTAIN
曾鈺成	TSANG Yok-sing	贊成	YES	張超雄	Dr Fernando CHEUNG	棄權	ABSTAIN
楊孝華	Howard YOUNG	贊成	YES	張學明	CHEUNG Hok-ming	贊成	YES
楊森	Dr YEUNG Sum			黃定光	WONG Ting-kwong	贊成	YES
劉千石	LAU Chin-shek			湯家驊	Ronny TONG		
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	Prof Patrick LAU		
劉健儀	Miriam LAU	贊成	YES	鄭經翰	Albert CHENG	贊成	YES
劉慧卿	Emily LAU	棄權	ABSTAIN	鄭志堅	KWONG Chi-kin	贊成	YES
蔡素玉	CHOY So-yuk	贊成	YES	譚香文	TAM Heung-man	棄權	ABSTAIN

秘書 CLERK



投票 VOTE: 3
 日期 DATE: 11/07/2007
 時間 TIME: 07:17:56 下午

動議 MOTION: 涂謹申議員對運輸及房屋局局長的《香港鐵路(西北鐵路)附例》決議案,作出的修正案 - 修訂第18條
 AMENDMENT BY HON JAMES TO TO SECRETARY FOR TRANSPORT AND HOUSING'S PROPOSED RESOLUTION ON THE MASS TRANSIT RAILWAY (NORTH-WEST RAILWAY) BYLAW - TO AMEND SECTION 18

動議人 MOVED BY: 涂謹申 James TO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	20	18	
投票 Vote	20	17	
贊成 Yes	4	9	
反對 No	16	8	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	否決 Negatived	否決 Negatived

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	
呂明華 Dr LUI Ming-wah	反對 NO	何俊仁 Albert HO	
吳靄儀 Margaret NG		李卓人 LEE Cheuk-yan	
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	
陳智思 Bernard CHAN		李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	周梁淑怡 Mrs Selina CHOW	反對 NO
單仲偕 SIN Chung-kai	贊成 YES	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳婉嫻 CHAN Yuen-han	反對 NO
黃容根 WONG Yung-kan	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
楊孝華 Howard YOUNG	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	反對 NO
劉健儀 Miriam LAU	反對 NO	楊森 Dr YEUNG Sum	
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		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	
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	
林偉強 Daniel LAM		馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	李永達 LEE Wing-tat	贊成 YES
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	反對 NO
張超雄 Dr Fernando CHEUNG	贊成 YES	馬力 MA Lik	
黃定光 WONG Ting-kwong	反對 NO	梁家傑 Alan LEONG	
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	贊成 YES
劉秀成 Prof Patrick LAU	反對 NO	張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	反對 NO	湯家驊 Ronny TONG	
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	反對 NO

Vivian Lam

投票 VOTE: 4
 日期 DATE: 11/07/2007
 時間 TIME: 07:24:43 下午

動議 MOTION: 涂謹申議員對運輸及房屋局局長的《香港鐵路（西北鐵路）附例》決議案，作出的修正案 - 修訂第36(1)(b)條
 AMENDMENT BY HON JAMES TO TO SECRETARY FOR TRANSPORT AND HOUSING'S PROPOSED RESOLUTION ON THE MASS TRANSIT RAILWAY (NORTH-WEST RAILWAY) BYLAW - TO AMEND SECTION 36(1)(b)

動議人 MOVED BY: 涂謹申 James TO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	20	18	
投票 Vote	20	17	
贊成 Yes	4	10	
反對 No	16	7	
棄權 Abstain	0	0	
結果 Result	否決 Negated	通過 Passed	否決 Negated

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	
呂明華 Dr LUI Ming-wah	反對 NO	何俊仁 Albert HO	
吳靄儀 Margaret NG		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	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	
黃谷根 WONG Yung-kan	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
楊孝華 Howard YOUNG	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	反對 NO
劉健儀 Miriam LAU	反對 NO	楊森 Dr YEUNG Sum	
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		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	
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	
林偉強 Daniel LAM		馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	李永達 LEE Wing-tat	贊成 YES
郭家麒 Dr KWOK Ka-ki	贊成 YES	李國英 LI Kwok-ying	反對 NO
張超雄 Dr Fernando CHEUNG	贊成 YES	馬力 MA Lik	
黃定光 WONG Ting-kwong	反對 NO	梁家傑 Alan LEONG	
詹培忠 CHIM Pui-chung		梁國雄 LEUNG Kwok-hung	贊成 YES
劉秀成 Prof Patrick LAU	反對 NO	張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	反對 NO	湯家驊 Ronny TONG	
譚香文 TAM Heung-man		鄭經翰 Albert CHENG	反對 NO

Di Wan Chan

投票 VOTE: 5
日期 DATE: 11/07/2007
時間 TIME: 07:27:11 下午

動議 MOTION: 涂謹申議員對運輸及房屋局局長的《香港鐵路（西北鐵路）附例》決議案，作出的修正案 - 增補第42條
AMENDMENT BY HON JAMES TO TO SECRETARY FOR TRANSPORT AND HOUSING'S PROPOSED RESOLUTION ON THE MASS TRANSIT RAILWAY (NORTH-WEST RAILWAY) BYLAW - TO ADD SECTION 42

動議人 MOVED BY: 涂謹申 James TO

	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	3	10	
反對 No	16	6	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

