

# OFFICIAL RECORD OF PROCEEDINGS

**Sunday, 13 July 2008**

**The Council continued to meet at Nine o'clock**

## **MEMBERS PRESENT:**

THE PRESIDENT

THE HONOURABLE MRS RITA FAN HSU LAI-TAI, G.B.M., G.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

THE HONOURABLE ALBERT HO CHUN-YAN

DR THE HONOURABLE RAYMOND HO CHUNG-TAI, S.B.S.,  
S.B.ST.J., J.P.

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE MARTIN LEE CHU-MING, S.C., J.P.

DR THE HONOURABLE DAVID LI KWOK-PO, G.B.M., G.B.S., J.P.

THE HONOURABLE FRED LI WAH-MING, J.P.

DR THE HONOURABLE LUI MING-WAH, S.B.S., J.P.

THE HONOURABLE MARGARET NG

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, G.B.S., J.P.

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHAN YUEN-HAN, S.B.S., J.P.

THE HONOURABLE BERNARD CHAN, G.B.S., J.P.

THE HONOURABLE MRS SOPHIE LEUNG LAU YAU-FUN, G.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE SIN CHUNG-KAI, S.B.S., J.P.

DR THE HONOURABLE PHILIP WONG YU-HONG, G.B.S.

THE HONOURABLE WONG YUNG-KAN, S.B.S., J.P.

THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

THE HONOURABLE HOWARD YOUNG, S.B.S., J.P.

DR THE HONOURABLE YEUNG SUM, J.P.

THE HONOURABLE LAU CHIN-SHEK, J.P.

THE HONOURABLE LAU KONG-WAH, J.P.

THE HONOURABLE MIRIAM LAU KIN-YEE, G.B.S., J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE CHOY SO-YUK, J.P.

THE HONOURABLE ANDREW CHENG KAR-FOO

THE HONOURABLE TIMOTHY FOK TSUN-TING, G.B.S., J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, S.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, S.B.S., J.P.

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE FREDERICK FUNG KIN-KEE, S.B.S., J.P.

THE HONOURABLE AUDREY EU YUET-MEE, S.C., J.P.

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.

THE HONOURABLE WONG KWOK-HING, M.H.

THE HONOURABLE LEE WING-TAT

THE HONOURABLE LI KWOK-YING, M.H., J.P.

DR THE HONOURABLE JOSEPH LEE KOK-LONG, J.P.

THE HONOURABLE JEFFREY LAM KIN-FUNG, S.B.S., J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, S.B.S., J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE WONG TING-KWONG, B.B.S.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CHIM PUI-CHUNG

PROF THE HONOURABLE PATRICK LAU SAU-SHING, S.B.S., J.P.

THE HONOURABLE ALBERT JINGHAN CHENG, J.P.

THE HONOURABLE KWONG CHI-KIN

THE HONOURABLE TAM HEUNG-MAN

THE HONOURABLE MRS ANSON CHAN, G.B.M., J.P.

**MEMBERS ABSENT:**

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

THE HONOURABLE LAU WONG-FAT, G.B.M., G.B.S., J.P.

THE HONOURABLE LI FUNG-YING, B.B.S., J.P.

THE HONOURABLE DANIEL LAM WAI-KEUNG, S.B.S., J.P.

DR THE HONOURABLE KWOK KA-KI

THE HONOURABLE CHEUNG HOK-MING, S.B.S., J.P.

**PUBLIC OFFICERS ATTENDING:**

THE HONOURABLE HENRY TANG YING-YEN, G.B.S., J.P.

THE CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE JOHN TSANG CHUN-WAH, J.P.

THE FINANCIAL SECRETARY

THE HONOURABLE STEPHEN LAM SUI-LUNG, J.P.

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS

DR THE HONOURABLE YORK CHOW YAT-NGOK, S.B.S., J.P.

SECRETARY FOR FOOD AND HEALTH

THE HONOURABLE DENISE YUE CHUNG-YEE, G.B.S., J.P.

SECRETARY FOR THE CIVIL SERVICE

THE HONOURABLE TSANG TAK-SING, J.P.

SECRETARY FOR HOME AFFAIRS

THE HONOURABLE MATTHEW CHEUNG KIN-CHUNG, G.B.S., J.P.

SECRETARY FOR LABOUR AND WELFARE

THE HONOURABLE MRS CARRIE LAM CHENG YUET-NGOR, J.P.  
SECRETARY FOR DEVELOPMENT

THE HONOURABLE EDWARD YAU TANG-WAH, J.P.  
SECRETARY FOR THE ENVIRONMENT

THE HONOURABLE EVA CHENG, J.P.  
SECRETARY FOR TRANSPORT AND HOUSING

**CLERKS IN ATTENDANCE:**

MR RICKY FUNG CHOI-CHEUNG, S.B.S., J.P., SECRETARY GENERAL

MRS CONSTANCE LI TSOI YEUK-LIN, ASSISTANT SECRETARY  
GENERAL

MRS VIVIAN KAM NG LAI-MAN, ASSISTANT SECRETARY GENERAL

MS PAULINE NG MAN-WAH, ASSISTANT SECRETARY GENERAL

**PRESIDENT** (in Cantonese): A quorum is not present. Clerk, please ring the bell.

(After the summoning bell has been rung, a number of Members entered the Chamber)

**PRESIDENT** (in Cantonese): A quorum is present. The meeting shall start. We will continue with the debate on the resolution moved by Mr Albert CHAN to repeal the Food Business (Amendment) Regulation 2008.

## **MEMBERS' MOTIONS**

### **PROPOSED RESOLUTION UNDER THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

#### **Continuation of debate on motion which was moved on 12 July 2008**

**MR FREDERICK FUNG** (in Cantonese): President, last month, following the detection of avian influenza virus in four markets again, the Government decided to carry out an immediate culling of all live poultry at all retail outlets in Hong Kong and banned the sale and import of live chickens for 21 days until 2 July. It also followed Macao's approach and implemented the measure of a "daily rest night", to ban overnight stocking of live chickens at retail outlets.

The public are fed up and anxious about the repeated detection of avian influenza virus and the subsequent slaughtering of and sales ban on live chickens. This has also given the Government more chips to adopt a more aggressive strategy by proposing a buyout package for ceasing the business of the entire poultry trade, in order to wipe out the entire poultry trade and eliminate the contact between human and poultry.

For the sake of public health and prevention of avian influenza outbreak, the Hong Kong Association for Democracy and People's Livelihood (ADPL) agrees in principle that, in the end, a complete segregation of human from live poultry should be implemented to stem any possibility of public exposure to the

avian influenza virus. The implementation of a "daily rest night" can ensure that live chickens will not be stocked overnight in market stalls, so as to prevent the markets from becoming the breeding grounds of the virus and stop the virus from breeding in the markets, thereby ruling out one of the possibilities for the avian influenza to rage.

However, is this approach of the Government rightly focused on the cause of the problem? The whole incident reflects that the Government is making use of the opportunity to wipe out the trade. The detection of avian influenza virus in markets shows that problems surfaced in the last part of the entire process from quarantine, transportation to sales. Does this manifest that there is a serious loophole in the inspection work upstream? The Government, however, has not said a word on the cause, nor has it explained whether problems existed in its work upstream or whether reviews were conducted. It has not given the public a reasonable explanation except emphasizing the need to implement a "daily rest night" and wipe out the poultry trade, and its ulterior motive is obviously to divert the public's attention.

The Government mentioned that the smuggled chicken could be another cause, but it did not follow up the problem and look into what measures should be taken to tackle smuggled chickens. Were the authorities not making enough efforts to crack down on chicken smuggling? Or, was the Government not doing its part in addressing the issue of smuggled chickens?

(The microphone had noise interference)

Let me repeat the last few sentences. The Government mentioned that the smuggled chickens were one of the causes, but it did not take any follow-up actions. Were the authorities not making enough efforts to crack down on chicken smuggling? Or, were the smuggled chickens being imported together with other chickens through the normal channels? The public simply do not know. But what I am sure is that, if smuggled chickens are really the origin of this episode of avian influenza, the proposal of a "daily rest night" is simply a wrong approach, which fails to target at the root of the problem. Is it not the most important task of the authorities to identify the source of the virus or vigorously take actions to combat chicken smuggling? Of course, I will not doubt the effectiveness of a "daily rest night", but such an approach has clearly

failed to target at the problem in this incident of avian influenza and the risk of spreading the avian influenza virus through smuggled chickens still exists.

The poultry trade suggested placing a laser tag on the foot of each inspected chicken so as to separate such chickens from the smuggled chickens. The trade regards this as a more practicable approach because it can genuinely target at the problem of smuggled chickens. But the authorities have brushed aside the suggestion. One cannot help but suspect that the Government has an ulterior motive in implementing the measure of a "daily rest night" and that is to wipe out the entire poultry trade as soon as possible.

President, we often say that the Government deals with a problem by "treating the head when there is headache and treating the leg when there is a leg pain", but our impression of the Government in handling this issue is that it is "treating or even axing off the head when there is an aching leg". As a result, the entire poultry trade gets the axe. This is not the Government's usual practice. Although I said just now that the approach is not correctly focused, I have to emphasize that the ADPL agrees in principle that in the end, it is necessary to implement a complete segregation of human from live poultry and stem any possibility of public exposure to the avian influenza virus.

I very much agree with Mr Fred LI's remarks yesterday that despite repeated warnings by the authorities, people now still grab the chicken by themselves and blow air into its bottom when they choose chickens at market stalls. This is inevitable. We agree that in the event of an avian influenza outbreak, it is still too many even if there is just one person infected with the virus. Hence, what I have been saying just now is to point out that there are many different possibilities insofar as this issue is concerned. The Government has mentioned this point, so has the trade, but the Government has not conducted any study on these possible underlying causes, except insisting on a "daily rest night". Although this proposal fails to address the core of the problem, as I have emphasized time and again, we agree in principle that in the end, human should be thoroughly segregated from live poultry and this will be able to achieve the objective.

In any case, when it comes to wiping out the entire poultry trade, the approach has to be fair and reasonable and the Government's buyout package now offered to the live poultry trade has to be convincing. However, I hold that the present buyout package has grossly neglected the needs of the trades upstream and the related sectors. For instance, the Government has not offered any buyout packages for ancillary trades such as chicken rearing at farms,



wholesale and transportation of chickens. The authorities even refused to hold discussion with importers of day-old chickens. Yesterday, quite a lot of colleagues mentioned that the authorities have to ensure that compensation are provided for workers at live poultry stalls because they are not covered by Mandatory Provident Fund under the established system in Hong Kong and it is difficult to prove their employment relationship with their employers. How then should the authorities deal with their compensation? I hope that regarding this issue, the Government, particularly the Secretary, can respond to these few problems in his reply later.

The ADPL holds that the buyout package for ceasing the business of the entire live poultry trade has to be impartial, reasonable and fair. We also hope that the Government can seriously listen to the views of the trade, review the coverage of the entire buyout package and treat different sectors of the trade on fair terms.

President, in this incident, the Government has almost ruined the entire trade. While we agree in principle to this approach, we hold that the approach, as I said just now, must be truly convincing. I listened to many Members' views yesterday and I appreciate Mr Fred LI's speech the most, for he has duly reflected the situation and needs of people at different levels of the trade and I hope that the Government can seriously consider them. Thank you, President.

**MRS SELINA CHOW** (in Cantonese): President, our Government always emphasizes the people-oriented approach. Therefore, I really want to ask the Secretary — it is best that the Chief Secretary for Administration is also here now — regarding this policy on chickens, who are the people towards whom the Government is oriented? Let us think about this. If the answer is people in the trade, after listening to the speeches given by so many colleagues yesterday, it seems that members of the trade are not those being referred to by the Secretary, as we all know that the trade is, in fact, facing a very, very miserable situation. Having personally listened to the speeches made by our colleagues such as Mr Tommy CHEUNG, Mr Vincent FANG, and Mr WONG Yung-kan from the Democratic Alliance for the Betterment and Progress of Hong Kong, I must say that I have never heard of such sentimental remarks from these male chauvinists, who consider that the situation is so miserable. In fact, I do share their feelings.

I had been a representative of the chicken retailing industry in the past. Many of them are my good friends and I understand them very much. Not only at present but also over the past decade, that is, since the emergence of avian influenza, they have been experiencing tremendous hardships. And now, the authorities advise that as some chicken faecal samples rather than infected chickens are found in certain markets — the trade has taken a lot of actions on their own initiative, especially vaccination, and has followed instructions in various aspects, such as adopting the policy of segregating chickens from customers — but now, as some samples are tested positive, the authorities order that thousands of chickens should all be slaughtered. In view of these actions, we will ask: Is this a crisis management or the beginning of a long-term policy? Who knows? We do not know. We only know that such action seems to be a crisis management. Slaughtering chickens is really a big deal! All senior public officers present here give an order, "Kill them!", causing panic among the public. How many people have died of the avian influenza? None. How many people are hospitalized because of the avian influenza? None. How many chickens are dead? None. Such approach reminded us of what happened 10 or 11 years ago, and people immediately give their support to the Government. But we cannot put the blame on the public as they will, of course, attach the utmost importance to health. However, undoubtedly, this policy is not oriented towards these people.

Well, let us take the public into consideration. Is it oriented towards the public? Yesterday, some colleagues mentioned that the public wanted to eat fresh chickens. But the Government said that it was not beneficial to them and did not allow them to eat fresh chickens. Chinese people certainly wish to eat chickens, and they like fresh chickens. Let me tell you this. If one wants to eat fresh chickens, one can do so in San Francisco as well as in the China Town of London, but not in Hong Kong, the gourmet paradise. The reason is that it is for the sake of health.

We have heard of such comments before. President, we have learnt from the issue of nutrition labelling that inaccurate labels can be hazardous to our health — inaccurate labels, not inaccurate products — products with labels not in compliance with the requirements set by the health authorities of the Hong Kong Government cannot be imported as they are not good for our health. Once again, the reason is that it is not good for the health of the public. Thus, the public gives their support, thinking that the Government is safeguarding their health.

However, there are some differences this time. The public have a little bit sympathy for those trades this time around. In adopting such practice, is it that the authorities are condemning this industry to death? Moreover, some people also say, "I want to eat fresh chickens but you do not allow me to do so." It is not the case now. The Government has come up with the idea of a "daily rest night", giving a feeling to the public that they still have fresh chickens to eat. But why are there so many complaints? As fresh chickens are available for consumption by the public, and such approach is for the sake of our health, the public should have no more complaints, and this is the theory put forth by Mr Fred LI. He does not bother about other things, saying that as long as fresh chickens are available and as the public support the "daily rest night" approach and attach importance to health, this is a right direction.

Why is this a right direction? I would like to ask the Government now: Is the direction being taken a persistent approach of crisis management or a permanent policy? I think the Government has no answer at all. Please make it clear to the public. Will this policy keep on allowing the provision of fresh chickens for people's consumption? It says that no answer can be given, as it does not know how many retailers and chicken farmers will give up. Such figures have yet been calculated.

What? The figures have yet been calculated? I suppose such calculation should have been made long ago. I suppose everything is already known. That is right. It is fair for the Secretary to say that he has to find out how many people will give up their operation, whether it is 90% or 80%, or even a lower percentage. If it is lower than this percentage, it may not be worthwhile for us to do so. In fact, one-month's time will be given to them. Some of them have been working in this industry for their whole life, and some may even have two generations working in this industry over the past two or three decades. Those who have devoted a lifetime to this industry are being forced to make a decision within a month; otherwise, they have to bear the consequences. What does it mean?

Chicken farmers are no better. They have three-month's time to make a decision. They have made such a huge investment, and as we have just mentioned, how about their employees? Those responsible operators should of course consider this point. How about the transport industry? How about the feed trade? This has to do with the whole industry. I would like to ask the Secretary: What has he done in assessing the situation of the whole industry?

He may have made some efforts. But after that, he said that there is no other alternative, as health is of the utmost importance. My goodness! That is what happened. There is indeed no solution.

After all, I have to raise a question: At present, as the majority of the people in Hong Kong want to eat fresh chickens, how will the Bureau deal with this? How will it make improvements to put in place a more permanent management system, so that Hong Kong people can have fresh chickens to eat? I also want to ask: As the authorities have requested them to develop a brand for Hong Kong, such as Kamei chickens, what attitude will the authorities adopt regarding those measures? Do the authorities want to strangle them or allow them to continue their operation? In particular, as central slaughtering is not viable at present, what can they do? Some colleagues mentioned yesterday that the operating cost in the Mainland was much lower than that in Hong Kong, and it was in fact impossible for them to operate here. As central slaughtering is not viable in Hong Kong, what can we do? We have no alternative but rely on the Mainland for central slaughtering, that is, we have to eat chilled chickens being imported from the Mainland. Do we still have fresh chickens to eat? Or must we totally rely on the import of chilled chickens from the Mainland? The authorities have to tell us what the Government's policy is. What I mean is the long-term policy rather than crisis management — that is, in the long run.

The Liberal Party is now caught in a dilemma, President. On one hand, we know perfectly well that this regulation is introduced in such a rush, but I do not consider its rationale entirely incomprehensible. We do understand it. The Government is in a panic! Thus, the public are also plunged into great fear, and the regulation is then introduced. With the introduction of the regulation, everyone has to act in accordance with the policies so derived. The trade is very unhappy now, but at the same time, they have to face the reality. They have to put in tremendous efforts and make many decisions. There are things which can hardly be changed. Even though it is very difficult to take that route, and no matter how reluctant they are, in particular, they have all along been engaging in these jobs for their whole life, they have no alternative but to take it. They are now being forced to give up this industry. This is a decision which is very hard to make. Moreover, they are just given such a short period of time for consideration. And now, if we reverse the decision by abolishing the "daily rest night" approach, what are the great impacts to be created on those who are considering?

Let us talk about the public again. The case of the public is different. They want to have fresh chickens to eat, and at the same time, they also want to safeguard their health. If the authorities have to reverse its decision, what message will be conveyed to the public? It is because they want to achieve both. At present, it seems that people are wondering if the authorities will adopt the "daily rest night" approach as a permanent policy. If so, fresh chickens can be provided subject to a limited quota, and at the same time, public health can be safeguarded. Undoubtedly, the public would wish to see this, hoping that both can be achieved. In view of this, I have to ask the Government: Will the public in Hong Kong still have fresh chickens to eat in the long run?

The Liberal Party is faced with difficulties. We consider that at this stage, if we reverse the decision because of the two points I have just mentioned, it may give rise to many other problems. Therefore, we consider that it may not be appropriate to reverse the decision. However, we still hope that the Government can fine-tune and introduce the whole package of policies expeditiously, so that all of us, including the trade and the public, are aware of the approach adopted by the authorities.

If the authorities really want to adopt a people-oriented approach, they should take various aspects into account. They cannot always take refuge under the pretext that it is for the sake of the health of the public and in order to safeguard your health, you are not allowed to eat a lot of things. To safeguard your health, you should not eat too much fat pork. To safeguard your health, you should not eat this and you should not eat that, as these are not good for your health and are dangerous for you. Of course, you may also say, "No, what we are discussing is the avian influenza." However, is there any case of avian influenza in our discussion this time around? Of course, the disease should be prevented as doctors say that prevention is necessary. But the question lies before us today is: the whole food policy is now led by a group of doctors. They, of course, aim at achieving absolute safety without any risk. They will therefore say, "We must do this. We must do that. And we must act in this way." This is why all the toes are cut to avoid the worms. But is it what the public wish to see? Is it really a justifiable approach?

As in this incident, the authorities said that some samples were found. In fact, nothing else has ever happened, nor has any chicken been dead. As such,

is the approach adopted by the authorities justifiable? I dare to say that the authorities had misled the public last time — what I mean is the issue on nutrition labelling — the authorities told the public that if they did not follow them, their health would be endangered as they had no way to exercise their right to know and hence choose what is best for their health without a labelling scheme. Is it really the case? Of course, it is not. The authorities have set some standards and claimed that it would safeguard the health of the public by adopting the labelling scheme. The authorities have done this, but many problems have emerged now.

After this incident relating to chickens, I am very glad to hear that so many colleagues have eventually understood what is happening. As the livelihood of a lot of people has been affected this time, many colleagues understand it eventually. In the previous case, as not so many people had been wiped out from the trade, unlike the miserable situation at present when members of the trade even have to close down their business, Members did not quite understand the impact of what the Government had done on the operation of the trade as a whole as well as the indirect impact on the public, nor did Members understand the crux of the question. They just did not ask what the Government had done at that time.

On the contrary, it is very clear this time around. We fully understand what is in front of us. The measures being adopted by the authorities have posed direct threats to the livelihood of many people. I keenly hope that the Government can introduce the whole package of policies expeditiously and genuinely perfect the management, so as to achieve the objective that we are capable of doing what other large cities can do. As such, the authorities can strike a proper balance and achieve two things appropriately: first, we can safeguard public health; and second, we can eat whatever we want to eat. Thank you, President.

**MR RONNY TONG** (in Cantonese): President, when I was young and studying in primary school, I wondered if it was due to my surname that I was nicknamed as "slaughter chicken"<sup>1</sup>. This nickname was replaced by another one when I studied in university. President, like many Hong Kong people, I am fond of doing some very simple things, and one of them is that I like eating fresh chickens very much. Many Hong Kong people, poor or rich, find it an

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<sup>1</sup> Mr Ronny TONG's surname in Chinese "湯" has the same pronunciation as "割", a colloquial expression meaning to kill or slaughter.

enjoyment if they can eat freshly slaughtered chickens to celebrate special events and festivals.

Although our chicken vendors or the chicken trade cannot be regarded as one of the major economic pillars of Hong Kong, this industry does offer Hong Kong people a very precious way of quality living. We have all along been stressing that a responsible government should not just put emphasis on the dollar sign, caring only about money and making efforts to boost the economy only. It should also consider the living quality of Hong Kong people and respect their lifestyle, so as to enable them to lead a happy and healthy life peacefully as far as possible.

President, the question is: we have many industries indeed. We have developed from a small fishing village, and have experienced the colonial era and reunified with the Motherland. During this period of time, some industries were subject to great challenges because of changes of the time. Our transport industry is a very good example. Obviously, our chicken vendors or the chicken trade are facing an unprecedented challenge as well. We consider that a responsible government should, undoubtedly, offer assistance to those industries which have a long history and have made contributions to the economy or the so-called living quality of Hong Kong people. This is a duty of a responsible government. Especially when these industries are in face of challenges brought about by changes of the time, the Government is duty-bound to side with them in meeting the challenges and see how it can assist them to continue their operation, rather than making use of some sporadic incidents as a chance to eliminate or even wipe them out completely. I do not believe that this is what a responsible government should do. Therefore, we are very sympathetic with the plight faced by chicken vendors today.

However, on the other hand, what are our considerations? President, we must consider the health of the general public as well. Earlier on, Mrs Selina CHOW said in an impassioned manner that it is of the utmost importance for Hong Kong people to have chickens to eat, and we should definitely respect this. President, to a certain extent, this is correct. However, our opinion is that we are now faced with the H5N1 avian influenza virus. It is a new virus, of which we have very little, and in fact very limited, knowledge. I cannot recall whether it is last week that I had come across a news report in which an expert, Dr YUEN Kwok-yung, even said that the vaccine being developed in Hong Kong might gradually become ineffective and a new vaccine should therefore be developed. However, up till now, it seems that no progress has yet been seen. President, I do not know whether this ..... I hope this is not alarmist talk.

However, if the views of these experts are really substantiated, it is worthwhile for us to give due regard to them.

President, the question we are now facing is: Shall we put the health of Hong Kong people at risk, in order to maintain the economic environment or prospect of an individual trade, or simply for fulfilling the habit of eating fresh chickens of Hong Kong people? In principle, if we weigh these two key points, I think the outcome is obvious. President, if we strike a balance between the two important factors I have just mentioned, I am very certain that everyone in Hong Kong and all colleagues in the Legislative Council will consider that we should not put the health of Hong Kong people at risk. No matter how high the risk is — some Members may think that it is 1% whilst some may think that it is 50% — as far as health is concerned, I think we should not use it as stakes for gambling, nor should we take it as a political capital.

President, if we strike a balance in principle and consider that we should not put the health of the general public in Hong Kong at risk — very sorry, Mr Albert CHAN — we consider that the plight faced by the trade should be addressed by another alternative. We absolutely agree that the Government is fully responsible for offering appropriate compensation in this regard. This is, in fact, the most basic requirement enshrined in the Basic Law. However, at the same time, I think the Government has another responsibility which is even more important, and that is, to duly examine the value of existence of this industry, its future prospect and even the way to tide over the most critical challenge ahead. I hope the Government, being a responsible one, can shoulder this obligation immediately, rather than just offering money for the trade to terminate their business. I hope the Secretary can give us a convincing blueprint of the overall policy in his reply later, telling Hong Kong people whether we still have chances to eat fresh chickens, and whether there is still the value of existence of our chicken vendors.

President, our colleague from the Civic Party, Mr Alan LEONG, has made it very clear that in such a dilemma, we can hardly support Mr Albert CHAN's motion. However, I hope he can understand that it is our starting point, stance and principle that we do not want to put the health of Hong Kong people at risk.

**DR LUI MING-WAH** (in Cantonese): First of all, I wish to tell the Secretary that under the current situation, I will support the "daily rest night" policy, which prohibits overnight stocking of live chickens. It is because up till now, the



incident has developed to an extreme that there is no room for compromise or change. However, if the prevention of avian influenza can be handled afresh, I would suggest the Government to adopt a different approach.

President, this is a matter of management. This is what happened: the Government has inspected a number of stalls selling live chickens and the H5N1 avian influenza virus is found in chicken faeces. However, such virus has not been found in the licensed chicken farms in Hong Kong and the Mainland. Therefore, it is considered that the problem is originated from the smuggled chickens from the Mainland.

Therefore, the theme of my speech today is how to prevent smuggled chickens from entering the Hong Kong market. There are two ways to solve this problem: first of all, gate-keeping at the source of the supply chain to prevent infected chickens from entering Hong Kong; secondly, taking measures targeting the end of the supply chain, that is, the retail market, to eradicate the spread of the virus even infected chickens have entered the market. Very regrettably, the Government has adopted a relatively simple method, that is, "cutting the toes to avoid the worms". It has decided that any unsold chicken should be slaughtered every day, so as to eradicate the spread of the virus. This method has two drawbacks: first, if smuggled chickens have entered the market and they are really infected, many of them have already been purchased, cooked and eaten by customers at home, which will increase the risk of infection among consumers; second, the "daily rest night" measure has brought greater troubles and burdens to chicken vendors, which has aroused serious grievances among them.

In fact, the proactive way to solve the problem is to make use of the high-technology equipment at source to avoid smuggled chickens from entering Hong Kong. There are two methods: first of all, installing a radio-frequency identification (RFID) tag at the foot of each chicken. Inside this RFID accessory, the code of the chicken farm and the reference number of each chicken are stored. These IDs cannot be changed by others, but suppliers can continuously provide ID with different codes for chicken vendors to use. Moreover, if these RFID accessories are removed from the feet of chickens, they will be damaged and cannot be reused. Therefore, this is a way to play safe.

Inspectors of the Government can, at any stage of the supply chain, trace the chicken farm from which the chickens are produced and their reference numbers simply by erecting apparatus at open areas, which means that it is not necessary for them to check the RFIDs of the chickens in person.

Technology can also provide a secondary assurance. In order to prevent smuggled chickens from being put onto trucks during transportation, after a truck has left a chicken farm, a global positioning system (GPS) lock can be installed at its door. As such, if the door of the truck has been opened at any time during the journey, the GPS will immediately send a signal to the control room in Hong Kong to notify that its door has been opened. Therefore, this is also a way to play safe.

President, both the RFID accessories and the GPS locks are mature electronic products which have been widely used in various aspects. Using these high-technology products can prevent smuggled chickens from entering the Hong Kong market. In that case, chicken vendors can continue to sell live chickens and there is no need to implement such a troublesome "daily rest night" measure. Each segment of the supply chain, from chicken raising, transportation to wholesale, can continue to operate and everyone can stay in employment. Moreover, the public in Hong Kong can rest assured in consuming delicious chicken dishes, while public health can be safeguarded at the same time.

President, using high technology to prevent smuggled chickens from entering Hong Kong is an ultimate technology, a solution in the long run as well as a people-oriented policy. The Government should take it into serious consideration. Thank you, President.

**MRS SOPHIE LEUNG** (in Cantonese): Madam President, I was not prepared to speak originally. But after listening to those sentimental speeches made by Honourable colleagues last night, I noticed a phenomenon and considered that I should say something. Especially as the Chief Secretary for Administration is here today, I wish to put forth my views for discussion. In fact, Madam President, after listening to such high-quality speeches made by my colleagues, I have some feelings and wish to share them with Members.

Earlier on, I saw from television that chicken breeds in the United Kingdom had developed to a stage where the chickens are of high value. The

selling price of some chicken breeds is as high as £30-odd each, and they are even backyard chickens of different breeds. In fact, I think it is worthwhile for us to consider whether the breeding of chickens and development of the trade in South China (including Hong Kong) can also reach this stage.

Madam President, what I want to say today is, from another angle, how should we treat an industry? Is it a norm that up to a certain moment, industries in Hong Kong must run the course from prosperity to decline? Is this an inevitable process? Take our shipbuilding industry as an example. We also had discussion on this industry before. Madam President, I have also mentioned in this Chamber that our shipbuilding industry, especially the manufacturing of the so-called pleasure cruisers, had experienced a very prosperous development. Cheoy Lee Shipyard had established its plant near Lai Chi Kok, and I had witnessed its decline. Why? As I have mentioned in this Chamber before, our Government has never looked at how an industry should be allowed to survive from a more forward-looking angle.

And now, I witness yet again how the authorities treat another industry. I can say that the viewpoint of the Government this time is not forward-looking at all. The industry may again be treated violently until it dies out. Is it a viewpoint that the Government should have? If so, why do I fail to see any clear roadmap from the Government, telling the industry and society that this is the situation?

On the contrary, if the Government wishes to do this now, I do not consider that it is an opportune time to do so, as it owes this industry an explanation on what it has done during the development process over the past two decades to lead the industry out of the cul-de-sac? I find that the Government has done nothing at all. I only saw an old lady — I had visited her farm — who raised quails and partridges very successfully, quails in particular. She solely relied on selling quail eggs for her living, and this could support her family for three generations. Of course, this industry does not exist now. Learning that the chicken-breeding industry in the United Kingdom can develop to that stage, we must ask why this small-scale industry of ours cannot have such development. Some people may argue that as Hong Kong is so small and the land premium is very high, we can hardly develop this industry. If that is the case, what have we done to lead this industry to understand that it has come to an end? If we have done nothing, but now, we have to force it to cease operation

for the sake of the health of the public, Madam President, I think it is not what a people-oriented government should do.

I think the Chief Secretary for Administration, who has been operating business for so many years, will also agree with me that a boss is most afraid that his staff only has an administrative mentality. That is to say, when they are asked to implement a job, what will they do? They will implement it expeditiously, without having a forward-looking mindset to consider what the consequences will be. I believe that our chicken rearing industry, through a long history of development, has formed a mode of business consisting of various segments which are inter-related with each other. But now, it has been wiped out by the authorities in one go. What I want to say today is that, do many front-line public officers have such administrative mentality in performing their duties? Should they view the whole industry more closely by putting themselves in its position?

I fully understand that it is very important to safeguard our health, and we cannot wait until the problem becomes extremely urgent ..... Before that, the Government has not put in any effort to guide this industry, and it suddenly says that for the sake of the health of the public, it has no alternative but to ask the industry to give way and force it to leave. I consider this unacceptable. I give a short speech today as I wish to remind the Government of this, hoping that it can consider whether it has adopted a pure administrative mentality and angle to handle the problem.

In fact, I have another point to make. Some colleagues also mentioned it yesterday. Should there be a team of veterinary experts involved in the chicken-rearing industry, so that more codes of practice or recommendations can be made for the health of chickens? I also do not understand why the veterinary profession is not involved in this industry. Wherever any problem relating to chickens arises, the so-called microbiologists who are in prominent positions will come out, talking about bacteria, viruses or other things. They just view the problem from this angle.

I give this short speech, hoping that the Government can consider whether it really wants to put another industry to an end now. Thank you, Madam President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MS EMILY LAU** (in Cantonese): President, I like eating chickens very much, no matter how they are cooked — soy sauce chickens, steamed chickens are all my favourites, though I may not be the same as the former Director of Health, Dr Margaret CHAN who said, "I eat chicken everyday". Therefore, any problem which will affect the future of chickens will be a matter of concern to my whole family. However, my family members also have different opinions on this issue. I think Members have noticed all these divergent views in society.

Last week, I held a forum in Tseung Kwan O and took the opportunity to consult the public on the proposal put forth by the Secretary. They also considered that there would be no problem to introduce a daily rest night, provided that they could have fresh chickens to eat. However, the problem is whether there are really fresh chickens for consumption in future, and whether it is the case that, as mentioned by the Secretary, for the sake of the safety and health of the public, this is the only solution. In proposing his motion yesterday, Mr Albert CHAN's description of Donald TSANG — many people had in fact used many analogies to describe Donald TSANG before, but I have never heard of anyone describing him as BUSH. Perhaps they have something in common. However, President, I do not want to make any personal attack here today. Moreover, I have seldom heard of people describing Secretary Dr York CHOW as Regina IP, but he put them together and described what happened as though it is the September 11 incident. He also asked whether the public were in panic and subject to any coercion and lure of money — there is no "lure of money" at all — so that they give their support to the authorities.

I believe that I may not be a subject of the authorities' threatening tactics, as I am not a member of the panel concerned, and have never participated in such a detailed discussion before. However, I have been in support of central slaughtering over the years. I do not quite agree to the public picking up chickens in markets and then blowing air into them and touching them. I am really worried that some incidents may occur. In fact, the authorities have put in tremendous promotional efforts, but they may not be sufficient. At present, a lot of people still like touching the chickens when buying them in order to see if the ones they chose are value for money. I am very worried about the avian flu. It is because once Hong Kong becomes an infected area, a lot of aspects will also be affected. Therefore, I fully support the authorities in taking steps to deal

with this matter. I have also personally told the Secretary that I am in support of him.

However, many Honourable colleagues have mentioned just now that regarding the plight faced by the trade, do the authorities have any method to assist them? Is the compensation sufficient? It is because the paper will be submitted to the Finance Committee (FC) for approval tomorrow. Is the compensation sufficient? Many colleagues have also mentioned those workers, in particular. President, as stated in the FC paper now, one-off grants of \$35,000 would be provided to assist the affected local workers of the live poultry farm/wholesale/transport industry. How many workers are there, President? According to paragraph 11 of the FC paper, the number of affected workers was estimated at around 2 550. I very much agree with many colleagues that most of the workers are quite old, just like us, who are all around 50 to 60 years old. They do not have high education level. As such, what can they do with the one-off grant of \$35,000, and how long can it support their living? Moreover, can they switch to other fields?

We had mentioned this in some debates previously, and Mr WONG Kwok-hing had also talked about workers of the poultry industry around last year or the year before. How did the authorities assist them when they closed down their business? The authorities provided retraining for them. President, I wonder if you can still recall that the retraining was about teaching them how to take care of children. Don't you think that it is absurd? They have all along been slaughtering chickens, but the authorities teach them how to take care of children. Perhaps both chickens and children are small in size! Sometimes, the authorities may not see the urgency of the public and be people-oriented at all. Therefore, the Secretary should think, together with other Directors of Bureau, about how to assist these people. Are there really 2 000-odd workers, or is the number even higher than this? For how long can this \$30,000-odd support the living of these people? After a period of time, they may even need to apply for the Comprehensive Social Security Assistance. In fact, they do not want to do so, and what they want is a job.

Therefore, I think the authorities should think about all the opinions expressed just now, no matter they are put forth by Members from the Liberal Party or other political parties. I also agree with other colleagues. In fact, we have also discussed it at the meetings of other committees. It seems that veterinary surgeons have no role to play in this industry. The system in Hong

Kong is being manipulated and monopolized completely by western medical practitioners and university professors. How come this is the case? In the discussion on issues relating to animals, we have not invited more veterinary surgeons to discuss with us. Mr WONG Yung-kan has also pointed out again that those professors have never negotiated with the stakeholders in the trade. As such, how can they convince the trade that the authorities have really listened to their views and come up with proposals which have taken into account their concerns, with a view to reaching a consensus in society?

I wonder if Secretary Dr York CHOW can put in more efforts in this regard, so that all those sectors being affected can feel that the authorities have really listened to their views, and that the experts trusted by the authorities have also taken their views into account. There are a lot of different political parties and groupings in the Legislative Council. All of us are talking about the same thing, only that some are more supportive of the proposal put forth by the authorities. But all of us are concerned about the health of the public. However, apart from attaching importance to public health, can the authorities provide a way out for some people to continue to make their living? I think the authorities have not talked much about this point. They only say, "Be quick! Be quick! Get it passed!"

In fact, with regard to the existing practice, I agree with some colleagues that very likely, there may be no other solution at all. From my point of view, President, I have to be frank that I do not know how to tell whether a chicken is a fresh one or not. My elder sister often says that I am not a gourmet — of course, I am not. I am just a diner. I like tasty food. However, if you treat me with a chicken, no matter you say it is a fresh one or a chilled one, or even a frozen one, I would enjoy it as far as it tastes good, being not too tender or too hard. Even it is a fresh chicken, it can also be over-cooked. I do not quite know how to differentiate them. As I like eating tasty food, I do not mind it very much. However, I respect and understand the wish of some people, including my elder sister, for fresh chickens to be available for their consumption. However, even though my elder sister likes eating fresh chickens very much, she still considers that health is very important. If Hong Kong suddenly becomes an infected area because the people are eating fresh chickens, I think we will not accept it.

However, under the existing situation, can we have fresh chickens to eat while ensuring safety at the same time? Some colleagues consider that there are ways to do so, but the authorities do not agree with them, saying that if 85% of

them surrender their licences, there will be no more fresh chickens available. We then asked the authorities if they have made their utmost effort to handle this problem. The authorities have also pointed out that if there is no live chicken, markets may have difficulties in their operation. In fact, many markets have already encountered great difficulties in operation now. Therefore, the authorities should try their best to assist them. At first, I did not quite understand why the business of a market will decline if there is no more live chicken. In fact, some people go to markets only because live chickens are available. After buying the chickens, they will buy other things as well. If there is no live chicken in the markets and only chilled chickens are available, they may shop at other places, as those places are air-conditioned and clean. In that case, markets will have even fewer businesses, and their prospect will be even more miserable. If their prospect is so miserable, those stalls operating there, which are all small-scale enterprises indeed, will suffer more severely.

Therefore, I think this may not be totally within the purview of the Bureau headed by Secretary Dr York CHOW. But there should still be a way out. We notice that from what the Secretary has mentioned, and according to paragraph 11 of the FC paper, there were 52 poultry farmers, including 50 chicken and two pigeon farmers, 71 wholesalers, 469 retailers and 250 transporters, as well as 2 550 affected workers. Summing them up, there will be a lot of people being affected. Even though some compensation is really offered to them, and they have no more grumbles and consider the compensation sufficient, how about their future? How can they make a living? In particular, for those workers who have been offered a compensation of \$35,000, what can they do? Moreover, if the business in markets will be further slackened in future, and more market stalls have to cease their operation, are these situations what we want to see in Hong Kong?

Therefore, as I will support the Secretary today, I will not support Mr Albert CHAN. However, the Secretary should have heard the majority view and the very strong voice in the Legislative Council that the authorities must settle this matter properly. If there can be a middle-of-the-road proposal which allows the sale of live chickens and also ensures public safety, so that these trades can continue to operate, the Secretary should implement it. Moreover, these people have now been eliminated by the authorities. What can they do? Should we really teach them how to take care of children, or can we assist them in other ways? I believe that in the next term of the Legislative Council, those colleagues who can fortunately be re-elected should continue to follow this up.



This issue involves the business environment of Hong Kong as a whole, as well as the health of the public. The authorities should strike a balance among various aspects. I have listened to so many comments in the debate, today and last night, and know that Members think that the authorities have failed to strike this balance. However, to ensure the safety of the public, I have to support the authorities first.

I am really very worried — this is not a threat — that Hong Kong will become an infected area. A few days ago, I asked the Commissioner at a meeting why they failed to handle the smuggling activities. He seemed to be very helpless as well. President, he said that if those chickens were smuggled by vehicles, they should be discovered upon customs clearance. Therefore, he guessed that those chickens were mainly imported by vessels. I do not bother how these chickens are imported. After all, this is still smuggling. I think his answer implies that there is no way to deal with it. I wonder if the great ideas put forth by Dr LUI Ming-wah can solve the problem. Therefore, this is a problem. However, the Secretary, other Directors of Bureau and the Chief Secretary for Administration have the duty to identify ways to assist this industry — from the big merchants to workers at the lower level in this industry (we are particularly concerned about the workers), who have all along operated like a chain in this industry.

President, with these remarks, I do not support Mr Albert CHAN's proposal.

**MR WONG TING-KWONG** (in Cantonese): This incident, which is related to the poultry industry, seems to have a great impact on the agriculture and fisheries, wholesale and retail as well as catering sectors of the Legislative Council. However, it also has a considerable impact on the import and export sector. In fact, what triggers the question on how to handle the poultry industry this time is that H5N1 virus has been found in chicken faeces.

Earlier on, many Honourable colleagues have also mentioned that although H5N1 virus is found in chicken faeces, no chicken or human has ever been infected with avian influenza. Under such situation, since there is no way to trace the source of the avian influenza virus, is it a bit rush for the Government to hastily introduce the "daily rest night" measure, and even adopt the policy of "eliminating" this industry?

In the past, we adopted the "monthly rest day" measure, and now, we have switched to a "daily rest night". As such, is the "daily rest night" a transitional or permanent policy? What preparations should be made by the trade? There is a great divergence of views in this regard. Some members of the trade have been lured by the large amount of compensation offered by the Government, thinking that it might be good to accept it. However, some of those who have been engaging in this industry for a very long time are sentimentally attached to the trade. They have also considered that if they do not work in this industry, how can they make a living in future even if they receive a sum of money? Is that sum of money sufficient to maintain their living in future? They are very worried about this. Therefore, in the face of these divergent views ..... Apart from this, I have also heard the public criticizing them for being insatiably avaricious (it may not be fair to the poultry industry). Divergent views are aroused not only among members of the trade, but also among the public. I think if the policy introduced by the Government will give rise to divergent views in the trade, or even among the public and in the community, such policy should warrant more in-depth consideration.

Another point which worries me is that if "eliminating" the poultry industry is the ultimate option which can prevent the avian influenza, I would like to ask the Secretary: Can he guarantee a zero transmission of avian influenza from now on? After "eliminating" this industry, will a zero transmission be achieved? And in doing so, can live birds holding a "passport" be totally barred from entering and leaving Hong Kong freely? Avian influenza can also be transmitted in this way. What can we do then? I guess there is no way to eradicate the disease. It is still useless even if we disallow the import and export of chickens and bar live birds from entering and leaving the territory. As that is the case, the Government should not hide in an ivory tower and approach all matters with idealism. On the contrary, it should be realistic and come up with policies which can benefit the people and are people-oriented in view of the actual situation.

Regarding this issue, the Democratic Alliance for the Betterment and Progress of Hong Kong will vote against the motion. However, down in my heart, "I am struggling in my mind", just as the lyrics of a song by Leslie CHEUNG. I really ..... I do not know what to say. It is because in fact, similar to our discussion on nutrition labelling last time, the requirements set by the academics and doctors were very high. I do understand this. However, shall we act on the basis of this moral high ground only for the sake of the health of the public? And in practice, can the desired effect be achieved? Is this

measure drawn up by public officers who are in prominent positions without having regard to the actual circumstances? The Chief Secretary for Administration, who also comes from the industrial and commercial sector, should be very familiar with the business environment. I believe that he should be able to strike a very proper balance between the expertise and the business environment. I have great expectations of the Chief Secretary, as I think he can address this problem properly.

I hope the Government can give due consideration to the future of the poultry industry, so as to formulate a package of proposals, rather than sacrificing this industry and yet failing to safeguard the health of the public in future. Thank you, President. I so submit.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): Madam President, first of all, I would like to thank Members for speaking on this motion debate and expressing their opinions.

Let me first reiterate the risk of avian influenza. Since the first case of human infection of avian influenza in 1997, there were 384 cases of infection around the world in the past decade. All these patients were infected through the channel of poultry, not from wild birds or in the natural environment, and two thirds of these patients died.

The World Health Organization (WHO) states clearly that the virus causing the avian influenza, like the virus causing seasonal influenza transmittable among human beings, will change frequently, and a new influenza pandemic may be triggered by certain changes of this virus. We know that influenza virus may change according to changes in the environment or hosts. As such, over the past decade, in addition to the reinforcement of biosecurity measures of local chicken farms, the Government had also introduced influenza vaccines for chickens. All these are attributed to the collaborative effort made by veterinary surgeons and experts from the Agriculture, Fisheries and Conservation Department (AFCD) and the co-operation of farmers and the trade.

The avian influenza virus in the chicken faecal samples collected from four markets this time around was also detected by the surveillance system operated by veterinary surgeons of the AFCD, which is proof that the system is effective. In view of the threat posted by avian influenza, we must always remain vigilant. It will be too late if disease control and preventive measures are only reinforced when there are chickens infected by the avian influenza virus or when there is a mass outbreak. Therefore, we consider it necessary indeed for the Government to implement the arrangement on the prohibition of "overnight stocking of live poultry" at retail outlets immediately to reinforce our ability in preventing avian influenza.

At the outset of the debate last night, I said that avian influenza could spread among chickens within one to several days. If the existing stocking duration of chickens at wet markets, which is two weeks, is only shortened slightly, the effect may be minimal. We consider that only by slaughtering the chickens stocked at wet markets everyday can the risk of avian influenza be reduced to an acceptable level.

With regard to the urgency of the arrangement, as I said earlier, the detection of avian influenza virus at retail levels indicated that our preventive and control measures are inadequate. If no immediate measures are taken to enhance prevention and management, it is not a desirable and responsible practice on the part of Government in protecting public health and we will fail to live up to the expectation of the public. Therefore, the resumption of the trading of live chickens on 2 July should only be implemented concurrently with the ban on overnight stocking of live chickens. The present arrangement can maintain a better balance between allowing the sale of live chickens in markets and reducing the risk of avian influenza.

As many Members asked me to talk about the way forward, I would now discuss the long-term measures. Since I joined the Government, I have stressed the need to implement "segregation of live chickens from human" almost every year from 2004 onwards. I also stated that central slaughtering must be implemented. Certainly, I believe many people, the representatives of the trade and political parties in particular, will stage strong opposition against it, but as we can see from this incident, we have to reassess whether it is necessary to speed up the implementation of this measure and identify ways to assist the trade to adapt to the changes at the time the policy is implemented.

Earlier on, some Members expressed worries that the cessation of operation of live chicken retail stalls may affect the business of other tenants in public markets. In fact, the customer flow and letting rate of markets hinge on a number of factors, for instance, the location of the market, its accessibility, the pedestrian flow and the business activities in the surrounding areas. Therefore, the existence of live poultry stalls has no direct bearing on the customer flow of a market. Though live poultry stalls are not included in certain markets under the management of the Food and Environmental Hygiene Department (FEHD), the letting rate of these markets reach 70% to 80%, some may even reach 100%.

The new requirement at present is not only of great importance to public health, but also a feasible measure from the perspective of the retail level. Up till today, the ban on overnight stocking of live chickens has been implemented for 10 days and the operation is overall smooth. I believe retailers have gradually adapted to the new requirement, and they know better the number of chickens to be ordered everyday and they can arrange the operational details more properly. In fact, many retailers now encourage their customers to order live chickens in advance, so that they can accurately predict their turnover rate the next day.

We noticed that in the past 10 days, since the Mainland has restricted the number of live chickens exported to Hong Kong at 8 000 per day, local farms in Hong Kong could thus put their over-grown chickens on sale in the market. There were on average 34 000 chickens put on sale in the market everyday, equaling to 70% to 80% of the previous number of 40 000 chickens. There are 407 retail stalls now, which represent over 80% of the existing retailers.

Upon the implementation of the ban on overnight stocking of live chickens, only less than 2%, or 1.7% on average, of live chickens at retail stalls had to be slaughtered by 8.00 pm every day. At the wholesale level, the number of chickens stocked ranged from 0 to 4 000 chickens daily, but all chickens would be sold out the next day. The daily wholesale price charged by wholesalers was rather stable, ranging from \$13 to \$14 per catty, which was similar with the price in the past. As for retail price, it ranged from \$25 to \$30 per catty, which was also similar with the previous price. This proves that the ban on overnight stocking of live chickens is feasible. I may perhaps add that 36 832 live chickens are supplied to retailers today, of which 8 000 chickens are imported from the Mainland and 28 832 chickens are from local farms, at the

wholesale price of \$13.4 per catty. We thus consider this measure effective and feasible.

Certainly, during the discussion of this measure, retailers considered it difficult to implement the measure and so, we considered providing an arrangement for the cessation of business. At present, retailers may decide whether or not to accept the buyout package offered by the Government. If they consider the arrangement favourable, they may choose to accept it before 24 July. We can only implement this arrangement if the funding for the proposal is approved by the Finance Committee tomorrow.

Many Members have asked us to comment on the future approach to be adopted for this trade. All along, we have stated that "segregation of live poultry from human" is our ultimate objective. However, we have to examine ways to allow chickens bred by certain local farms, branded farms in particular, to be put on sale in the market, so that the public will have the choice of fresh chickens or freshly slaughtered chickens, while achieving the objective of "segregation of live poultry from human".

I believe by 24 September, when farmers, wholesalers and transporters have made their decisions, we will be able to analyze the number of people choosing to remain in the trade and the measures we may adopt to cope with their operation. We will at the same time consider when the objective of "segregation of live poultry from human" should be achieved and how to enable the trade to sustain its business under the new environment.

We hope Members will understand that in the face of the risk of avian influenza, we must take appropriate measures to protect the health of the public and maintain public hygiene. I have to thank the many political parties and Members for supporting our policies. I too understand that some Members representing the relevant trades have to express the views of the trades, and I thank them for the mediating efforts they have made over the past few weeks. However, I am quite baffled by some Members returned by direct elections of geographical constituencies. I do not understand why they will turn a blind eye to the risk of communicable disease and ignore the safety of the public in opposing this effective policy. I thus implore Members to oppose Mr Albert CHAN's motion.

Thank you, Madam President.

**PRESIDENT** (in Cantonese): I now call upon Mr Albert CHAN to reply.

**MR ALBERT CHAN** (in Cantonese): President, in today's debate, I am disappointed with the speeches of many political parties and many Members, in particular friends from the democratic camp. To put it simply, they still fail to see the picture clearly. Many of their views are also based on rumors, speculations, anxieties and fears, coupled with their subjective wish.

I found Mr Ronny TONG's speech most lamentable. His speech is based on a newspaper report on Dr YUEN Kwok-yung's statement about suspected virus mutation and suspected vaccine failure. But there is no scientific evidence to support it. It is unfounded and untested. It is nothing more than a rumor in the press. But on this basis, Mr Ronny TONG has taken a stance and felt worried, and he subsequently supported the Government's approach.

Regarding the ban on overnight stocking of live chickens at the retail level, I have also pointed out in my speech yesterday that we proposed the ban on overnight stocking of live chickens five years ago. But the most important thing today is that the Government seeks to wipe out the whole industry by means of the ban. Perhaps many friends have little contact with the industry. They do not understand it and do not have much feeling about it. Hence, in their opinion, the extermination of the industry for the protection of public health, as Secretary Dr York CHOW has put it, gives no cause for much criticism. They think that it is a choice made out of a dilemma. If what will be wiped out is the barristers' profession, I believe friends from the Civic Party will rebound and fight back in a completely different mindset. This may be due to "affinity difference". From their point of view, these grass-roots industries may be of little significance.

Secretary Dr York CHOW said that he did not understand why the directly elected geographical constituency Members opposed his proposal. This is precisely because in the past few years, we have seen the extermination of too many industries. In 1990, I assisted the timber industry, iron casting industry and shipbuilding industry — some colleagues also mentioned these industries just now — but these industries have disappeared one after another in Hong Kong. We have seen so many of such cases. Very often, this may be due to the overall economic development, regional planning and land use. But now, it is due to panic and anxiety.

I wonder if Members have read the paper submitted by Dr Peter WONG Chun-kow. I believe friends from the Civic Party have not read it because he is not as famous as Dr YUEN Kwok-yung. Dr Peter WONG Chun-kow, President of the World's Poultry Science Association Hong Kong Branch, has pointed it out clearly in his paper that the number of avian influenza cases is on the decrease. Regarding the information of the World Health Organization (WHO) as quoted by Secretary Dr York CHOW earlier on, Dr WONG has pointed out that according to the WHO's data, cases of avian influenza in Vietnam, China or other regions are decreasing rather than increasing. When quoting information, we tend to quote some parts of it but omitting the other parts. When reading papers, we will also select some parts but ignoring the rest. As a result, we have only acquired a partial understanding of a problem instead of a full picture.

Regarding the segregation of chickens from human beings, as I mentioned yesterday, we put forward the proposal to the Government five years ago. It is absolutely feasible and we absolutely recognize and support this. But the Government has turned a deaf ear to us in the past five years and done nothing to address this issue. Being panic-stricken, it has now decided to spend \$1.1 billion merely on the ground that problems are found in a number of markets. Friends, we must consider the policy and implementation of the ban together with the funding of \$1.1 billion. Moreover, what we are talking about is the extermination of the industry. I fully support the "daily rest night" policy. But we must do it effectively according to rules and procedures, with the support of well-planned complementary measures, instead of wiping out the industry in the name of "daily rest night". Friends, please wake up, will you? We should not continue to look at this issue with such a mindset.

As a Legislative Council Member for so many years, I have discussed many policies, many laws and many issues in this Chamber. But I have never seen that such an important decision regarding such an important policy which is of great significance to society can be made so imprudently and so hastily. If Members have taken a look at all the evidences and all the information, they will find that it is completely groundless to come up with such a crucial policy which will lead to the extermination of an industry in such a hasty manner and in such a short period time. Yesterday, many Members repeatedly pointed out that the Administration so far had no evidence to prove that the avian influenza virus was found in chickens because the virus was found in chickens' excreta only. No problem has been found in chickens and there is no precedent showing that the avian influenza virus has been detected in local farms over the years. However, these trades will be wiped out because of the current policy.



Yesterday, many Members mentioned some points but omitted some other points in their speeches. They also pointed out that they like certain measures but take exception to some other measures. Since Members opine that there are problems in implementation, they should first veto the Government's current proposal and request that a new proposal be adopted in handling the problem. As in the case of the constitutional reform package proposed by "Eunuch LAM" a few years ago, friends from the democratic camp found it unsatisfactory and voted it down first in order to push the Government to put forward a new proposal for discussion. We cannot brush aside the objective facts and scientific evidences, nor can we completely neglect the views of other experts on the basis of a subjective wish or an ideal.

President, insofar as yesterday's speeches are concerned, I have to commend the Liberal Party although I seldom applaud what they said. Friends from the Democratic Party are laughing because they do not have any knowledge of the industry. Frankly, they are indifferent towards the industry because they are detached from it. I do not know how many people, how many workers and how many operators in the industry whom they have contacted. But they are laughing in a skittish and shameless manner. After so many years, I am very disappointed with them. I think Vincent FANG's speech yesterday is a unique and outstanding one made by a Member from the Liberal Party over the years. His speech is based on reasons and evidences, pointing out where the problem lies and making a very insightful analysis of the industry, whole focusing on the problems on the part of the Government. But I think not many friends from the democratic camp have listened to his remarks and the Government has pretended not listening to it.

The funding of \$1.1 billion is a very large sum of money. The allocation of \$100 million to the Harbour Fest years ago was so scandalous because the decision was also made in haste. The Legislative Council should not be led by the nose by the Government in making some hasty decisions with far-reaching implications on the basis of some specious justifications. Despite the implications of such decisions on the community, the Government has not provided any information for analysis. In the past, the Government had provided lots of papers on various policies and conducted lots of researches on, among other things, economic implications, social implications, and so on. May I ask the Government whether it has done so this time? Has the

Government conducted any research on the implications of wiping out the industry on society, people's livelihood, other industries and wet markets? The answer is in the negative. Why should the policy be implemented so hastily? I do not oppose some policy directions of the Government. I do agree with them. But complementary measures and an overall study are necessary. After that, the Government should conduct consultations and put the policy to the test before actual implementation.

Today, I believe I cannot change the minds of Members. The inclination of the Democratic Party is derived from exactly the same way of thinking behind LAW Chi-kwong many years ago when he supported the Lump Sum Grant for the social welfare sector. I was still a member of the Democratic Party back then and I had strongly opposed the decision concerning the Lump Sum Grant. I had repeatedly made the point to the central committee of the Democratic Party but in vain. It has proved that the decision made at that time is wrong. The social work sector is now in strong opposition to the Lump Sum Grant. The problem in front of us is the same. Although our subjective wish is important, objective analysis and justifications are equally important. In his speech just now, Secretary Dr York CHOW still made use of scaremongering tactics with the aim of persuading Members to vote down my proposal, as he said that the avian influenza virus would affect us, that an outbreak was possible and that the virus would undergo mutation. However, let me tell the Secretary that according to the WHO's information, the number of cases has been decreasing over the past few years. Why did the Secretary not reveal this? Why did the Secretary only mention the 380-odd cases? How many cases were there last year? How many cases were there several years ago? The figures are on the decline. After reading Dr WONG's papers, Members may perhaps wake up.

President, the Government's approach in governance is certainly a factor leading to the deteriorating situation in Hong Kong. However, Members in this Chamber have encouraged and supported the Government in taking advantage of panic and speculations to make a decision in the absence of scientific evidence, in-depth study and review. The decision of Members in this Chamber is also a crucial factor leading to and creating social problems. To put it bluntly, they may also be one of the chief culprits.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Albert CHAN be passed. Will those in favour please raise their hands?

(Member raised their hands)

Mr Albert CHAN rose to claim a division.

**PRESIDENT** (in Cantonese): As Mr Albert CHAN has claimed a division, the remaining procedures will be skipped. The division bell will ring for three minutes, after which the division will begin.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Tommy CHEUNG and Mr Vincent FANG voted for the motion.

Dr Raymond HO, Dr LUI Ming-wah, Ms Margaret NG, Mr Bernard CHAN, Mr SIN Chung-kai, Dr Philip WONG, Ms Miriam LAU, Mr Timothy FOK, Mr Abraham SHEK, Mr WONG Kwok-hing, Dr Joseph LEE, Mr Jeffrey LAM, Mr WONG Ting-kwong, Prof Patrick LAU, Mr KWONG Chi-kin and Miss TAM Heung-man voted against the motion.

Mr CHIM Pui-chung abstained.

Geographical Constituencies:

Mr LEUNG Yiu-chung, Mr Albert CHAN and Mr LEUNG Kwok-hung voted for the motion.

Mr Albert HO, Mr Fred LI, Mrs Selina CHOW, Mr James TO, Miss CHAN Yuen-han, Dr YEUNG Sum, Mr LAU Kong-wah, Ms Emily LAU, Mr TAM Yiu-chung, Mr Frederick FUNG, Ms Audrey EU, Mr Alan LEONG, Mr Ronny TONG and Mrs Anson CHAN voted against the motion.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 19 were present, two were in favour of the motion, 16 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 18 were present, three were in favour of the motion and 14 against it. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the motion was negated.

**PRESIDENT** (in Cantonese): Motion with no legislative effect. Valedictory motion. The Member moving her motion has up to 15 minutes of speaking time to move her motion and speak in reply respectively, whereas other Members speaking on this motion have up to 15 minutes of speaking time.

I now call upon Ms Miriam LAU to speak and move her motion.

### **VALEDICTORY MOTION**

**MS MIRIAM LAU** (in Cantonese): Madam President, I move that the motion, as printed on the Agenda, be passed.

This is the second time I moved a valedictory motion. In the last Legislative Council, I was in this post for a quarter of the way as I served as the

Chairman of the House Committee for only one year. This time, I have served as the Chairman of the House Committee for a full four years. Whether I get credit or discredit for this, I must accept them all. Precisely because I have served as the Chairman of the House Committee for four years, I can comment on the performance of this Legislative Council more comprehensively.

Before reviewing work in the past four years, I would like to thank Ms Emily LAU first because she did not propose any amendment to the valedictory motion. As a result, this last motion that I have proposed in this term can have the chance of being passed intact. I hope Honourable colleagues can support it. As far as I know and according to our experience, if there is any amendment, be it the original motion or the amendment, both of them will not be passed. Therefore, I am grateful to Ms Emily LAU. However, I wish to tell Ms Emily LAU that basically, I personally agree very much with the contents of the amendment that she originally intended to propose. Therefore, Emily, please be patient, as I will now reflect them to the Government faithfully.

Now, let me quote some figures. In reviewing Members' work in the past four years, particularly in the last four weeks, thanks to the Government, we were turned into a group of "legislative supermen". As a result, Members could fly here and there to attend four to seven meetings a day. A Member once told me that he should be in four meetings. What else could we be if we are not "legislative supermen"? The Government has also created "legislative strong men". We had to work overtime day and night seven days a week to complete the work above the target. Emily reminded me that we have not yet finished the work because from tomorrow, from Monday to Friday, we will have a fully packed schedule of meetings. Therefore, we actually have not yet finished our work.

The Government has introduced a total of 91 bills in the current Legislative Council, five of which resumed their Second Reading only a few days ago and were passed after the Third Reading. Moreover, a total of 72 Bills Committees were established to scrutinize 69 bills introduced by the Government and three bills introduced by Members. They include the Product Eco-responsibility Bill introduced by the Administration in January this year and the West Kowloon Cultural District Authority Bill introduced by the Administration in February. In fact, the contents of these two bills were very complicated and highly controversial. Had the Bills Committees not held

intensive meetings, it would actually have been quite difficult to complete the work.

Regarding the pressure exerted by the Government on us, apart from this year, several years ago, there were also many bills which only allowed a very limited time for scrutiny. For example, Members are all very familiar with the Interception of Communications and Surveillance Bill. The pressure was immense. Within a period of as short as three months or so, meetings were held intensely for almost six days a week in order to complete the scrutiny in time. Also, there was the Bill relating to the Shenzhen Bay Port. All of them had a deadline to meet and they all required us to complete the work within a short time. I believe that our Honourable colleagues have a lot of experience in this regard. However, in relation to the tabling of bills that I have mentioned just now, there will always be a more demanding bureau to deal with and there will always be a higher mountain to climb. Talking about the Mandatory Provident Fund Schemes (Amendment) Bill 2008 presented by the Financial Services and Treasury Bureau, I can say that it is really over the top in that the Bill was tabled on the very day the Legislative Council was about to wrap up everything and we did not know what to do. However, we really worked with utter dedication and we tried so hard that we would rather die busy. We immediately set up a bills committee to work in marathon style and completed the scrutiny.

Apart from legislation, in fact, we also encountered the same problem with regard to many pieces of subsidiary legislation, in particular, subsidiary legislation that follows the negative vetting procedure. Basically, we have only 28 days for scrutiny. Even with an extension of the period, there is only an additional 21 days, so the time is very short. Very often, such subsidiary legislation was very controversial. Let me give some examples. The first one is the Sewage Services (Trade Effluent Surcharge) (Amendment) Regulation 2008, which was not tabled before the Legislative Council until 14 May and we had to submit our report to the House Committee between May and 20 June. We held a total of seven meetings in one month and once again, we completed the scrutiny for the Government but the pressure was really immense.

Another example is the Building (Planning) (Amendment) Regulation 2008 that we discussed only yesterday. It was tabled before the Legislative Council only on 21 May and we also held six meetings immediately in one month. It has just been passed. During the debate on it, Members also mentioned that it

was really very exhausting to deal with the Government's regulations or subsidiary legislation in this way.

Another example is motion on the Food Business (Amendment) Regulation 2008, the debate of which has just ended a few minutes ago. It was tabled before the Legislative Council on 2 July and a subcommittee was set up by the House Committee on 4 July. It was in fact utterly impossible — impossible — to deal with it and hold meetings on it. However, since the papers had been submitted to the Finance Committee, we had to debate this topic yesterday and today. I believe that there are countless such examples.

Despite Members' drudgery well into the night, the Legislative Council still cannot finish such legislative work. Eight of the bills have not been dealt with. However, I wish to point out that it is not Members' fault, rather, it is the Government that did not table them. Therefore, I have to make this point clear. In fact, a major function of the Legislative Council is to scrutinize bills tabled by the Government. For example, we really have to scrutinize any subsidiary legislation tabled carefully and prudently. We adopt very high standards and requirements. Therefore, the Government must give us sufficient time to deal with and scrutinize these bills. The Government should also provide us with as much assistance as possible, so that we can get hold of more information to deal with the relevant legislation or subsidiary legislation.

This year is the last year of the current Legislative Council. As we all know, the last legislative year of each Legislative Council is the toughest one. Therefore, right from the start, we have already kept reminding the Government to table legislation and subsidiary legislation before us as soon as possible. However, in the end, we still cannot avoid this state of affairs of a large quantity of legislation and subsidiary legislation being tabled at the last minute. Therefore, I really hope that in the future, the Government will really review this aspect to enable us to work more smoothly.

The Government must not forget that there are Secretaries and Under Secretaries in the Government but there are no deputy Members for our Members; that there are Political Assistants in the Government but there are only some ordinary assistants for our Members. Unlike highly-paid Political Assistants in the Government, they are simply lowly-paid assistants. Therefore, I really hope that the Government can help us by allowing us sufficient time for scrutiny. The Government has implemented a five-day

week. Our Members are asking for a little more help to make better arrangements so that we can also enjoy a five-day week. We have been longing for this for a long time. I believe no Member can enjoy a five-day week.

I also wish to touch upon the relationship between the executive and the legislature. In fact, the legislature really hopes that there can be more communication with the Administration. We do not want to always have to urge them repeatedly every time before they will come to the Legislative Council. We also hope that our officials will not simply choose to disappear. We hope that we can have more communication with our officials. We will be most happy if they can come even without invitation. If they have come, they should not disappear for no reason. I hope that the Government can review this area. Everyone knows that I once used eight words — "far from being satisfactory, still room for improvement" — to conclude the relationship between the executive and the legislature in the past four years. Now, I would conclude my review of the work of the Legislative Council with another set of words of wisdom: "There is no virtue greater than realizing one's mistake and rectifying it."

Madam President, I know that there was wide press coverage on the fact that a number of Honourable colleagues in the Council had decided not to run for another term in the Legislative Council. I should also make some valedictory remarks to surpass the target of our valedictory motion today.

First of all, I wish to bid farewell to Mr Martin LEE, who has been my Honourable colleague for 19 years and is known as "the father of democracy in Hong Kong". It so happens that he has just entered the Chamber just now. Thank him so much. *(Laughter)* In fact, the period should be two full decades, that is, 20 years. However, in one of the years, Mr Martin LEE refused to cross the Shenzhen River, so we have been colleagues for 19 years. Martin has been a Legislative Council Member for 23 years and is one of a small number of senior Members here. His announcement of not running for another term of office in the Legislative Council is definitely a great loss to this Council. Martin was immediately invited to join a community organization to continue to further the cause of democratization and to express his views on the constitutional reform. However, I would advise Martin to think carefully because when serving as a Member, he actively expressed his opinions on issues like the constitutional reform and was given names of all kinds, such as LEE



so-and-so or NG so-and-so. If in the future, he continues to comment on politics, I wonder by what other names he will be called. In fact, I find this name "Martin LEE" very lovely. I really hope that others will continue to call him "Martin LEE". However, if he is not going to work and feels indolent and bored, I have a suggestion for him. He can teach translation in a university. Merely elaborating on how terms like "direct engagement" and "press for" are translated into Chinese will surely attract a lot of students to class. *(Laughter)* Lastly, I wish our dear Martin would have a grandchild to cuddle soon. However, he has to first persuade his son to get married. *(Laughter)* By then, he can be promoted from "the father of democracy" to being "the grandfather of democracy". *(Laughter)*

The second person that I have to bid farewell to is Mr SIN Chung-kai, who is known as "IT Kai". Mr SIN Chung-kai is a valuable talent in the Democratic Party. Apart from information technology, he is also involved in various areas such as finance and economics. I have known "Brother Kai" for many years. When I was serving in the Regional Council, he was already a colleague of mine. When our children were small, we shared a lot about parenting. We praised each other, with I calling him a good father and he calling me a good mother. "Brother Kai" mixes well with people. I notice that he is on talking terms with many of the Members in the Legislative Council and he also has very good relationships with the mainland authorities. Therefore, at a very early stage, he could already enter the Mainland freely, eat lychee, and so on. I am sure that he has many "true brothers" who envy him. *(Laughter)* Moreover, ever since "Brother Kai" has announced his withdrawal from the election, there are a lot of praises for him from various perspectives in the press. There is even a press report that says he was forced to withdraw, so it can be seen that "Brother Kai" is a "friend of the media". I am really very envious that today, he can take one step back and see the boundless sea and sky around him. From now on, he can have more time to enjoy his family life and play football with his son.

The third person that I want to talk about is Mr Bernard CHAN, who is called the "king of public service". Mr CHAN explained that it was because he wanted to do more work relating to the National People's Congress. I will definitely work together with him. Mr CHAN is young and promising and I heard that he is an idol of many people. When Mr CHAN no longer serves in the Legislative Council, he will definitely have more time. I suggest he teach people time management. He is serving in so many public service posts but can still do his jobs so well, so it can be seen that he has a deep appreciation of the

ways of time management and I am sure that many fans will attend his talks. I wish that he would have more time for creative art. Mr CHAN is a very good painter and I appreciate his paintings very much.

The fourth person that I have to bid farewell to is Mr Albert CHENG, who is known as "Tai Pan". If Mr Albert CHENG does not run in the election, there will be one "pin" less in the Legislative Council. *(Laughter)* Please do not mistake me. I do not mean a tiepin, a bow-tie pin or a lapel pin. In fact, I am talking about someone who can "pinpoint" anything wrong in the Government's administration. It is well known that "Tai Pan" always fights for the causes of the public with his incisive language. However, I would advise "Tai Pan" to finish his speeches before 10 am if he hosts any radio programme in the morning. It is because he has the nickname of being the "Chief Executive before 10 am" and if he continues to host a radio programme after 10 o'clock, he cannot keep this nickname anymore. This is my special piece of advice for him.

The fifth person that I want to bid farewell to is Mr LEE Kwok-ying, who is named the "dark horse". I know that he has left Hong Kong today and cannot be present here to listen to my speech. Four years ago, the press described Mr LEE as a "dark horse" in the Legislative Council elections. He is not going to run for another term of office in the Legislative Council this time. However, if he is going to stand in the election, he may be upgraded promoted to be a horse that is a class above and will surely not be secondary to any new horse. Unfortunately, he said he was going to retire and would not run for the election. I wish he would continue to serve the community in other capacities.

The sixth person that I want to bid farewell to is "CHAN Say Man" (after a mahjong tile whose markings resemble a big grin), that is, Ms Anson CHAN. I know that she is a "mahjong guru" *(Laughter)*, she is not going to run for the election this time and she can have more time to play mahjong or teach others how to dress for the better, in particular, she can teach others not to cling onto somebody's coat-tails. *(Laughter)* Lastly, I wish Ms CHAN good health and most important of all, that her husband will not have an aching heart.

The seventh person is "Barrister KWONG", who has given the Hong Kong Federation of Trade Unions a makeover since his joining the Legislative Council. Mr KWONG himself has also changed his own image. He has shed his big tummy. *(Laughter)* He has slimmed down a lot and is much fitter now. I wish Mr KWONG can keep his present figure.

The eighth person is my comrade in the Liberal Party, Mr Howard YOUNG. He is a major spokesman in the Council and an important spokesman of the Liberal Party. In the future, as he is not going to serve as a Legislative Council Member anymore, we will lose a spokesman. The Liberal Party will suffer the greatest loss. I wish him happy retirement and hope he will become a grandpa soon.

The ninth person is the most important one — despite the very little time that remains for my speech — this is you, Madam President. You have got a number of nicknames, including that of a "referee" because you often show the red card and send people off the field. Some people call you "mom" because in the Council, you are a good mother, teaching Members how to follow the rules, how to put a question and how to do things better. Madam President, you have also been called the "JIANG Qing of Hong Kong". Of course, this is because of your stern face, solemn look and firm tone. However, in fact, for those who know you, we all know that you can be very gentle. Other Members may not know it but Mr LEUNG Kwok-hung surely knows it very well. *(Laughter)* Madam President, no matter by what names you are called, as the President, you will always be the President. Your image has already taken root in the community. Your leadership is widely recognized. In fact, it can be seen in opinion surveys that you have all along been commended the greatest popularity. Madam President, I wish you good health and hope that you will continue to serve the Hong Kong public in other capacities.

(Members tapped on the bench to mark the occasion)

**Ms Miriam LAU moved the following motion: (Translation)**

"That this Council concludes its work and wishes for the smooth formation of the third Legislative Council to continue to serve the people of the Hong Kong Special Administrative Region."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Ms Miriam LAU, be passed.

**CHIEF SECRETARY FOR ADMINISTRATION** (in Cantonese): Madam President, I am pleased to have this opportunity to speak on behalf of the

Government on the valedictory motion of the third Legislative Council. I can give notice that this will be a suspected "motion of thanks".

Looking back at the past four years, Hong Kong has experienced the extraordinary in its political, economic, social and cultural development. We have gradually stepped out of the shadow of the SARS outbreak and a sluggish economy. With powerful backing from the Motherland and the joint efforts of 7 million Hong Kong people, the economy is picking up, the unemployment rate continues to drop, society is stable and the livelihood of the public is improving.

These results do not come by easily. The Legislative Council has played a significant role. The third Legislative Council has enacted laws, controlled public expenditure and monitored the work of the SAR Government in accordance with the Basic Law. The Legislative Council has dealt with a large number of Bills and funding applications which are related to the long-term development of Hong Kong and people's livelihood in a timely manner. As a result, many important policy initiatives relating to the welfare of the people are implemented smoothly. The Legislative Council also actively expresses its opinions on public affairs, monitors the Government and puts forward proposals through various means such as the Panels, questions and motion debates.

Regarding bills, this Legislative Council has scrutinized and passed a total of 91 bills tabled by the Government. This is the first time since the reunification that all bills tabled by the Government are scrutinized by the same Legislative Council within its term. It is indeed a remarkable record and it also marks the result of the sincere co-operation between the executive and the legislature.

Looking back at the bills scrutinized by this Legislative Council, many of them are related to the long-term development of Hong Kong and even involve some complicated and controversial issues. Examples include, the Rail Merger Bill, the West Kowloon Cultural District Authority Bill, the Race Discrimination Bill, the Independent Police Complaints Council Bill, the Smoking (Public Health) (amendment) Bill 2006, the Interception of Communications and Surveillance Bill, and so on.

When deliberating the bills, Members raised a lot of valuable views which enabled the views of various strata and sectors in the community to be fully

reflected and the interests of all parties to be taken into proper consideration, thereby refining the bills. On behalf of the Government, I would like to take this opportunity to express our heartfelt thanks to Members for their effort and hard work during these four years.

Recently, I heard — and I heard it again just now — the Chairman of the House Committee and some Members reflect the views that many bills were cramped into the short period of time before the end of the term of this Legislative Council, thereby increasing the pressure of work of the Council. I can fully understand and agree with Members, request for adequate time to scrutinize the bills. I have served as a Member for as long as seven years. I can share the feelings and thoughts of Members. In fact, it seems that it has already become the usual practice for Members and officials to make a last-minute dash before the end of each legislative session. I doubt if this practice of the Council can be changed easily. However, I notice that quite a few Members enjoy the process of making eloquent speeches and pursuing officials relentlessly until Madam President skillfully reminds Members not to repeat the points.

Today, I am seated at the government benches and I wish to briefly explain the actual situation.

- (1) The Government has tried its best to hand in the assignments as soon as possible. Among the 19 bills tabled to the Legislative Council in this legislative session, 13 of them were tabled to the Legislative Council for scrutiny in the first half of the current legislative session (that is, before the end of February), only six of them related to the budget had to be presented after its publication.
- (2) Regarding some rather controversial and complicated bills, the Government had already taken into account the need for a longer time for scrutiny and hoped to present them to the Legislative Council at an early stage. However, due to various reasons, the scrutiny of the bills took a rather long time. Examples include:
  - The Independent Police Complaints Council Bill and the Prevention of Bribery (Amendment) Bill 2007 took almost one year for scrutiny.

- The scrutiny of the Race Discrimination Bill was as long as one and a half years.
  - The Building Management (Amendment) Bill 2005 took two years.
- (3) Some bills were related to the public's livelihood and the legislative process had to be sped up. Let me give two examples. One is the Mandatory Provident Fund Schemes (Amendment) Bill 2008. In his concluding speech of the budget on 23 April, the Financial Secretary adopted the opinions of some Members and members of the public to expand the scope of the proposed injection into eligible mandatory provident fund accounts, thus benefiting an estimated 1.7 million people. The Government and the Mandatory Provident Fund Schemes Authority therefore had to further communicate with the trustees on the implementation details and the legislative amendment proposals to ensure smooth implementation of the plan. We have already tried our utmost to table the Bill to the Legislative Council within the shortest time. In addition, the Government expeditiously responded to the proposal of the transportation sector and the Legislative Council to waive the fuel duty. Within an extremely short period of time, a motion to amend the Dutiable Commodities Ordinance was moved in the Legislative Council to waive the diesel duty. I am pleased to see that the Council, just like the Government, can address the people's pressing needs and handle special cases with special methods. Within a short time, the relevant Bill and motions were scrutinized and passed.
- (4) Members of the public hope that the relevant schemes can be implemented as soon as possible. Take the West Kowloon Cultural District Authority Bill as an example, the Government carried out public consultation between September and December last year. The community generally supports the West Kowloon Cultural District Development and there were strong voices in society calling for its early launch. Therefore, we did it at full speed by tabling the Bill in February this year, having the Bill passed in the current Legislative Council and obtaining funding in time. This is a typical example of a joint effort made between the executive and the

legislature in response to the demands of the society, having the long-term development of Hong Kong as the goal. Here, I have to extend my special thanks to the Chairman of the Bills Committee, Mrs Selina CHOW. With her excellent leadership, she worked together with all its Members and devoted a lot of effort to refining the Bill, thereby laying a solid foundation for the West Kowloon Cultural District. Although the entire process can be described as "painful", I believe both sides can truly claim to have a clear conscience.

Of course, I agree that there is still room for improvement in the arrangement for the legislative process and we will make improvements actively in the next Legislative Council.

Apart from bills, the Government also submitted 206 financial proposals as well as more than 860 pieces of subsidiary legislation to the current Legislative Council. In the meetings of the Legislative Council, the Secretaries of Departments and Directors of Bureaux replied to more than 6 300 oral, supplementary and written questions raised by Members and gave responses to more than 210 debates on Members' motions. These concrete figures adequately reflect the role played by the legislature in monitoring the Government.

In the past four years, the Government has also taken the initiative to consult the Legislative Council on some important issues that have great significance on the development of Hong Kong society. They include constitutional development, further development of the political appointment system, the goods and services tax, health care reform and the competition law. Being the most important organization representing public opinions, the Legislative Council's opinions are most valuable to us in our attempts to extensively solicit public opinions and further improve the relevant policies.

Madam President, it requires our joint efforts to forge the relationship between the executive and the legislature. In order to enhance our communication with the Council, in the past four years, the Chief Executive attended the Question and Answer Sessions in the Legislative Council on many occasions. The Government also tried as far as possible to arrange for the appropriate officials to take part in the discussions of the Legislative Council, including attending the meetings of Panels and Bills Committees, briefing Panels

on policy initiatives, attending the special meetings of the Finance Committee to respond to questions concerning the budget and attending the meetings of the Legislative Council. We are also committed to briefing Members of the Legislative Council before announcing any important or new policy.

As far as I am concerned, ever since I have assumed the post of the Chief Secretary for Administration, I have been meeting the Vice-Chairman and the Chairman of the House Committee every week to discuss matters of concern to Members. I would also try my best to attend the sittings of the Legislative Council and the meetings of the House Committee whenever my work arrangements permit.

In the Chamber, in the process of discussion, there are quite a lot of sparks as Members and the Government hold different stances. However, this is precisely what is so precious about a pluralistic society. When faced with complicated and changing social issues, repeated scrutiny from various perspectives by us is necessary in order to listen to different views and forge the greatest consensus. I believe that this kind of work relationship characterized by rational discussions, working in peaceful co-existence despite our differences and each playing his role is precisely what members of the public expect of the executive and the legislature.

To me, communication should not be restricted by form. Apart from the meetings in the legislature, our daily exchanges in the Ante-chamber or even a phone call can also be means of effective communication. The key is whether both parties can put aside their differences to seek common grounds in promoting matters beneficial to the public.

The fourth Legislative Council will have a heavy responsibility as it has to deal with a series of complicated issues with far-reaching impact on the sustainable development of Hong Kong, such as the methods for electing the Chief Executive and forming the Legislative Council in 2012, the health care reform and the competition law. The Government looks forward to further enhancing its communication and co-operation with the next Legislative Council. It is hoped that we can function more effectively to create an even more prosperous, fair and caring society.

Madam President, before the conclusion of this legislative session, on behalf of the SAR Government, I wish to express our heartfelt thanks and respect



to you. In your service as the President of the Legislative Council of the SAR, you have always shown fairness and strict impartiality in presiding meetings, dealing with the work of the Legislative Council and maintaining the dignity of the Council. Even in the days when the Council had to scrutinize some bills into the small hours of the night, you could still manage to give fair rulings with an extremely clear mind. This has won respect from colleagues in the Legislative Council and officials of all ranks in the Government as well as unanimous praise from the public. In this pluralistic society of Hong Kong, it is definitely no easy task to win recognition from people of different political views and inclinations. Although you have decided to say goodbye to this post as the President of the Legislative Council, you have already set a good example for Members of the Legislative Council and the highest standard for your successor. We will never forget how this very competent class monitor restrained those unruly classmates (*Laughter*) and maintained order in the Council.

I also have to thank all Members who have been the Chairman of the House Committee, the Chairman of the Finance Committee and the Chairman of the Public Accounts Committee in this Legislative Council. They include Ms Emily LAU, Mr TAM Yiu-chung, Ms Miriam LAU and Dr Philip WONG. These posts are glamorous in appearance but in fact, the workload is stunning. An inadvertent slip may land oneself amidst the challenges from colleagues. The difficulties involved are really beyond the understanding of outsiders. For this reason, they deserve our respect all the more.

I also have to take this opportunity to present my compliments to all those Members who have stated that they would not run in the election again. They include Martin, Bernard, "SIN Kai", Kwok-ying, "Tai Pan", Anson, Chi-kin and Howard. I hope I have not called the wrong names or left out anyone. Of course, the nomination period of the Legislative Council elections has not yet started and you are entitled to change your mind at any time. (*Laughter*) After all, one day is already too long in politics and voters would also welcome more choices.