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

秘書 CLERK

投票 VOTE: 6
 日期 DATE: 11/07/2007
 時間 TIME: 07:29:35 下午

動議 MOTION: 批准《香港鐵路(西北鐵路)附例》決議案
 PROPOSED RESOLUTION TO APPROVE THE MASS TRANSIT RAILWAY (NORTH-WEST RAILWAY) BYLAW

動議人 MOVED BY: 運輸及房屋局局長 Secretary for Transport and Housing

出席 Present :36
 投票 Vote :35
 贊成 Yes :27
 反對 No :1
 棄權 Abstain :7
 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	棄權	ABSTAIN
田北俊	James TIEN			霍震霆	Timothy FOK		
何俊仁	Albert HO			譚耀宗	TAM Yiu-chung		
何鍾泰	Dr Raymond HO	贊成	YES	石禮謙	Abraham SHEK	贊成	YES
李卓人	LEE Cheuk-yan	贊成	YES	李鳳英	LI Fung-ying		
李柱銘	Martin LEE			張宇人	Tommy CHEUNG	贊成	YES
李國寶	Dr David LI			陳偉業	Albert CHAN		
李華明	Fred LI	棄權	ABSTAIN	馮檢基	Frederick FUNG	贊成	YES
呂明華	Dr LUI Ming-wah	贊成	YES	余若薇	Audrey EU		
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	棄權	ABSTAIN	李永達	LEE Wing-tat	棄權	ABSTAIN
張文光	CHEUNG Man-kwong			李國英	LI Kwok-ying	贊成	YES
陳婉嫻	CHAN Yuen-han			李國麟	Dr Joseph LEE		
陳智思	Bernard CHAN			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		
梁耀忠	LEUNG Yiu-chung	贊成	YES	梁君彥	Andrew LEUNG	贊成	YES
單仲偕	SIN Chung-kai	棄權	ABSTAIN	梁家傑	Alan LEONG		
黃宜弘	Dr Philip WONG	贊成	YES	梁國雄	LEUNG Kwok-hung	反對	NO
黃容根	WONG Yung-kan	贊成	YES	郭家麒	Dr KWOK Ka-ki	棄權	ABSTAIN
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		
楊森	Dr YEUNG Sum			黃定光	WONG Ting-kwong	贊成	YES
劉千石	LAU Chin-shek			湯家驊	Ronny TONG		
劉江華	LAU Kong-wah	贊成	YES	詹培忠	CHIM Pui-chung		
劉皇發	LAU Wong-fat			劉秀成	Prof 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	棄權	ABSTAIN	鄭志堅	KWONG Chi-kin	贊成	YES
蔡素玉	CHOY So-yuk	贊成	YES	譚香文	TAM Heung-man		

投票 VOTE: 7
日期 DATE: 12/07/2007
時間 TIME: 01:35:29 下午

動議 MOTION: 劉慧卿議員對曾鈺成議員的「發展與內地的合作關係」議案，作出的修正案
AMENDMENT BY HON EMILY LAU TO HON TSANG YOK-SING'S MOTION ON
"DEVELOPING CO-OPERATIVE RELATIONSHIP WITH THE MAINLAND"

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	21	20	
投票 Vote	21	19	
贊成 Yes	7	11	
反對 No	14	8	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO		范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	反對 NO
呂明華 Dr LUI Ming-wah	反對 NO	何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	
陳智思 Bernard CHAN		李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	周梁淑怡 Mrs Selina CHOW	反對 NO
單仲偕 SIN Chung-kai	贊成 YES	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳婉嫻 CHAN Yuen-han	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		劉江華 LAU Kong-wah	反對 NO
李鳳英 LI Fung-ying	贊成 YES	劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	蔡素玉 CHOY So-yuk	反對 NO
方剛 Vincent FANG		鄭家富 Andrew CHENG	
王國興 WONG Kwok-hing	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM	反對 NO	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	
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	贊成 YES
劉秀成 Prof Patrick LAU		張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	反對 NO	湯家驊 Ronny TONG	
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	

秘書 CLERK

投票 VOTE: 8
日期 DATE: 12/07/2007
時間 TIME: 01:39:57 下午

動議 MOTION: 何俊仁議員對曾鈺成議員就「發展與內地的合作關係」所提，經劉慧卿議員及余若薇議員修正的議案，作出的修正案
AMENDMENT BY HON ALBERT HO TO HON TSANG YOK-SING'S MOTION ON "DEVELOPING CO-OPERATIVE RELATIONSHIP WITH THE MAINLAND" AS AMENDED BY HON EMILY LAU /AND/ HON AUDREY EU

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	21	20	
投票 Vote	21	19	
贊成 Yes	7	11	
反對 No	14	8	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO		范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	反對 NO
呂明華 Dr LUI Ming-wah	反對 NO	何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	
陳智思 Bernard CHAN		李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	周梁淑怡 Mrs Selina CHOW	反對 NO
單仲偕 SIN Chung-kai	贊成 YES	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳婉嫻 CHAN Yuen-han	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		劉江華 LAU Kong-wah	反對 NO
李鳳英 LI Fung-ying	贊成 YES	劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	蔡素玉 CHOY So-yuk	反對 NO
方剛 Vincent FANG		鄭家富 Andrew CHENG	
王國興 WONG Kwok-hing	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	贊成 YES
林偉強 Daniel LAM	反對 NO	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	
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	贊成 YES
劉秀成 Prof Patrick LAU		張學明 CHEUNG Hok-ming	
鄭志堅 KWONG Chi-kin	反對 NO	湯家驊 Ronny TONG	
譚香文 TAM Heung-man	贊成 YES	鄭經翰 Albert CHENG	

秘書 CLERK