Members, you have served in the Legislative Council for various lengths of time but all of you are very dedicated to your work. I must thank you all for the time and effort you have put in and we are grateful to you for nudging us on. In particular, we are grateful to Martin for his contributions for nearly a quarter of a century to the Legislative Council since 1985. I have also been a colleague of Martin in the Council in the capacity of a Legislative Council Member for a

number of years. Although our views on some issues may not be the same, I am very impressed by Martin's eloquence and clear thinking and I have great respect for his perseverance in his convictions. Martin, no worries, we will have universal suffrage. *(Laughter)* I will make an appointment with you to cast our votes together in 2017 and 2020.

Regarding other Members present, no matter if they are going to run in the Legislative Council elections in September or not, I believe that they will surely continue to serve the Hong Kong public at large in various ways. In particular, Members who are going to run in the election will be extremely busy in the coming couple of months. However, I hope they will remember to take good care of themselves and do remember to try to spend more time with their family members, who are very supportive of them at all times.

Madam President, I so submit and wish Members all the best and good health in the years to come.

**MISS CHAN YUEN-HAN** (in Cantonese): Compared with the speeches of our Secretary for Administration and the Chairman of the House Committee, Ms Miriam LAU, which are full of witticism, my valedictory speech may appear more dull. Today, I will even deliberately read from my speech because I am afraid that if I do not do so, something may go amiss, *(Laughter)* and I will not be able to finish all I want to say. I know that given my character, whenever I am absorbed in saying something, I tend to spend a longer time on it, so first of all, I have to do a few things.

First, many members of the public, including the security guards of the building I live in, all say that I am very busy. I am very busy and they can see that we Members are busy from day to night. I think the mass media or the public can see that we are very busy ..... so far, this meeting is now in its fifth day and a record has been set. However, we work day and night and this really evokes a lot of feelings in me. I am very grateful to the Legislative Council Secretariat and to all colleagues who have all along assisted us, including the colleagues in all divisions of the Legislative Council. Without the methodical service they provide to us, I believe we cannot complete this kind of work requiring so much time and involving such a lot of paperwork. I am grateful to them, including our translators.

In addition, I am also grateful to the President. Often, in the face of this group of Members, you ..... just as the Secretary for Administration said just now, we as a group of "students" are quite "mischievous". Often, the President has to watch us intensely, particularly when I am also one in this mischievous group. I have also been punished by you the President. I am grateful to you and to your devotion in presiding all the meetings, so that our meetings can proceed smoothly. Of course, I also have to thank my colleagues. Members can see that the three of us give our speeches in turn. In fact, my colleagues would do the research and make preparations for us. Moreover, they also do all the Council work meticulously. In addition, of course, there is also a large group of colleagues who work with me as well as some friends in this regard. Often, when other people see Members showing off their skills, in fact, there are countless people who provide support to them at the back. Here, I thank all of them.

President, I now begin my speech (*Laughter*) to give my valedictory speech this time around, so I have to look at my speaking notes.

Apart from taking care of the interests of workers and the grassroots, my work in this Legislative Council also covered local culture, antiquities and monuments and history.

(THE PRESIDENT'S DEPUTY, MS MIRIAM LAU, took the Chair)

At present, social and political issues can no longer be tackled solely using the old approach because the social stratification is becoming more marked. Not only is this due to the disparity of wealth, but it is also due to the fragmentation and confrontation among various cultures in society. Together with technology and the mass media, any minority culture and interests can develop into a conflagration and bring about new tides of thinking in society.

For example, I believe it has never occurred to anyone that the actions to protect the Star Ferry Pier and the Queen's Pier, which were originally only actions taken by a group of young people to protect historical monuments, could develop into such a major event after media coverage, arousing the concern of all Hong Kong people about Hong Kong and the historical monuments around them. In turn, general public opinion also shaped the attitude of the Government to

historical monuments. Consequently, this has changed the policy of the Government in this regard — I believe what Secretary Carrie LAM did with regard to the King Yin Lei is a good example — and this brought about the awareness and trend of conservation in society.

I think that as the representatives of public opinion in Hong Kong, not only do Members of the Legislative Council have to perform the duties within their ambit properly, they also have to consider matters from various domains and understand the thinking of various social groups, then converge various views and change the Government's administration. Therefore, in the past several years, many friends wonder why CHAN Yuen-han, in addition to working for grass-roots workers, has also been particularly concerned about such areas as urban planning, culture and the environment? In fact, this is because the whole society has changed and we also have to change.

Frankly speaking, it is not easy to always pick up new things that one is not familiar with. Here, I wish to thank a group of professionals, the civilian groups and Honourable colleagues who have given me their support all the time. Their professionalism and perseverance have affected me, who have little understanding of those matters. In fact, I do not know about those things. Therefore, Deputy President, in my learning process, I have narrowed my gap with society and gained a better understanding of various matters. For example, recently, it is a fad among young people to use "trendy language" and even the Hong Kong Examinations and Assessment Authority also boldly used this subject as an examination topic, so this aroused my interest in this kind of trendy language among young people. Today, I have enrolled in a course and what is its name? It is called the "Hong Kong school of trendy language" and I have also found some trendy language to share with Members. On the one hand, this can bridge the wide gap between me and young people; on the other, I can sum up my work in the past four years with them.

The first one is "turtle speed". What is "turtle speed"? This is a very popular expression among young people and it means extremely slow speed. I have thought about this phrase for some time. What is the thing that I can use it to describe? It is perhaps most appropriate to use it to describe the Minimum Wage Movement.

In this Legislative Council, three Member's motions on "Minimum wage and standard working hours" were proposed and two of them were proposed by

me and one by Mr WONG Kwok-hing. In fact, the first motion on "Minimum wage and standard working hours" was proposed in October 2004 and that was four years ago.

The minimum wage issue was dealt with at "turtle speed" for two years and in 2006, the Chief Executive, in the face of the problem of the working poor affecting hundreds of thousands of grass-roots workers and seeing that their income is even less than the CSSA level, proposed the so-called Minimum Wage Movement. However, this Minimum Wage Movement did not seek to legislate on a minimum wage and is only a campaign, that is, employers were requested to join of their own accord by offering the average market rates to cleaners and security guards. The Minimum Wage Movement again made the minimum wage issue move at "turtle speed" for two more years because the Government said that it had to review the effectiveness of the Minimum Wage Movement and it would legislate only if it lacks effectiveness. On this issue, the FTU succeeded in securing an interim review after one year. The result was as expected. After the interim review was proposed in 2006, we could see that the situation in 2007 was extremely unsatisfactory and at that time, only 1 041 companies took part. However, how many companies were there throughout Hong Kong? There were 8 000 owners' incorporations and over 1 500 cleaning companies. There were also 2 000 security and property management companies, so this figure of 1 041 is really small. Was the result marked? Any casual observer can see this easily.

Deputy President, having been moving at "turtle speed", in the end, the Government found that it could no longer behave like a turtle that retracts its head, so it launched the preliminary work for legislating on a minimum wage. The Secretary undertook to introduce a bill in March next year. This is quite important. Secretary Matthew CHEUNG undertook to introduce the bill on a minimum wage into the Legislative Council in March next year. However, will there be any undercurrents in this matter? I have been involved in the work in this area for several decades and I definitely will be prepared for all possibilities. However, no matter what, I will follow up closely on the undertaking made by the Secretary and request the Government not to retract its turtle head on this issue of minimum wage.

Another trendy word is "頹" meaning losing momentum and dispirited. It is a very trendy word indeed. In fact, sometimes, Members are also quite dispirited sometimes because not only are their meal-times irregular, but they

also have meetings for long hours as well as meeting officials and to put up struggles together with members of the public and people in the neighbourhood to improve the public's livelihood, fight against unfairness and for their rights. They also have to attend activities, for example, preside over ceremonies and meet members of the public, so their schedule is quite busy. As regards working hours, this meeting has been held for four days and today is the fifth. We have to work from nine o'clock in the morning and to 10 o'clock in the evening, so we cannot benefit from the standard working hours at all. For this reason, the Government really has to consider if it has to improve the working conditions of the Members? Emily is very concerned about this but it is a pity she is not present now.

In fact, this is really a problem. In particular, when the legislature is in session, how can we ensure that the Legislative Council Secretariat is entitled to standard working hours? Frankly speaking, I am really cross with the comments made by the Chief Secretary for Administration just now. He introduced legislation into the Legislative Council hastily, and this really makes us Members feel very dispirited. Often, we would feel very dispirited and we have a very hard time. It is really hard work to attend several meetings at the same time.

Talking about the fact that Members can sometimes be very dispirited, I believe another area that can make me feel dispirited even more easily is being the Chairman and Vice-Chairman of the Panel on Welfare for a long time. Often, civilian groups find that we cannot secure anything no matter how and they would criticize us because no matter how much fiscal surplus the Government has, its commitment to welfare is still very limited. For example, regarding the CSSA, "fruit grant", services for people with disabilities, hostel places for the elderly, the problem of domestic violence and even the one-off grant, our Honourable colleagues have discussed them over and again in the relevant Panel and various groups have also voiced their views over and again. Frankly speaking, they have railed and protested but the Government is just like a slab of iron.

In recent years, perhaps due to the replacement of the Secretary in charge, there is some improvement in the situation — I am not praising Mr Matthew CHEUNG although he is a conscientious Secretary — frankly speaking, the Government has indeed done some work in social welfare but these

improvements are still a far cry from an overall social welfare reform. We believe the Government must commit more resources because in the face of an ageing population and the problem of poverty, the challenges to welfare will only get bigger. If the Government does not make any effort, not only Members but also the grassroots and elderly people will be increasingly dissatisfied. Frankly speaking, if the Chief Executive continues like this, his popularity will continue to plunge and this will also make one quite dispirited.

The third trendy word is to "hea". At first, I did not even know how to write this word but now I do. I have to write it in English. The meaning of "hea" is to hang around aimlessly or to gather at a place where one can stay. I am also someone who likes to "hea" or to dillydally.

To use the trendy word "hea" on historical monuments, environment protection and planning is probably the most apt because in recent years, the issues in these areas arose because the public wants to have places where they can hang around a little in the urban area, for example, to have a stroll in the park with one's family members without having to be blocked by high-rise buildings and to look at the blue sky and the sea, whereas some people like to listen to story-telling. I like the side streets above Gough Street very much. It is very nice to listen to the story-telling there.

In Hong Kong, more and more people like to hang around and for this reason, a lot of conflicts in town planning have occurred, for example, a lot of disputes in relation to screen buildings, plot ratios and even those concerning collective memory and historical monuments have occurred. However, in recent years, the Government is beginning to feel the need of the public for places to hang around. I have to praise another Secretary and I quite like her and she is Secretary Carrie LAM. Often, she would visit local communities on our invitation, even though it may be very late at night, to look at how people are doing. Since she is willing to visit local communities, this also has an effect on her subordinates, that is, her subordinates in various departments. For example, the Drainage Department and the Planning Department, with which I have a relationship of co-operation, are happy to offer assistance. I remember very clearly that on one occasion, I only gave notice to the Lands Department on the very same day to ask it to let me into the Tai Hom Village in Diamond Hill, which had already been locked off, to let us go inside and take a look. To my surprise, it was willing even to do so and I think that was a gesture of goodwill. The Government only has to give the public some space to gather naturally and

hang around together and this will be very beneficial to conservation and planning.

I remember very well that the Secretary said that the Hollywood Road was divided ..... the places on Hollywood Road are very beautiful and there are many places for the public to hang around. I once spent a day visiting places at which I could hang around. I like that place very much and the mood there is very good. Honourable colleagues can go there to have a look when having their break.

When it comes to planning, I have to talk about another trendy word and it is "爆" (terrifically). This word means "extremely" and usually has to be used in conjunction with other words. Otherwise, it will not be powerful enough, for example, terrifically angry, terrifically trendy and among them, "terrifically angry" has many shades of meaning. In recent years, the actions taken by the Urban Renewal Authority (URA) — I believe "Ah Shek" will agree very much with my view — can be described using this word "terrifically". Why? At all the places at which it carried out redevelopment, be it Nga Tsin Wai Village, Yue Man Square, Lee Tung Street, Graham Street or "Sports Shoes Street", it always made the public criticize it ravingly and made them terrifically angry. I think nothing like this ever happened to the Land Development Corporation back then. At that time, I was already a Member and had the residents in the areas concerned any view? They had but the situation back then was not like that nowadays, with the URA, there are discontent from the people and widespread complaints everywhere. For this reason, I hope the Government can find a way in the future, so that the URA will not become a target of scolds and struggles by people in the neighbourhood any more.

The fourth trendy word is "屈機" (to take advantage of a bug or flaw in a videogame), meaning deriving benefits and securing victory by unfair means. The Government loves to use this trendy word. Originally, this trendy word comes from small children who play video games but it is a great surprise for us that instances of "taking advantage of a flaw in the mechanism" can also be found in the Government's administration. Naturally, it is members of the public and we Members who are framed up.

In fact, in these four years ..... let me give an example because there are too many of them and I must speak as quickly as possible. I wish to talk in particular about health care and housing — Secretary York CHOW has just left and he would sometimes also use the tactic of "taking advantage of a flaw in the



mechanism". This is the case in respect of the rents of public housing; this is also the case in respect of the Government's removal of the ceiling and likewise this is the case with regard to the work on health care financing. The Government has used various tactics to force the public to the corner and exploited opportunities to achieve its aims. Just as the amendment to the rent of public housing back them, the safeguard of "accounting for less than 10% of the median income" was removed and the Government bundled this measure with the reductions in rent to force Members and the public to support this move. I organized a number of residents' forums and each time, I could hear residents say that their life was very hard. They do not want to see the removal of the 10% safeguard, yet they are facing the possibility of a rent reduction, so what are they to do?

Another area is health care financing. The Government said that if no health care contributions are made, no reform will be carried out and no attention will be given to the quality of health care. Frankly speaking, the public do not want to die of illness, so they have to pay first. This is also to exploit an opportunity. I wish to ask the SAR Government if it can behave more fairly and in the future, stop using such coercion and inducements to target the public or force us to get caught in a dilemma.

The fifth "trendy word" is "to go diving", meaning hiding away to shun responsibility. Our Chairman of the House Committee has also voiced our dissatisfaction.

In the past few years, the relationship between the Government and the legislature cannot be said to be very good and often, when various Panels want to discuss some measures or policies, we cannot see the Directors of Bureaux come to the meetings. This is probably because there are many "mean guys" in our legislature or they think that they do not have to listen to our views. For this reason, many officials often chose to "go diving" to deal with us and only dispatched their subordinates to "take the arrows". In fact, if the Government wants to have good communication with us, meeting with each other is very important. Of course, some Directors of Bureaux are exceptions. For example, the Secretary for Civil Service, that is, "Lady D", would come to our relevant Panel each time to meet us and this is commendable. Of course, Secretary Carrie LAM and Matthew CHEUNG are also very good and whenever they are invited, they would come and this is very important.

Deputy President, finally, I have to make a summary. Among the trendy words, one of them is a bit outmoded, which is. "未解決 (not yet resolved)". It was probably the "Bus Uncle" who said this. In these four years, of the outcome I got in the legislature is that there is a heap of "unresolved" issues: The legislation on a minimum wage, the lack of headway in the development of Kai Tak, the inability to bring the Shatin-Central Line to Tai Hom Village, the lack of retirement protection and the absence of local cultural economic activities. There is also a heap of welfare policies, such as those on the elderly and CSSA, which have not been improved. Frankly speaking, in leaving the Legislative Council this time around, what remains is largely a heap of unresolved issues and this makes me feel very sad and regrettable.

In addition, I also wish to talk about myself. In serving as a Member of the Legislative Council, I am seeking neither reputation nor (*The buzzer sounded*) .....

**DEPUTY PRESIDENT** (in Cantonese): Your speaking time is up.

**MISS CHAN YUEN-HAN** (in Cantonese): Deputy President, I so submit.

**MR TIMOTHY FOK** (in Cantonese): Deputy President, the current Legislative Council will soon accomplish its mission. However, the relationship between the executive and the legislature has become a point of concern of late. The Vice-President Mr XI Jinping has given his words of wisdom, namely, that the governing team should be "understanding and reasonable; unified and efficient" and there should be "mutual understanding and support". The Chairman of the House Committee, that is, our Deputy President now, Ms Miriam LAU, also made the following conclusion: "Far from being satisfactory, still room for improvement". This clearly shows that although the SAR Government has already been established for 11 years, there is still room for improvement in the run-in between the executive and the legislature. This is a question that merits our careful consideration.

Last year, the Treasury was "awash" with money. This year, the Exchange Fund recorded a loss of \$40 billion in half a year. The overall economic situation is still uncertain and our overall competitiveness continues to

decline. This poses a challenge to the effective governance by the Government. At this sensitive point of time, we should be humble and try to understand and accommodate one another. Otherwise, the result of holding each other back is that both sides will lose out and the general public will suffer. Of course, unity and accommodation is an attitude in working. The most important thing is practical co-operation in decision-making. This requires our joint efforts. What I want to add is that this kind of constructive relationship and attitude of co-operation should extend from the internal affairs of Hong Kong to the co-operation with our surrounding areas, such as Guangdong, Shenzhen and Macao. In fact, on the issues of escalating inflation and widening wealth gap, they can be solved or put to rest to some extent through the Government's efforts in handing out more sweeteners. However, on issues such as the competitiveness of industries and imported inflation, we must rely on the collaboration and integration with the surrounding areas on the Mainland.

I am glad to see that after all those discussions over the years, the West Kowloon Cultural District has taken an important step forward as the funding for the establishment of the West Kowloon Cultural District Authority has been approved. We really hope that this project can be launched soon.

Moreover, I believe that Members are aware that the development of the former Kai Tai Airport site has been discussed for years. We also hope that it can be implemented soon. Yuen-han has also said that she hoped the Government could be more concerned about conservation.

Regarding the collaboration with the Mainland, everyone knows that the paramount event is the 2008 Olympics to be staged in Beijing next month and the equestrian events to be held in Hong Kong. This is a spectacular event for all Chinese in this century and it is also a historical occasion for everyone in Hong Kong. Throughout the entire preparatory process, the Government has provided appropriate and timely assistance and support. However, we still have to work harder on the publicity campaign and encouraging the involvement of the public.

In today's valedictory motion, I particularly call on the Government and all Legislative Council Members to jointly support and participate in the Olympic activities in their different capacities in the coming one month or so in order to bring about a territory-wide Olympic fervour as far as possible and cheer for the

participating athletes, so to ensure that the equestrian events can become one of the most successful Olympic competitions in history. I hope that by doing so, we can enhance the contents of the culture and sports in Hong Kong and speed up the development of creative industries in Hong Kong as well as enabling Hong Kong to truly acquire the reputation of being the best international city in Asia.

With these remarks, I support the motion.

**PROF PATRICK LAU** (in Cantonese): Deputy President, in concluding the work of the Legislative Council in the past four years, I have to express my heartfelt thanks to members of the public and my friends who have all along given me their support, in particular, the architects, surveyors, planners and landscape architects whom I represent and several Members from The Alliance who often offer their valuable opinions to me because it was only with their encouragement and assistance that I can really play my role as a Member of the Legislative Council, be a bridge of communication between the public and the Government, monitor the effectiveness of the Government's administration and ensure the appropriate use of public funds.

I also have to thank the staff of the Legislative Council Secretariat. Not only have they done their utmost to prepare the papers for various daily meetings and have done a good job at that, they also have to spend time making overseas duty visits together with us to let us look at the experience of other countries or regions first hand, so as to borrow from their experience to improve the policies, regulations and laws of Hong Kong. In overseas countries, we had the opportunities to come into close contacts with the members of representative councils in many other countries and regions, so that I would gain an in-depth understanding of them. I also have to thank the Members, Directors of Bureaux, Permanent Secretaries, Directors, and so on, who accepted my invitation and attended the gatherings and forums organized by me because they took the time to have close contacts with the professionals of my sector despite their hectic schedules, so that the professional views of my sector can reach the top level of the Government directly and through the in-depth exchanges and discussions among various parties, they can co-operate with one another closely to improve the Government's administration.

Of course, I have to thank the President and Honourable colleagues of the Legislative Council because it was with their support that the four motions which

I moved in the meetings of the Legislative Council could be passed smoothly, thus making the authorities respond quickly to the policy directions I proposed and encouraging me to continue to work for a better Hong Kong.

Deputy President, the "3-3-4" academic structure reform has been introduced and the work of the Legislative Council in the past four years is just like completing a degree programme. I thank various Members for continuing to call me professor. In fact, there are 59 professors here. Each of them has taught me a lot about politics. In these four years, I have carried out a lot of studies on planning and development, green buildings, urban redevelopment, heritage conservation, and so on. I have also proposed motions, which include developing town planning and urban designs featuring local characteristics for the 18 districts, facilitating urban development, policies on sustainable urban development and green buildings, and the recent elderly housing policy. I am pleased that all these four motions were passed and this shows that the public generally supports and approves of the analysis of social issues by professionals in building a more harmonious society.

I wish to thank in particular the Secretaries of Departments and Directors of Bureaux who came to the Legislative Council frequently to attend meetings because after they had listened carefully, they also made speedy responses. For example, after I proposed the motion on developing town planning and urban designs featuring local characteristics for the 18 districts, soon afterwards, the Government announced the expansion of the functions of the District Councils, including that of approving local minor works and at the same time, it will also allocate additional funds to speed up the work on the beautification and greening of local communities. Furthermore, it also implemented such projects as the factory outlets in Tin Shui Wai, the sightseeing spots in Tuen Mun and the plan for Wanchai, in the hope that the limited characteristics of various districts can be used to promote the local economy. In fact, I know that the ambit of the District Councils should be further expanded.

On the development of local communities, Ms Emily LAU is not present but she was a very good Chairman. She promoted oversight on the Government in respect of the development of local communities. In this regard, she was able to take forward many projects in local communities which have been neglected by the Government. On this, I have to thank Secretary Henry TANG. The key was that when he was the Financial Secretary, there was a

relaxation in the amounts of money, so that those projects in the local communities could be executed smoothly.

After the motion on facilitating urban development was passed, the Government proposed to reorganize the structure of the Development Bureau and implement the 10 major infrastructure projects, including the government headquarters at the Tamar site, the cruise terminal at Kai Tak and the West Kowloon Cultural District project. It also undertook to implement such measures as establishing the planning exhibition hall in the City Hall. I thank Secretary Carrie LAM very much for her efforts.

The authorities also carried out a public consultation on mandatory building energy labelling after I proposed policies on sustainable urban development and green buildings. They also undertook to take the lead in adopting the concept of environmentally friendly building designs and green building when constructing the government headquarters at the Tamar site.

Recently, when I raised the issue of elderly housing policy, the Government took the initiative to respond with a promise to review the Senior Citizen Residence Scheme of the Hong Kong Housing Society and the Housing Authority. It also said that it would review the policy on Residential Homes for the Elderly.

Apart from proposing motions in order to perform the duty of improving the administration by the Government, I also played the role of being a bridge and assisted the authorities in enhancing their efficiency. What I found the most memorable is the redevelopment project of the "Sport Shoes Street". I am very grateful to Mr Frederick FUNG, who invited me to a street forum for the first time. Deputy President, I seldom have discussions with members of the public outside and he was the first person to lead me in understanding the contradictions relating to the "Sport Shoes Street". I also thank Mr Albert CHAN because he proposed a win-win proposal of "residents upstairs can move out and those downstairs can stay" together with me and the K28 Sport Shoes Street Concern Group to the Urban Renewal Authority (URA). Through repairs and reconstruction, the contradiction of "residents upstairs wanting to be relocated and those downstairs wanting to stay" was resolved.

I think the most important thing is that the case of the "Sport Shoes Street" has made the Government conduct a review of the role of the URA and the policy direction of urban renewal by launching a study of the mode of private

participation in project implementation, instead of allowing the URA to dominate the market and act purely according to the goal of profit maximization. I think that in the past, in the era of the Land Development Corporation, the focus was on planning and the role of the Government was to assist owners in carrying out redevelopment. The foremost principle was to preserve valuable historical buildings and the characteristics of local communities by encouraging more urban renewal projects with private participation and this is a better policy direction.

In dealing with the issues relating to the King Yin Lei, the Government also listened to professional advice and undertook to conduct a review of taking the initiative in conserving historical buildings with private ownership. It has successfully declared the King Yin Lei a statutory monument.

Through the incident relating to the Dragon Garden, I was able to appreciate deeply the importance of Legislative Council Members in playing the role of a bridge. When the owners of the Dragon Garden told me that they hoped that the Government would declare the Dragon Garden as a historical monument and preserve it properly, I related this message immediately to the Chief Executive's Office. At that time, Secretary TSANG, who is now the Financial Secretary, John TSANG, gave a very positive response at that time. With the help from various parties, it was possible to quickly resolve the crisis of the Dragon Garden being demolished.

Deputy President, I must mention the West Kowloon Cultural District (WKCD) project. That this project can now be launched is attributable to the efforts of two Members, that is, Mrs Selina CHOW and Mr Alan LEONG. Under their leadership, all of us Members of the Legislative Council were able to reflect our views truthfully to the Government, so that the Government could make a comeback and do an even better job with regard to this WKCD project. I hope very much that in the future, we can pool our power together. I remember that when the President, Mrs FAN, became the President for the first time, she said to us that if we could be united, we could definitely change the Government's policies.

The scrutiny of legislation is a very important part of the work of Members of the Legislative Council. I am happy that I can serve as a bridge and represent the sector in campaigning for the inclusion of the surveying and in-house landscaping professions in the Kowloon Cultural District Authority Bill as professional expertise that the Chief Executive can consider when making

appointments to the WKCD Authority. In addition, during the deliberation stage, I also expressed the wish that the requirement that open competitions be held on the planning of WKCD and the architectural designs for its arts and cultural facilities be added to the legislation. Although the Government considered that it would be difficult to prescribe provisions relating to open competitions, it also undertook to consider the proposal of organizing competitions seriously when formulating policies. Mr SIN Chung-kai, I am grateful to you for proposing the relevant motion. Although we could not get enough votes, due to our lobbying, the Government said that it would consider the relevant proposal actively. On the architectural design competition, I have to thank the Chief Executive because after I put the question concerning the Hong Kong Pavilion in the World Exposition 2010 Shanghai China to him, the relevant party was able to organize a competition within a very short time and results are achieved.

I think that the most important thing in solving problems is that ..... just as I said when asking one of the questions, surveyors and architects have a big problem with the Government. About the contradictions between contract staff and civil servants, I hope the Secretary can think of a reasonable proposal. I am very pleased to see and also fully understand that there is now some change in the attitude of the Chief Executive and the Government and with the efforts made by various parties, the situation has been eased slightly. I hope that in the near future, this problem can be solved satisfactorily and I also hope that more professionals can be attracted to participate in the 10 major infrastructure projects of the Government.

I think that it is the responsibility of each organization to protect the welfare and ensure the fair treatment of each employee. For this reason, when I was serving as the Chairman of the Subcommittee on Members' Remuneration and Operating Expenses Reimbursement, I lobbied for reasonable remuneration for Honourable colleagues. Deputy President, on one occasion, a member of the public called me and this lady asked why Members of the Legislative Council wanted to get a pay rise, since all that they knew was to chant slogans and display banners and she was also capable of doing that.

(THE PRESIDENT resumed the Chair)



When it comes to stringing banners, I wish to relate a piece of fact, which is not a story. I remember very well that we had the opportunity to organize an exhibition of the models of the WKCD project to the public and at that time, the Chief Executive, Mr TSANG, was responsible for chairing the meeting. In the meeting, a lot of people were present and when he was about to say something on the stage to the people from the cultural sector, Mr LEUNG Kwok-hung strung a piece of banner as though he were a magician. (*Laughter*) He had folded it up into a very small piece and put it in his pocket but suddenly, he pulled out the banner to express his opposition to the collusion of interests and the single-tender development approach. The most special thing was that the camera suddenly panned from the Chief Executive to Mr LEUNG and on the stage, some fireworks were suddenly let off and many ballet dancers surrounded the person officiating at the opening ceremony, who was the incumbent Chief Executive. The video camera had to pan from one spot to another. It had to shoot Mr LEUNG as well as Mr TSANG and that became a very laughable scene. I wonder if you, President, have also seen this. This manifested the contradictions between the Government and Members but I think that Mr LEUNG was indeed able to help successfully advance our cause of putting in place the present reasonable arrangement for the WKCD project.

In this regard, I am very pleased that the Independent Commission on Remuneration for Members of the Executive Council and the Legislature of the Hong Kong Special Administrative Region finally accepted our proposals partially. More importantly, actual steps have been taken to put in place retirement and health care protection for Legislative Council Members. Although many Members may not think that they represent reasonable adjustment, I think that at least, they can at least attract more people from various strata aspiring to serve and take part in the work of the Legislative Council. As regards whether Honourable colleagues present here can benefit from the increased pay and fringe benefits, it depends on whether members of the public will continue to support them. Mrs FAN, I know that you have made a great deal of efforts for the sake of Members' benefits but you and nine other Members will not be able to enjoy the fruits because you have declared that you will no longer run in the elections.

Finally, I wish to point out that a lot of people know that I once had an accident because I tried very hard to keep guard of the goal for the Legislative Council. (*Laughter*) I have to thank Tony and Rebecca. They are the officers

of the Legislative Council Secretariat. The kept me company all the time when I was being sent to the Pamela Youde Nethersole Eastern Hospital. I also thank the Deputy President, Ms Miriam LAU, for coming purposely to the hospital to visit me, telling me not to worry and that it would do just to wear a pair of sunglasses. *(Laughter)* Even the driver also inquired after me, so I had an unforgettable memory in my life. Thank you, President.

**MR MARTIN LEE** (in Cantonese): President, a quorum is not present again. *(Laughter)*

**PRESIDENT** (in Cantonese): Mr Martin LEE has reminded me that it seems a quorum is not present. According to the Rules of Procedure, will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members entered the Chamber)

**PRESIDENT** (in Cantonese): A quorum is now present. Mr Martin LEE, please speak.

**MR MARTIN LEE** (in Cantonese): Madam President, it never occurred to me that this last request for a head count is so precarious. However, Madam President, I can tell you that I will not request any head count any more. *(Laughter)* This is also the last time that I request a head count.

Madam President, of course, I have to say thank you first of all and this kind of shoe-shining must be done. Of course, the first pair of shoes to be shined is yours, Madam President. Madam President, what I admire the most about you is ..... Had there been no "Long Hair", I would not be able to appreciate your "quali". Members can see that after four years, "Long Hair" has become quite a good boy and it is now seldom necessary for the President to show him the red card. If you can tackle even "Long Hair", I cannot but have great admiration for you, Madam President. However, there is no reason for me to just "shine shoes". This is not my style and I always have to find something to criticize. One thing that I have to criticize you for is that, when

government officials could not answer our questions, you would ask a leading question, "Do you have anything to add?" Government officials would stand up and say no and then sit down. This is something about you that I am not happy with.

Of course, I hope that after I have retired, Members will not criticize me all the time for frequently requesting a head count or for requesting a head count when they are having their meals. Recently, when scrutinizing the Bill in respect of which Mr James TO was responsible for putting up a show, a number of Members did the opposite by saying thank you to me because the summoning bell rang for three minutes instead of one. I remember that the Deputy President happened to be eating curry and she said, "Martin, thank you because you have made it possible for me to finish this mouthful of curry without being late.". In fact, Members may wonder why the one who talked about changing the duration of the summoning bell from three minutes to one minute was not "Tai Pan" CHENG but Martin LEE? He always causes trouble and always wants to speak but in the end, he could not speak and it was me who spoke on the request for the summoning bell to ring for three minutes instead.

CHAN Kam-lam was very unhappy and he asked why we could not just stay in our seats? This is our responsibility. He was right but he had forgotten one point, that is, the Rules of Procedure states clearly that the duration should be three minutes. Why should it be three minutes? Because it was known that Members would go everywhere. Frankly speaking, walking down from the nearest washroom, that is, the gents located half a floor upstairs takes 45 seconds but if one is in the washroom located one floor upstairs, I do not know what one can do. Maybe there is only enough time to wash one's hands. Therefore, three minutes are in fact justified.

Madam President, some people said that when I wanted to speak, I would request Members to return to the Chamber but I would leave after speaking. Who was the first person to criticize me or who criticized me the most severely on account of this? It was Mrs WILSON. On one occasion, Prince Charles of the United Kingdom came to Hong Kong and she introduced me to Prince Charles on a boat, saying that this was Martin LEE and that he was the person who talked the most in the Legislative Council — at that time, this Council was called the Legislative Council, which is the same in English — but after he had spoken, he would leave and would not listen to other people speak. It was in this way that she informed the prince. What did the prince say in response?

He said, "He is a man after my own heart", that is, he liked this kind of people the most.

Perhaps allow me to explain why I would leave. Because I was afraid I would fall asleep in front of the camera. Talking about dozing off, I can say I am extraordinary. Apart from missing the station that I should get off when taking the MTR because I had dozed off, on one occasion, I also dozed off when I was lying on the dentist's chair. He asked me how I could possibly fall asleep. I asked him why he knew I was asleep. He said because I had been snoring. It would not be very nice if I fall asleep in front of the camera, so I have to leave the Chamber.

The other people I had to thank are, of course, colleagues of the Secretariat, including those at the front stage and those at the backstage. I do not wish to praise them individually for fear of wronging them and preventing them from getting a promotion. In addition, I also wish that reporters can excuse my shortcomings because sometimes, after they had called me, I did not call them back and sometimes, I did so only after a long time. However, I have to admit that sometimes, I really differentiate among them in terms of affinity.

Of course, I have to thank people who have travelled on the road to democracy together with me. I have to mention Uncle SZETO Wah and Elsie TU in particular. I do not understand why we did not let her use our car. Our number plate is LC2 (Elsie TU), so why not let Elsie TU use it? Of course, I have to thank my wife and son but I will say this at home.

I have to thank my voters. My voters really keep up their support for me all the time, so I never failed to get elected. However, I also have to thank voters who did not vote for me. I often say that the most important thing is to cast the ballot. It does not matter whom they vote for. Of course, I hope they would vote for me but I do not mind even if the votes are for other people because democracy is about voting and democracy is not just about voting for one party. The votes for other people also have to be cast.

Madam President, many reporters have asked me, "You are about to leave the legislature and what will you miss the most?" I will say here that what I will miss the most is that parking space. You remember that in 1997, we were driven out of the train and apart from occupying my seat, CHOY So-yuk also occupied my parking space outside. I said, "CHOY So-yuk, the seat in this

legislature does not matter to me but if the parking space outside is also occupied by you, I will not feel very comfortable.". Talking about CHOY So-yuk, it turns out that she was also born in the year of the Tiger but I wonder if my age difference with her is 24 years or 36 years? There is one interesting point about CHOY So-yuk, that is, of the people who ran in the elections together with her, that is, those candidates in the same list with her, it seems that the person at the first place all did not fare very well. I gathered that in the upcoming election, Jasper TSANG wants to precede her in the list. I really hope that for his own sake, he will think about how he should share the votes.

Talking about Jasper TSANG, I remember one slogan of the Civic Party, that is, fortunately, there is still the Civic Party. Can you guess what Jasper TSANG would say? He would say that fortunately, there is still the Democratic Party because he has written in an article that had it not been for the Democratic Party, the DAB would not have come into existence. Without the Democratic Party to cause all the trouble, the DAB would not have been relied so heavily upon by Beijing.

Another thing that I wish to say to Members is that I do not understand why, when this Building was designed, the gents was placed between the second and third floors on one side — rather, it is located between the first and second floors — whereas on the other side, it is located between the ground floor and the first floor? My sense of direction is very poor and when I was in a hurry to answer the call of nature, I would find that I had gone the wrong way to the ladies and had to turn back. I wonder if it is due to the equality of the sexes that it is necessary for both the gents and ladies to be located in turn on an upper floor and lower floor. I still do not understand even now.

How poor is my sense of direction? At that time, I had an office in Hing Wah Estate in Chai Wan and it was an office shared by Dr YEUNG Sum and me. I had driven there a number of times and my wife had also taught me how to get there. I had no problem driving to the car park there. However, on one occasion, I took the MTR and that was when the problem arose. I did not know how to walk to my office. I could not possibly ask other people, "May I know where the office of Martin LEE is?" (*Laughter*) I wanted to ask, "May I know where the office of Dr YEUNG Sum is?" However, on second thought, this would not do either because people who knew where the office of Dr YEUNG Sum was were of course supporters of the Democratic Party, so of course, they would know that I also shared that office with him and this would not do. In the

end, I could only call my office with my mobile phone and let the staff members teach me how to go to my office step by step.

In fact, my sense of direction is highly relevant to my political beliefs, Madam President, so please do not say that I am not speaking to the question. Members all remember that in 2005, they said that we opposed the proposal put forward by Chief Executive Donald TSANG, that is, the one put forward by "Eunuch LAM". Why did we oppose it? In fact, this is highly relevant to a sense of direction. After the establishment of the SAR, there were 20 directly-elected seats in the first Legislative Council and in the second one, that is, at the traffic lights, we got through and there were 24 directly-elected seats. Then, at another set of traffic lights, the green light was on and we got 30 directly-elected seats. However, next, we could not make any further progress and we were asked to turn right, that is, five seats were to be added on both sides, so of course, I objected to this. I only know how to go straight ahead on the road to democracy and if one asks me to turn right, I will lose my sense of direction, so I was apprehensive. Therefore, we had to object to this at that time.

Madam President, there is also one thing that I will never forget, which is our lift. I do not know if a program has been set into it? This lift was installed by the company owned by Mr HU Fa-kuang for us. As we all know, the political beliefs of Mr HU Fa-kuang are very different from mine, even though we both like to play bridge. Each time when I am on ground floor and want to use the lift, I find that it is always on the second floor and sometimes, it is even worse and it has just left the ground floor and is going up. If I am upstairs, I will find that it has just left and is going down. However, in the past few days, everything has changed and it turned out that the lift was waiting for me right there: When I was on the ground floor, it was waiting for me there and even when I was on the first floor, it was waiting for me there, allowing me to make it go up or down as I pleased. It turns out this lift is really superb. It knows that I am about to go, so it does not matter any more and it tries to accommodate me a little.

Madam President, finally, of course, I have to mention the Chairman of the House Committee. She asked me not to politicize matters or I would be called "LEE so-and-so" and "NG so-and-so". By "LEE so-and-so", of course, she meant "LEE the traitor" or "LEE Teng-something". In that case, what is "NG something"? Of course, she meant "NG Luk-kwai". Why do I say "Luk (六, meaning six)"? It is because I am the sixth child in my family. However,

I am not afraid of being "LEE so-and-so" or "NG so-and-so". Madam President, although I am speaking to you, in fact, I am saying this to the Chairman of the House Committee because my mother is surnamed NG and needless to say, the surname of my father is LEE. That is, to me, the mention of "LEE so-and-so" or "NG so-and-so" is not threatening and it does not give me any pressure.

Madam President, I remember that when I initially joined the former Legislative Council, the Finance Committee really made me feel all at sea. When I looked at those papers, the sums of money involved were very huge and I would not be able to make such amounts even if I were to live several lives, yet I was asked to give my approval or otherwise. The fact that I am a barrister only led to a lot of trouble because our habit as barristers is to look clearly and study clearly to see why we should give our approval before I am willing to do so. In that case, it was not enough just to look at the papers even though they already contained a lot of information. However, I still considered them inadequate, so how could I vote? All right, when it came to the items in the Public Works Subcommittee, it was even more tricky. Why should a Category B project be upgraded to a Category A project? I had no idea at all how many other category B items there were. How could I agree to upgrade one of them but not the others?

So I looked for Sir John BREMRIDGE, the then Financial Secretary. After having joined the Legislative Council for a fortnight, I looked for him and said that I had some problems and I did not want to be a Legislative Council Member anymore. At that time, I was really afraid. He asked me why, so I told him the reason and asked him how to approve the applications for funding. I had no idea what the other items were, nor did I know how big the so-called "cake" was. This was also the case in respect of the Public Works Subcommittee. I had no idea how many other items there were, so how did I know which item deserved to be upgraded? I believe he had never seen someone who wanted to resign as a Member for this reason. He said he understood this but it was difficult to explain to me why I should not be worried. He said that perhaps I should not resign and should serve as a Member for two more months, then see if I still had such a problem. Madam President, after two months, there was no longer any problem because I became used to it. It was impossible for me to make the amount of money involved in each item. Later on, perhaps I was no longer so conscientious and I just gave my approval with my eyes shut.

Lastly, of course, I have to talk about my dream of democracy. To me, the dream of democracy will not be a nightmare. Although it is not yet a sweet dream right now and I still cannot see its advent, I am confident that in the near future, democracy will surely come to our country and to Hong Kong because the whole world is travelling along this road. I have also looked at the other 14 countries surrounding our country and found that 11 of them already practise democratic elections. What is the reason for our country to be lagging the furthest behind? For this reason, Madam President, I hope that after you retire from the Legislative Council, you can campaign for democracy for Hong Kong people in your new post in the Standing Committee of the National People's Congress. Thank you, Madam President.

(Members tapped on the bench to mark the occasion)

**MR RONNY TONG** (in Cantonese): President, almost at the same time four years ago, that is in July, Miss Margaret NG came to me and persuaded me to join the Legislative Council. I am most grateful to her. Thanks to her, I have spent four years in the Legislative Council.

President, this is the first time I take part in a valedictory motion debate. And this may be the only one because under a democratic system, you cannot assume that you will be chosen by voters again. As this is also my only speech, I would like to talk about my feelings in the Council. President, I think this is a valedictory motion rather than a motion of thanks. I do not wish to be standing here expressing my gratitude to my parents and up to the last one I owe him favours as if I am standing in the Academy Awards Ceremony.

President, as its name implies, the function of the Legislative Council is to enact legislation. When joining the Legislative Council, I thought my duty was to enact legislation. I thought, as a professional lawyer, I could make some contributions in enacting legislation. But after joining the Legislative Council, I found that the reality was not what I had imagined. First, Members can neither enact a law nor put forward a proposal for legislation. Only the Government can. What has surprised me more is that Members cannot amend a law. Theoretically, Members can do so. But during the scrutiny of a bill, if we have put forward some very strong arguments which are considered unacceptable and even dismissed by the Government, such proposals will then be incorporated into the Government's amendments. Regarding other Members' views, including views on behalf of the public, the relevant amendments can rarely be passed. What has surprised me even more is that not all Legislative Council Members are



interested in the scrutiny of bills. At the last meeting of many Bills Committees, there are only two attendees, the Chairman and another Member. Most often, only Ms Margaret NG and I attended the meeting, like a meeting between us.

President, this may sound ridiculous. But it is a tragic reality indeed. During the past four years in the Legislative Council, I was particularly impressed by several pieces of legislation. One of them is certainly the one concerning the interception of communications. We will not say that all amendments were put forward by Members from the democratic camp. In a nutshell, some Members had raised a lot of amendments, including an amendment on grammatical mistakes or errors in English which needed to be revised. But the Government still shook its head and even such amendments were negated. In future, people will shake their heads when reading that piece of legislation, lamenting the poor level of grammar of the Legislative Council.

Another unforgettable piece of legislation is certainly the legislation concerning the Independent Police Complaints Council which was scrutinized in the past couple of days and passed yesterday. All of the 70-odd amendments proposed by Mr James TO were rejected with no exception. Are these 70-odd amendments all groundless? I believe if this is the case, Mr James TO would not have been elected to the Legislative Council. The only exception is the Race Discrimination Bill, the last bill under scrutiny at this meeting. Clause 58 has caused the Secretary to face his Waterloo. But this is also due to factors such as timeliness, favorable geographical position and unity of people. This is an outcome of pure coincidence and sheer chance. It so happens that this year is an election year. It so happens that when voting was to take place, it was the last voting at almost midnight. The Chairman had given some leeway by asking whether any Members wish to speak. If there were more than two or three Members who had indicated a wish to speak, the voting would be postponed until the next day. In that case, the result would certainly be different. Fortunately, no hands were raised to indicate a wish to speak and, coincidentally, some of our Honourable colleagues were talking on the phone or out of town or even disappeared. As a result, clause 58 was included in the bill — I am sorry, it was not included in the bill, resulting in a much wider effect than the amendment proposed by Ms Margaret NG. However, President, I believe such a chance comes only once in a blue moon.

The Legislative Council is only a committee which passes the laws. We do not really have a legislative function. Very often, we are just a rubber

stamp. The result will remain the same regardless of whether we press the "yes" or "no" button.

Apart from legislation, another important function of the Legislative Council is to monitor government expenditure as clearly enshrined in the Basic Law. By the same token, I think it is really a waste of time for me to attend the meetings of the Finance Committee because most of the funding applications are bundled up and it is difficult to reject them because fundings are needed for the Government's operation under most circumstances. Just like the budget, how can we vote it down? But we think quite a lot of funding applications are unjustified. Similarly, we rarely have the chance to veto the Government's funding applications.

President, I am not trying to be difficult. Why can we not oppose the Government in whatever it does? The problem is that if the Government lacks a sense of crisis, it will not think that the Legislative Council's monitoring capacity is really effective. As directly elected Members under a democratic system, we should have a sense of crisis. As long as we have a sense of crisis, we will do our best. If the Government lacks a sense of crisis, our monitoring work in our capacity as Legislative Council Members will be very limited indeed. What can we do?

President, in the first month after joining the Legislative Council, I asked myself repeatedly what our functions should be, because I found that as Legislative Council Members, we might not be able to give full play to our roles in the Chamber. Our power in the Chamber may be very limited if we rely on expressing our views by pressing the "yes" or "no" button or by delivering speeches, even though we can strike the table hard and hurl abuse at the government officials. We have to rely on power outside the Council to provide checks and balances on the Government. However, President, what is the contradiction? The contradiction is that people like us will find it very difficult to provide checks and balances on the Government if we are not Legislative Council Members. I believe not too many people in Hong Kong possess such a quality or power, and Mr Martin LEE may be one of these examples. When he has ceased to be a Member, I am sure he can still provide checks and balances on the Government outside the Council. Mrs Anson CHAN is another example. In fact, she need not join the Legislative Council. Even though she does not join the Legislative Council, she will remain influential at the media and the international stage. There must be room for her to play her role and she will

achieve what we as Legislative Council Member aspire to achieve as long as she can make the best use of it. But for some ordinary people like me and many other Honourable colleagues, we must rely on our seats in the Legislative Council in order to enter the institution and secure a position in the media. We have to make the best use of such a position and through the work in the Legislative Council to disseminate our political ideas.

Hence, in retrospect of my work in the Legislative Council over the past four years, I really feel that I have no merit at all. I sit here just occupying the seat. But because of this seat, I feel that we possess a little bit of influence outside the Council and sometimes we can improve the Government's governance and ameliorate social injustice. A good example is the case concerning the Hunghom Peninsula. When I was first elected, I found that the Hunghom Peninsula incident could not be dealt with in the Legislative Council. Instead, history has changed its course due to views expressed in a radio programme outside the Council. I believe the stepping down of Mr TUNG Chee-hwa is also another example. Of course, that is not my responsibility alone — that is not my contribution, I am sorry, I absolutely do not mean that. The credit should go to the general public. But I believe the influence of many Legislative Council Members outside the Council has contributed to that.

President, do I have any regret if I leave the Council after working as a Member for four years? I do not have any regret. What is regrettable is that I have not made any achievement after spending four years here. What is regrettable is that I do not have the time or abilities to do what I want to. If I want to improve the system and the governance, should I give up the work in the Legislative Council? Or should I insist on sitting here and press the "no" button to express my objection? President, this is the almost baffling question in my mind during the past six months or so. I very much hope that I can follow the footsteps of Martin and Anson ceasing to be Members but still accomplish my unfinished task outside the Council.

But sometimes an idea will come to my mind, President, that is, you will not be a loser as far as you can place bet again. We still have some time. Just now the Chief Secretary has said that he would cast his vote with us in 2017. I do not know what vote we will cast. But I hope we will cast our votes to a Chief Executive who is elected not because we have no choice but because he is a Chief Executive who enjoys popular confidence.

President, as I said just now, this is a valedictory motion rather than a motion of thanks. But before I sit down, I have to thank some people. President, I would like to express my gratitude to you as well as our Secretariat. In fact, they work much harder than we do. They have been much more devoting than us. The only difference is that they are a group of unsung heroes behind the scenes who go without fame while those in the limelight are Members who appear on the television. However, most of the work is actually done by them. I would also like to thank our Legal Advisers. Although I consider myself having profound legal knowledge, the Legal Advisers' experiences over the years in the Council have really enlightened me and opened my eye. President, I will not forget other colleagues in the Council, including those responsible for security and cleaning work. Every day they provide us with an acceptable working environment, enabling us to endure these four years in spite of such hard work.

President, I do not know whether I will endure another four years, but I must thank all the colleagues in the Legislative Council. Thank you.

**MR WONG KWOK-HING** (in Cantonese): Madam President, my family was poor when I was young. To support my family, I had dropped out of school twice and I worked as a bellboy in a hotel. I grew up along the street. I ate, slept and did my homework in the street. Madam President, the first bed I slept since I have any memory was the bed I acquired when I got married.

From a bellboy in a hotel to a Legislative Council Member, I will never forget my origin. As a Legislative Council Member representing the labour sector, I thank the Hong Kong Federation of Trade Unions (FTU) for its nomination and all trade unions in the territory for their votes in support. I thank all trade union leaders, all executives and volunteers in the community service centres of the FTU. They have been working very hard not for fame or gain. I also thank my alma mater, the Mongkok Workers' Children School, and the Education Advancement Society for Workers in Hong Kong and Kowloon for their enlightenment and giving me the opportunity to receive education. Madam President, I am more grateful to you for your encouragement and support to me as my senior. I remember 13 years ago, I wrote a book upon completing my first term of office as an elected District Board member. I came to you for your advice and you read through the script and wrote the preface for me even though you were very busy. You have given me

lots of encouragement in respect of my participation in politics. I would also like to thank my wife who gives me support behind me. She is now watching me on the television. Yau-ping, thank you.

Madam President, I highly treasure the time and opportunity of serving the Legislative Council in the past four years. And this is given to me by all the trade unions. Thus, during the past four years in the Legislative Council, I have been working very hard in every minute to fight for and protect the rights and interest of the labour sector and grassroots. I also fight for the interest of the vulnerable groups who are being oppressed and exploited. Today, I will reflect on my work in the past four years in an impartial manner.

Madam President, I think I have not spent these four years in a futile manner. In the Legislative Council, I have fulfilled my goals and made achievement. I have made progress in striving for and protecting the rights and interest of wage-earners. A journalist once asked me what dish I would use to describe my work in the Legislative Council over the past few years. I said "sweet and sour pork" because it represents sour, sweet, bitter and spicy. It is also colorful and exciting. Madam President, over the past four years, the three of us from the FTU have worked very hard with one heart. In the support of Honourable colleagues in this Council, we can deliver on our promises. Apart from the motions and amendments to other Members' motions I moved at the Council Meeting, I have successfully moved a total of 34 motions and amendments which were passed at the meetings of various committees that I joined. These motions have strongly reflected the voices of the grassroots and the wage-earners, and gained different degrees of response from the relevant government departments.

Madam President, today is the last meeting. In this morning, Jack the barrister and I, in a mood of deep feelings, took photos for memory's sake with colleagues, secretaries and security staff in this building. Over the past four years, we have been very happy and our work is rewarding. We are united to strive for our goals and have finally made some achievements for the wage-earners, one of which is the legislation on the minimum wage and standard working hours, and it is the most well known. Although the work cannot be started in this term, preparatory work for the minimum wage legislation has been carried out. If the Chief Executive can honour his pledge, a new leaf will be turned for the minimum wage legislation in October this year. As for all the civil servants in Hong Kong, we have strived for the recruitment of civil servants again and the restoration of pay hike. As for the contract staff in the

Government, we have strived for their continuous employment, long-term employment and pay increase. These achievements can prove that we have delivered on our promises.

Madam President, I think five incidents are most significant in terms of breakthrough and are the most memorable: First, we have succeeded in persuading the Government to shift its policy so as to resolve the problem of wage default in government public works. The incident concerning the Dickson Construction Company Limited (Dickson) is most alarming. Some government officials certainly do not like the "Short Hair" of the FTU. But in the Dickson incident, we can see that hundreds of workers cannot get back their hard-earned money. We have staged petitions, demonstrations and sit-ins. We are eventually successful in shifting the Government's policies so that the Housing Department and the Architectural Services Department have formulated seven and nine new measures respectively. Since then, there is no more large-scale problem of wage arrears in government public works. It is most welcomed by us.

Second, the Government's unskilled outsourcing workers had always suffered exploitation and fraud before 1 May 2005. But after our struggle for their interest, the former Chief Executive TUNG Chee-hwa eventually announced the formulation of the blueprint for the Government's standard outsourcing contracts on 1 May 2005. Since then, a new leaf has been turned and the employment terms of these contract staff are much improved than before. I have laminated the blueprint as a historical record.

Third, we have successfully laid down the direction of legislation on criminalization of default in salary payment. Madam President, this is a major wish of mine for participating in the work of the Legislative Council. In 1969, which is more than 30 years ago, I was working in the Hong Kong Union of China Workers and striving for the payment of wages in arrear on behalf of a domestic worker called Yuen-kam. Although the Court ruled in favour of her, she had not received any payment because she did not have the money to hire a bailiff. Over the past 40 years, the Employment Ordinance has yet to plug the loophole, and the incident concerning the Sing Pao Daily News is the most conspicuous example. We have strived for legislation on criminalization of default in salary payment and the Government finally submitted a paper on 8 July, indicating its acceptance of our proposal. I am very glad about that, but there is still a long way to go.

The fourth incident which makes me ponder over deeply is the Mandatory Provident Fund (MPF) System. Despite our success in striving for a quasi "free-will scheme" for MPF accounts to enable employees to decide on their own investment options, what is most memorable is our success in forcing the MPF Authority to produce a timetable for the implementation of a compulsory winding-up order. The Sing Pao Daily News has employed delay tactics simply because there is no such timetable.

Madam President, the fifth thing which is most memorable is about my wish over the past decade. I have never thought that a start and a breakthrough can be achieved and that is, to urge the Government to review the hawkers licensing and management policies. For more than a decade, I have been fighting for this in the District Councils and Municipal Councils. Now in the Legislative Council, the Administration is eventually willing to launch a review and has agreed to continue the issuance of licences. We have finally succeeded in rescuing the "small ice cream vendors", who are part of the collective memory of the Hong Kong people. Madam President, I just negotiated with the relevant government department the day before yesterday, telling them that with the remaining 29 ice cream vendors in Hong Kong, the industry would disappear if we did not rescue it. Our success in rescuing the industry makes me very happy because my father was also a hawker, and I had been detained in the present Marine Police Headquarters in Tsim Sha Tsui for helping my mother sell congee at that time. Born at the grass-roots level, I fully understand the difficulties faced by the poor and the grass-roots people. However, why does our Government not allow such lower-class people to have a way to make a living? I really do not understand.

Madam President, when it comes to our work in the past few years, I would like to take this opportunity to thank the staff in Members' office who have worked very hard behind the scenes to support us. I also thank all executives and volunteers in the community service centres of the FTU. They are our most loyal and steadfast supporters.

Madam President, some wishes of mine remain unfulfilled in the past four years. First, the legislation on minimum wage; second, the legislation on criminalization of default in salary payment; third, a full "free-will scheme" for MPF accounts and the provision of a "passbook" system; fourth, a thorough revision of the existing labour laws, in particular, plugging the loopholes concerning the "4-1-18" requirement because of the deteriorating trend of

de-employment, meaning that wage-earners are deprived of their rights and benefits through false self-employment under various pretexts and for various reasons; and fifth, in order to strive for the increase of "fruit grant" for the elderly to \$1,000 per month, there is a need to set up a mechanism to increase the amount of payment and abolish all kinds of unnecessary restrictions. These five items are my unfulfilled dreams. I very much hope that I can win my seat back in the Legislative Council in the future so as to achieve these aspirations.

Madam President, I do not know whether or not I can return to the Legislative Council. What I can do is to work hard. However, the three Members from the FTU can be said to have worked seriously and meticulously over the past four years. We have no qualms about that.

Madam President, I also very much hope that in the future, Members who are returned by the Labour Functional Constituency or direct election and represent the voices of labours and interest of wage-earners will remember that our struggle for workers' rights have yet been successful and we should continue with the efforts. At present, workers in Hong Kong are still at a disadvantaged position. Among the 60 seats in the Legislative Council, only a few Members really and purely work for the workers and wage earners, and enjoy a high degree of representativeness. Hence, I very much hope that in the next term of Legislative Council, there are more Members who will strive for the interest of wage-earners, workers and the grassroots, and they will continue to uphold and fight for our legitimate rights.

Finally, Madam President, in this remaining 20 seconds or so, I would like to thank the staff of various divisions of the Legislative Council Secretariat, including the staff responsible for security, Council business and cleaning. They have worked very hard every day to support our work. Also, I would like to thank my two partners, Miss CHAN Yuen-han and the barrister. Thank you.

**MR VINCENT FANG** (in Cantonese): Madam President, after listening to Mr WONG Kwok-hing's impassioned speech, please listen to my speech which is going to be delivered in a calm state of mind.

I am a newcomer to the third Legislative Council. Over the past four years, I have learned a lot and made many new friends. Given the extensive scope covered by the wholesale and retail sector, I am by no means exaggerating



when I say that I am a representative of all trades and industries. These trades and industries may range from daily food produce to luxury commodities bought during an occasional self-indulgence have a bearing on all Members here as well as the territory's 7 million people in respect of clothing, food, housing, transportation, constituting an integral component of Hong Kong's economic pillars, namely tourism, trade and the logistics industry, and create hundreds of thousands of jobs for the local employment market.

Before I joined the Legislative Council, I had the false impression that the Government would definitely attach great importance to such a key sector and provide it with a favourable business environment to enable the public to benefit from an adequate supply in the market and stable prices, so that the sector can focus all its attention on tackling rent increases which are out of the control of the Government. However, what I witnessed in the past four years was definitely a different matter. Not only was the sector not supported by the Government, but it was also persistently hit by the Government, with the operating costs being pushed up through new policies and control measures and operation difficulties increased as a result of a dwindling supply. When the sector was forced to pass on the costs of coping with new policies to consumers, the commercial tenants were criticized for resorting to substantial price hikes, thereby pushing up inflation.

Actually, I have repeatedly pointed out in this Council that the Government is the culprit for pushing up inflation. As most government officials do not pay attention to the changes in the markets around us, once there is a shortage of pigs, cattle, flour or rice, they will request national leaders to give assurances on supplies to Hong Kong. When the Government contemplates turning Hong Kong into a world city with no agriculture and eliminating industries like pig and chicken rearing, is there not a need to discuss with the stakeholders of these supply chains to examine if, once these industries disappear from Hong Kong, other channels are available to ensure an adequate supply of goods to meet the needs of Hong Kong people and stabilize the market and prices, and if supportive facilities in such areas as quarantine, customs clearance and storage are available to prevent operating costs from rising? In the event of a replacement of suppliers, factory operators must ensure that the existing suppliers can be replaced by other suppliers, or else all production will come to a halt. This might cause a domino effect for not only would factory operators be required to pay wages from their own pockets, they might also face prosecution because of failure to deliver goods.

What approach has the Government adopted in dealing with these situations? Over the years, I have the impression that government departments are working on their own. When a certain department is required to present its report card, it will only go ahead without paying any attention to whether other components will be affected and if there is a need for mutual communication.

In the policy address debate held the first year I joined this Council, I cited dress-making as an example. I said that a high-quality, comfortable dress must be subject to high-quality supervision in terms of purchasing, tailoring and sewing. It is impossible to make one feel comfortable if the dress is not tailored to fit the body but made purely out of imagination, and one is forced to fit into it. I already pointed out at that time that in enacting legislation, the Government did not pay any attention to the viability of the legislation as well as the impact on business operators and the public. Now, four years on, I have an even deeper insight. The entire Government is like playing the game of "blind men feeling the elephant", with different government departments feeling different parts of the elephant, thus coming up with different points of view. This explains why I agree very much with a recent remark made by Vice President XI Jinping calling for solidarity in Hong Kong. How can a vehicle with four wheels of different sizes run fast? With different government departments working on their own, how can they benefit Hong Kong as a whole?

I have also made some similar remarks here in this Chamber. Over the past four years after I became a Member of this Council, I had different insights about the Government's legislative procedures and ways of handling and responding to things. In enacting legislation, the Government sought to "catch up with the United States and surpass the United Kingdom". In enforcing the law, the Government would say that the risks were considered to be low according to the evaluations conducted. In raising prices, it sought to recover costs in accordance with the "user pays" principle. In circumstances where it did not wish to spend, it would say that it wants to "spend money prudently". There are indeed plenty of examples of the Government seeking to catch up with the United States and surpass the United Kingdom. The latest example was the legislation on nutrition labelling and nutrition standards of prepackaged food, which was passed just two months ago. By virtue of the legislation, we have put in place the world's most stringent system of its kind.

I have also been informed by the trade that many new faces turned up at a recent trade knowledge meeting, all of whom were operators of small and medium enterprises, complaining that they did not know what happened until recently. Some of them even complained in tears that they could not possibly do it and they were actually forced to wind up their business. What will happen after the commencement of the new legislation? While some goods will simply disappear, some can only be affixed with labels hastily in the hope that they will not be caught by the Government's inspections and law enforcement operations. If pressed by concern groups to enforce law, the Government would probably say, "There is no need to do so since evaluations have shown that the risk is not high." This is like the case in which fruit wholesalers have been urging the Government to step up regulation and control of imported fruits by requiring samples of all imported fruits be kept in the wholesale market so that follow-up actions can be taken when problems occur. However, the Government responded by saying that the risk would not be high since the fruit skin would be peeled off before consumption. Consequently, when the country required last year that all exported fruits must come from registered fruit farms and packaging plants, importers in Hong Kong were unable to adopt complementary measures immediately and had to request the quarantine departments of the Mainland to exercise flexibility to postpone the commencement of the requirement until April this year. What happened in the end? After the implementation of the new requirement, the prices of mainland fruits jumped by 40% instantly.

There are even more instances of "recovery of costs in accordance with the 'user pays' principle". In order to recover costs as a result of allowing outsourcing management companies in Cheung Sha Wan and Western Wholesale Food Markets to substantially raise the wages of their employees from 50% to 70%, the Government had to seek an 11.4% rent increase. When the Government did not want to spend, it would say "money should be spent prudently". The proposal to be raised next week, or tomorrow, to request for funding to wind up the business of the live poultry industry for good is a case in point. Because of its failure to control the smuggling of live poultry, the Government has asked that this traditional industry be eliminated, which would also mean the disappearance of the business of the operators and the livelihood of the workers in the industry. Actually, the call for the Government to increase *ex-gratia* payments to protect their livelihood in the future should not be regarded as going over the top, and yet the Government, with an attitude of "spending money prudently" and "protecting the fortune of taxpayers", is only willing to squeeze out the toothpaste little by little from the tube. However,

when it comes to "spending money prudently", the Government has requested us, in order to win the praises of the Central Government, to approve a colossal sum of money to offer assistance to Sichuan, and it has been very generous in employing new Directors of Bureaux.

The Government will resort to many tricks in refusing to help people with difficulties or ease their hardship. For instance, when fresh water fish and live chicken from the Mainland were not allowed to be imported into Hong Kong, the trades could only sit and wait, hoping they would be granted money to pay wages to their employees. As a result, we called on the Government to waive rents during the period when the market was not operating. However, the Government responded by saying that "there were no such precedents". When we called on the Government to increase the "fruit grant" for the elderly to enable them to lead a better life when things are getting more and more expensive and even the prices of fruit have soared by more than 30%, the Government said that increasing the "fruit grant" would add to its burden during an economic downturn. Therefore, it would rather make a one-off payment than a long-term one, which is impossible.

Madam President, on the surface of it, I appear to be criticizing the Government, but all these words are coming from my heart. They also reflect how I felt over the past several years. I have often appealed to the trades to express their opinion, but how much of it has been heeded by the Government? I very much hope that the Government can be understanding and reasonable and enhance its governance capacity so that Hong Kong can continue to enjoy prosperity and stability. In doing so, everyone can lead their lives in contentment, and society can naturally enjoy harmony. After all, I am a Hong Kong resident too.

Lastly, here I would like to express my deepest gratitude to you, Madam President, for your hard work and guidance over the past four years. I hope you can continue to convey the voices and aspirations of Hong Kong people to the Central Authorities through performing your duty as a deputy of the National People's Congress. I would also like to take this opportunity to express my most sincere gratitude to all colleagues of the Legislative Council, particularly the Secretary General, and wishing you happy retirement and a happy summer holiday.

Thank you, Madam President.

**MR ALBERT HO** (in Cantonese): Madam President, if Members look in retrospect at the past four years with a calm mind, they would find that the developments during this period were really dramatic. Even if we focus merely on the Chief Executive's governance over these past four years, we can see that Hong Kong has gone through three stages: the first stage was the year during which Mr TUNG Chee-hwa was found to have sore legs; during the second stage, Donald TSANG took over from TUNG Chee-hwa to complete the remaining term of the Chief Executive, which lasted almost two years; and during the third stage, a new team was appointed by the new Chief Executive after winning the election.

We can see that many changes took place during these three stages, with the world kept moving like running water, and new faces of Directors of Bureaux emerged. During these four years, we were told by Mr Donald TSANG, while he was still Chief Secretary for Administration, in a strong-worded statement that the West Kowloon Cultural District project could afford no more delay and the single-bidding approach would definitely go ahead as scheduled. But later, the project was abandoned, and a bill on the West Kowloon Cultural District Authority was introduced. To a certain extent, this must have something to do with the efforts made by Members in putting forward our views and suggestions in this Council. The abortion of the constitutional reform proposal in 2005 has become a major historical event. The interpretations of the Basic Law, which took place before and after this event, have also become a milestone in the constitutional history of Hong Kong, despite the strong feelings of indignation and helplessness it has brought us. We have also witnessed the strong repercussions caused by the wiretapping law. The executive order issued by the Chief Executive was even declared unconstitutional as a result of a court order successfully obtained by Mr LEUNG Kwok-hung, even though he chose not to be represented by a senior counsel. Instead, "Long Hair" has now made himself a senior counsel of the people. Apart from this, we can also see that the incidents involving Under Secretaries and Political Assistants have caused the popularity of the Chief Executive to plunge, in the words of government officials, "unexpectedly". Evidently, things in the world have become so unpredictable — the beginning of one thing can mark the end of another. It is difficult to guess. Right, the world is moving like running water, and people keep coming and going. But still, we hope to build a solid system through our hard work so that we, as transient travellers in the world, can still strive for the well-being of society while doing things that keep moving like running water.

Therefore, our paramount task is to build a stable and truly accountable system which can manifest the accountability of the executive to the legislature to enable these two organs to truly serve the people through a democratic system. Only by doing so can long-term peace and stability be achieved. This is also the goal we have been striving for to achieve over the years.

While the comments made by Mr Ronny TONG just now sounded a bit discouraging, I still believe if he could think about it with a calm mind, he would find that everything we do would still achieve a certain butterfly effect in this intricate network of relationships. It is most important that we have done our best and we are committed to our convictions. History will keep moving forward.

Actually, I think that the valedictory motion should not be targeted at only a few Members who have indicated clearly that they will not stand for election and will leave this Council. No candidates, however ambitious their wishes are and however popular they are, can be absolutely certain that they will be elected. This is precisely, as we all know, why the democratic election system is so desirable and adorable. Nevertheless, there is no need for us to congratulate each other on winning the election because our convictions are not the same. However, we all agree that we do share the hope that this system can elect the best candidates. Anyhow, several Members who are not only household names but also political heavyweights have already indicated clearly that they will leave the political arena this year — actually I should say the Legislative Council, not the political arena — there is something I really want to tell them.

First of all, I must point out that leaving this Council is not tantamount to leaving the political arena. When Tony BENN, the former leader of the Labour Party in the United Kingdom, decided not to stand for re-election, many people were disappointed as they very much hoped that Tony BENN, a theorist of the Labour Party, could stay to render his continuous support for the Labour Party. At that time, he responded with this remark, "I leave Parliament to enter politics". In his opinion, leaving the Parliament was just a trivial matter, and what he was going to do in the future was to enter real politics. Actually, the same is true of us. Martin LEE, Mrs FAN and Mrs CHAN are all expected to enter an even bigger space for politics to make bigger contributions to democracy.

Let me begin with the President, Mrs FAN, whose nickname was mentioned by a Member earlier. I believe you will not be annoyed even if I

mention it — "Hong Kong's JIANG Qing". There are two more nicknames which are even worse. One of them is "隨例轉軚"<sup>1</sup>, a name coined to ridicule your sudden change of stance in view of your past history of serving the British. The other one, which is even worse, is "犯(范)婦人"<sup>2</sup> — all this has become something of the past, and I believe you would not mind, too. I find this nickname extremely outrageous and humiliating. But I know you will not be angry, and this can even be put down on record, as there are really such things in society. I believe you will still feel proud of yourself today for being the President of the Legislative Council for 11 years, since the establishment of the Provisional Legislative Council. You have become not only one of the Legislative Council's heavyweights in the history of the SAR, but also one of those who make history.

Many people have been wondering why Mrs FAN could have gained so much popularity over the past decade. All of us in politics would ask the same question: Who cleared your previous record? I think that there are two aspects to be considered: First, we have a well-established system. I believe anyone, regardless of his or her conviction, can definitely become a good leader or revered political figure, provided he or she is willing to inherit the excellent heritage of the system and uphold its operation in an impartial and unbiased manner. Mrs FAN, you have made it.

As a Member from the pro-democracy camp, I understand very much that your political conviction and mine are poles apart, and I also disagree with many of the rulings made by you, especially when you ruled that we had breached the Rules of Procedure on the issue of whether this Council could criticize the Standing Committee of the National People's Congress (NPCSC) or other national organs, even though there were no precedents. But in general, you have tried your very best over the past several years in making your decisions in a fair and impartial manner while inheriting and carrying on the heritage. Therefore, you absolutely deserve to have your previous record cleared. In my opinion, this system is not designed to serve you. Instead, you are serving this system.

I hope the next President, whoever he or she is, can continue to work hard in this regard because this is the most important asset of this Council which is worthwhile to retain. The operation of the Legislative Council ensures that

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<sup>1</sup> The Chinese expression "隨例轉軚" echoes "FAN HSU Lai-tai", the name of the President of the Legislative Council.

<sup>2</sup> The Chinese word "犯" sounds like "范", the surname of the President, Mrs Rita FAN. The expression "犯婦人" sounds in Cantonese like "a female criminal".

Members like us who have little power can give play to their monitoring role to a small extent. And most importantly, the President of this Council should strive to protect our right to speak and our remaining vetting and approval power.

It is a new challenge that you will become a member of the NPCSC. Over the years, you must have seen many opposition Members, with some of them being considered by you as naughty and some going over the top. Yet, I still believe that you, in general, understand the importance of opposition voices, the importance of monitoring authority with one's conscience, and the importance of telling the truth even in the face of authority. I hope you can work for the NPCSC with this spirit, though I believe you will not be evicted, as with the case of "Long Hair". I wish you all the best in giving play to this role in your future work.

Mrs CHAN happens not to be here, but her decision to stand for the election is legendary. In the past, she was under the command of one but in command of hundreds of thousands of civil servants as the longest-serving Chief Secretary. Shortly after she had resigned, she stood in the direct election, rallied in the streets with a fighting spirit and finally managed to secure more than 100 000 ballots. Her move to stand in election is important in the sense that we can see that she, given her experiences and status and her achievement in her political career, affirms the goal pursued by the pan-democrats and affirms that our direction and path are correct. The most precious thing is that she endorses our efforts with concrete actions.

Certainly, many of the officials who had worked with her before were not accustomed to her presence. For instance, Chief Secretary Henry TANG suggested to her on the first day that they should swap places; Secretary TSANG Tak-sing accused her of suddenly caring for people's livelihood; and it looked as if Secretary Stephen LAM got a dressing-down from Mrs CHAN, his former boss. Well, never mind. Actually, there will always be changing of places. I do hope Secretary LAM or "Eunuch LAM" would move to this side in the future and become a Member of this Council. Even if Mrs CHAN decides not to stand for re-election, I do hope she will continue to perform her role in taking forward the democratic movement.

I certainly have to say a few words about Martin LEE, the founding chairman of the Democratic Party. A working history of 23 years with the Legislative Council is definitely not short. I have no idea how he feels.



Perhaps he finds it quite long. But now, with the passage of 23 years, he might not find it too long. As far as I remember, he has broken a number of records: First, he made the most requests for ringing the bell to summon Members back to the Chamber when a quorum was not present. Therefore, there might be fewer chances of meetings being aborted in the future because no one would, as what Martin did, frequently made the request for the summoning bell to be rung. Second, I was told that he was the one who delivered the longest speech in this Council. The speech was probably delivered in 1988. We were all present to listen to his speech, which was about either false news, the powers and privileges law, or the provisions on false news under the powers and privileges law. He was reported to have read out all the judgments in the law reports one after another to the then Governor. Since then, many people have reportedly become fearful of lawyers, not because they were smart, but because they were annoying. It was also precisely due to this speech that all speeches had to be timed in future. Martin is a "difficult person", not only in Court, but also in this Council and the community. And indeed, the democratic movement requires us to be "difficult". For the sake of our convictions, we really have to fight for our cause fearlessly, in spite of all the difficulties.

His departure will surely bring a sense of loss to many people. One of them must be Jasper TSANG, for no one else would have the chance to rival with him in English in the future. I am afraid no one would ask what it means by "direct engagement" or "miss target". Given that Jasper TSANG is not an outspoken person, I wonder if he will speak even less after the departure of Martin. Anyhow, I hope Martin can have more room to perform his role even better after his departure.

Actually, I still have a lot to share with Honourable colleagues, but as time is running out, I can only wish all of you here to lead an even more wonderful life in the days to come (*The buzzer sounded*), and my wish also goes to our colleagues and staff. Thank you.

**DR RAYMOND HO** (in Cantonese): Madam President, the current Legislative Council, which lasts four years, will soon come to a close. During this four-year period, which is neither too long nor too short, we witnessed the occurrence of many incidents, both major and minor, in Hong Kong as well as incidents affecting every one of us. After the reunification, the economy was stuck in the doldrums after being hit by the financial turmoil and SARS. Now,

not only can we see a steady recovery of the economy from the trough in 2003, but also the fall in the unemployment rate from 8.6% in 2004 to 3.3% at present. Moreover, there has been a substantial rise in the Government's fiscal surplus, with the consolidated surplus for the 2007-2008 financial year exceeding an unprecedented level of \$100 billion. Thanks to the effort of the Legislative Council, and coupled with the demands of the community, the Government has finally, though only to a certain extent, answered the aspirations of the public by launching measures to return wealth to the people. But regrettably, some fundamental problems, such as the aggravating wealth gap and, in particular, the dire circumstances confronting some elderly people living in poor conditions and disadvantaged groups, are still not resolved thoroughly. The problems triggered by accelerating inflation recently are even more worrying. I hope the SAR Government can face up to major issues about people's livelihood and put forth radical proposals to prevent these problems from transforming into causes of social instability.

There is something I must say and this is really depressing and disheartening. While a young graduate engineer who has worked for the Government for five years is only offered a meagre, or even humiliating, monthly salary of \$11,470, a Political Assistant with three years of experience can earn up to \$130,000 a month. Is a Political Assistant with some three years of experience really worth 12 times a young engineer with five years of experience?

In the policy address delivered in December last year, the Chief Executive clearly indicated that economic development would be the goal of the SAR Government and considerable emphasis would be placed on infrastructure development, which would in turn propel the economy. If it is envisaged that economic benefits worth more than \$100 billion of added value can be brought annually, can the Government pretend not to be aware of the important role played by engineers in infrastructure planning and construction? We can see that not a single engineer was among the 17 Under Secretaries and Political Assistants appointed recently. However, many leaders of the Central Government are engineers. The Government actually owes the engineering profession a good explanation. Furthermore, the Government's abolition of a number of relatively senior posts, such as Senior Engineers and Chief Engineers, some years ago has led to discontent among government engineers due to poor promotion prospects, accounting for their low morale.

Now, the Chief Executive has launched the 10 major infrastructure projects and a number of priority projects. Whether it be a company or a

government, the most fundamental management theory will tell it that more manpower at various levels must be deployed urgently. The operation of the Government will be affected if that is not the case, and this is definitely not in the overall interest of the territory.

Now I would like to turn to the territory's constitutional development, which is also an issue of utmost concern for Honourable colleagues. The Green Paper on Constitutional Development was published by the SAR Government in July 2007, and after three months of extension consultation and collation of relevant views, the Chief Executive submitted a report to the Standing Committee of the National People's Congress (NPCSC) in December 2007. On 20 December of the same year, the NPCSC made a major decision on the methods for selecting the Chief Executive and forming the Legislative Council and the issue of universal suffrage.

It is made clear in the decision that the Chief Executive can be elected by universal suffrage in 2017, and all Members of the Legislative Council can be elected by universal suffrage afterwards. In other words, universal suffrage can be implemented for electing the Chief Executive in 2017 and then electing all Members of the Legislative Council in 2020. Given that the NPCSC decision has given a specific timetable for the implementation of universal suffrage for the Chief Executive and the Legislative Council, Honourable colleagues of the next Legislative Council should seize the time to make this happen.

There are five steps to constitutional reform. In brief, they are:

- (a) The putting forth of a constitutional reform proposal by the Chief Executive and the compilation of a report after an extensive public consultation.
- (b) The submission of the report by the SAR Government to the NPCSC for a decision.
- (c) The endorsement by a two-thirds majority of the Legislative Council (this is the most difficult step, and indeed an obstacle).
- (d) The consent and signature of the Chief Executive.
- (e) The report of the relevant bill to the NPCSC for approval or for record.

According to these five steps, the relevant legislative procedure will have to be completed by 2012 so that the Chief Executive can be elected by universal suffrage in 2017, to be followed shortly afterwards by the formation of the Legislative Council by universal suffrage in 2020. Therefore, Members of the fourth Legislative Council will need to undertake this major assignment.

As regards the internal affairs of this Council, I note through participating in panels, subcommittees and bills committees that Honourable colleagues of this Legislative Council have worked very seriously and wholeheartedly in engaging in discussions of various topics. Furthermore, they demonstrate a high level and quality in conducting business.

The Public Works Subcommittee, which is chaired by me, has also received a long-awaited boost recently as a result of the submission of more projects for funding applications. In the 2006-2007 legislative session alone, a record-high number of up to 100 funding applications were approved. Some of the projects, such as the Central Government Complex at Tamar and the Queen's Pier, were eventually approved after repeated attempts. In the 2007-2008 legislative session, 82 funding applications, amounting to up to \$71 billion, were also approved. Some of the major projects include the West Kowloon Cultural District Development, the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link, the Shatin to Central Link, the West Hong Kong Island Line, the Central Kowloon Route, and the Hong Kong-Zhuhai-Macao Bridge. I would like to take this opportunity to express my sincere gratitude to Honourable colleagues of the Public Works Subcommittee and, in particular, also to the Secretariat for giving the Subcommittee full support to enable our work to proceed smoothly.

(THE PRESIDENT'S DEPUTY, MS MIRIAM LAU, took the Chair)

In addition, I also wish to express my gratitude to other Honourable colleagues. Despite the divergence in views held by various political parties and factions, we are still able to work in co-operation in a pleasant atmosphere and maintain a good relationship to enable our work to proceed smoothly. In particular, I have to thank the staff of the Secretariat for their devotion and efforts in giving us strong support to ensure the work of this Council can operate smoothly.

Here I also wish to express my sincere gratitude to the President of the Legislative Council, Mrs FAN, for leading us over the past 12 years. She has also built this Council a remarkable image in the community. Incidentally, I would also like to express my heartfelt gratitude to our retiring Secretary General, Ricky FUNG, for his competence, diligence and loyalty.

Lastly, may I wish all of you every success and good health. Thank you, Deputy President.

**MR CHIM PUI-CHUNG** (in Cantonese): Deputy President, this valedictory motion we are dealing with should be renamed as a "short-break" motion because I am greatly confident that I will be back after September.

Speaking of the past four years, Deputy President (though I would prefer the President listening to my speech), I cannot help but referring to history. A decade ago, that is, 1998, I sued the President of the Legislative Council through my attorney because this Council was about to terminate my status as a Member of the Legislative Council. While it was right to do so according to the Basic Law as this was clearly spelt out there, I had no idea if it was right to do so according to the common law system in Hong Kong, which is a three-tier system involving first trial, appeal and final appeal. But before I lodged an appeal, there was already an outcome, though my final appeal was eventually not accepted by the High Court of Hong Kong. While it certainly had its justifications, I also had my own grievances. At that time, I told myself not to be frightened and to accept the reality for I would definitely stage a comeback some five years later. Eventually, I made it in 2004, and I have been working as a Member of this Council for four years. Recently, I have kept pondering whether that is worth it, but it is pointless for me to do so because I shall stage another comeback in September. My major duty is to assume part of the responsibility of the Legislative Council to monitor the operation of the Government.

Many members of the public actually do not have a very clear understanding of the work of Members of the Legislative Council because they would find that while some Members are working very hard, some are not. So, what standards should be adopted in assessing the performance of Members? In my personal opinion, Members of the Legislative Council are responsible for

accomplishing nearly 10-odd tasks. The first task is to attend the regular Council meetings. In other words, we have to, by all means, attend the meetings held every Wednesday, and even the Chief Executive's Question and Answer Sessions. Of course, if we have other engagements, we may take leave or choose not to attend the meetings. In any case, there will be sessions devoted to questions and debates in the Council meetings, though very regrettably, the motions debated during the meetings do not have any legislative effect. The second task is to attend House Committee meetings every Friday. The third task is to attend Finance Committee meetings. The fourth task is to attend Subcommittee meetings, and as far as I understand it, there are at least 18 standing Subcommittees. The fifth task is to enact legislation. This is a very complicated process, and for some bills, scores of meetings, and even public hearings, have to be conducted. The sixth task is to receive complaints lodged by the public and relevant parties. The seventh task is to follow up the complaints. As for the eighth task, Members are sometimes required to handle special affairs involving trades and industries. And as for the ninth task, Members are sometimes required to negotiate or discuss with government officials in private with a view to resolving problems. The tenth task involves attending interviews on television or radio. And for the eleventh task, Members are sometimes required to attend non-essential social activities. Therefore, we are duty-bound to let the public and relevant persons know what Members of the Legislative Council are doing and whether they have done enough. In my personal opinion, it is very difficult for assessments to be conducted according to certain standards. Instead, as Members of this Council, we should conduct a review of ourselves.

I sometimes consider it worthwhile for us as Members of this Council to conduct a review of themselves by taking into account the situation and think about it, especially when the President, who is sitting up there, finds that there are only four or five Members attending the meeting down here. I think that the meeting can be suspended for an hour during mealtime. Personally, I think that when it comes to the House Committee or whatever in the next Legislative Council, Members of this Council should really conduct a review of themselves. Making too many excuses is simply an irresponsible act. It must be understood that this Council is one of the power organs with a very high exemplary role to play. We should not pass the responsibility to others while we seek to stay aloft. Should we do this, we would have acted in contrary to the power conferred on us by our constituents and what we are supposed to do.

Deputy President, the second issue I would like to raise is the overall relationship between the Government and the Legislative Council over the past four years. I have always considered that if the Government can ..... most of the Directors of Bureaux are sometimes unwilling to face problems courageously and frequently resort to erasion. In my opinion, such an attitude and approach can do nothing at all to help or improve the relationship between the executive and the legislature. We must understand, though the Basic Law undeniably hopes for an executive-led government, and bear in mind that the Vice President of our country, Mr XI, has repeatedly stressed, or expressed his opinion, that he hopes Hong Kong can make improvements with the separation of powers between the executive, legislature and judiciary. Under such circumstances, I very much hope that the executive-led government can complement the efforts of the legislature. As for the judiciary, though being an independent entity, it continues to operate as part of the overall Government's structure. More efficient discussions are indeed warranted, and in the event of any problems, we should identify a key point acceptable to all of us for problem-solving purposes, instead of exploiting the Legislative Council in order to achieve an administrative goal and turning a blind eye to it when it is no longer needed. Of course, such a mentality and attitude must be led by the Chief Executive, so that the Secretaries of Departments, the Directors of Bureaux and the Under Secretaries and Political Assistants to be created in the future can have an understanding of the crux of the problems, instead of wasting our energy and time, hence meeting the demands of the country and all the people of Hong Kong.

Certainly, we notice that in the past, the Government was extremely executive-domineering and arrogant in dealing with many bills and other matters. But regrettably, some Members did not bother and would render their support for whatever proposals raised by the Government. In this regard, we really need to conduct a review. Otherwise, what is the point of having these Members or other people sitting here? I certainly do not think that any one of us would have joined this Council for the sake of the monthly remuneration of some tens of thousand dollars or the gratifying feeling of being addressed as Members of this Council. It is simply not worthwhile for us to waste our energy and betray our conviction only for the sake of this feeling.

Deputy President, as for the third issue, I hope the SAR Government can understand that a recent remark made by Vice President, Mr XI, about "being understanding and reasonable, and effective in governance" warrants our

attention. In other words, has the entire SAR Government really achieve the goal of "being understanding and reasonable" in its work? In this regard, a review is warranted. If the outcome is positive, the Vice President should be told that his request has been met. But what about effective governance? Are some government officials still shirking their responsibility? In my personal opinion, many of the Government's policies are impressively described as "consultations". For instance, Container Terminal No. 10 has gone through consultation for more than a decade. Although a short-lived person could have died several times, the exasperating wait still goes on. This is simply irresponsible. The former Chief Executive had once been told by President HU to identify inadequacies. There is no denying that we have many other inadequacies, and we should work hard. Chairman WU Bangguo once remarked that all the powers exercised in Hong Kong were conferred by the Central Authorities. In other words, there is no residual power as such. A review is thus required if our SAR Government is considered to be negligent or having no knowledge. However, if it is considered to be exploiting loopholes, the mistake made would be inexcusable. This matter should have received special attention from the SAR Government over the past several years.

Deputy President, we understand that politically, Hong Kong can simply not develop into an independent entity. We are nothing but a special administrative region of China, and we can, at the most, handle a small fraction of problems confronting Hong Kong on behalf of the Central Authorities. Therefore, our future is extremely limited. We can only function like a large District Council in serving Hong Kong as a regional city; there is no way for us to go beyond the powers conferred to Hong Kong by the Central Government, as I have mentioned earlier. Of course, Hong Kong is an international city. If we can play our role properly, we will be able to achieve the goal of serving Hong Kong people on behalf of the country. But we do not necessarily have to expect very outstanding performance.

Deputy President, as we are going to bid farewell, ..... the speech delivered by you earlier was remarkable. It has been confirmed that nine Members will not be with us in the next Legislative Council. Of course, Mr Martin LEE, being one of them, is a veteran Member and a senior counsel. He can even fall asleep while sitting here without other people noticing it. He may pass this skill onto his followers, should such opportunities arise. As for the other eight Members, of course, the workload of our President ..... even though her efforts over the past 10-odd years have gained the recognition of Members,



we still have to look back to the past. During the period of the Provisional Legislative Council, the voting result on that day was 33 to 27, which meant that four votes could decide who could take up the post of the President of the Provisional Legislative Council — the President who has held on until today — thus proving that competition at that time was quite keen. In addition to the nine Members who have earlier indicated firmly that they would bid farewell to the Legislative Council (the motion today should be led by them), I think that a maximum of 11 other Members are likely to bid farewell to this Council too. Anyhow, I wish to give them my blessing and I hope that whatever places or posts they may go and whatever work they may do, the most important thing is that they must be able to do things according to their own requirements and aspiration. I am convinced that everything will turn out to be better for all of us.

Deputy President, I would like to take this opportunity to express my gratitude to my constituents and for Members who gave me a greeting card signed by them when I fell ill last year. While I certainly wish to thank those Members who had asked after me, I would also like to express my sincere thanks to those who had not. Thank you, Deputy President.

**MR WONG YUNG-KAN** (in Cantonese): Deputy President, four years have passed quickly. In these four years, we can see that the SAR Government has shown inadequate concern for some members of the grassroots but I can also see that some other government officials have done their utmost in dealing with the demands of the public. A case in point is Secretary Carrie LAM. There are some matters which used to be of no concern to her. One example is that I once invited her to look into the issue of the Government's refusal to issue licences after the resumption of farm land. I tried to make an appointment with her for almost a month. In the end, we agreed to make a site visit on a Saturday. A reply was given soon afterwards and pig farmers whose licences were revoked were encouraged to switch to other trades.

In addition, there are also some other officials who are very nice to our sector and one example is Secretary York CHOW. Some people may ask if he is a good Secretary. I think he has done his best in some matters. An example is, I am not talking about his communication with the Mainland on our behalf, which made it possible for some of our pig farmers to raise pigs on the Mainland. I am not talking about that. I can see that his job is in fact very demanding because he has too many areas to attend to and his work is not all that easy. Of

course, he has his own opinions. I think that our industry is directly related to his job, so I have more occasions to come into contact with him and voice our views to him. However, these encounters were not happy ones. Although he did give us assistance on some issues, on others, he was unable to help us. For example, the temperature dropped drastically this year and our fish all died of the cold. Another example is the mobilization of several hundred boats by members of the industry to stage a petition and protest, in the hope that the Government can show some concern for their livelihood.

I have also had meetings with many Secretaries, telling them that if it were on the Mainland, officials would surely make visits to local communities to have discussions with the people, understand the situation and see what the problem was.

Our industry seldom organizes any rally or protest and it is all the more difficult to stage a protest on the sea because our boats are quite large and if they are mobilized, collisions may occur easily. Therefore, staging a petition or protest on the sea is a very difficult act but I remember that we have done so three times. Two of them were done to welcome the leaders of our country and celebrate the 10th anniversary of the reunification respectively, whereas the one this time around was a sea parade. I was very worried and said to members of the industry that everyone must pay attention to safety. It would not matter if anything occurs but collisions must not happen and there must not be any people getting injured.

Finally, we finished the petition. Although the Secretary and the officials concerned were willing to listen to us, they could do little, probably because government policies were involved. However, we hope the Government will think seriously about what can be done for us, who are members of the fishing industry and described by others as a socially disadvantaged group. Some people say that we are a sunset group but I myself have never agreed with this description because we are capable of changing and evolving into other trades relating to marine activities.

Of course, the Government says that it has a Council for Sustainable Development and three Members of the Legislative Council, namely, Mr Vincent FANG, Mr Fred LI and I are also its members. We all offered our advice and tactics, hoping that something can be done for this industry, but I think that more importantly, it all depends on the Government. If the Government does not care about this industry, I call on the Government to tell its

members clearly. If the Government does not want them to continue to operate, it should simply ask them to "close down".

However, if we want to eat fish and want to have an industry approved by society ..... why do I say so? The farming of quality fish was proposed by the industry and the Government has never done this. The implementation of a labelling system was also proposed by the industry. On the avian flu, let me tell Members something that is little known. I once put forward a proposal known as biosecurity to the industry but then I was severely reproached by the industry. They asked why all this fuss about biosecurity? Why was it necessary to install such systems as bird-proof nets in the farms? Subsequently, I suggested to Thomas CHAN that it may be better to encourage them to install such facilities.

I also proposed to the Government that in view of this, government officials should also bring their knowledge up to date and they should not stop from advancing. We may as well hire mainland or overseas experts to explain to them what the avian flu or other poultry and animal diseases are. Of course, there are many experts or Ph Ds in the AFCD, but can they help? I think the Government should reconsider some measures.

Of course, I can say that we still have a lot of problems in this legislature but in these four years, what pained me very much was the passing of the chairman of our party. I will always remember him. However, having heard the comments made by Mr Martin LEE, I feel even unhappier. He said that people who preceded CHOY So-yuk in the candidate list invariably did not fare well. Two persons have been in the same candidate list with her and preceded her, one being Gary CHENG and the other is him. If Mr Martin LEE's claim is true, I think he should not raise it again and he should not mention it any more. It is precisely his remarks that conjured up my thoughts of chairman MA Lik. Therefore, I hope Honourable colleagues can be more tolerant to other people and matters instead of making those remarks lightly. Although he has left us, we will always remember him.

Due to his passing, in the district council elections this time, due to the encouragement we received, we won some seats. This was not due to sheer luck, rather, it was due to the hard work by everyone as well as the services provided by all of us, including me, in the local communities. Since 1991, when I first served as a district board member, to the present, I have never relied on luck. I often tell my colleagues that if they want Members to continue to

serve the public, we have to serve society first of all and everyone has to work hard. For this reason, up to now, even though some people may say that it is nice to belong to my functional constituency and I will probably be re-elected uncontested and it is even also certain that I will be returned to the Legislative Council, I never said to anyone that I was re-elected uncontested because I also have to work hard. In particular, since society considers my sector to be a sunset industry, it is all the more necessary for me to perform my duty well and lead my industry in embarking on a new course of development instead of standing still. If we stall, we will lose out. I think this is what I want to say.

After joining the legislature, I have all the more respect for our President, Mrs FAN. On one occasion, I told her unceremoniously that in one of our communities, some overseas Chinese had come back and I wanted to invite her to be an officiating guest. She agreed immediately. Where was the location? Kat O Island. She agreed to go to such a remote place to officiate in the function for just an hour. Moreover, she also delivered a speech that these overseas Chinese agreed very much with. She said that the place was so beautiful and was a shining pearl on the sea, so why did the Government not develop tourism there? This remark is very simple but it reveals that the President is able to perceive many important issues.

Of course, since she will no longer stand for the Legislative Council election, I also hope that she will take good care of her health and serve Hong Kong society and the compatriots in Hong Kong in other capacities. I also wish other Members who are not going to stand for the election good health and all the best. Deputy President, I so submit.

**MRS SELINA CHOW** (in Cantonese): Deputy President, first of all, I wish to thank my constituents in the New Territories West Constituency, who enabled me to successfully turn myself from a Functional Constituency Member to a directly elected Member. Because of them, I have been able to gain plenty of novel experience and take a further step towards the realization of democracy. Like James TIEN, I always hope to practise what I believe in, so as to prove that both of us as individuals and the Liberal Party as a whole do firmly believe in and uphold democracy. This is the case not only with the two of us who are directly elected Members. All Functional Constituency Members belonging to the Liberal Party likewise support the cause of democracy without any reservation. In their respective positions, they invariably uphold the pursuit of

democracy as their target and maxim, deciding their directions of work with the views of their constituents in mind. I hope everybody can realize this from their outstanding achievements and the support they command.

Deputy President, it is a pity that the President is having a break. I must of course say a few words to her. I dare not call her "a respectable elderly lady", for I am about the same age as her. The fact is that I have been working with the President for many years. I suppose I should be the Member with the longest history of working with her. I think the President should really be proud of one achievement. As soon as she had assumed office as the President of the Legislative Council, she made it clear that she would seek to defend the culture of this legislature. I think she has indeed succeeded in doing so. This legislature has undergone drastic changes, but she has done her very best to uphold its dignity. I think she really deserves the greatest credit for maintaining the image of this legislature.

The President is urbane, composed, fair and impartial, never trying to differentiate between close and distant relationships. I think her leadership ability is sometimes overlooked because people can only see how she chairs the meetings of the Legislative Council. But the fact is that she has managed to handle all affairs of the Legislative Council in an orderly manner. Without her leadership and insistence, all this will never be possible.

As a person with a special interest in public relations and public image, I really admire her successful attempt to transform her public image completely. This total transformation is by no means superficial in nature, not just about how she looks in public. I must confess that my perception of her as a person has also changed. Time is the best proof. Members and the public will eventually realize the President's love for Hong Kong.

I have known Mr Martin LEE for a very long time. In 1970, that is, the time when I worked in the Television Broadcast Limited, he did something for me for free. What was it? He acted as a judge in the Miss Hong Kong Pageant. Later, he also served as a legal adviser for the television serial called "A House Is Not A Home". In the 1980s, he and I joined the Group of Young Elite formed by Allen LEE. In 1983, we visited Beijing together. Can Members guess who received us there? It was XI Zhongxun, the late father of the present Vice-President XI Jinping. We knew very little about our country at that time, and our only intention was to voice all our feelings. But at least,

there were communications and exchanges during the meeting, and we also got to know the country's attitude towards the reunification of Hong Kong with China. He allowed us to speak our minds on the reunification of Hong Kong with the motherland.

It cannot be denied that Martin is a dedicated champion of universal suffrage. Anyone (including me) will agree to that, no matter he shares Martin's political belief or not. Martin has been my friend for years, and I admire his political insistence. Reluctant to admit defeat, he can be quite childlike in behaviour, as we could all realize from the way in which he pointed out that a quorum was not present just now. Honestly, he brings trouble to us from time to time, but he also brings us joy. I already knew that he was unwilling to admit defeat several decades ago, when I played mahjong with him. Whenever he was losing money, he would resort to "verbal tricks". I can observe that he still do so now. Whenever he fails to reach an agreement with someone, he will resort to "verbal tricks". But all this aside, he is still a lovable person in many ways. My opinion that Martin is a gentleman has never changed. And, frankly speaking, I find it rather regrettable that he is not yet reconciled with the Central Government and cannot rebuild the kind of co-operative relationship in the years when he was a drafter of the Basic Law. I find this regrettable because I am convinced that the rebuilding of mutual trust and communications between the two will surely do good to Hong Kong people and Members belonging to the democratic camp and also enable both sides to gain fresh insights.

I cannot help mentioning what Martin said on one occasion. Jasper TSANG was also there at that time. I do not know whether it was just alarmist talk, or whether Martin was being over-pessimistic. Martin, Jasper TSANG and I were having a meeting with a group of students (Jasper TSANG mentions Martin's prediction in this meeting from time to time). Martin predicted, "I may have to spend my life behind bars after 1997." We are all very glad that he has not been thrown into prison. On the one hand, I am glad that my friend has not been thrown into prison. But on the other hand, I do not want his prediction to come true. I want to prove him wrong. I do not want him to call himself the Nelson MANDELA of Hong Kong for having to go to jail.

I do not want to speculate about the reasons for Mrs CHAN's refusal to run for re-election, because she must have some personal reasons. But she once told us that her family will make the decision for her. I also know her family.

I suppose that having decided not to run for re-election, she will have more time to play her role as the chairperson of the "Submissive Wives' Club".

I must also talk about Mr Howard YOUNG. Of all the Members belonging to the Liberal Party, he is the most hardworking and most easy-going. His rate of participation in meetings is the highest, and he outshines all others in team spirit. He is always the one who can make sure that we can arrive on time at different places. Our recent trip to Sichuan is good evidence of this. Had he not hunted an air ticket for me, it would not have been possible for us to go, or it would not have been possible for us to go as a full team, to say the very least. But in the future, there will be no such assurance on which we can depend. We naturally respect his decision of not running for re-election. He has told us that he already promised his wife four years ago that he would not run for re-election any more. In fact, all of us in the Liberal Party envy him very much, for he will become a truly free man.

Speaking of freedom, as the most senior Member, I realize that this legislature must often strike a balance between the freedom of expression and efficiency. Meetings in the past were very long, and even this present meeting is also very long. And, the practice of this legislature is that an issue must first be discussed in the relevant Panel, then passed to a working group and onwards to a Council meeting. And, at the Council meeting, Members will repeat the same points all over again. Member should still remember what I said in a recent motion debate. I said that government officials would not show up to listen to us; Members themselves rarely listened to the views of their colleagues; and, even the mass media gave us very little coverage. This remark stirred up a big row. Many people criticized that Selina CHOW should not say something like this. But since this is the truth, I must make it known somehow.

As can be expected, many people seized the opportunity to chide the Government. I do not mean that the Government should not be blamed. But I do think that we must also conduct some self-examination. Can we avoid repetition, making the best use of time and saying something concrete? Can we also improve all the related procedures and arrangements? Can we do all this in order to upgrade the quality and contents of our speeches, to the extent that no one can afford to miss them? Can we all do so, so that our speeches will not sound like the same "broken record disc"? Honestly speaking, we must do some self-examination in this regard.

I must also give government officials a piece of advice. The Liberal Party is often labelled as a "royalist" party. However, as shown by the recent surveys conducted by some academics, the Liberal Party is not exactly a "royalist" party on every issue. In many cases, our opinions are different from those of the Democratic Alliance for the Betterment and Progress of Hong Kong, and our voting decisions may differ from theirs. Government officials often reason that since we belong to the pro-establishment camp, we should understand their positions and should not criticize them. Government officials will think that we have betrayed them when, for example, Mr Vincent FANG or the more "radical" Tommy CHEUNG rebukes them. But they must realize that this is actually an obligation that we must discharge. We must voice in this legislature all the divergent views held by the wider community, so that government officials can be made aware of these opinions. Tension and disputes will surely arise if we continuously fail to persuade government officials, particularly if we still fail to persuade them in some very reasonable matters.

Recently, it has been reported by the mass media that even Selina CHOW will be "fired" and removed from the Executive Council. I find the timing of such reports a bit strange. Why were they not published a bit earlier? Actually, since a long time ago, I have been reluctant to play this role. Anyway, I must say that my most important role should be a directly elected Legislative Council Member belonging to the Liberal Party. This is my most important mission and responsibility. Over the past four years, this has remained the guiding principle of my work. I of course obey certain rules, but my role as a directly elected Member has always remained the highest principle guiding my thoughts, the views I express in debates and all other aspects of work.

I must also take this opportunity to say thank you to all staff of the Legislative Council Secretariat for making it possible for the Council to function so smoothly. Their service standard is unrivalled in Hong Kong. I must thank them all. And, I also wish Secretary General Ricky FUNG a very happy life after retirement. Thank you, Deputy President.

**MR SIN CHUNG-KAI** (in Cantonese): Deputy President, my political career started all by coincidence. I kept bad company, and in university, I made friends with LEE Wing-tat, who was the Vice-President of the Hong Kong University Students' Union at that time. In 1979, I went with him to Tsing Hua



University for an exchange tour. So, we got to know the Motherland even earlier than the Group of Young Elite. Another member of the exchange tour group was Carrie LAM, who is now the Secretary for Development. Later on, I also made friends with YEUNG Sum, who said that he wanted to fight for the rights of the elderly. In 1981, when I was an Executive Committee member of the Hong Kong University Students' Union, I once worked alongside SZETO Wah in the fight against the fare rises of the two franchised bus companies.

The Sino-British Joint Declaration published in 1984 and the concept of "Hong Kong people ruling Hong Kong" aroused my concern about Hong Kong's future, inducing me to fight for the introduction of democracy in Hong Kong. In 1985, I made a start by running in the District Board election. During my political career, I was a District Council (formerly District Board) member for 18 years. I was twice the only candidate in my constituency and elected ipso facto. For five years, I was the Chairman of the District Council I served. I also served as a member of the former Regional Council for six years. When it comes to the Legislative Council, I was a directly elected Member for two years. And, I have also been a Functional Constituency Member for 10 years up to now. In a way, I have been "ever-victorious" so far.

Members all know that I am nicknamed "Capon Chicken<sup>1</sup>". This is actually the moniker given to me by my fellow students in university. My primary schoolmates called me "Soy Sauce Chicken<sup>2</sup>". My secondary schoolmates simply called me "Chicken". (*Laughter*) But my co-workers in Kwai Tsing District all called me "Lucky Kai<sup>3</sup>", probably because I had a record of clear victory since 1985 when I started to run in elections.

I can still recall that in 1988, when I campaigned for re-election to the District Board, I once invited Martin to canvass votes for me in a restaurant. There, we borrowed a microphone and called upon the customers to vote for me. But our appeal was followed by a dead silence, and only the voice of Martin was heard. Even now, I still cannot forget the scene. As far as I can observe, the only existing political personality that can rival the Martin years ago in political

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<sup>1</sup> A translation of the Cantonese nickname "騷雞". "騷 (sin3)" rhymes with "單" (sin6), the speaker's last name. "雞 (gail)" rhymes with "偈 (gail)", the last character in his given name. Hence goes the fun of rhyming.

<sup>2</sup> A translation of "豉油雞" in Cantonese. "雞", as mentioned previously, rhymes with "偈", the last character of the speaker's given name. The same fun of rhyming is present.

<sup>3</sup> A translation of "幸運偈" in Chinese. "Kai" is the transliteration of "偈", which rhymes with the word "guy" in English.

charisma must be Mrs CHAN. Martin and Mrs CHAN can both be described as the Excalibur of the cause of democracy in Hong Kong.

I must express my thanks to Martin here. I have never been much of a helping hand, but over all these years, he has still taken me here and there in the world to "tell the true story of Hong Kong." I can remember that I went on at least four overseas visits with him. In 1997, the visit was about the reunification. In 2000, we met with Bill CLINTON, lobbying him to agree to China's ascension to the World Trade Organization. In 2005 and 2007, the visits were about constitutional reform. If there are still any opportunities in the future, I will definitely continue to conduct overseas visits. I will go to the European Union and the Capitol Hill to champion the cause of democracy in Hong Kong. Martin, I am best at remembering ways to places (he is not in the Chamber now).

My earliest overseas visit was in early 1997, when I took part in a workshop organized by the Commonwealth Parliamentary Association. During this trip, I even visited 10 Downing Street, and they hosted a small cocktail party for us there.

In 1999, Mr HU Jin-tao, then the Vice-President of China, paid a visit to Hong Kong. I guess I must be the only one from the democratic camp who had the opportunity to see him. I was among one of the 400 people arrayed in rows before him to listen to his instructions and take pictures with him. I almost made a breakthrough when I attempted to hand a letter to him. But the letter was taken away by David LAN, and nothing has been heard ever since. In 2004, I was in the Great Hall of the People for the National Day Reception.

Speaking of overseas trip, I must talk about Margaret, who is known by all as a person of persistence. Margaret, I do admire your persistence on cardinal principles. But I cannot understand why you should still be so persistent even when it comes to choosing a restaurant to eat in. I wonder if you can still remember that in 2005, I was in Brussels with you and other friends. Martin suggested Lyon, a restaurant he would patronize every time he was in Brussels. Your two party colleagues, Thomas YU and TSANG Kwok-fung, did not raise any objection. But you had learned of a certain restaurant from a travel guide, and you insisted on going here. In the end, the whole bunch of men had to follow you, a woman, to the restaurant recommended by that travel guide. *(Laughter)*

For 10 years, I have been the representative of the information technology sector on the Legislative Council, and I have witnessed all the advances in information technology in this past decade. In 1997, the Internet was not yet very popular. Practically no Legislative Council Member even used the Internet, and e-mails were not very popular either. However, the liberalization of the telecommunications market has since led to the rapid development of information technology in Hong Kong. The Government even issued smart identity cards, and many people found that they could provide much convenience. I believe that I should be the first person to advocate the elimination of the "digital divide". But I hope that Secretary for Labour and Welfare Mathew CHEUNG can also pay attention to this issue.

Speaking of the Copyright Ordinance, I must admit that this has been the only issue for which I must apologize to the public. I learned a very big lesson from the experience of dealing with the ordinance. I must advise Members of the next Legislative Council that no matter how great the hurry is, they must still study all bills very carefully, or they may also have to apologize to the public. Spamming, the Electronic Transactions Ordinance, the government procurement policy, electronic government and the wi-fi project are all the other issues I have been advocating during my term of office.

I am the Democratic Party's economic policy spokesperson. As a matter of fact, the Government has already accepted many of the recommendations put forward by the Democratic Party. For example, Frederick MA accepted our proposal on bond issuance, and Henry TANG also accepted our proposal on changing the method of making payment from the Exchange Fund to the Fiscal Reserves and the shelving of a goods and services tax. John TSANG accepted our proposal to set aside \$50 billion to reduce the health care payments made by the public. The Government has already accepted some of the recommendations we put forward, so Mr Ronny TONG does not need to be so depressed. Sometimes, it is still possible to get things done.

Speaking of this legislature again, I actually want to tell Mrs FAN that ..... Anyway, I suppose she should still be able to hear what I am saying. For over a decade, I have occupied this very same seat in the Chamber. I often make a lot of noises, so I must apologize to her, hoping that she can forgive me.

Jasper TSANG must be the most "quick-witted" of all Members. The Democratic Party must assign two persons to outflank him in any major political

debates. At present, Mr Andrew CHENG and I watch over Jasper TSANG most of the time. CHAN Kam-lam is not in the Chamber now. But I also want to advise him that when he acts as the chairman of a Panel, he must let Members speak, and he must also ..... Anyway, it is highly unlikely that CHAN Yuen-han can be re-elected. *(Laughter)* But still, I must complain on CHAN Yuen-han's behalf because he often stops her from speaking. *(Laughter)* But CHAN Yuen-han must also note that sometimes, her questions are a bit verbose, repetitive and irrelevant. One more point which I actually wanted to make just now is that "屈機" does not mean what she says. The term should mean an overwhelming victory over the opponent.

I must at the same time exhort the three tenors of the Legislative Council ..... No, I should say the three big tummies. They are Abraham, WONG Ting-kwong and WONG Yung-kan. I hope they can all try to reduce their "middle age spread". Speaking of Abraham, I suppose he should be the Member who must most frequently make decisions against his own will. *(Laughter)* I must thank Sophie for getting soccer match tickets for me. Philip, I will continue to join your New Year's Eve parties. CHIM Pui-chung, my thanks also go to you for your physiognomic advice. I must also thank Mr TAM Yiu-chung, Mr James TIEN and many other Members belonging to the Liberal Party, including Miriam, for their encouragement.

The Kwai Tsing District Council is no doubt the District Council that has nurtured the greatest number of Legislative Council Members. There are four Members who were once Kwai Tsing District Council members, namely, James TIEN, LEUNG Yiu-chung, LEE Wing-tat and me. We were all Kwai Tsing District Board members from 1985 to 1988. Members may have forgotten LI Chi-fai, a former employee of the Legislative Council Secretariat. He already passed away, but he was one of the "Seven Kids" of Kwai Tsing in those days. From 1985 to 1988, we were all Kwai Tsing District Board members. James TIEN even treated all the "Seven Kids" to a ride on his yacht. This was the first time I ever travelled on a luxurious yacht.

It is a pity that David Li is not in the Chamber now. Ever since he left the Executive Council, David LI has resumed his role as the conscience of the commercial and industrial sector. I must remind the Government that he will never waste any ammunition. Whenever he shows up for voting, the Government must watch out. *(Laughter)*

Dr KWOK Ka-ki lived in the Old Halls during his university years, and he was my next-door neighbour. I would never have expected to see him again in the Legislative Council after losing contacts with him for more than a decade.

Emily, you always sound very enraged when speaking. Sometimes, when I speak to you, I am a bit scared. Do you know that? I am really a bit scared. However, Emily, let me remind you that you certainly look prettier when you are chatting than when you are angry. *(Laughter)*

I want to tell all in the democratic camp and the press that LAU Chin-shek and "Tai Pan" are both good people. I must also say sorry to "Tai Pan". It was too nasty of me to give you the nickname "Bow Tie's Informer". The democratic camp must accept a wider political spectrum and tolerate others.

"Big Guy" is not in the Chamber now. I must also say to him, "Mind your health. Beware of blood vessel rupture. And, remember to have a greater sense of humour."

"Long Hair", my two sons want me to tell you that you must not be late for soccer games, and you must have more physical fitness training.

After so many years, I still cannot forget the "yellow oil crabs" of "Fat Dragon" and the wine of Henry TANG. Of the several Financial Secretaries I have come across, Donald is the most hot-tempered. Can Members still remember how he punched the table in Lok Yu Tea House before all of us? Henry TANG is now the Chief Secretary for Administration, and he used to be the Financial Secretary. He is the most easy-going of all the Financial Secretaries I have come across. But he is also the stingiest. John TSANG is taciturn, but he has handed out a lot — \$50 billion.

Over all the years I have spent with the Legislative Council, what has given the greatest delight to me? The summer recess. Election campaigns are of course the most taxing. I must wish all Members good luck. What is most unforgettable to me must be the reunification in 1997, when all of us gathered on the balcony of the Legislative Council and said, "We shall return." But I frankly cannot think of any experience that can be called the bitterest, probably because I am quite optimistic by nature. What do I like the best? I like to do the work related to the budget, that is, the work of preparing the papers for submission to the Financial Secretary.

The most meaningful job in the Legislative Council is the scrutiny of bills. I dare not say that I am the "King of Bills". But I believe that I am among the Members who have moved the greatest numbers of bills.

In the past years, I was once a directly elected Member. I was also returned to the Legislative Council through various types of elections. But I never won any election based on proportional representation. In 1995, it was a "single vote, single seat" electoral system. I therefore think that this is quite a pity.

The salaries of Members are low, and their work is harmful to health. But being a Member can enrich one's experience in life. However, this is not so important. The most important thing is that one can thus have the opportunity to realize one's convictions.

As I have mentioned, my most unforgettable experience is the pledge of "we shall return" which we made on the balcony of the Legislative Council in 1997. In 1998, I indeed succeeded in returning to the Legislative Council. Today, I am not going to say "I shall return". My political career has lasted 48 years ..... No, I should say that I am 48 years old. *(Laughter)* Sorry, I have made a mistake here. I am 48 years old, and I have been involved in politics for almost 24 years. I started as a District Board member when I was around 24. By now, I have been in the political arena for about a quarter of a century. It is an appropriate time for me to serve the public in a new capacity. I have decided to withdraw from the frontline not because I find the kitchen too hot, but because after cooking Cantonese cuisine for more than 20 years, I now feel like cooking other Chinese cuisines, such as Shanghai dishes, so to speak. Maybe, I should even learn how to cook abalone from Mrs CHAN. *(Laughter)* Mrs CHAN, please rest assured that I will certainly listen to you and render my assistance in organizing the Citizens' Commission on Constitutional Development.

A few days from now, I shall not be a Legislative Council Member any more. I long for new challenges. I am a playful kind of person, and I love having fun, as Members all know. When I am no more a Member, I shall have more fun, learn photography, for example, because I love gadgets. I will spend more time with my wife and do more exercises. When I have time, I will go diving and skiing. I will return to the bank I serve, work like an ordinary person and live a normal life again. I will also spend more time on helping my son with his schoolwork, so as to prepare him for his studies next year.

My thanks are due to many people. To begin with, I must mention the stewards of the Legislative Council, such as Tony, Kevin, Ah Man and others. Without the coffee they prepared for me, I cannot imagine how I could have managed to deal with all those meetings. I hope that in the future, I can have opportunities to visit the Legislative Council, to chat with everybody and to enjoy the coffee they prepare once again.

I must also talk about a number of Secretariat staff members. Ricky is retiring soon. I hope Ricky and Jenny can live a happy life after retirement. I hope we can watch soccer games together. Pauline, I wish you every success in leading the Legislative Council Secretariat in continuing to provide first-class secretariat services to future Members. The security personnel of the Legislative Council often drive and park our cars for us. They have gone beyond their duties really. I must also thank the press. Even though I will not be a Member any more, I will still treat them to pigs' legs at my home during the next Chinese New Year. They can also add me to their facebook and keep in touch with me.

Lastly, I must remind my successor that although he or she is returned by a functional constituency election, he or she must give priority to public interest. Public interest is most important. The interest of the sector is of course also important, but it must not supersede public interest. As a Member, one must be impartial and should refrain from working only for any special interest organizations, enterprises and professional bodies. Finally, integrity is most important to every politician. I have always borne in mind the advice of Mr SZETO Wah, the party whip of the Democratic Party: political integrity is more important than political wisdom. A political career is always a "high-risk" one. A person in politics may often be faced with various difficulties and temptations. One must therefore always remain vigilant.

The last Chief Secretary for Administration, "Fat Dragon", once told me that having boarded a casino cruiser, one will be very lucky if one still has any money left for going home afterwards. "Fat Dragon", if you can hear me now, I want to tell you that I have not lost my clothes, and I still have enough money to take a taxi home.

Deputy President, I so submit.

**DR JOSEPH LEE** (in Cantonese): Deputy President, it was a lot of fun listening to Mr SIN Chung-kai's speech on the Valedictory Motion. I believe Mr SIN Chung-kai was able to make such remarks only because he has managed to amass an immense pool of personal experience after serving as a Member for years. As a newcomer who has been a Member for only four years, I am definitely not qualified to comment on any Members and government officials. But I still wish to spend some time in the following part of my speech on talking about my experience, observations, realizations and fond memories.

Let me first talk about my observations. Overall, I can see a very interesting relationship between the Legislative Council and the Government. This morning and yesterday, I kept thinking about whether I should speak on the Valedictory Motion or say anything in particular. A valedictory motion, as its name suggests, should be a good-bye motion. I therefore thought about many things. This morning, I heard many Members express thanks to certain people. I also heard some Members comment on other Members. I then told myself that one of the most important purposes of my presence in the Legislative Council is to monitor the Government. As a result, I decided to recapitulate the overall relationship between the Legislative Council and the Government in the past four years. Since yesterday, I have been considering what adjectives can best describe the relationship between the two. They have been described as "friends", "husband and wife" or "brothers and sisters". But I do not think that such descriptions are appropriate. A couple may have a divorce. We can choose the friends we like. And, although brothers and sisters are born with such a relationship, they may still fall out and become enemies, as seen in many television serials and real life.

(THE PRESIDENT resumed the Chair)

I cannot think of any words that can describe this relationship. But as I can observe from the viewpoints and practices of both sides and my personal experience, the working relationship — pure working relationship — between the Government and the Legislative Council should be one of lock-and-key, though it may sound like a cliché. This lock-and-key relationship is very interesting; once the key is inserted, the lock can be opened immediately. This has happened in many cases. One example is the issue of fuel duty discussed



last night. With no objection from Members, the legislation could be passed smoothly to enable the public to enjoy immediate benefit.

However, at times, the lock may be a bit rusty, and since it cannot be opened no matter how hard the key is turned, it must be oiled, as in the case of the Independent Police Complaints Council, for example. In this particular case, meetings ran on for a whole year, and many divergent views and insights were expressed. But in the end, the legislation was still passed. The outcome is not very satisfactory, but since the lock has been opened with the key and people can still enter in the end, we can say to ourselves that we have completed the task anyhow.

The third scenario is one in which there seems to be a wrong key to the lock, in the sense that the lock simply cannot be opened. It is fortunate that no bills have been withdrawn by the Government in this current session so far. But there have been many arguments and disputes, and it has been impossible to reach an agreement on many issues.

I think it is more appropriate to describe the working relationship between the Legislative Council and the Government in this way, because there are changes all the time. I hope that the next Legislative Council ..... I do not know whether the Chief Executive will offer any explanation later on. Many different Members have criticized that the relationship between the executive and the legislature is not very satisfactory. As rightly pointed out by the House Committee Chairman just now, things are pushed onto us towards to the close of the legislative session, thus giving all Members a very hard time. I hope the situation can be better for the next Legislative Council.

So much for the working relationship between the Legislative Council and the Government. I have another observation, and this is related to what the Government is like. Suppose I am required to use some adjectives to describe the Government as a whole — not any individual government officials — I can actually come up with several appropriate ones. First, I think they are best at "Tai Chi" or shadow boxing. Very often, when we ask questions, convene Bills Committee meetings, or even hold a motion debate, they will just "practise Tai Chi", swaying their arms and palms around. One of the "Tai Chi" masters is Michael SUEN. He is really good at that. I have even learnt something from him. This is one thing.

Another thing he is good at is giving people the runaround. When we talk about "A", he will start talking about all the 26 letters. And, in the end, we will find that he has not said anything concrete. We will find that he has just been marking time. He is also very, very good at that.

The third thing is that they are just like "tape-recorders". Mrs CHOW remarked that they were like a "broken record disc". Actually, I do not think that they are quite like this. Rather, they are like tape-recorders. The scrutiny of the IPCC legislation is the best example. I am talking about the Permanent Secretary. He sounded exactly like a tape-recorder in whatever he said. All the time, he kept saying, "We have got your point. We will consider it." And, he said so very softly. He has a high EQ, and his voice is also good to hear. He would repeat the same thing over and over again. I think he is really very good at that.

Lastly, the Government is also like a rubber ball, which will never burst no matter how hard you pierce it. If it really bursts, I simply do not know what Hong Kong can do. Even when it is pierced by a needle, it still looks as if nothing has happened. It will never yell because of pain. Once the needle is removed, it will look as if nothing has happened. I have been a teacher and a nurse for many years, but I have never seen anyone so good at that. I am not saying that it has any special ability. I just do not understand why it can behave like this. That is why I think we can describe the Government as a rubber ball. It is really something.

But whenever the Government wants the Legislative Council or Members to help it, it will always appeal to our sentiments and reason. My personal experience is that ..... I do not know whether I am lucky or unlucky ..... As mentioned by Mr SIN Chung-kai, integrity matters most to a Member. I think I am lucky — touch wood — because no one has ever appealed to my avarice. I have always believed in appealing to one's sentiments and reason. I observe that the Government is so very interesting. Being interesting is not necessarily desirable. This is neither positive nor negative. Mine is just a neutral observation.

Speaking of Members and the Legislative Council, I must confess that they have indeed widened my horizons a great deal. Members hold divergent views, and their styles are different. But I can still use the adjective "dogged" to describe the people I have come across here over the past four years.

Whenever Members want to do anything, they will all be very dogged, be they "royalist", "pro-establishment" or opposition Members. Therefore, we are not tape-recorders, and we also want to say something new. But we have just been putting forward what we consider as the ideal arrangements. We have been persistent on universal suffrage, and the "royalists" are also dogged on their own issues. This is something very good.

There is something else I appreciate very much. Ms Emily LAU — I agree with Mr SIN Chung-kai, for I sit next to her and know what he means — looks her prettiest when she is smiling, not when she is up on her feet chiding others. When she is up on her feet rebuking the Government, I am a bit worried, in addition to feeling a piercing pain in my ears. I really want to advise her not to speak so loudly because she will develop more wrinkles and become less beautiful. The Government should really help Emily remain pretty by acceding more to her requests and answering her questions more. That way, she will smile more and be more beautiful. Anyway, I am sorry, Emily. I am not trying to say anything. I am just using this as an example to show that it is good for Members to remain dogged. Doggedness is very important to Members, especially when we want to put forward our convictions for discussions and negotiations with the Government.

Even "Long Hair" is a good Member, I must say. Although some Members say that he will not be so "well-behaved" if not because of the "monitress". But I think over all these years, "Long Hair" has been very persistent. Both inside and outside this legislature, he has been persistent, and this is admirable. To sum up, as I can observe, Members have all been dogged and persistent over the past four years.

Most importantly, I also appreciate the fact that although Members have different views, they can still respect and tolerate pluralism. Sometimes, we may have divergent views, and after drinking (certainly not maotai, Dr Philip WONG), we may forget everything and advance some sorts of arguments directed at individuals. But most of the time, we will be impersonal in our arguments, and we do respect and tolerate pluralism. I have observed such an interesting phenomenon in the Legislative Council. Whether I can be re-elected or not, I still hope to see the continuation of this phenomenon in this legislature. The Legislative Council should preserve this feature. Of course, I hope that the Government will not continue to practise "Tai Chi", give us the runaround and speak like a tape-recorder. And, I also hope that it will not be a rubber ball any

more. The reason is that all this is not conducive to efficient governance and cannot possibly serve any useful purpose either.

At this juncture, I also wish to talk about my personal feelings. Mr SIN Chung-kai has pointed out that the job of a Member is very taxing, and he or she must live an abnormal life. But I tend to look at the matter somewhat differently. As the representative of the health care sector and a nurse for 28 years by tomorrow, I would think that the lives of Members are in fact very healthy, as we all know how to keep ourselves physically and mentally healthy in the course of work. This meeting, for example, has run on for a very long time. But we are indeed very clever. How do we try to keep ourselves physically and mentally fit throughout? We may watch television outside. Yesterday, we saw a number of matinees, and that made us feel relaxed and happy. If there is enough time, we may even have a nap in the Ante-Chamber and elsewhere, so as to "re-charge" ourselves. Afterwards, we can return to the Chamber to continue with our "battle". And, talking about meals, we must thank Dr Philip WONG for treating us to different kinds of drinks to lighten us up.

The important point is that many kinds of workouts are possible in the Legislative Council. Over the past few days, I have been thinking about something. This is what we call conditioned reflexes in psychology, one example being an attempt to fetch something at hearing a special kind of sound. I have come to realize very deeply what conditioned reflexes are like over the past few days. We have been hurrying around repeatedly on hearing the bell, so much that I could still hear the bell in my dream last night. Hurrying around like this is actually very good to our health. I of course dare not say that "the three tenors" of the Legislative Council have big "tummies" because they seldom walk. We must frequently walk here and there — the Ante-Chamber, the Dinning Hall, the toilets, and so on. Mr Martin LEE remarked just now that he had to finish going to the toilet within 45 seconds or one minute and then hurry back. When we are walking, adrenaline will be secreted. This is very good and it is a good way to maintain our cardiopulmonary function. Of course, I am just trying to say something different. But in a word, only Members themselves can know the suffering. I have cast a look at the Ante-Chamber. I can assure Members, the Government and the President that I will not "call quorum". Nor will I press the bell because I have had enough exercises over these past few days.

I also have the feeling that sometimes, under different situations, Members may have overlooked the need for respect in the Legislative Council. I find this

rather regrettable. As a teacher and an adult, I think mutual respect is very important to interpersonal relationship, whether there is any consensus or agreement. During discussions, we may punch the table or even behave in a very hostile manner. But there must still be respect for others. Sadly, what I have seen in this Council is a lack of respect among Members themselves and even among Members and government officials. I hope that in the new Legislative Council, Members can seek to maintain respect and try to make political discussions in this Chamber something happier to do.

I still have one more feeling. I have learned something. I have to remember these words: "put it down on record". I believe that the past four years have been the only period in my life when I can hear so many people say "put it down on record". Whenever I hear a Member say "put it down on record", I will be a bit saddened and helpless because this means that I must stay behind for a bit longer. Many Members want to do so regardless of whether it is useful. Is it really useful to do so? I will feel very helpless whenever I hear these words because I will have to stay behind for seven minutes or 15 minutes more. This is one of my feelings I have about the Legislative Council.

Lastly, I must add that I do have some fond memories. There are several. First, I must mention our "monitress". President, under your leadership, in Legislative Council meetings, everything is under control (these are the words I have heard repeatedly over the past few days). The President is always able to manage the situation very well even when there are disagreements and in various cases. I wish the President all the best after leaving the Legislative Council. This is the first point.

I will also miss all the Members belonging to different parties and groupings. As an independent Member, I am able to share the views of different political parties, groupings and individuals. I have even made friends with several Members over a glass of wine. Mr KWONG Chi-kin is not in the Chamber now. I often have discussions with him on many issues. I even had chances of chatting with one of the "tenors", Mr Abraham SHEK. And, I have had more discussions with Members from the democratic camp. Honestly speaking, I will often think about the views and opinions of them, which have widened my horizons. I hope I can be re-elected, so that I can continue to hear their views. Of course, I will also keep in touch with those who are going to leave this legislature, so as to maintain the friendship we have built up over the past four years. Thank you, President.

**DR YEUNG SUM** (in Cantonese): Madam President, we have gone through a lengthy meeting and we have now come to the valedictory motion. I believe this may be the last time I speak in this Council. I joined this Council in 1991 via the Legislative Council election of the Hong Kong Island. Time flies, it has now been 17 years. Before the Democratic Party was to select its candidates to stand for the election of the Hong Kong Island, I offered to pass on the baton, for I have been a Member for 17 years. The second tier members of the party have all along been upset by the lack of opportunities to further their political career. At that time, I understood that with Martin LEE standing for the election on behalf of the Democratic Party, there would definitely be no problem. So I was rest assured and decided to pass on the baton to the second tier. Recently, I have been frequently asked by the press whether I would strive for the first position on the candidate list. In fact, had I wanted to rank the first on the list, I would have got that position from the outset. This is my way of doing things. Before I make a decision, I will think about it thoroughly, and once a decision is made, it will not easily be changed because of changes in circumstances.

In fact, we started participating in pressure groups in the 1970's and 1980's. We then formed into a political commentary group and established a political party. We can be regarded as the first generation striving for democracy in Hong Kong. I am 60 this year, but this is not my actual age, for when we were young, my mother reported that we were two years older (*Laughter*), for we earned a living by hawking in Tsuen Wan at that time — I think the family of the Secretary might have some spinning factories in Tsuen Wan. My mother thought that this son of a "fruit hawker" would probably work in a spinning factory when he graduated and then got married and had his own kids. I think she has never thought that I would have the opportunity to go to university and eventually become a professor and work in a political party. However, after I have grown up, I learn that it is indeed quite difficult to rectify my age record. Albert HO said that he would handle this for me, for he had handled many similar cases. He said there would be no problem if the Government accepted this and the Judge believed so. However, since we are public figures, if I really have my age changed, people may think that the authorities cater for the needs of Members of the Legislative Council in particular, so I have never thought of doing that.

Now that the National People's Congress (NPC) has made a resolution on the implementation of universal suffrage for the Chief Executive in 2017 and the Legislative Council in 2020. Therefore, I hope that the second generation of

the democratic camp will make continuous efforts to bring their strength to full play on behalf of the Democratic Party in implementing universal suffrage. I have to emphasize that I refer to genuine universal suffrage. It is hoped that a ruling party will be formed via election.

SIN Chung-kai often says to me, "Your son is young and your wife is beautiful." I ask him is it not the common saying "both your son and your wife are young". He says my wife is "beautiful". My son is now 12 and attends secondary school this year. He has recently been chosen to join the Hong Kong team, the teenage football team for those below 12, and will represent Hong Kong to take part in the Asian youth football championship. Indeed, he is a lot more outstanding than me. I only represented the University of Hong Kong in a football competition and won the Singapore team, but my son is now representing Hong Kong. I really admire him. My daughter will be promoted to primary four this year. I studied social work in university and I know that her development stage is of great importance to her. Actually, they see me more often on the television than at home, for I have not spent much time at home to keep them company, and I feel somewhat guilty about this. Hence, it is good news to my family that I can pass on the baton. My kids are happy about this and my wife feels even happier.

There will be a book fair by the end of July. I have written a book called "No more burden — YEUNG SUM's account of his political career" (《輕身再上路 — 楊森的從政記事》) to give an account of my political career. I may autograph books for the public at the fair where my books are sold.

That is all about me. Before bidding farewell, I would like to express my sincere remarks to some Honourable colleagues. The President, Mrs Rita FAN, tops the list. During our recent visit to Sichuan, the provincial government concerned did not allow us to ask questions, Members from the democratic camp like us were definitely dissatisfied about this. Mrs FAN often asked us to take into consideration the overall situation. Since we respected Mrs FAN very much, at last we came up with a solution of giving the authorities our questions in writing half an hour in advance. By doing so, we could after all raise the questions and be accountable. During the period, all the meetings of this Council are chaired by Mrs FAN, we respect her decisions, though Albert HO may be dissatisfied with some of her rulings. Basically, I think she has been quite fair. She has considered the overall situation and exerted her utmost to uphold the dignity of the Legislative Council. I particularly admire her in

this respect. After all the ups and downs in the political arena, she can still maintain a high popularity rating. She has become a deputy of the Standing Committee of the NPC to continue to serve the people of Hong Kong. Here, I would like to wish her good health, and above all, to be a grandma as soon as possible.

Concerning the Liberal Party, I think highly of James TIEN and Mrs Selina CHOW, for they participate in direct election. Indeed the issues on the culling of chickens and food labelling can prove that representatives from the functional constituencies are only concerned about the interests of their sectors while failing to take into account the overall interest of society. Therefore, I earnestly hope that the Liberal Party, under the leadership of James TIEN and with the concerted effort from Selina CHOW, will soon participate in direct election in full scale and become the first group to come forward to support the early abolition of functional constituencies. If the business and industrial sector participate in direct election, I believe they will be very powerful. Their strength should not be underestimated and this may be one of the major forces for promoting democracy in future. I hope that James will work harder in this respect, for I think they have enormous potential to develop along this line. In the course of striving for full universal suffrage and promoting the democratic development of Hong Kong, I think the Liberal Party has an important role to play.

As for the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB), I surely have to pay tribute to Jasper TSANG. He is incredibly intelligent and so eloquent in debates. As SIN Chung-kai said earlier, we usually designate two persons to keep an eye on him. After I speak on constitutional affairs, CHEUNG Man-kwong will follow. Then, the other two will keep a close watch on Jasper TSANG. If Jasper TSANG speaks, they will speak; if he does not speak, they will sit back and take a rest. *(Laughter)* Jasper TSANG knows of this. He asks me every time after he speaks, "Ah Sum, do you have anyone to do the roundup?" I tell him we surely have. However, he cannot do as he wishes, for he too wants to stop standing for elections. Recently, he told me he was envious of me because I could pass on the baton. He has no choice but to pair up with So-yuk to stand for the election on the Hong Kong Island. I think So-yuk has to keep up with her hard work for there will be fierce contest in the election.

I know one of the Members in the DAB far quite a long time. He is LAU Kong-wah, for he used to be a member of the United Democrats of Hong Kong.



He is now the deputy chairman of the DAB. Every time when he speaks on behalf of the DAB, I find that his stance is clearly stated. Obviously, he has got great political talents. I believe he will have plenty of opportunities to climb to a higher position in the political arena. I wish him all the best.

With regard to CHAN Yuen-han from the Hong Kong Federation of Trade Unions (FTU), SIN Chung-kai often jokes that CHAN Yuen-han keeps on saying "I want to say, I want to say that ....." every time she speaks, while he will answer her with "you say it then, you say it then". She is a dynamic and energetic person who works for the interest of the workers incessantly. I wish her good health.

KWONG Chi-kin is an outstanding and unusual legal professional in the FTU. He seldom speaks in this Council, but whenever he does so, he will give significant insights on the issue, which are often powerful. His speeches and work in the legislature have truly changed the image of the FTU. He has announced that he will not stand for the election of the next term. This is probably the greatest loss suffered by the FTU. No matter if he is returning to the FTU or resuming his own legal practice, I wish him happiness at work.

The Civic Party is powerful and dynamic. I am most excited and glad that Ms Margaret NG, after consulting the views of the legal sector, decided and announced yesterday that she would stand for the election. Actually, this has a great bearing on whether the democratic camp can get 21 seats. So, her decision to stand for election is extremely encouraging. Her perseverance is admirable too.

The Civic Party now enjoys high popularity rating. I hope that they will make continuous effort to set a remarkable record again in the election this time around. I too wish Audrey good health.

To me, Emily is a very admirable person, particularly her zeal and energy. Her vigour is comparable to that of our party as a whole. We have to share out the work among nine persons, but she can undertake all the work of the legislature all by herself. *(Laughter)* During debates, we take turn to speak, but she manages to speak all by herself throughout the entire meeting. She has a special talent. I can never tell whether or not she is angry, *(Laughter)* for she will crack jokes after rebuking you, and you cannot find any hint of angry

expression on her face. I have been learning this skill for 17 years, but I still fail to do so. This is probably an inborn talent of hers. She has been the convenor of the pan-democratic camp for quite some time, and she is getting more and more amiable. This is good for her health, and many Honourable colleagues say that she is getting prettier these days.

As for The Alliance, Abraham SHEK is a strange Member of the Legislative Council. His status as a member of the pro-government camp is embarrassing. One side of his heart is red while the other side is white. I cannot tell if he is indeed red or white. However, I am glad that he will leave this Chamber when necessary to support the democratic camp. *(Laughter)* Recently, regarding clause 58 of the Race Discrimination Bill, thanks to him, the clause cannot be added as part of the Bill. However, some people may be upset on hearing this remark of mine.

It is regrettable that Bernard CHAN will no longer stand for election. He is a humble gentleman. I hope that upon joining the NPC, he will continue working for Hong Kong on various fronts.

The League of Social Democrats (LSD) is an indispensable political force. They hold fast to their stance of social democracy. Actually, when I was young, I was also a social democrat. SIN Chung-kai used to say that I am a "leftist", but recently, he says I have moved towards the centre, and the distance between us narrows, for he is basically a rightist. However, it is important that a political spectrum exists. Some people are worried about "Long-hair" and "Big Guy". But that is not my concern, for the proportional representation system is a very peculiar election system. A candidate only needs to secure several percentage points of votes to get a seat, so he or she does not necessarily have to be the most popular candidate to get elected, for the extra votes he or she secures will only be wasted. It means that if there are six to eight candidates contesting in the election, a candidate will only need to get some 20 000 votes, or a few percentage points, to secure a seat. Therefore, I think they stand a very good chance to return to this Council.

Anson has been serving in the civil service for the past three decades and is well-known in the international community. With regard to her participation in the by-election, it is my honour to assist her and work with her. Her work is well recognized by the public. She won 170 000 votes in election, breaking the record for the total number votes obtained by the Democratic Party on the Hong

Kong Island. She endeavours in promoting democracy and urges the Government to improve its governance. Her recent speeches on the issue on Under Secretaries precisely hit the nail at the head. Civil servants hearing her remarks will surely have their morale boosted. However, I think it is regrettable that the Central Authorities for some unknown reason fail to turn her position to their advantage to bridge the gap between the democratic camp and the Central Authorities. It is a pity. Nevertheless, with her founding of the Citizens' Commission on Constitutional Development, and with the assistance of SIN Chung-kai, I believe she can definitely bring her influence into full play.

The last one I would like to talk about is Martin LEE, who is now sitting beside me. He is a fighter for democracy, and is known as the father of democracy in Hong Kong and the international community. He is a person with incredible charisma and excels in debating with quick wit. He is a star of the democratic camp while I am only a leaf for embellishment. Nonetheless, in the five elections held in the past, no matter it was under the "single seat, single vote" system, the "double-seat, double-vote" system or the list system, we won all the five elections. We share an office together. Basically, we double our influence by working together. I believe even if he leaves the scene, he will continue working hard in the community to strive for democracy.

Then, I have to give my heartfelt thanks to the Secretariat for its excellent service. After Ricky FUNG retires, Pauline will assume office and I hope she will work happily. I would have to thank them for their hard work and good performance. The Legal Adviser and staff members have been working wholeheartedly with dedication. Many a time, when we meet with praise by or under the criticism of the public in front of the camera, we know that these staff members are working silently behind the scene, and they are indispensable to the legislature. I hereby express my sincere gratitude to them.

Finally, I hope that the public will participate enthusiastically in the election by casting their votes. The row about Under Secretaries and Political Assistants demonstrates the crucial importance of the presence of the democratic camp or the force to monitor and exercise check and balance on the Government. Though there is a timetable for universal suffrage, I am quite worried as to whether it is genuine. Therefore, I hope the public will cast their votes enthusiastically. I hope they will look at the candidates with a discerning eye,

supporting those who can exercise checks and balances on the Government, monitor it and defend human rights. We should look at their work clearly.

Striving for democracy and promoting righteousness have been my lifelong targets. Since I am second on the candidate list, and given the fierce contest in the Hong Kong Island constituency, I believe the chance that I will return to this Council is slim. However, I would like to offer a few words of encouragement to Honourable Members. We should make every endeavour for the democracy of Hong Kong, for the democracy of China and for the social justice of Hong Kong, and we should encourage one another. Thank you, Madam President.

**MR FREDERICK FUNG** (in Cantonese): President, I have been wondering what I should say on this motion. I know I am not an articulate person good at debates, nor am I humorous. On the other hand, I do not like commenting on the performance of other Members. Therefore, whenever the end of term draws near and reporters ask me to grade the performance of any one of the Secretaries of Departments or Directors of Bureaux, usually, I will not give them a grade and I do not know how to do so. That is not only because I do not want to grade the performance of others, but also because I dare not do so. I then wondered what approach I should adopt to deal with this motion. I thought I might perhaps select three areas of work I had dealt with in the past four years and spoke on one incident which I have strong feelings it in each of these areas. These three areas are: First, my work in this Chamber in the past four years; second, the work related to democracy; and third, something about the Hong Kong Association for Democracy and People's Livelihood (ADPL).

In the past four years, if Members had noticed, they would have found that my major pursuit in this Council was on poverty alleviation. Members may perhaps recall that I have a nickname in the 1980's and the 1990's. Everyone met me would call me "Mr Housing", for I had been pursuing the housing issue for two decades. Members may notice that since I was elected a Member in the 1990s, I have proposed motions in each term to request the Government to deal with the disparity between the rich and the poor and implement poverty alleviation measures, for figures show that these problems are so serious that they will become a time-bomb sooner or later. However, my motions have never been passed. Most often than not, they were negatived. Why were they negatived? This can usually be attributed to my failure to convince James and

secure the support of the Liberal Party. Without the support of the Liberal Party, these motions were usually negated. But a similar motion proposed by me in October 2004 this term was passed with the support of the Liberal Party. This is a rare achievement indeed. In that motion, I urged the Government to face squarely the disparity between the rich and the poor and to take measures to alleviate poverty. Certainly, the passage of this motion provided us with a starting point. We requested the Government to establish the Commission on Poverty, while in the legislature a subcommittee was formed to study the subject of combating poverty. Obviously, Mr TUNG did not agree at the outset, but subsequently on Christmas Eve, that is, 24 December, the Government announced the establishment of the Commission on Poverty. This was the result of the consensus reached among a number of political parties and groupings. The credit should not be given to any individual or political party but to all Members.

My aspiration for the establishment of the Commission on Poverty by the Government, which I held since 1991, was eventually fulfilled. But in my opinion, it was only by 2004, with the support of Members that the Government's attention was drawn to deal with this issue. The Commission on Poverty submitted a report later and we considered this as an achievement of the Commission. The only inadequacy was that the Commission was dissolved within a short period, that is, it had only been in operation for two years. The Secretary of Departments is here today, I hope that a commission on poverty can be set up again within his term of service. With regard to the Subcommittee to Study the Subject of Combating Poverty of the Legislative Council, when I first held the post of the Chairman of the Subcommittee, I found the job quite difficult, for representatives from different political parties and groupings all joined the Subcommittee. Members all know that apart from those Members of the pan-democratic camp, I am not very familiar with Members of other political parties or groupings. Therefore, when other Members attended the meeting of the Subcommittee to Study the Subject on Combating Poverty, I found that many of them were heavy weights. How could I in my capacity as the Chairman foster a consensus? I was much worried about this when I was the Chairman. But fortunately, I managed to compile a number of reports during my years of service, one was on working poverty, one on women in poverty, one on elderly in poverty and the final report was on social enterprises. Altogether four reports have been issued in total.

As I come to this point, I would like to take this opportunity to draw a conclusion on this issue, particularly when the Secretary for Labour and Welfare

is here in this Chamber now. Having conducted several studies and examined the relevant figures, I think that the effort made by the Government in tackling the poverty problem is seriously inadequate and ineffective. Hong Kong is an affluent society, but the efforts made by the Government in alleviating poverty are insufficient, though it has not gone so far as being disgraceful. This should not be the case. According to some basic figures, the Gross Domestic Product (GDP) per capita for Hong Kong last year was US\$2,300 per annum, which equals to a monthly per capita income of HK\$18,000. Based on an average of 3.1 persons per household in Hong Kong, the monthly household income of a family should theoretically exceed \$50,000. However, I discover that the residents in Shum Shui Po are only earning a monthly income of around \$4,000 to \$5,000. Why is there such a vast difference? They are only earning half of the median wage. In the community, around 1 million people are living at a standard below the poverty line. Sometimes there are 800 000 to 900 000 of them, but sometimes there are 1.1 million to 1.2 million of them, hence, I presume that there are around 1 million of them. Why are these 1 million people always earning less than \$5,000 per month?

The Subcommittee paid visits to the United Kingdom, Ireland and Spain. We were deeply touched, not by the effectiveness of the measures they implemented in addressing poverty, but by the vigour of their governments, their perseverance in solving the poverty problem and their endeavour to work out a solution to it. Spain has adopted an extraordinary approach. Though the country adopts a capitalist economy, a separate entity called social economy instead of social enterprises has been set up. In other words, it uses social enterprises to run a social economy, which provide a powerful impetus to poverty alleviation work. I hope the Government will do more studies in this respect, besides, it should set up targets. For instance, can the Government inform us that the number of people living in poverty, which stands at 1 million now, will be reduced by 100 000 each year? No, the Government has not set any target. They just do all they can. But what yardstick will be used to gauge the effectiveness of these measures afterwards? There is inadequacy in this respect.

Therefore, poverty alleviation remains a problem we have to deal with in future. I totally agree that there should be a direction. We are not simply handing out money. I disagree with the approach to hand out money, nor will I hand out money for the Government. I agree completely with the direction proposed by the Commission on Poverty that we should by all means assist

people in poverty to enhance their employability, ensuring as far as possible that they can earn a living through working and become self-reliant. Both the ADPL and I will work hard in this respect.

Second, I would like to talk about democracy. In the past four years, the constitutional reform package introduced in 2005 has dealt the heaviest blow to me. Members may remember that when the Government announced the reform package, the democratic camp and various political parties each expressed their own response. For instance, the Democratic Party, the Civic Party, the Frontier and the ADPL each had their own stance. At that time, we considered that while it was unnecessary to emphasize the uniformity of views, the primary consensus was to strive for democracy and different views could be expressed. We thus expressed our own views at the early stage. However, one day, things changed. I received a sudden call from a reporter who said that the pan-democratic camp demanded a timetable and a road map, which they said was a prerequisite and they would vote against the reform package if the requirement was not met. The reporter then sought my views. I told him I did not know about that decision made by the pan-democratic camp. The reporter said that the conclusion was reached after a meeting held on that day at the Caritas. I said I did not know that and if that was true, I would have to ask Emily, who was the convenor, to clarify the issue first; and second, the ADPL had to discuss whether it would recognize the requirement as a condition for voting for the reform package.

Naturally, it later came to our knowledge that they had held such a meeting and had come up with that conclusion. After discussing the matter in the ADPL, we considered that it was a different issue when a proposal was turned into a condition. We considered discussion was essential when a proposal was changed into a condition. The ADPL held three to four internal meetings on this issue and concluded that those two conditions were targets we should be striving for. However, if those two targets were to be regarded as conditions, the ADPL had to include other three conditions. First, the Chief Executive should be requested to provide the road map and the timetable within his term of office; second, the Chief Executive should visit Beijing with the 25 Members from the pan-democratic camp within his term of office to discuss with the leaders the views on democracy; and third, the appointment system for the District Councils should be abolished.

The three conditions proposed by the ADPL seemed to be different from that of the pan-democratic camp, but they had not pointed out specifically that these were either incorrect or impracticable. But soon afterwards, I found that

some radios, one particular radio and two newspapers, released reports on the so-called "volte-face" index and a name list of "volte-face" Members. I was naturally on the list. I asked the reporter in return in what way I was considered a volte-face. The ADPL put up five requests, three of which were made the conditions for voting for the reform package. Actually, we did not include the provision of a road map and a timetable as a condition for voting for the reform package. We have not done so even today. Neither had we done so during our negotiation with the Chief Executive. If so, in what way had I been a volte-face? Why was I regarded as a volte-face? I believe, in some ways, certain media were making use of the channels they have to compel me to take stance. In a free and democratic society, the media should remain neutral. The media may criticize the ADPL, it may even consider the requests proposed by the ADPL too compromising, that the proposal is impracticable and that the ADPL should not be a member of the pan-democratic camp or the democratic camp. I do not mind them giving such comments. But they should not say that I am a volte-face just because I do not follow the directions set by other members of the pan-democratic camp. On the contrary, I am being persevering for not toeing their line, but if I follow them, I will be a volte-face

I think this was the most upsetting and unhappy experience I have had with the media since I took part in democratic movement. How did things then develop? Members know that the package was scheduled to vote on 21 December. On 14 December, the Chief Executive invited me to meet with him and I proposed those three conditions to him. The Chief Executive said, "'Ah Kee', I cannot afford losing 30 votes in exchange for one vote from you, for those holding the 30 votes will not agree to the abolition of the appointment system." When I discussed the three conditions with members of the pan-democratic camp, some of them said, "They will surely give you a seat, you will surely be appointed, it will not work to abolish the appointment system." However, members of the democratic camp outside considered my requirement too low. I said I had no idea. Besides, I did not get wind of the information that the abolition of the appointment system would have disastrous impact on people engaging in grassroots and community services, as well as on appointed members of the District Councils. Hence it will exert considerable pressure on the democratic camp. So I thought I must hold on to what I want to do.

Eventually, the Chief Executive called me on the 19th and said that an amendment document would be issued. Part of my proposals would be accepted in the document, these included the drawing up of the timetable and the



roadmap within his term. As for the appointment system, its abolition would be considered in the third term. Of course, we failed to find a common ground in the end. How far should we compromise? We may make a compromise for the first term, but not the second term. What do I mean by making a compromise for the first term? By 2011, there will be the second election of the District Councils. If we make a compromise for that election, it means that I accept that there will be no universal suffrage in 2012. As a Member of the democratic camp, we cannot keep on compromising from 2005 to 2012. As for the fight for the implementation of universal suffrage in 2007 and 2008, that is basically impracticable, for the Standing Committee of the National People's Congress (NPC) has already made a decision on that. Hence, there is no reason that I should not strive for universal suffrage in 2012. Eventually, we failed to come to an agreement on this issue and we voted against the reform package.

President, lastly, I would like to talk about the ADPL. During my term in the past four years, the District Councils election held last year was the most heartbreaking. Members all know that the ADPL has been extremely devoted to working at the district level. We work our fingers to the bone in various districts. We have put in much effort in community building, reform and improvement work, which surely include the provision of community services. However, I think something has changed in the election this time around. I would like to tell my friends of the pan-democratic camp that the changes concerned are very special. If the pan-democratic camp remains unchanged, we will encounter great difficulties in the next District Councils election. And then two terms later, the pan-democratic camp may probably lose all the seats.

What is the first change? The views held by the general public towards China have changed. In the past, I sensed that the public and even members of the pan-democratic camp, may have sentiments of advocating democracy to resist communism. But in the District Councils election held this time around, I noticed that the public no longer had a strong sense of resistance to the Chinese Communist Party or China. When I was canvassing for votes, one man came up to me and said, "'Ah Kee', I support you in fighting for democracy, but you should not fall out with the Chinese Government and be hostile to it." In other words, we can strive for democracy but not with this kind of approach and attitude. This is one kind of opinions. Second, it is about the grassroots service and community improvement work that we have done in the past. I can tell Members that in the working report I prepared for the District Council election, I can list out nearly 100 items I have done in the past four years. My

opponent has also done similar work. However, he has not included in his working report the quantity of services provided, for the wide coverage of his services has made such report unnecessary. The provision of these services required more and better resources, which he has got, and the services provided can be regarded as kind of value-added.

However, I think the effort made in the provision of such services is a different approach adopted to win the support of the public. In the past, in the face of opponents with a resident base, we adopted the same approach. However, the outcome of the election was that we lost. In other words, the community service approach adopted by our opponents was stronger than ours. Hence, our approach in community service should also be changed. In a nutshell, having reviewed the situation, we will introduce changes in the following three aspects. First, regarding the approach to China, in the past, we adopt the "negotiation and confrontation" strategy. Negotiation refers to the maintenance of a harmonious relationship which facilitates discussions. "Confrontation" means giving them punches, which is negative in nature. Now, we think that we should take on the approach of commitment and building a better society. In other words, we have to develop a sense of commitment in dealing with the Mainland and do our job well. I think this approach does not mean that no criticism should be made or that our own principles can be abandoned. It is only a change in the manner and attitude we adopted. For instance, when we teach our sons not to take too much fatty food, people in general will adopt a criticizing attitude by scolding their sons severely, but now, we have to change our strategy to giving them advice, pointing out to them that fatty food is hazardous to their health and ask them stop eating that. The targets, stances and values involved remain the same, only that they are expressed in a different manner. These changes may be conducive to us in handling mainland issues and affairs.

Second, in respect of democracy, we are prepared to adopt a rational and positive attitude. I am referring to attitude but not principles. What is a rational and positive attitude? We will not cease fighting for any progress, nor will we just hold fast to proposals we have already put forward and refuse to make any compromise. In other words, we will not adopt any of the two attitudes just mentioned. What will we do then? We will fight for every chance of making progress, no matter how slim the chance may be. As for our direction towards people's livelihood issues, basically, we will adopt a pragmatic approach and make an all-out effort as we did in the past.

I would like to make one more point, which is of utmost importance to the pan-democratic camp. I think we must defend the 21 seats we have got. If we fail to get 21 seats in this Council, we will lose our power to give the thumbs-down when certain significant or democratic issues are proposed in future. This will exert a lethal impact on the pan-democratic camp. Therefore, at the meeting of the ADPL held yesterday, it was decided that Bruce LIU would not stand for election. Initially, he planned to stand for the election in Kowloon East, but his participation may drain the votes of the democratic camp, which will only bring failure instead of success overall. For the sake of defending the 21 seats and having discussed with Bruce LIU, we decided to give up the competition this time. We hope that by working together, we will win 21 seats. Though the pan-democratic camp will not be able to be the majority in building a better society, the power to monitor and veto is of great importance. I hope Members will endeavour to achieve this.

**MISS CHOY SO-YUK** (in Cantonese): President, many of our Honourable colleagues have lavished their praises on you. President, I would also like to do the same. We have just received a booklet — President, I believe you have certainly received one. This is a booklet about the Provisional Legislative Council (PLC). On the cover, there is a very elegant lady standing there taking the oath. On seeing this, I asked myself who this elegant woman was. She is actually our President, Mrs Rita FAN. Mrs FAN, I would like to tell you that the President in this photo is the most elegant one among photos of all Presidents that I have ever seen. So President, I hope all Members can appreciate the elegant side of you. I am so fortunate that I will have the opportunity to work with you in the National People's Congress. I look forward to learning a lot from you.

Speaking of the PLC, perhaps many Honourable colleagues do not know that I was the first Member returned locally after the establishment of the SAR. Because at that time, PLC Members were elected in Shenzhen and later a by-election was held in Hong Kong. On 4 July 1997, the first Legislative Council election was held and I was the first and the only Member returned. This is my honour.

Dr YEUNG Sum just now mentioned that his date of birth in record was wrong. And I have a clarification to make as well. My date of birth on official record is 10 October, which is wrong. Both the day and month are wrong but I cannot change it. I often receive lots of birthday cards on 10 October and I have to clarify each time that my birthday is not on that day.

Just now some Honourable colleagues said that Martin was scolded because he always claimed a division. I seldom claimed a division but I was scolded severely by my colleagues recently. And Philip even used a gesture to say that I was crazy. This was what happened two days ago. In fact, I was a bit wronged. Because after the discussion of a bill, it came to the turn of my neighbour, Mr LAU Kong-wah, to address the Council in his capacity as Chairman of the Bills Committee on Independent Police Complaints Council Bill. But he asked me what to do because he had to go to the toilet. I said that if he could not return to the Chamber in time, I would claim a division. In fact, I had risen to speak when he was out. But he had not come back when I finished my speech. At that moment, I had no choice but rose to claim a division. As a result, those who were having dinner upstairs scolded me. I think everyone will go to the toilet but no one will get as famous as LAU Kong-wah.

Speaking of Mr LAU Kong-wah, I must point out that he is our party whip. I think he has done a good job. Dr YEUNG Sum just now also praised him for his good performance. The DAB's image and Council work improved a lot in the past few years. I think the credit should go to our party whip.

I do have the opportunity to run for the election again. If I do, I really hope that I can return to the Legislative Council because of two reasons: First, I hope I can elect LAU Kong-wah as our party whip; second, I hope I can have a taste of the ginger and vinegar prepared by Philip. I am most grateful to Philip. I liked eating very much but my mother did not allow it. She did not let me consume pork or fatty food and we did not have that kind of food at home. Only Philip will treat us to such kind of food in the Legislative Council. So I hope he will come back. As for maotai and ice cream, I would like to say thank you. But they are not my cup of tea.

President, just now some Members mentioned the relationship of Honourable colleagues in this Council and I found something very strange. In the first and second terms of the Legislative Council, Members from the pan-democratic camp and the DAB criticized each other severely. At that time, some Members even pointed their fingers to each other. In short, some Members were being watched. I remember that CHAN Kam-lam and Jasper TSANG were particularly the targets of some people. Whenever we rose to speak, these people would also rise and point their fingers at us. But at meal time, things were totally different. At the dinner table, we mixed well and

talked happily with each other. I remember that Philip would also treat us to wine. I mixed well with LAW Chi-kwong, Andrew CHENG, CHEUNG Man-kwong and LEE Wing-tat, Members from the democratic camp. In retrospect, the one I seldom talked to might be Frederick FUNG. As he said, we rarely have one-to-one conversation. Also Cyd HO, I seldom talked to her but have frequent exchanges with others.

But in this recent term, I found that Members seldom pointed their fingers to each other in the Chamber. This is healthy because our discussions are based on facts. But in the dining hall, all Members from the pan-democratic camp would sit at one table while the others would sit at another as if there was a clear demarcation line between us. If Members from the Liberal Party came to have meal as well, they would occupy one whole table and I dared not join them but sat by another corner. I hope that we can return to our old days in the next term of Legislative Council, except that there will be no more bickering in the Chamber.

President, let me go back to the days when I first joined the PLC. As my Honourable colleagues said earlier, I was interested in a lot of things. Also, as Martin said just now, we hesitated about granting approval to funding applications. I remember that as a member of the Hong Kong Progressive Alliance, I told the Chairman Ambrose LAU that these were very important and we should read the papers carefully and make a correct calculation of the figures. I was very nervous at that time. Whenever I was asked to attend meetings, I felt obliged. Whenever I was told to read papers, I would do so. At that time, I always found that I was the only attendee. Later, a journalist advised me that this would not work as I could not cope with so much workload. I was interested in everything, but the result turned out to be even worse. I am very grateful to the journalist for his advice. Fortunately, I joined the DAB later so that by division of labour, I focused on environmental protection and home affairs. I found that a Member who has taken up two areas of work may not discharge his duty well. He can cope with his work better if he is responsible for one area only. But I consider that it is more appropriate for each Member to focus on two areas.

Many Honourable colleagues have spoken earlier, in particular Mr Martin LEE who made a remark to start off a topic, Mr WONG Yung-kan also rose to speak, saying that he was one of the three men who would run for the election. After joining the DAB, I ran for the election in 2000 and shared the same list with CHENG Kai-nam. In 2004, I shared the same list with MA Lik. In this

year, although we have not announced our decision to run for the election or otherwise, I think I may have the opportunity to share the same list with Jasper TSANG. As a result, there are all sorts of speculation in the press.

I think the three of them have some common characteristics, but I can only use the word "talented" to describe them. The three of them are very talented and I highly respect them. Although there are some unfavourable rumours about the ranking of Mr Gary CHENG, Mr MA Lik and I on our list, I can tell you that Mr Gary CHENG now enjoys his life very much and is very happy.

As for Mr MA Lik, I miss him dearly. I miss him most because he always patted my shoulder. He treated me like this not because we shared the same list in running for the election. He had been treating me like this when he was the Secretary General of the DAB because he was taller than me. Whenever I went to see him or I was upset and wanted to talk to him, he would pat my shoulder. President, because of this, I miss very much the feeling of fraternity he gave me when patting my shoulder. He was like a family member to me indeed.

Many people seem to worry about Jasper TSANG. They are worried that he will face a lot of difficulties if he is placed before me on the list. I can tell you that there is no need to worry about it because the kind of relationship between Mr Jasper TSANG and I is quite different from that between Gary CHENG or MA Lik and me. Although I cannot say that Jasper TSANG and I are not on good terms. Gary CHENG and I are really good friends because he is sensitive to the needs of others. Regarding MA Lik, as I said earlier, he was very nice to me and we were like in the same family. But Jasper TSANG is very stern. Whenever I saw him, I would tremble. In my eyes, he is like a very strict teacher. When delivering a speech beside him, I would worry about making mistakes in my words and getting a dressing-down by him afterwards. Besides, he was born in the Year of the Pig. I think he would pretend to be tame but is fierce indeed. *(Laughter)*

President, just now some government officials were also in this Chamber. I think they are all very good officials — some of them left the Chamber just now — I also admire them for their good appearance and they are also good officials because they are willing to come to this "class". They are really very good, including Carrie and Edward — Edward has just come back — in my eyes, they are really different from the others. They are very willing to listen to the views

of the public and Members. I hope that officials attending this meeting will keep up with their efforts. I expect that one of them will become the future Chief Executive of Hong Kong. I wish them good luck and hope that those (not necessarily officials) who can feel the pulse of the public and communicate with Members will become the Chief Executive someday.

President, I would like to take this opportunity to thank many colleagues in the Legislative Council, including the Secretariat and the security guards. As a motorist, I need the security guards to park my car for me whenever I arrive at the outside of the Legislative Council Building in a hurry. I think I am one of the Members who are heavily indebted to their services. Besides, as I always meet my friends in the Legislative Council Building, colleagues in the Legislative Council always prepare tea and coffee for us. I am very grateful to them. I am also very glad that I can work with all Members here. I hope all of you will return to the Legislative Council. I also very much hope that I can have the opportunity to return to the Legislative Council and continue working with you. For those who have already announced their decision not to seek re-election, I wish you all the best. I believe you will enjoy a very happy life.

Thank you.

**MR BERNARD CHAN** (in Cantonese): Madam President, having been the representative of the insurance sector in this Council for a decade, this is probably the last time I address this Council.

Over the past 10 years, the political climate of Hong Kong has changed considerably, and public concern over the Legislative Council and government policies has grown substantially. Opinion polls on various social issues and even popularity surveys of Members and government officials have been conducted regularly in the community, which shows an ever-increasing expectation of the general public on the operation of the Council and the good working relationship between the Council and the executive authorities.

Having said that, there are still quite a lot of members of the public who do not fully understand the operation of our Council to date. Not knowing that Members of this Council have to attend meetings of panels, bills committees and subcommittees almost from Monday to Friday and in various duration, some people still think that we only have to attend meetings every Wednesday. The

number of meetings a Member has to attend and the amount of time he has to spend on this Council depend on the extent of his commitment to various committees and different subjects.

This is precisely why I think whether a Member is returned by functional constituencies or geographical constituencies does not have much bearing on his work in this Council. A Member has to work in this Council for the benefit of the majority of the people of Hong Kong, regardless of by which method he is returned. Even if a Member is returned by functional constituencies, he should not and will not speak only for his own sector.

Over the past decade, I have moved 9 Members' motions and one amendment, the majority of which were closely related to the livelihood of the people, for example, perfecting lawn facilities in parks, concern about students with special educational needs, donation of organs, prohibiting smoking, total smoking ban in workplaces, free trade and discrimination against poor workers and so on, only two of which were directly related to my sector.

Fortunately, my sector has been offering strong support to me because they understand that on most issues, the interest of the industry should be in line with that of the people of Hong Kong as a whole. I hope the representative of the insurance sector to be returned in the next Legislative Council election will continue to work for the overall interest of the people of Hong Kong and face the members of the public instead of only being mindful of the interest of the insurance industry.

Unfortunately, some people may think that Members returned by functional constituencies only represent the interest of the commercial sector and protect the interest of bosses. That which I absolutely disagree. Just take the insurance sector I belong to as an example, most members of the industry are employees and middle-class professionals. Their interest is also the interest of the society as a whole. Of course, there are also big consortia in society which often wish to pursue self-serving ends. However, we believe that while pursuing such ends, they should also repay the society and give due regard to the public in general. With the monitoring of the Legislative Council and the mass media, I believe there will hardly be any collusion between business and the Government.

I think like Members returned by geographical constituencies through direct elections, Members returned by functional constituencies also have to be



accountable to and face the public. Whether or not a Member is good has nothing to do with whether he is returned by functional constituencies or geographical constituencies through direct election but has more to do with his extent of commitment to the work of this Council.

Actually, functional constituencies can provide a good opportunity for professionals to get to know and learn about politics. Like me, I did not know much about politics and the Legislative Council a decade ago, but as it so happened that a new seat was created for the insurance sector, I was given an opportunity to get a feel of how it is like to engage in politics. If not for this functional constituency seat, I believe I would not have engaged in politics so readily. Functional constituencies can precisely provide a platform for novices to engage in politics so that they will be able to participate in other public services or even take up political appointments after accumulating a certain amount of experience. They can apply what has been learned to other positions, and develop their task of serving the public and contributing to society into a more long-term and meaningful life-long career.

At present, only a handful of Members are able to serve on a full-time basis, while the majority of Members have their own jobs. It is indeed no easy feat to become fully committed to the work of this Council. When Members returned by functional constituencies strive to retain their seats in this Council in a different way, they have to think about how they can enhance their commitment to the work of this Council first, or even consider serving as a full-time Member and give more to the people of Hong Kong. After all, one has to give first before any reward can be gained.

Besides the extent of Members' commitment, the Government's support to Members is also very important. As many of my Honourable colleagues mentioned at another meeting, the current allowances for Members are inadequate. Quite a number of Members may not have too much expectation about their own remuneration as they undertake membership in this Council for the sake of repaying the society and serving the public. However, without proper allowances, they will have difficulty recruiting adequate and qualified staff members to assist in the operation of their office. Some people criticize Members for failing to perform their work effectively. However, the main thing is they should have adequate support in order to perform their work effectively. Therefore, I hope Honourable colleagues will enjoy better support if they are able to serve another term.

For the small number of independent Members, the support in this regard is even more inadequate. Very often, the Government will approach Members with political affiliation first to gauge their views and reach a consensus with them on individual policies before introducing the relevant policy options to the small number of independent Members.

Of course, independent Members still play a pivotal role in some major subjects, and in a way, they may also have an edge, for example, they enjoy more flexibility and are less loaded with burdens. Therefore, I hope independent persons and professionals will continue to be allowed to participate in this Council in the future so that they can contribute to Hong Kong and balance the voices in this Council. Although I understand that very often neutral and balanced views can hardly attract media coverage as all reporter friends like sound bites that stand out, I maintain that the society needs some objective, neutral and rational views. Though not necessarily covered by the media, these views will definitely be put in the record of this Council.

Although I do not have any outstanding sound bite to leave to you, I am fortunate enough to have participated in the design of the Legislative Council emblem so that I am able to leave to you this emblem with the Chinese character "立" on yellow background. I remember Madam President entrusted me with the task of identifying the suitable person to design this emblem as everyone knew that I studied fine art at university. I remember that subsequently I engaged the help of a young designer called LEUNG Ka-lok, to whom I have to express my special gratitude here. The two of us discussed the draft of the design over and over again, in the hope of coming up with a design to the satisfaction of all Members.

Frankly speaking, I gained a lot during the process. What I mean is I learned how to communicate with Members and endeavoured to take on board Members' views. I remember that back then some Members hoped that our emblem would be different from that of the Government in order to show our independence, while other Members considered that it would be more authoritative if the design had a touch of the Government; some Members liked it red as this is the auspicious colour for us Chinese, while other Members were afraid that it would give our emblem a strong Mainland flavour. In the end, I chose yellow, which is my as well as Emily LAU's favourite colour, as I think it would convey a sense of vitality and vibrancy.

During the whole process, I learned how to make compromises, which is precisely the art of politics. I am very grateful to Members for giving me this opportunity, and I am glad that my first lesson in politics in this Council was completed through designing the emblem.

Another lesson in politics for me, which might have gone unnoticed by Members, was my captainship of the Legislative Council Football Team. For various reasons, including the fact that not many Members were willing to undertake the captainship probably because their work in this Council was already very busy, I had undertaken the captainship for eight years since 2000. Since then, I had to rack my brain to field enough Members every time a football game was to be held. For Members who were willing to go on the field, such as Mr Andrew WONG and Mr NG Leung-sing from the last term, I am very grateful to them for their enthusiastic participation although they might not be very good at football and were not young and energetic, and sometimes I was worried that they would get hurt during the game. As captain of the team, I would try to involve more Members regardless of their strength and skills on the one hand and give regard to the quality of the team on the other, hoping that it would achieve outstanding performances and, most importantly, win the games. Striking a balance between these two was sometimes not easy, and a bit of political wisdom was called for. In any case, however, I was very glad to see Members in the football field pursuing the same objective transcending party differences, with the only aim of doing their best to play the game well and scoring points for the team. Similarly, I believe that as long as Members share the same objective in this Council and serve the public with sincerity, they will also transcend party differences and give their full support to good government policies and exercise monitoring.

Regardless of the number of new faces and old faces in the new term of the Legislative Council in October, I believe Members will continue to serve the public with this enthusiasm, with the subject of constitutional reform still being the focus among Members. I believe Members of different political parties will still have different views. It is unfortunate that the political reforms of some of our neighbouring Southeast Asian countries have been following a tortuous path, stagnated or even taken a retrograde step over the years. I hope our constitutional reform will move forward step by step instead of remaining as it is or being stagnated, and we can succeed in seeking common grounds while preserving differences and be able to strike a balance.

Public servants play a very important role in the promotion of any new measure or reform. Here, I would like to give special thanks to our civil service, especially when they have to adapt to changes and face new challenges under the new accountability system. However, they still fulfil their duties faithfully and provide quality services to the public. Whenever I see our disciplined forces working efficiently upon my arrival in Hong Kong from abroad, I am proud of Hong Kong. We really have an excellent civil service which gives quietly and is much more efficient than that of other countries.

Sometimes, I cannot help but sympathize with our civil servants. When public demands are becoming increasingly high and under the monitoring of the mass media and the Legislative Council, they have to face increasingly greater pressure. Some of them became the subjects of public complaints because they were unable to perform their duties effectively. For those who were guilty of dereliction of duty, penalties should be imposed. However, the majority of civil servants fulfil their duties faithfully to serve the public. As they may have to meet some excessively harsh demands every now and then and provide services within a specified timeframe to meet their performance pledge in the face of enormous public demands, higher-level skills and more support are required. The last thing I would like to see is that some civil servants adopt the approach of minimizing their work in order to minimize their blunders in the face of the increasingly harsh demands and the call for accountability. I hope the Government will be mindful of this and see how support and encouragement can be effectively provided for civil servants to enable them to maintain their efficiency and provide high-quality services at the same time. As Members, we too have to strike a balance between holding them accountable on the one hand and encouraging them, boosting their confidence and promoting among them the exercise of more creativity in solving problems on the other, so as to find ways to enhance their accountability without being so harsh as to affect their morale.

Finally, I would like to express my gratitude to public officers who have attended meetings of this Council, Members of this Council, in particular the President of the Council and chairmen of panels and bills committees. As I also took up the chairmanship of panels and subcommittees, I understand that the chairman has to take up the toughest job because he has to give regard to views of different parties. I would like to express my gratitude to the Legislative Council Secretariat, the Secretary General, the Legal Adviser and all other staff providing support to our work, including security staff and stewards preparing

tea for us. I would like to thank Ms Emily LAU because she spurred me on to refrain from using both Chinese and English at the same time in my speeches and this has brought significant improvement to my Chinese. Of course, I also have to thank my assistant. Finally, I have to thank my family members, especially my wife, for her support and understanding.

Over the past decade, I had the opportunity to serve as a Member and witness the history of the post-reunification Hong Kong, in which there were precarious crises such as the Asian financial turmoil, economic restructuring, SARS, the avian flu and so on. Such precious experiences, I believe, cannot be gained from studying in any universities or taking any crisis management courses. My role as a Member of this Council has also given me many opportunities to contact the public and allowed me to view matters from their positions and perspectives.

In the days to come, we have to face the challenges of high inflation rate and economic downturn. These are problems awaiting Members of the next term of the Legislative Council. Quite a number of media friends asked how they could get in touch with me in future, as if I would vanish into oblivion soon. Although I will not have to attend meetings in this Council, I will still undertake other public duties and serve the public in other capacities. Instead of fading out, I will continue my concern over the business of the Government and the Legislative Council and pay attention to every single move of Members. Thank you, Madam President.

**DR PHILIP WONG** (in Cantonese): President, this morning, when I was on my way to the meeting of this Council, I switched on the radio and just heard Emily LAU say that she is much loved by Philip WONG. I then received a number of calls, including one from my wife, and she asked me to explain this. However, I did not hear what Emily LAU say before that sentence. I only heard that important phrase. Actually, in the legislature, despite the divergent political views held by different Members, every one of them is adorable in one way or another. I very much admire the speech made by the Chairman of the House Committee, for she has said many things that I intend to say. She thanked Emily LAU for not proposing an amendment to her motion. In fact, I consider the title of valedictory motion a bit too heavy, it is too sad, as if it is like the end of the world. Actually, if I were to propose an amendment to the motion, I would have called it the farewell motion, for whether or not we will return to this

Council, we will meet again on the way or at other places. I wonder who will be the Chairman of the House Committee for the next term, but I hope he will rename this motion as the farewell motion.

Time flies. I would like to steal the glory of the President now. She has been the President of this Council for some 10 years and her performance is outstanding. I believe some newcomers perhaps do not know that when she first contested for the post of the President, I was the one who nominated her. It is evident that I was right in doing so. I believe Members will speak highly of the leadership of the President in the past decade or so. Miriam's speech is well presented, and she speaks a lot better than me. I hope that by assuming another role in society in future, the President will continue to serve Hong Kong.

Like many Members, I am a Chinese who received Western education. There are some significant differences between Western and Chinese education. To the Westerners, they are concerned about human rights, freedom and democracy. But for orientals, the focus is placed on loyalty, filial piety, benevolence, love, manner, righteousness, integrity and a sense of shame. In Western culture, the focus is on how one is treated, but Chinese culture stresses the importance of how one can contribute to society and how should one treat one's parents and brothers. These are two different perspectives. Nonetheless, I think there is something in common between the two. An example is the Chinese saying which when rendered into English is do not do unto others as you do not like them to do unto you. There is a saying with similar meaning in English: "What you do not like when done to yourself, do not do to others."

Now, I would like to give my apology to all of you, for in the past six months or almost a year, I have been doing something unethical. Every Wednesday, I would bring along the food I dislike most and force you all to eat it. So, I must apologize to all of you here: Pardon me for doing so.

I so submit.

**MR JAMES TIEN** (in Cantonese): President, although today we are dealing with a valedictory motion, I have no intention to bid farewell yet. I will express my feelings for this Council in a detailed and serious manner the day I really have to say goodbye. In other words, what I am going to say is not very serious after all.

When I asked Ricky just now, he told me that nine Honourable colleagues, including the President, had reportedly decided to retire. For the eight retiring Members, I hope they can accomplish whatever they wish to do after retiring from this Council. I would also like to congratulate them on their deliverance from the miserable circumstances and wish them a good time, whether they will be playing in a ball game or with their grandchildren.

President, I have got something to tell you. I remember after receiving a nomination from Dr Philip WONG 11 years ago, you approached the Liberal Party to persuade us to give you support for taking up the post of the President. When our Chairman, Allen LEE, consulted us, the first impression that came to my mind was that Mrs FAN was not as smart as I had originally thought — why should she want to be the President? It would be a tough job for her.

Over the past several years, we can see that — Members should realize that as the Chairman of the Liberal Party, I have been leading such an easy life (*Laughter*). With so many people coming to my assistance, I am as free as the wind. There is no need for me to come so long as an arrangement has been made at nine o'clock in the morning for five Members to attend the meeting. This is the same with Secretaries of Departments and Directors of Bureaux, who used to be assisted by Permanent Secretaries and heads of departments. Now, life is even easier for them, for they are assisted by Under Secretaries and Political Assistants. However, it appears to me that the President is always by herself. Though there are some people behind her to give her support, it appears to me that she is always by herself and she has to deal with everything personally. What is more, she has to act in an impartial manner all the time. For instance, if "Long Hair" stands up to make a fuss, we will ask you why if you do not do anything to stop him.

But over the past several years, we have noticed some change. At the beginning of this term, we could all feel the tension whenever you talked to Mr LEUNG Kwok-hung. Now, there is not the slightest bit of tension. Sitting at the back watching the two of you, I even found it amusing because Mr LEUNG Kwok-hung and you acted as if you two were putting up a rehearsed show. When he stood up, you would heave a sigh; when you said something, he would make a step. The security guards watching him outside would then escort him out in two minutes. The show would then be over. I think the way the entire matter was handled by you, Mrs FAN, was probably the biggest reason for your

popularity to stay so high over the past several years — it is truly remarkable that you can even make "Long Hair" act in such a submissive manner.

President, to put it solemnly and seriously, all Honourable colleagues of this Council are greatly impressed by your impartiality, as I have mentioned before. Sometimes, they may wish to propose a motion, and you would then be required to rule whether permission should be given to them to propose their motions. If you allow them to do so, some people might have something to say, including certain government departments; if you do not allow them to do so, some Members would have something to say. Actually, your job is not at all easy.

Of course, for members of the public, the credibility of the Legislative Council is vital. Because of the excellent job done by the President over the years, we have the feeling that the credibility of the Legislative Council has been substantially enhanced. I believe many Honourable colleagues would agree with me, and they would also thank the President. Now that you have decided to retire, may I wish you every success. Thank you, President.

**MS EMILY LAU** (in Cantonese): President, many Directors of Bureaux are present. If they have the right and the wish to address this Council, I also hope they have the right to do so because they should have a lot to say about us. May I know whether the Chief Secretary for Administration has given them approval to address this Council? I hope everyone can address the Council, so that when we talk about them, they may also talk about us.

First of all, I have to make a clarification concerning Dr Philip WONG's remark just now. This morning, I was talking about the work of the Finance Committee in a radio programme and our Assistant Secretary General who is present should know it as she was the Clerk on that occasion. I said there were only one plus eight in the Finance Committee but sometimes there was barely a quorum present. When Dr Philip WONG was the Chairman, I always showed up and I was always present in order to make a quorum. This was why I said he liked me very much, but actually I am not sure whether or not he did. Sorry. Anyway, he should be very grateful to me.



However, talking about the Finance Committee, I have to reiterate my remark made in the radio programme. We would have some tea between sessions and wait for the following session of meeting because sometimes a quorum was not present. While I was waiting, Chairman Dr Philip WONG would say it was good that Emily was present. It was because in the meetings of the Finance Committee, sometimes a quorum was not present, while at other times there might be some Members waiting. One day when we were standing and chatting, someone said it was so good of Emily to be present all the time, but one of the Members said: "Hehe, you are really smart, you know everything."

Except the President, every Member should attend meetings of the Finance Committee. However, it has nothing to do with whether a Member is "smart" or "not smart" if he or she raises questions about every issue after joining the Finance Committee. If the questions raised by me were "not smart" or very poor, they would be criticized by officials and the public. I have never said that I am "smart", but I hope I can say that I have faithfully performed my duties. Therefore, over the years, I attended all the meetings of the Finance Committee — Dr Philip WONG can surely be my witness because as the Chairman, he had to be present — in particular meetings concerning the budget. I am just elucidating the situation. If this has caused any inconvenience to Dr Philip WONG, I would like to extend my apology to him here.

He himself said that he had been unethical by compelling the others to take the food he brought back every Wednesday. President, you should know without my telling you that it was pork knuckles and ginger stew that he brought back to share with the others. Even gentlemen were very keen on it. All of you please turn yourselves in. I believe as gentlemen do not often have the opportunity to try pork knuckles and ginger stew, they would finish one dish after another when the stew was placed on the table. Therefore, there was nothing unethical about it, and they certainly enjoyed it very much.

President, regarding the motion today, when it was raised by the Chairman of the House Committee at the meeting the other day, the wording was "That this Council concludes its work and wishes for the smooth formation of the fourth Legislative Council to continue to serve the people of the Hong Kong Special Administrative Region." Being startled upon seeing this motion on that day, I said there was still some work which had not been concluded. President, why did I say so? Today is Sunday, and tomorrow is Monday, and I have just checked that at least 16 meetings have been scheduled from Monday to Friday, so just imagine how serious the situation is. Just the meeting of the Finance

Committee tomorrow alone will last for six hours, the meeting on Tuesday will take two hours, and that on Friday will take two hours, which are held to entertain the authorities. The Chief Secretary for Administration will also be present tomorrow. I hope he can sleep well tonight so as to provide more brilliant replies to questions tomorrow.

I said as some work had not been concluded — I am not trying to whine about it to the authorities. I never do this to anyone but I will get angry when I have to work too hard — so I said I would like to propose an amendment. She said just now that she had to thank me, but actually she did not have to do so. President, I am the kind of person who always heeds sound advice but I often do not understand why various Honourable colleagues say that I am stern and severe. For example, Dr YEUNG Sum said I can give a severe reprimand with a smile on my face and that everyone should learn from me. Actually, instead of giving any reprimand, I just engaged in verbal combats with Secretaries of Departments and Directors of Bureaux. As they are also present, they can be my witnesses that I always address practical issues instead of targeting at any individuals.

What is more, numerous civil servants told me that they were afraid of attending meetings of this Council because they were scared of me. They were especially scared when their speaking notes were not well-prepared, and they knew it. They were afraid that I would not let them go, and everyone is afraid of being pestered. Besides, when I read the documents provided by the Directors of Bureaux, I would also read minor details like footnote 4 of appendix 3 to paragraph 48, without skipping any single detail. Besides, I would listen to not only their remarks but also remarks made by other Honourable colleagues at the meetings. I find this very helpful as I can ask follow-up questions afterwards.

Therefore, Secretaries of Departments and Directors of Bureaux should like to have Members like me. However, I suppose they do not like me. Why do I suppose so? Because they appointed many Members to numerous public positions so that they would not have time for meetings. When being called over the telephone and consulted by the Government on its papers, Members would say they had not read them but supposed there would not be any problems. When being solicited for support by the Government, Members would give their support, and in this way, the matter would be settled.

Some Members were like this, while others were very serious. Therefore, when I seriously studied Ms Miriam LAU's motion, I thought it was

not alright. Regarding the remark made by Ms Miriam LAU just now, as Dr Philip WONG said, we totally agree with it. I would also like to quote her remark at the press conference. She said "the relationship between the executive authorities and the legislature is far from satisfactory and improvement is needed", she said so just now as well. She also said that it was outrageous for the Government to introduce bills, especially those which were controversial, only towards the end of the term. She also criticized the Chief Executive and principal officials for being reluctant to come to this Council to communicate with Members. For example, while the Chief Executive has undertaken to be here four times annually, he has to be reminded and pressurized repeatedly before agreeing to come next Wednesday. President, it was you who caught him that day after he had said complacently that he had fulfilled his attendance obligation for this term and that he would meet us again in the next term. It was only when you said you hoped it was not the last time that he undertook with embarrassment that he would come again, and we still have to remind and pressurize him to come.

How about officials? Some Honourable colleagues said just now that some officials present are very hard working. Although I do not know some of them very well, Secretary Edward YAU is really very hard working. Frankly speaking, however, he has no choice but to work hard because as a matter of fact, he has a lot of work to do. Yet, some officials did not show up even though they had plenty of work to do. I remember most clearly that at Secretary TSANG Tak-sing's first attendance in this Council after assuming office, I requested him to attend this Council more frequently so as to forge closer dialogue. He promised and said he would try his utmost to do so unless there were clashes with other meetings where his attendance was definitely required. I told the Secretary that it was actually very simple. He could definitely achieve it by simply taking meetings of this Council as those at which his attendance was obligatory. I would not have guessed that my request was reduced to "a light comment before a whiff of wind". While many officials do not attend this Council, there is one Secretary who always does. He is Secretary Stephen LAM.

When it comes to Secretary Stephen LAM, we have to mention Mrs Anson CHAN because there was always negative chemistry between them whenever they met. Although Mrs CHAN will not run for the election again, I still have to express my gratitude to her because she has done a good deed. Whenever Secretary Stephen LAM replied to any question, she would immediately

comment that he was not answering the question and urge him not to dance around it. Then he would immediately pull his socks up, as the English saying goes, and make improvement. Now, he dances around the question less frequently.

However, I very much hope that other officials ..... President, the Chief Secretary for Administration commended you in his speech, and many of us Members did so as well. He said you receive the support of different political parties, which is indeed no easy feat in such a diversified society with such divergence of views. However, someone in the authorities, though already resigned, could also do so. He is Frederick MA. What happened to Secretary Frederick MA deserves reflection by us people engaged in politics and everyone else. At his first attendance at this Council, he was full of pride. When I asked him about declaration of interest, he said: Thank you, Ms LAU. It was because he had already arranged his assets shortly before that. Back then, he was full of pride. No one would have guessed that the "penny stock" incident which happened just a few meetings afterwards had shut him up and made it necessary for him to extend an apology with a bow and caused his popularity rating to plunge. However, not being discouraged by the incident, he was committed to his work. I do not know what he did with civil servants, Secretaries of Departments and Directors of Bureaux behind closed doors but everyone could see that he worked very hard in liaising with the industry and Members outside this Council.

Now that Secretary MA has left office, the new Secretary is Rita LAU, to whom I have not talked much. However, judging from her previous interactions with us, she is very tough and she dislikes listening to others' views. Seldom does she talk to us outside this Chamber like Secretary MA did. When I heard yesterday that she was here at this Council, I was very glad although I did not see her because it shows that she also considers it very important to come here and talk to Members. However, our relationship with the authorities was not really good, and I believe other political parties also feel it this way. The authorities only approached us when needs arose, and even so they did it hastily. Therefore, the Chairman of the House Committee is right with her comment that the Government introduced bills into this Council in great haste and reprimanded us when we did not work on them. She said so herself. Who dares to reprimand our Chairman of the House Committee? Actually, their reprimands were not addressed to her but to this Council, but so what?

Although the Chief Secretary for Administration said he had done his best, some bills which could have been introduced much earlier were introduced late. Why did the authorities have to do so? President, it was because the authorities noticed this weakness or strength, whichever it is, of ours, and they knew that as we could not stand leaving the bills unscrutinized, we would definitely work on them. Besides, when the authorities indicated that they would provide an injection of \$6,000 for members of the public, could we not proceed with our work? As the authorities had rightly spotted this characteristic of ours, they just introduced the relevant bill on the very day of the "closing", to which we could do nothing at all. I consider this practice undesirable. While the budget was introduced in February, the plan of injecting \$6,000 was not introduced until mid-May and June. I really have strong view on this practice of the authorities.

When it comes to differences affinities, I realized, through my conversation with Honourable colleagues every now and then, that they do exist. Why? For example, once when I asked a colleague during our conversation where he was heading, he said he was going to a meeting with the Chief Executive and he said they would meet him every month. As for us, perhaps he might treat the Democratic Party to a meal — now I know he did not — but he treated us to a meal once every year. The Chief Secretary for Administration extended his invitation to me to a meal, and he has done so for a few times. Now the date is finally fixed for the day after tomorrow, and there should not be any problem about it. It is not a bad idea for Members and political parties to have monthly meetings with the Chief Executive. However, why should there be affinity differences? Although we in the pan-democratic camp also wish to meet with the authorities, President, the authorities just turn the cold shoulder to us. When needs arise, however, the authorities will hold onto us. Yesterday, I was even regarded by The Alliance as a royalist because I swiftly scrutinized the regulation concerning barrier-free access for the authorities. So it is clear to all that I address practical issues instead of targeting at any individuals.

I know some people in the authorities are very dissatisfied with me, and of course they did not help us arrange for visits to the Mainland. However, I would like to let the authorities know that many Members would perform their duties faithfully. Although we knew the authorities held a certain opinion and view about us, we still performed our duties in a fair and just manner, disregarding the extent to which the authorities acted with affinity differences.

We did not discard and refuse to scrutinize the bills introduced by the authorities into this Council just because they acted with affinity differences. On the contrary, we sped up the process and finished our scrutiny swiftly within six meetings.

However, President, what we get in return for performing our duties in a fair and just manner is affinity differences. The authorities even do not have any regard for this Council. While our salary is 19% of that of Directors of Bureaux, the respective salaries of Under Secretaries and Political Assistants are 60% to 70% and over 50% respectively of that of the Directors of Bureaux. May I ask what opinions the authorities hold about Members? Therefore, President, I do not know whether I will still be in this Council, but I think even though we should put in our every effort in the work of this Council, we deserve complementary measures taken on the part of the authorities.

Finally, President, of course I have to talk about you, my respected madam. Much as we are grateful to you, I very much agree with Mr Albert HO's comment that we disagree with some of your decisions. However, as the Chief Secretary for Administration said, this is reality is what, and there are bound to be disagreement and divergences of opinion. Generally speaking, however, I think you acted in a fair and just manner and you did all you could to enhance the reputation of this Council. Sometimes, there is something we can do to enhance our reputation. For example, we will be able to earn a good reputation when a consensus is reached by seven or eight political parties. However, the Central Authorities and the Government do not want to see those of us from seven or eight political parties acting in concert with each other. As they do not want this to happen, we do not act this way, and it is seen as division among Members. President, I hope you will help us and the people of Hong Kong, after you have left this Council, pursue universal suffrage and fight for the issuance of home return permits for those who are not allowed to visit the Mainland, urge central officials to break ice with us and request them not to treat us in the way the Hong Kong Special Administration Region (SAR) Government does. We are no dreaded beasts with eight heads and nine pairs of eyes. We are human beings, too, and we are the representatives of public opinion.

Besides, of course I have to talk about Mr Martin LEE. He is the father of democracy and we are very grateful to him for the efforts he has made over the years in the work of this Council. I also wish him happy retirement.

Finally, I would like to talk about Mrs Selina CHOW. She is a senior Member, more senior than Martin LEE. Why do I want to talk about her? Because she also wants to return to this Council. I find that there are some people who can keep their passion, participate actively and take part in debates ardently even after having worked in this Council for so many years. The royalists should engage more of these people. I also mentioned in a particular debate that we have to invite those who are highly capable of putting up their own defence and arguments to join this Council. If everyone remains silent and just presses the button in the voting, the spirit of our Council can never be given a full play.

Therefore, I wish all retiring Members the best of health. President, I wish you success in helping Hong Kong bring about a speedy advent of democracy.

**PRESIDENT** (in Cantonese): Does any Member wish to speak?

**DR LUI MING-WAH** (in Cantonese): President, I am not good at cracking jokes and I do not have a sense of humour but I will say the truth. Over the past four years, nearly 50 articles written by me were published in the newspapers. As I had not hired anyone else to write them for me and I had written every word myself, these articles contained my heartfelt feelings, my suggestions and opinions on individual incidents and topics, which will serve as the Government's reference in respect of policy formulation and governance.

President, I come from the industrial sector. When I first became a Member of the Legislative Council, I stressed the promotion and revival of industries as our economic basis which would facilitate the establishment of a balanced economic structure. I also hoped that there would be sustainable economic development and full employment would be maintained. Since doing nothing that went against nature was the Government's governing strategy, our industries continued to drift towards the Pearl River Delta (PRD). Only the so-called "four economic pillars" are left in Hong Kong, that is, financial services, tourism, logistics, and industrial and commercial services. The services sector currently accounts for 95% of our economy.

Although our economy is very prosperous on the surface with the stimulus given by the supporting measures of our Motherland such as DIY tours and CEPA, there is very serious polarization between the rich and poor, inter-generational poverty is very common, and social mobility has almost come to a standstill. Worse still, the unemployment rate remains at 3.3% when the economic circumstances are still favourable, much higher than that in the 1980s and 1990s. These are all hidden factors that will give rise to social discontent, and stumbling blocks to the building of a harmonious society.

The Central Government leadership has emphasized time and again that Hong Kong needs to run the economy well. I believe it is time for the Government to seriously review the economic policies of Hong Kong, and develop new industries to support our economy. In any case, maintaining the status quo should not be the Government's choice and it is a wrong decision for it to ask for the Central Authorities' support for long.

President, I cannot say that all senior government officials are insensate stones or impenetrably thickheaded. During the last four years, some of my proposals had been considered by them and adopted as governing strategies. For example, I had written an article entitled "Managing well the entry of pregnant women into Hong Kong for child delivery is a must for the betterment of Hong Kong (管好孕婦來港分娩是興港所需)". It elaborated in detail how the entry of pregnant women into Hong Kong can be controlled so that pregnant women from the Mainland may come to Hong Kong for child delivery in an orderly manner, which would make everyone happy. In another article entitled "The Government should make good use of the surplus to return wealth to the people (政府善用盈餘回饋市民)", I proposed that the Government should make an injection of \$2,000 into the MPF accounts of low-income people as a sign of encouragement. In this financial year, the Financial Secretary has decided to make an injection of \$6,000 into the MPF accounts of those employees earning no more than \$10,000 a month with a view to easing people's difficulties.

Concerning DIY tours, I proposed classifying the travellers by provinces and municipalities, and allowing our compatriots with higher income from provinces and municipalities to travel to Hong Kong by stages lest the policy should be "easy to make but hard to withdraw". Since the implementation of the measure of DIY tours, mainland compatriots and Hong Kong people have been highly satisfied, and significant contributions have been made to our economy.



On the political front, I have made two proposals. First, I think that the democrats in Hong Kong are succinctly dissidents rather than reactionaries. Isolating them politically will only make the contradiction go deeper and split our society. The Government should have contacts and communications with the democrats and accept that their pursuit of democracy is appropriate, except for individuals who go to extremes, to be sure. *(Laughter)* In 2005, the Chief Executive visited the Pearl River Delta leading 60 Members, and 19 Members visited the hardest-hit region in the Sichuan Province, which showed that the policies began to loosen up. I firmly believe that conciliation is consistent with the long-term interests of Hong Kong as a whole.

Lastly, I continue to insist that, under the present political circumstances, the functional constituency Members in the Legislative Council are the hard core and constitute the foundation of stable government administration. Therefore, it is necessary to preserve the functional constituency seats in the Legislative Council. Recently, a Central Government official has said that the functional constituencies and a universal suffrage are not mutually exclusive; conjectures about his meaning would not be necessary.

President, in this Council early this year, I met with Dr K from RAND, a famous think tank in the United States. He is also a consultant of the think tank HOOVER and a prolific author; many of his articles have been published, and he has given the government a lot of advice. When I asked if he could tell me which of his suggestions were accepted by the government, he told me that it would be really hard as he had to observe whether the policies made by the government and the government's governance afterwards demonstrated that his viewpoints and advice had been taken into consideration. His answer inspired me a lot. As a matter of fact, have the proposals of Legislative Council Members in Hong Kong not been treated by the Hong Kong Government in a similar manner?

President, Mr Henry TANG, the Chief Secretary for Administration, has pointed out in his speech that, some posts in the Legislative Council, for example, the Legislative Council President, House Committee Chairman, Finance Committee Chairman and Public Accounts Committee Chairman, look appealing but carry a heavy workload. If there is any post which has been assessed by the Chief Secretary for Administration as carrying a heavy workload but not appealing, it must be that of the Chairman of the Panel on Constitutional Affairs. *(Laughter)*

President, four years ago when the post of the Chairman of the Panel on Constitutional Affairs was vacant, apart from the democrats, no pro-government Legislative Council Members were willing to take up this "obnoxious post"; the then Convenor of The Alliance, Mr Abraham SHEK, requested me to fill the post.

President, before then, I had only acted as the Chairman of the Panel on Commerce and Industry for half a year; as Honourable colleagues may know, the duties of such Panels are not heavy, *(Laughter)* the issues are not controversial, and there are no rain and storm; and as the saying goes, "it is like a piece of cake". *(Laughter)* Nonetheless, the Panel on Constitutional Affairs can be described as a Panel right in front of a white wave, and its Chairman is riding the crest of a white wave, which is a perilous position. *(Laughter)* At a meeting of the Panel on Constitutional Affairs at the very beginning of the Session, Dr Fernando CHEUNG suddenly proposed a motion at a later stage, that is, the Government should conduct a referendum on universal suffrage. It is because the CHEN Shui-bian government in Taiwan was then planning to conduct a referendum on the independent status of Taiwan. If the surprise attack by Dr Fernando CHEUNG was a success, it would have extraordinary political significance and would definitely cause deep shock. Two days after that, Mr GAO Siren, the Director of the Central Government's Liaison Office in Hong Kong, and Mr YANG Wenchang, the Commissioner of the Ministry of Foreign Affairs in Hong Kong, commented and criticized that the motion on a referendum was erroneous. Obviously, the situation was very serious indeed.

When I listened to Dr Fernando CHEUNG's motion, I was in a cold sweat. *(Laughter)* I looked around the Chamber and I found that all democrats were present because they were prepared for it, but, there were very few pro-government Panel members, and the situation was utterly dangerous. If we were to vote at once, Dr Fernando CHEUNG's motion would surely be passed, which would have dire consequences.

President, after a moment's consideration, I made up my mind right away that procrastination was the only strategy. *(Laughter)* Also, I gave Mr Abraham SHEK a hint that he should ask more Members to join us. First, I asked the Clerk to the Panel present to check the Rules of Procedure; then, I consulted the Legal Adviser to determine whether the motion was related to the topic of discussion on that day. When these decisions had been made, I requested Dr

Fernando CHEUNG to notify in writing the Chairman of his oral motion; I then asked a staff member to distribute copies of the motion to all Members present so that they could discuss whether the motion should be dealt with.

When Members were speaking enthusiastically, pro-government Members returned to the Chamber one after another. Since the situation was far from being good, the democrats started to lose emotional control; there were loud uproars and censures, and attacks were made to the capabilities of the Panel Chairman. Amid the jeers of the democrats — Martin LEE was one of them (*Laughter*) — the meeting went out of control, (*Laughter*) and I could only announce that the meeting would be suspended. When the meeting resumed the following day, all Panel members were present and Dr Fernando CHEUNG's surprise motion on a referendum was negated. A serious crisis was settled.

This is the biggest challenge for me as the Chairman of the Panel on Constitutional Affairs, and the most unforgettable incident as well. Some had asked me how I felt about that. I said that we were just playing a game of politics in this Chamber; we criticized some persons and made them look ridiculous but we should maintain a regular mindset and we should not be keyed up.

President, this is the last meeting in this term of the Legislative Council. I enjoy the work of the Legislative Council and I appreciate the performance of officials in this Council, especially the composure of Secretary Stephen LAM. Facing heated arguments and Members' scathing criticisms, he was neither irritated nor angry and he countered every trick, and he managed not to lose an inch of ground.

President, I would like to take this opportunity to express my appreciation to my Honourable colleagues. All of them are elites in our society and each of them has certain strong points. Some are ardent youth; some are thinkers and eloquent debaters; and some are more talkative — they talk about this and that, frequently straying far from the subject; and some are "loudspeakers" with deafening voices. With their distinguishing characteristics, Honourable colleagues in the Legislative Council sent sparks flying and created vitality. With complementary mutual advantages, we contributed much to a promising future of Hong Kong in the course of contention.

President, I would also like to express my gratitude to the Legislative Council Secretariat. Under the astute leadership of the Secretary General, Secretariat staff work very hard, which facilitated the smooth operation of this Council; they should get a big credit for that.

President, I appreciate your capabilities. You can chair meetings for a long time, and you can remain sober-minded and calm, and make impartial rulings, for which you have been widely acclaimed. However, I hope that you would do more exercise. *(Laughter)*

Finally, President, I wish all officials and Honourable colleagues good luck. Thank you.

**MR LEE WING-TAT** (in Cantonese): President, we discuss this motion once every four years. Having heard the remarks made by Chairman Dr LUI Ming-wah a while ago, my impression of him completely changed. In such a solemn Chamber, he spoke with so much ease about a serious topic. This is the first time I think that Chairman Dr LUI can perform a stand-up comedy very well. I watched a CHIM Sui-man show two weeks ago, and there was an audience of 1 000 at each of the shows. If Chairman Dr LUI stages the show by CHIM Sui-man again, even the Hong Kong Coliseum will have a full house.

President, first of all, I would like to talk about our relationship with the Government. Strictly speaking, I have many friends in the Government and we have known one another for many years; even though we may not be old friends, we are certainly friends for quite some time. I have known some of them for 10 years, and some others for 16 years even. Actually, we have not frequently had private conversations, and we would only have meals and a chat every now and then. Outside this Chamber, we exchange our views very amiably and peacefully. For sure, we are playing different roles.

This Council monitors the Government while the Government implements policies and exercises administrative power. We frequently engage in a battle of words and give tit for tat on many issues, but, I have been adhering to a principle all along and I seldom ..... especially these few years. In 1989, I might still be an ardent young man, and I reproached Sir Geoffrey HOWE. However, I seldom had veins pop out of my neck because of anger, caused uproars or created disturbance these few years. I have seldom done so probably

because I am getting old. I am 52 years old this year, though I may not be the oldest Member in this Chamber, — I have done some calculations and I found that I am below the median age — I have been a Legislative Council Member for a very long time. In my opinion, if there is a mature political environment, we should be able to engage in a battle of words and debate until we are red in the face here. Nevertheless, once we step out of this Chamber, we can have coffee together in a coffee shop. If we are in the United Kingdom, we can have beer together at a bar. Yet, it seems that we have not yet reached that stage.

Regarding our relationship with the Government, when we deal with highly controversial issues, the Government can hardly treat people from different parties and groups impartially. That is why we occasionally say that ..... government officials certainly do not like to hear that, for example, when I talk to Eva, she dislikes it most when I talk about collusion between business and the Government; so does Carrie (Mrs Carrie LAM) who says to me that: "Ah Tat, please do not refer to collusion between business and the Government so often, is there any 'collusion' around? There is nothing to collude with now." All those in the real estate sector are very afraid and they will evade the issue whenever collusion between business and the Government is mentioned. But, that is very often not what we have seen, and that is why I have said so. Certainly, we say at times that the Government has a policy bias and it distinguishes between close kinships and distant relations. I think that many government officials would not feel comfortable when they hear these expressions. But I think those having more power should be more broad-minded enough to listen to different opinions, especially opinions that are very unpleasant to the ear.

I have been working in the district and have taken part in direct elections, and I can say that I have already entered a stage of sublimity. When I was working in the district, I was often reproached and the most serious incident took place after the reunification in 1997. I have an office in Kwai Fong and an old man sometimes hangs around there. At that time, he angrily called me "a door-watching dog" whenever he saw me and he later called me "a stray dog" because I had got off the train and become "homeless". After hearing the old man's reproach, I did not refute him; he might have certain political views or his own way with which I did not agree. Although I had a chance to talk to him, he was still not moved and he continued to reproach me. However, he has not reproached me these few years but I am not sure about the reasons; it is probably because he has already done this so often that he does not want to do so any more.

These bitterly sarcastic events are no longer surprising for directly elected Members. In my case, a match box was thrown and red paint was splashed, but these cases were not as serious as the one in which Ms Emily LAU was splashed faeces — I am talking about her office but not herself — (*Laughter*) That happened and her office was splashed faeces while red paint was splashed and a match box was thrown in my case. Gradually, our participation in politics will allow us to encounter people with very different views. It can be a very peaceful process and there can be scathing criticisms, but we will be able to accommodate divergent views.

I trust that the same can happen to different parties and groups in the Legislative Council. Occasionally, I would have a chat with a few friends from the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) such as Mr Jasper TSANG. I still call him a party leader now because he has been a party leader; so, he is a party leader. Actually, my intention is that he will also call me Chairman LEE Wing-tat because I have been the Chairman. (*Laughter*) Besides engaging in many political debates, Mr Jasper TSANG has a sense of humour in modern politics. I have once written in my blog that at times politics is not necessarily a very painful life-and-death struggle; political participation can also be very entertaining. It is a job that we will enjoy, like very much and want to do well. I like politics very much but I am not saying that I like to politicize things. I love this job because I can give play to my strong points — I like talking, having contacts with people, listening to others' views and debating, and I have an unyielding personality. I think that is what politics is sometimes like; it can be very comfortable without making myself so tense up. Of course, in the face of significant problems, I also agree that we will have very strong views. Nonetheless, as I have just said, when I occasionally have a chat with Jasper TSANG, I find that he is very witty and humorous, and he will mock at himself for the sake of illustrating his point.

About other Honourable colleagues, I get along quite well with the five Members from The Alliance sitting behind me. Abraham SHEK likes to have a chat with me very often, and what he said delighted me. He will say, "Ah Tat, I would like to tell you an opinion", he will then put his hand over his chest and say, "this is my opinion". I am not sure if that is really his opinion but he says "this is my opinion" every time. Even though Abraham and I have very different views on livelihood policies, especially in relation to property developers, and his constituents sometimes do not like me, I think that modern

politics is tied up with the interests of various trades and industries. This is acceptable to me though I do not like functional constituencies and I think that they should be abolished — I do not mean the Members but the seats.

As to Raymond HO, Bernard and Patrick, we have had lots of debates in many professional aspects. Even my friends from the Liberal Party ..... I remember that I became acquainted with James TIEN back in 1985, and I have known him for 23 years. I often told James when I had a chat with him that, when I got to know him in 1984, I had an impression that he was really a "young master" and he had the behaviour of a "spoilt boy". When I talked to him when we worked in the Basic Law Consultative Committee (BLCC) and I touched upon democracy, he pointed at me and said, "What is democracy, Ah Tat? Things like that do not work in Hong Kong." He has changed some 20 years since then. Considering what happened before, James TIEN has changed. As far as I can recall, I asked him a question when we were chatting in 2000: "James, why do you take part in a direct election? You are a party chairman." His participation in a direct election had nothing to do with me but many of us supported him. I believe that those from the industrial and commercial sectors should also win in a direct election, which can prove that Hong Kong people accept that their representatives may come from different classes. It is different from the comments of some people that the representatives ought to be lawyers, social workers, teachers and those who work in the communities.

I still have conversations with many friends because I think that various people should represent the public. Generally speaking, I quite enjoy working in this Chamber although we have a lower remuneration as compared with Political Assistants, and \$56,000 and \$130,000 make quite a difference. Ms Emily LAU often loses her temper and she even makes reproaches until her veins pop out of her neck. She will certainly say, "Given a government like that, has anything gone wrong?" Madam President, excuse me, I should not do so, (*Laughter*) I just want to make the gesture to describe the way in which Ms Emily LAU speaks, and I seldom ask the question, "Has anything gone wrong?" Yet, I agree that remuneration is not a major consideration for us. In my view, I enjoy this job though it is very difficult at times; I have less time for family life due to very long working hours, and sacrifice has to be made. In any case, I hope the Legislative Council would become more and more mature and though we may have more arguments, there may be more peaceful occasions on which we practise mutual respect.

There are a few minutes left and I want to say something about some Honourable colleagues. The first one is Anson. I was not too happy when I first became acquainted with Anson. I remember that the first debate between Anson and I was about the container terminal. When Albert CHAN and I "stormed" into her office, Anson made very reasonable arguments which convinced us. I remember that there was a disagreement between Anson and I; I had not talked as loudly as "Big Guy" and I had a softer voice as Anson might recall. In spite of that, I was very happy that I had at least seen an elite administrative officer. Indeed, she made a great deal of reasonable arguments about government policies. Though I did not agree with some of them, I wished that Anson ..... I am sure that after Anson has left the Legislative Council, she can give better play to her knowledge and skills through her work in the Citizens' Commission on Constitutional Development and in other areas. As a matter of fact, I sometimes think that it must be very hard for Anson because she has to sit in the Chamber for a very long time while I do not. Madam President, as you are aware, I would go outside after sitting here for a while. In fact, I am also working outside, Madam President, please do not think that I am not working. I am working outside while Anson is sitting here. Sitting here is not easy and I hope that she would enjoy a more diversified lifestyle in the future; and that she could spend time with her grandchildren, cook a lot of delicious dishes and achieve greater development.

The second Honourable colleague whom I must talk about is Martin. I got to know Martin in the mid-1980s; he was working in the Basic Law Drafting Committee then. He held a higher position and I was just working in the BLCC. I did not like him too much at the very beginning, why? Because I found that he talked in a very "elitist" manner, and I did not quite understand what he said about the Basic Law. I said to him at the time, "Martin, can you state your ideas in a simpler way so that I will know how to convey the message to the public?" Martin sometimes told me, "That is how these things are, you should ponder over them." I think Martin occupies a very important position in the democratic movements throughout these past 20 years or so, and he is indispensable to Hong Kong.

The third one I would like to talk about is "Tai Pan CHENG" (Albert). I know that Albert has recently been mad with me because there was an incident in which I made him ..... that was my fault and he was not to be blamed. I have to confess that I have done something wrong. However, he is broad-minded



and I know he will forgive me sooner or later, (*Laughter*) so I wish to say that here.

There is a story about my acquaintance with "Tai Pan". It was June 4 and the Standing Executive Committee of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China organized many activities, for example, we held a public procession in which 1 million people participated. As far as I remember, CHEUNG Man-kwong, YEUNG Sum and I were on stage hosting an assembly. Evidently, we were handling very important matters, but a crazy fellow suddenly came forward and talked for quite a long while. I wondered who he was. He cared nothing about me, YEUNG Sum or CHEUNG Man-kwong, and he just kept talking through the loudspeaker. That was Albert CHENG. But as I have told my friends when we have a chat, I believe "Tai Pan" is an outstanding member of our community. Some officials really dislike him at times because he would get hold of some cases and make sharp criticisms; yet, many ordinary people think that he is playing the role of "Judge PAO". Many directly elected Legislative Council Members think that some cases are not worth handling but it is interesting to see "Tai Pan" take up those cases and work on them until he gets results. I appreciate his efforts very much and I hope that his radio business would be a success and would allow him to continue to plead on people's behalf.

Bernard is not present. Actually, I have always hoped that he would become a candidate in the next Chief Executive election or the one after next. I hope so but he is suddenly going to have a rest for four years. I think among present-day politicians, he is a member of the pro-establishment camp whom I can talk to. His position is very different from mine but I appreciate very much that he can talk to us. From time to time, he will tell us so if he thinks that something is not right.

"Barrister KWONG" is not present as well. There are some so-called grudges between "Barrister KWONG" and I — obviously, LEE Wing-tat is a very troublesome person and there are a lot of grudges between me and many people. "Barrister KWONG" has a forthright and sincere personality; after an incident, we ..... however, I trust that when I see him again later, we will have a laugh and forget old scores. As for Mr LEE Kwok-ying and Howard, I will miss them a lot as well.

Lastly, I would like to talk about you, President. My impression of the President has changed a lot during these few years. In the first term, when I saw you for the first time, I felt as if I had a bitter hatred for an enemy. Putting it another way, I seemed to regard you as an enemy, and I considered that the manipulation of certain forces had made you the President, and the objective was to control this Council. I am not sure if it is because we have very impartial systems and rules, I believe everyone sitting here will consider this as a position of honour — I am not saying that there is glory behind the honour but that objective rules and impartial practices make the position an honour. I wish to say that, President, you have been very impartial. On some occasions when certain issues are discussed, I would incite James TO to challenge you. *(Laughter)* Last Thursday, when Donald TSANG was about to leave after he had finished speaking, I told James TO, "James, standing order, order him now." He really stood up and ordered him, asking why he could not answer the question. President, you are really impartial and you have handled a lot of matters very reasonably. I know that you will be busy at work when you become a member of the Standing Committee of the National People's Congress, but I hope that you would take more rest and do more exercise. Of course, I know that you will have a busy schedule but doing exercise is very important. I have become a bit thinner this year because I insist on doing exercise as an enormous workload is very tiring.

President, I wish these nine Honourable colleagues and SIN Chung-kai good health after leaving this Council and I wish them well wherever their paths may take them. Thank you.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MRS ANSON CHAN** (in Cantonese): Madam President, last Sunday, I announced that I would not run in the Legislative Council Election to be held in September and I will not seek re-election. In view of this, the valedictory motion today is to me really a farewell speech to the Legislative Council.

First, I have to thank the constituents on Hong Kong Island who voted for me as well as Members and friends in the pan-democratic camp. Without your

support and encouragement, I would not have won with a large number of votes and been able to continue to serve the public in the capacity of a directly-elected Member in the legislature.

At present, the constitutional development in Hong Kong is on a watershed. The Central Government has promised us the election of the Chief Executive by universal suffrage in 2017 and the election of all Members of the Legislative Council by universal suffrage in 2020. However, whether these two timetables can truly be implemented and how the transitional arrangements will be like are challenges that we will have to face in the future. Earlier on, I established the Citizens' Commission on Constitutional Development and assumed the role of the convener of the Works Improvement Team. In future, I will continue to voice my views and make contribution on this platform. I call on members of the public to work hand in hand for a democratic, fair and just society.

I am very lucky in that I am in good health currently. Therefore, in the future, I will continue to defend the core values of Hong Kong about which I have deep conviction and work hard for genuine universal suffrage and good governance. This is a steadfast pledge that I have made to my voters.

As I said last week in the press conference, in order to make preparations for the talent pool needed for the introduction of full universal suffrage in 2017 and 2020, we must let young political leaders of the pan-democratic camp go on stage at an early date to put their beliefs into practice and go through the baptism of democracy, so as to build up the confidence of the public in them. In the next two months, I will assist young people who are genuinely committed to taking forward universal suffrage and inspired by their aspirations and ideals in conducting their election campaign or to share my work experience of the past four decades in the Government and the legislature with them and hopefully, this will help them.

To me, working in the legislature in the past seven or eight months has been a valuable experience that I cherish very much. This enables me to have a more direct appreciation of the demands and hardships of the public. It also humbles me. To get in touch with the public in the capacity of a Member makes me understand issues from the viewpoint of the public and keep closer tabs on the public pulse.

The work of the Legislative Council is of the utmost importance as well as onerous. In particular, in the scrutiny of bills, the efforts and time devoted by Members are beyond the imagination of the general public. For example, in respect of the West Kowloon Cultural District Authority Bill, the Race Discrimination Bill, the Independent Police Complaints Council Bill, and so on, passed by the Legislative Council in these past two weeks, Members proposed a lot of amendments to address many inadequacies in them. The debate on and passage of provisions *seriatim* ..... for example, the debate on the Independent Police Complaints Council Bill in the Legislative Council took more than two days and Members spent 80 hours on its scrutiny. I have great admiration for many Honourable colleagues in the Legislative Council, particularly directly-elected Members. In order to be accountable to their voters, they have exerted their best.

Apart from the important issue of democratization, Members also raised a large number of public livelihood issues. From inflation, fuel to food hygiene, Members raised their concerns even earlier than the Government did. When the Chief Executive came to the Legislative Council last time, he hinted that the Legislative Council only cared about political issues and seldom cared about the people's livelihood. I think the comments of the Chief Executive did not paint the true picture. It is precisely because the Government is not doing a good enough job that Members demand that the Government make improvements. However, under the present political structure, the power rests in the hands of the Government. The Government's inaction makes public grievances boil over. Instead, the Government shifts the blame onto the Legislative Council. I believe this kind of behaviour does not become a responsible Government.

In view of the allocation of a large sum of taxpayers' money by the Government for the appointment of more than a dozen Under Secretaries and Political Assistants recently, together with the black-box operation and bulldozing in doing so, I hope the Hong Kong public will think about why Members who are directly elected by public ballot and fighting for the causes of the public are paid only \$50,000 monthly and together with the various expenditures for their district offices and staff, the Government only provides a funding of about \$130,000 monthly to each of them, whereas the Chief Executive, who is elected by a minority of 800 people with vested interests, can make political appointments without having to make reference to any criteria and these officials are paid some \$100,000 to \$200,000 monthly, only have to be

accountable to the Chief Executive and do not have to face the public directly. Do you think that this is in line with the norm and reasonable practice?

Ever since some Members are returned by direct elections, together with the development of party politics for more than a decade, I am convinced that the public now fully understand the true meaning and power of democracy and it is for this reason that they demand dual universal suffrage in 2007 and 2008 and in 2012. I believe that it is necessary to have a democratic mode of governance in Hong Kong and the governing team of the SAR must have the genuine support of the public as their basis. The integration of the future SAR Government with party politics is a road that must be taken in order to converge with full universal suffrage. The process of appointing the Under Secretaries and Political Assistants on this occasion has exposed the infeasibility of a "political appointment system without public mandate". The grooming of political talents in the future must be done by putting these talents through the paces in political parties because only those who have gone through the baptism of public opinion will be truly people-oriented and have the interests of the general public as the prime consideration.

In the face of the demand for a pool of political talents in the future, it is necessary to encourage more talents with ideals and aspirations to play a part in politics. I suggest that the Government should increase the resources and amount of grants for the Offices of Legislative Council Members to provide them with adequate resources to serve the public.

Another matter that I am often concerned about is that ever since the implementation and expansion of the political appointment system by the Government, the proven civilian system, a system that incorporates the desirable core values of Hong Kong and established procedures is being destroyed gradually. The culture of sycophancy is now rearing its head and the recent incident relating to the Under Secretaries and Political Assistants has impacted heavily on the morale of civil servants. I am afraid that later on, more civil servants with excellent training will leave the Government one by one. In the next decade, the civil service team may experience a succession gap. This will lead to a total disaster in the governance of the SAR. I urge the Government to look at this problem seriously and take remedial measures. First, upon devolution by the Chief Executive, the power to increase the pay of Under Secretaries and Political Assistants should be included in the purview of the advisory bodies on civil service and judicial salaries and conditions of service,

which have established rules and regulations, or another independent and highly transparent framework established to exercise control over this, instead of leaving it solely to the Chief Executive to judge the performance of this group of officials on political appointment and decide the pay increases for them.

The Basic Law stipulates that the SAR Government must be accountable to the Legislative Council. Apart from listening to public opinion, a good relationship between the executive and the legislature will also be conducive to good governance. However, in recent years, perhaps due to the Government's thinking that there is the support from the royalist camp and the pro-establishment camp when voting is conducted, the Government often disregards the Legislative Council and attaches no importance whatsoever to it. Even in the full meetings of the Legislative Council, only the relevant officials are assigned to attend them but other principal officials are all absent. What is most regrettable is that in the Budget debate, even the Financial Secretary was absent. In the next Legislative Council, it is possible that the Government will only make a perfunctory gesture by assigning the deputies to attend the full meetings of the Legislative Council.

In its treatment of Legislative Council Members and political parties, the Government adopted the attitude of differentiation according to political affinity and even in policy formulation. It only listens to views selectively and ignores public concern about inflation and issues of people's livelihood. It has not formulated any forward-looking solution either. It was only when its popularity was low that it would hastily hand out some candies to pacify the public. This kind of behaviour displayed by the SAR Government is one of treating the symptoms as they appear. Hong Kong needs a caring and just society. Be it in the lower class or the middle class, there are many deep-rooted problems that have not been solved. A case in point is the amendments moved by Mr James TO to the Independent Police Complaints Council Bill in the past two days. Many instances of unfairness and injustice were involved but the Government simply turns a blind eye to them. This will make grievances and hatred take root in the hearts of the public and ultimately, this will not be conducive to good governance. I sincerely hope that the Government will administer the right cure to the foregoing problem and make improvements at an early date.

When the leader of China, Mr DENG Xiao-ping, proposed the concept of "one country, two systems" back then, the direction of giving full play to the

principle of "Hong Kong people ruling Hong Kong with a high degree of autonomy" was also included in it. The true meaning of "one country, two systems" lies in allowing Hong Kong to implement a capitalist system that is different from the communist system in China. Back then, Mr DENG Xiao-ping believed that a period of 50 years was enough for China to catch up with the world and narrow the gap between the two systems.

In order to give full play to "Hong Kong people ruling Hong Kong with a high degree of autonomy", the Central Authorities once stated that the various departments of the Central Authorities and local governments are not allowed to interfere with the affairs to be managed by the SAR in accordance with the Basic Law.

Regrettably, for many years the Liaison Office of the Central People's Government in HKSAR has kept interfering in the elections and many of the political and policy matters in Hong Kong, thus deviating from the promise of the Central Authorities on giving the SAR Government "a high degree of autonomy". The SAR Government and the Chief Executive have not only turned a blind eye to and paid no heed to this situation, they even denigrated themselves and be it in the treatment of Members, in the appointment of people to committees and even in policy formulation, embarking on a campaign of differentiation based on political affinity regardless of the welfare of the public.

Recently, the State Vice-President, Mr XI Jing-ping, visited Hong Kong and made comments that urged the executive, legislature and Judiciary in Hong Kong to support each other. This aroused concerns about him wanting to interfere with judicial independence in Hong Kong, and the Hong Kong Bar Association has already issued a statement stressing that the Judiciary in Hong Kong must be independent of the framework of the executive and the legislature and cannot be regarded as part of the governing team of the Government. To maintain judicial independence is an important aspect of the core values of Hong Kong, and the Chief Executive and principal officials should make clarifications and rebuttals immediately from Hong Kong's point of view. Unfortunately, the Government did not speak up to defend Hong Kong's interests in any way.

Finally, it is impossible for me not to mention an Honourable colleague whom I respect, Mr Martin LEE. For more than two decades, Martin has made a lifelong and selflessly commitment to democracy in Hong Kong. Since the

negotiations on the Joint Declaration, he has been standing on the side of Hong Kong people and speaking for Hong Kong when others are simply following the biddings of the Central Authorities. He is still outspoken and forthright, not fearing any taboo. Even when he was serving as a member of the Basic Law Drafting Committee, he already won the praise of quite a number of mainland members in it.

He does what he preaches. In 1985, he stood in the Legislative Council elections and subsequently, he established the United Democrats of Hong Kong and the Democratic Party and has exerted his utmost to achieve the genuine implementation of the concept of "Hong Kong people ruling Hong Kong with a high degree of autonomy". His reputation as "the father of democracy in Hong Kong" is really well-deserved. Here, I wish him good health, a relaxed and happy life and that he will be a grandfather soon. (*Laughter*) I also believe that he will surely pass on his rich experience of campaigning for democracy to the younger generation and continue to serve the public in another capacity.

There is also our respected President of the Legislative Council, Mrs FAN. She was appointed a Legislative Council Member by the Government in 1983 and is a very senior Member of this Council. With the transition to the SAR and the development of democracy, she also took part in direct elections and became the President of this Council. Mrs FAN is well-versed in the rules of the Council. When chairing meetings, her professionalism and impartial attitude have won the respect and trust of various political parties. Here, I praise her for her outstanding service and wish her a happy life after leaving the Legislative Council.

Last but not least, I thank those Members who mentioned me in their speeches. I was happy to stand in the by-election at the end of last year, which gave me the opportunity to work together with Members in the past eight months. I can see that on issues of people's livelihood, Members are all fully devoted to working for the public. Even Honourable colleagues of other political parties and groupings whose political beliefs are different from mine (*The buzzer sounded*) ..... thank you, Madam President.

**MS AUDREY EU:** Madam President, the Civic Party was founded on 19 March 2006 during this legislative term. I make this valedictory speech as Leader of the Civic Party and hope it will be the first of many to come — by that I do not



mean many speeches by me, but by many successive Civic Party Leaders to come.

First, we would like to pay tribute to you, Madam President. You will not be seeking re-election, thereby giving me, as your former competitor on Hong Kong Island, a slightly better chance of getting re-elected in September. We may not agree with every ruling of yours, but we certainly appreciate your intentions to uphold the spirit, the best traditions and the constitutional standing of this Council. We are also grateful for your good humour and your patience. Now that you will be free from long dreary hours of Legislative Council sittings, we are sure your health and, even more importantly, your political career can only improve from now on. Now that you are no longer going to be bound by neutrality as President of the Legislative Council, I hope you will speak out for Hong Kong's interests in the higher political circles into which you will move.

Seven months ago, we were joined by a new member. Anson, you too have declined to seek re-election. Critics say that your short-lived career as a legislator showed you should never have run in the first place. We cannot agree. It took extraordinary courage to move from the highest corridors of power to march with the common folks, fighting for universal suffrage and social justice. Cold shoulders of former friends and cool reception from former subordinates are not easy to live down.

Your term in the Legislative Council, albeit short, is invaluable in at least two respects. First, there is what you bring to the Legislative Council. You bring with you 40 years of administrative experience. You see through the flimsy excuses of the government officials who come to the Legislative Council and beat about the bush. Your criticisms are acutely incisive and widely reported. In this way, you are one of the best monitors of the Government that the public can hope for.

Then there is what you bring from the Legislative Council. Although you have been here for only seven months, you have spent so much time here and away from home that I hear you are in danger of being divorced had you decided to run again. *(Laughter)* With your first hand experience, and with your popular appeal and authoritative status, you can help to clear many of the public misconceptions that democratic legislators do nothing except oppose for the sake of opposing. In this way, you are one of the best ambassadors that we can hope

for. We look forward to your continuous contribution to Hong Kong's democratic development and good governance.

Martin, we met in the late 1970s when I joined the Bar. I served under you as the Honorary Secretary when you were Chairman of the Bar. When a woman says to a man, "My life is different because of you", it may give rise to the wrong ideas. (*Laughter*) But Martin, I am afraid that is the case between you and me. Do you still remember the summer of 2000 when you proposed? As fate would have it, the day was 9/11. It was my birthday and the day after the Legislative Council election. We were both at a cocktail in the British Council. You proposed that I should take part in the Hong Kong Island by-election for the seat left vacant by Gary CHENG of the Democratic Alliance for Betterment of Hong Kong. Since then, my life had never been the same and it indirectly led to the founding of the Civic Party. In all honesty, Martin, I cannot say I am thankful for what you have done to me (*Laughter*), but we are deeply grateful for what you have done for Hong Kong.

Indeed a 15-minute valedictory speech will not be sufficient to recount all that you have done. So I would only say this. You are as fighting fit as the first day I met you. The end of the Legislative Council will only be a new beginning for you. We look forward to the day, hopefully, in the not too distant future when you will be able to travel freely to the Mainland, witness a much more open and democratic China and Hong Kong, which you and your patriotic friends in the Democratic Party have worked so hard for.

We thank all our democratic allies for their co-operation in fighting for universal suffrage which is a fundamental building block to good governance, real accountability and improvement to people's livelihood. It has been fun working with you all. But there are daunting tasks ahead. True universal suffrage is by no means certain. We hope in the next term there will still be sufficient of us to share the workload and to maintain more than half in the geographical constituencies, and a third in the entire legislature.

On behalf of the Civic Party, I would also like to thank all colleagues in the Legislative Council, for fighting a good fight, for their jokes and of course, for their abundant supply of food. We are deeply grateful to the unfailing Secretariat, the legal advisors and the attentive staff who are amazingly perfect in every sense of the word.

Unfortunately I cannot be as generous with some of the government officials who think the Civic Party is merely here to give them headaches. Maybe that is why we see many Secretaries present for this motion, to wish some of us "good riddance". But we are a persistent bunch. We believe the truth will always triumph in the end. Meanwhile, on behalf of the Civic Party, I wish you all a good summer and good health. Thank you.

**MS MARGARET NG** (in Cantonese): President, on today's "Valedictory Motion", apart from Mr Martin LEE, the person most qualified to speak is you, President. In fact, originally, I did not intend to speak, hoping that we could finish speaking earlier, so that we could listen to the words of the President. However, having heard so many Members sing so many praises, I feel that I cannot help but throw a wet blanket.

President, it is a pity that Mr LEUNG Kwok-hung is not present now. The first rebuttal I have to make is against the remark made by many Members in their speeches that serving in the legislature was very hard work with little return. Today, I have brought along this plant from my office on purpose. Not long after Mr LEUNG Kwok-hung had been elected to the Legislative Council, he made a trip to a certain country and on coming back, he gave me a stick of something unknown and at that time, it was just a bare stem. He gave it to me as a present, telling me that this kind of plant was very difficult to grow. I put it in this jar on receiving it and only added a little water. Now, a lot of leaves have sprouted from it. It can thus be seen that no matter how hard or slow, so long as there is strong vitality, ultimately, there will be green leaves and sprouts and in the future, further growth. Therefore, I hope that Members who feel dejected now will realize that they have a historical mission.

President, regarding Members who sang praises of this Council or the President, I am really sorry but still, I have to throw a wet blanket on them. Why? Because we want to have higher expectations of the Legislative Council. We are no longer like the Members in the British-Hong Kong era, who offered advice to the then Governor of Hong Kong, so that he could draw up legislation. Under the Basic Law, we are the legislature and we have our historical responsibilities. We have to establish a legal code and system that will contribute not just to Hong Kong. Even as we make contribution to democracy and the rule of law in Hong Kong, we also want to have an effect on democracy and the rule of law in our country.

President, we all have a good friend called CHING Cheong. Lately, we are very happy because he has regained freedom and returned to Hong Kong. In an evening gathering, he talked about his feelings and thoughts while in prison. I found that when he was talking about democracy, freedom and the rule of law, he was still very optimistic, confident and passionate. He asked what contribution we could make if we wanted Hong Kong to make contribution to our country. Our contribution should not simply be in the economic domain. It is the core values that matter the most and this is what we can help our country with.

At that time, during the question time, a guest asked CHING Cheong a question, saying that although democracy was so important to Hong Kong and our country, there were a lot of contradictions in the pan-democratic camp and it lacked solidarity, so what advice would he want to give it, so as to make it united. In other words, this guest had some dissatisfaction with the pan-democratic camp, particularly Members of the pan-democratic camp. CHING Cheong said that we should not be too disappointed because democracy could not be developed in one day. It was only necessary for each person campaigning for democracy, in particular, those Members, to consider how they can do something at the level of the country to help promote democracy in our country as we promote democracy in Hong Kong. Those Members would then become united. This sounds easy enough. Perhaps our understanding is not deep enough, so I hope CHING Cheong can consider standing in an election and you never know, maybe he can lead the pan-democratic camp in this legislature. Each time a new figure stands in an election, the mass media would say that he or she would lead the pan-democratic camp and unite it. It seems that time and again, they want to identify some new candidate for this task. In that case, they may as well try CHING Cheong.

What existing codes and system matter the most? It is our parliamentary culture. A number of Members have already talked about this. As regards the praises for the President, the main thing is that the President can really be neutral and fair in enforcing the Rules of Procedure when chairing meetings. However, being fair and impartial in enforcing the Rules of Procedure is not enough. The parliamentary culture that we really need is to deal with matters fairly and to give equal treatment to the strong and the weak. There should be mutual respect and no matter if a political party or grouping is weak or strong, it will enjoy respect all the same and equal opportunities, not just to voice its views

but also to lobby other people, so that its views will stand a chance of being accepted by them. This cannot be found in our legislature.

This is not the fault of the President. Rather, our entire system has got problems, particularly when the Government applies affinity differentiation, so some Members are increasingly ..... today, I cannot see Secretary Stephen LAM here. Even on matters that we have fought for a long time, whenever the Government makes some small concessions, it will deliberately make it sound as though it were responding to some pro-establishment Members. This practice will affect the culture of a fair legislature and fair debate in Hong Kong.

When the Legislative Council holds its regular meetings, it is true that the President exercises very good control on our right to speak and she would not follow the rules rigidly in all circumstances, nor would she display a lack of discipline and everyone observes the rules. However, when it comes to the panels or bills committees and even — I am sorry to say that — the House Committee, we cannot find such a spirit and so long as there are enough votes, something will be passed and so long as there are enough votes, one can refuse to listen to other people.

We only have to look ..... this poses a problem to the exercise of constitutional powers by the Legislative Council. Article 73(10) of the Basic Law states specifically that the Legislative Council has the power to summon witnesses and this is a major power in effecting supervision. Not only is this specified in the Legislative Council (Powers and Privileges) Ordinance, this is also stated in the Basic Law, our constitution. However, since 2003, we have never succeeded in establishing a select committee. In this regard, some Honourable colleagues said that we had given up our powers, but I think that if we do not do our work properly or perform our constitutional roles, we have failed our country in helping it establish an open legislature and introduce the legal codes and systems for a democratic legislature.

President, sometimes, we also have to look at what is the difference between the Rules of Procedure and fair debate. In fact, we can see that in many meetings, each Member has five minutes to speak and this is seemingly fair. However, the difference between the five minutes that you and I have is that you sit here for two hours, then speak for five minutes and the official will respond in an irrelevant way, so everyone is talking about his own things. This

legislature is not an effective one; it has only the trappings but not the substance. Therefore, in the final analysis, there are differences between the Rules of Procedure and a fair parliamentary culture.

Apart from fairness, the standard of the comments is also very important. Even though we say a lot, if it lacks quality, how can we give people the impression that this democratic legislature is contributing to the governance of this region? In that case, how can we play our role? I hope each Member can do a service to the system. When we sit in the Legislative Council, we should have the thinking that this legislature is not designed to serve us, rather, we have to serve this legislature. It is only in this way that we will have a future.

Finally, a number of Honourable colleagues have heaped praises on the Secretariat. Of course, I also appreciate the professionalism of the Secretariat very much. However, even with regard to the Secretariat, I also want to throw it a wet blanket. I think that at a time when our legislature is not yet well-developed, the Secretariat is a very important body in preserving the identity of the legislature as a whole. For this reason, in fact, it has to handle matters independently and it must have its independent status. All along, our Secretariat has been very neutral, disinterested and impartial when dealing with Members' issues and this is also the case with our Legal Service Division. However, President, we have to mention the Legal Service Division in particular because its responsibility is growing bigger. Therefore, it is extremely important for us to obtain independent and insightful legal advice. In a recent speech delivered by me, I noted that ultimately, the manpower of the Secretariat has not increased. In 1995, there were 300-odd employees and now, there are about 320 employees. The complexity of parliamentary work has increased significantly but the Secretariat has remained very small. The Legal Service Division has 24 or 23 staff members but only 14 of them are solicitors or barristers. This number is not enough to handle the work of the legislature. In particular, when there are many signs of falling standards in the Department of Justice, I think the robustness of the legislature is very important.

I hope that all Members, apart from being concerned about their pet issues, will also bear in mind the need for us to reinforce the legislature and give it adequate resources. Financial Secretary, we are really pleased to see you here. *(Laughter)* I hope that when the Government considers the allocation of funds, it will not treat us as one of its departments. We as an organization is

different from the Government. You are the executive and we are the legislature. We are on a par with each other. The Government should not treat us as a department, rather, it has to give us enough scope and understand that we need a lot of resources. These resources are needed not for our own use but because we have to be accountable to the public. In this legislature, we do not even have enough manpower to play host to the general public and enable them understand the Legislative Council better. We do not have the resources, a dedicated building or the facilities, so how can this do? Therefore, I hope the Financial Secretary will not say that something should be done or not done, or that there has been improvement or not only after you have grasped all the details. You only have to ask yourself if the legislature is being responsible when telling you how much money we need to do our work. Of course, if there are insufficient resources or means, there is nothing we can do but still, we should try our best. I can see that the Government has taken a step forward in respect of judicial salaries. I hope the Government will look at the legislature in the same light, so that the legislature can make Hong Kong people feel that it is for Hong Kong people instead of merely for the pan-democratic camp or the pro-establishment camp. The Legislative Council is not for us 60 Members, rather, it is the Legislative Council for the public. In this way, we will be able to truly fulfil our historical mission.

President, I am sorry because my speech is really too long. It is now time to listen to what the President has to say to us. However, I wish to add one last point: Will the Government please take a look at our President of the Legislative Council to see why she commands such esteem now? Why does she command such popularity nowadays? Because our President of the Legislative Council regards her own views as secondary in importance and accords priority to the requirements on and expectations of her public office. Mrs FAN did not do this right from the first day. On the first day, I had strong views about her, but we have to see where the ideal of that person lies throughout the course. I hope our Chief Executive and officials will all have the same breath of mind and ideal. Thank you, President.

**MR ANDREW CHENG** (in Cantonese): Madam President, I received a notice saying that if Members want to have dinner tonight, they can order takeaway, but I think this may not be necessary because Emily told me to be more concise. Madam President, concerning this Valedictory Motion, as a result of the

marathon efforts made by Mr James TO in the past few days, we have to attend this meeting even on Sunday.

Originally, I did not know what I should say, so I looked up my speeches for past Valedictory Motions. Madam President, I found that the opening remarks of my speeches on several occasions were like this: I had prepared a speech, but after listening to the speeches of Honourable colleagues, I decided to put my speech aside because I would rather be more light-hearted and treat this as a casual chat. Many of my speeches were swipes at the Government (*Laughter*), so we had better not adopt such a strong stance even on the very last day.

After I had just returned, I heard a powerful speech by Mrs CHAN. It struck me that when Mrs CHAN was a senior official, she was just subordinate to one person but held sway over a large group of people. It is after this senior official had joined the legislature that she found the work in the legislature to be such a sorry, miserable and helpless affair. Moreover, the pay is also low. It is unfortunate that Mrs CHAN wants to bid us farewell. In fact, I do hope that Mrs CHAN can stay here and continue to air her views.

In fact, Mrs CHAN is not the first Member who was once a senior official. When the nine new functional constituencies were introduced in 1995, I belonged to the constituency of Financing, Insurance, Real Estate and Business. I often said that this name was in such a long-winded form that I had to think clearly before I could say the name of my functional constituency. Mrs Elizabeth WONG belonged to the welfare sector and housewives were her voters. Honestly, all of us just cannot remember the names clearly because there were too many functional constituencies of this kind. Both Mrs Elizabeth WONG and Mrs CHAN gave me the impression that "the Government is really over the top". In a meeting on one occasion — and I cannot remember which meeting it was — she was sitting behind me and she said, "This Government is really over the top.". I then said to her that finally, she realized that the Government was over the top. Therefore, in different positions, we play different roles.

However, is the Government really over the top? I have looked at the past speeches on Valedictory Motions. Madam President, it is now past 4 pm and I remember that my first Valedictory Motion was delivered on 27 June 1997. The person sitting in the Chair then was Mr WONG Wang-fat. There were probably only he and me in the Chamber (*Laughter*) because it was 3 am in the



morning. I remember that when I was speaking, it seemed he was resting his eyes by closing them (I will not venture to say that he was asleep). Therefore, in fact, I was delivering my speech to the thin air. I am not going to read out my past speeches, Madam President, but why do I want to talk about them? Because I want to tell myself and to show Honourable colleagues and the public that in the past decade, it seems our legislature has not seen much progress and we have been talking about pretty much the same things, Madam President.

In that Valedictory Motion, I said that there were rumours saying that quite a few villains hanging around Chief Executive TUNG — that is, the Chief Executive who would soon assume office — were holding sway and offering ill advice. It seems this is still the case now. When it came to 28 June 2000, Madam President, at that time, you had become the President and my Valedictory Motion was also more cheerful. At that time, the number of Members had increased substantially. I remember that back then, Mr Bernard CHAN had joined the football team of the Legislative Council and we beat the Government by 6 to 1 (*Laughter*). We routed the senior officials by 6 to 1 and I even scored thrice in a row, Madam President, and I was already 40 at that time. That I could still play football at the age of 40 and score thrice in a row was the most gratifying moment in that term. I also mentioned this in my speech at that time. I also found that it seemed there was little satisfaction in being a Member but it was gratifying to have defeated the government team in a football match, so I said in the last paragraph that on many issues, the Government really had to devolve its powers because the fetters binding us were really too tight, so much so that we could achieve little.

In fact, Article 74 of the Basic Law makes us ..... there is also this issue of separate voting, Madam President. Each time I see a division taking place, my first reaction is to add all the votes in favour together and then add all the votes against together. If the total number of votes in favour is greater than that against, I will feel very happy. This is also the case with regard to the motion moved by Ms Margaret NG several days ago. Although it was negatived, the number of people in favour of it was larger than that against it and I could find some consolation in that. Then, due to the fact that no separate voting is required for the government motion, such a motion was passed. In the past few days, Mr Martin LEE often said to me that having won a beautiful victory, Mrs CHAN was delighted like a small child that evening. However, Madam President, I think that in the past decade, that is, after the reunification, such

beautiful victory was rarely pulled off. Each time, it was always due to a lapse of attention of the Government's "paparazzi" or the slightly different opinions held by the very important Members sitting behind me that we had the chance to win, but there was always a feeling of condescension in all this. Madam President, in fact, given such a feeling, it is difficult to attract a new generation of political talents to join and work in the legislature.

Madam President, I talked about you in the Valedictory Motion on 10 July 2004. You will probably remember that in the 2004 session, you punished me with "retention after school". You said, "Andrew, come to my office later.". I rose and said, "Madam President, if you have anything to say, please say it here now, so that I do not have to come to your office later.". I specifically put this on record in the Valedictory Motion of that day. Madam President, why did I mention this? Just now, many Honourable colleagues have talked about you but my impression of you is that you are rather complex, Madam President. *(Laughter)* If you still remember, on one occasion, you were electioneering in a local community and you came across me and my two daughters — they are studying in the same school as you did and on account of this, they respect you very much and are proud of the fact that a graduate of their school is serving as the President of the Legislative Council. Of course, Madam President, I did not vote for you but voted for the Democratic Party.

My impression of you is that you certainly have your own political views but as the President of the Legislative Council, you have certainly been impartial on many issues. I often hope that one day, I can have a debate with you on political issues here but my hope has been dashed because you will not stand in an election. Even if you stand in an election again, I think you will still take the Chair.

I often think that in respect of some work, you ..... on the whole, Madam President, of course, I think that you have managed to be very impartial, particularly with regard to, as Ms Margaret NG said, keeping time with the timer. When the time had reached 15 minutes or seven minutes, you would say, "All right, time is up, please sit down.". Or in respect of oral questions, when some Honourable colleagues were not really asking questions, you would tell those Honourable colleagues to hurry up and put their questions. Madam President, with regard to the recent bill on smoking, you did not allow me to propose an amendment concerning smoking cessation services and I also told reporters with exasperation that it seemed you had interpreted the Rules of

Procedure in a very narrow sense. As a result, I could not propose my amendment.

Madam President, in the first Legislative Council, you contested the presidency with Mr WONG Wang-fat and if Members can still remember, a Question and Answer Session was held on that occasion. I remember that it was held in Conference Room A. I said that you were like "the modern-time JIANG Qing of Hong Kong" and I believe you still remember this. I hope you will forgive my recapping this, but I believe that Hong Kong people no longer have such an impression of you. By dint of your affable smiles, I cannot but water down my criticisms of you even though I have complex views of you. However, Mr Martin LEE often reminds me that as a Member, I should not level too much criticism at the President because the President represents the Legislative Council. No matter what, in the new term, you would no longer stand in the election, so I hope the President of the next Legislative Council can also act impartially.

Last time, I also mentioned that when "Tai Pan" was hosting his programme — "Tai Pan" was not a Member in the last Legislative Council — he would often refer to the Legislative Council, the Cantonese pronunciation of which is "laap fat (Legislative) wui (Council)", as the "laap saap (rubbish) wui (Council)". As it turned out, he has also served four years as an Honourable colleague of the "Rubbish Council". I also hope that he would also stand up to speak on the Valedictory Motion because I can see that his wife is also here — I have seen her there for some time and felt that I had met her before but could not remember who she was. I had thought for a long time and remembered that she was Mrs CHENG. Therefore, I hope that later, Mr Albert CHENG can give us his parting shot and speak on the Valedictory Motion before he speaks on the microphone in the radio station again.

Concerning this term "the Rubbish Council", Madam President, I think all Members here care a lot about it. Indeed, why does the Legislative Council give the public the impression that it has achieved nothing, can achieve little and furthermore, that it is not attending to its proper business and is bickering all the time?

Today, Emily was the guest in a programme and my father purposely told me to listen to her programme. Emily said that she also had a gentle side and in fact, this is true. Emily really has a gentle side. When she had photos taken

together with housewives on her visits to local communities, her smiles were really very gentle. In fact, when the public hear us rant and rave before the mass media, cameras or on the radio, it seems we are very agitated and very angry but what actually have we achieved? What has Emily done? Sometimes, we are really unable to tell others about our difficulties, as though we were dumb and could only bottle our grievances up. It seems that we are really incapable of doing a lot of things. However, Emily is one of the Members whom I have the greatest admiration for and she is also the most hardworking one. I think she has the highest attendance rates in all sorts of meetings and she also works very hard. However, the public may not be able to see this.

Such perseverance is in fact hard work for us in this ageing Council. In the past few days, Members have had a hard time. Since Members are getting old, even the captain of our football team, who is the youngest of all team members, will no longer stand in an election, so the average age of the members in our football team is now close to 50. After its youngest member has left, I dare not think whether we can still form a football team. In view of this, in the future, we may have to play such games as ping pong and badminton because they do not require as many as 11 members. Maybe we can also play basketball — Prof Patrick LAU also loves to play basketball. With the population ageing, the legislature is also ageing, but there are also some newcomers who want to join this legislature. Just now, I have purposely jotted down some names and I estimate that their average age is also over 50. They include Michael TIEN, WONG Yuk-man, Claudia MO, WONG Kwok-kin, Regina IP (being a retired senior government official, she can hardly be called young), Louis SHIH, and so on. They are all over 50, but young people like Mr CHAN Hak-kan have seldom been mentioned. Mr WONG Sing-chi of the Democratic Party of the New Territories East is also older than me. Honestly speaking, this is somewhat unfortunate. Although the person in the second place on my list, Mr YAM Kai-bong, looks rather mature, he is only 30. I hope we will also mention these young people, so that our Council can have some vigour because I found that there are more and more people of advanced years in this Council. Although it is said that having an elderly person at home is like having a gem and it is indeed true that the older one is, the more experience one has, I hope that the age of the people who join this legislature will drop somewhat.

Originally, I also wanted to talk about Members who are going to leave this legislature, but I do not have enough speaking time now. Finally, I hope

that our legislature will not become a "Rubbish Council", that more young people with stamina will join our legislature and that the Government will cease to apply affinity differentiation. If one does so, one will bring trouble to oneself. Not only will this give the pan-democratic camp a difficult time; it will also make the administration of the entire Government difficult. With these remarks, Madam President, I wish you and other Honourable colleagues who are going to leave this legislature good health and happiness. Thank you.

**MISS TAM HEUNG-MAN** (in Cantonese): Madam President, I am very thankful to Ms Miriam LAU for proposing this Valedictory Motion, giving Honourable colleagues an opportunity to pause for a while and think about our work in this Council in the past four years. I particularly want to put on this orange scarf. It bears testimony to the hardest moment of my work in this Council in the year 2004-2005, and to the most crucial juncture in our constitutional development. On 21 December 2005, facing pressure from all directions, I voted in opposition to the constitutional reform package at the most crucial moment, as a result of which the Government's constitutional reform package without a timetable, roadmap and sense of direction fell through.

Back then, the media stalked me every day and reported that TAM Heung-man was suspected of making a U-turn, and I was referred to as one of the three Legislative Council Members who would make a U-turn — the other two Members were KWOK Ka-ki and Joseph LEE. On the day we voted on the constitutional reform package, I was waiting here but I was really frightened as if I was facing a formidable enemy. I was tensed beyond imagination, and because of the pressure, I am even speaking with a stutter now. However, I would like to express my heartfelt thanks to Honourable colleagues who secretly passed me slips of papers at the time. For many years, I have kept these slips and I am going to keep them until my retirement, and I will then recall who had written them for me. I am sorry that I am going to reveal the secret in advance. Our party leader, Audrey EU, wrote on a slip: "You can never please everybody. Just vote what you think is right." Another Honourable colleague wrote: "Let your conscience be your guide and say a prayer to gain strength and wisdom." Ms Emily LAU was the most amiable and she wrote: "You are a sweet lady and are very dear to the pro-democracy movement. Please hang in there and keep calm." I am not going to read them out one by one. Nevertheless, I would like to tell all democrat Members that every word and

expression of yours made me stronger. I am very glad that you and I are walking together on the road to constitutional reform.

On that day, in response to Honourable colleagues' support, I quoted the remark made by the Iron Lady, Mrs Margaret THATCHER: "You can turn, but the lady is not for turning." This remark also shattered the rumour that I would make a U-turn. After I had said that, there was an applause in the Chamber, especially from those sitting upstairs. I had not seen such a scene before, that was the first time and I was almost in panic. Soon afterwards, I found that Rafael HUI sitting right opposite me almost fall out of his chair as though he was on a slide; his response was really significant. I am not sure whether it made me laugh or cry at that moment. In any case, I finally cast my vote and successfully stopped our constitutional system from going the wrong way. I was acting by my conscience and I had been fair to my constituents. Looking back, if the constitutional reform package had not run aground or collapsed at that time, and if the democrats had not insisted, would we have a timetable for universal suffrage today?

Certainly, I hope that people would use their ballots to elect a group of Members having conscience, who would fight for the expeditious implementation of dual universal suffrage. Successfully fighting for a timetable does not mean that our work stops there. It is still my wish that the functional constituencies would be abolished one day. I hope that I could continue to promote the abolition of the functional constituencies in the Legislative Council because I do not understand why the SAR Government is still unwilling to introduce a specific proposal on the abolition of the functional constituencies now that the Central Government has explicitly specified a timetable for universal suffrage.

Madam President, should I as the representative of the sector follow blindly and echo views, and act as the loud hailer of professional bodies or yesmen? Another quite unforgettable incident throughout my four-year spell in this Council is the public consultation conducted on the goods and services tax (GST) in 2006 and the trials and hardships arising from it.

Quite a few people think that the voices of the professional bodies in the sector are the voices of the sector. However, it has been proven in this incident that it is not the case. I have realized that, as the representatives of a sector in the Legislative Council, we should not follow blindly the voices of the professional bodies; we should have direct communication with the electors and

listen to their views. I remember that when the Government conducted the consultation on the GST in 2006, the most important professional body in the accounting sector indicated to the Government that it supported the GST, but it had not conducted an opinion poll. Frederick MA was the then Secretary for Financial Services and the Treasury (of course, he is not present today), and he said here: "even the accounting sector to which TAM Heung-man belongs supports the GST." He also said: "Miss TAM, please consult members of your sector." Nevertheless, when I contacted the accountants direct, they expressed very different views, and most of them actually opposed the GST.

At that time, I decided to conduct a questionnaire survey; the result showed that 63% of the respondents opposed the new tax. When I announced the result, the professional bodies and the Government questioned the reliability of the survey as there were only some 300 respondents. So, I took the initiative to ask a professional body to conduct a similar survey to find out whether accountants supported it. Eventually, the opinion poll conducted by the body also showed that 60% of the accountants opposed the GST, which served to prove that the views of the professional bodies might not necessarily be the mainstream view of the sector.

It is now history that the disturbances between me and the professional bodies emerged after the incident. The Hong Kong Institute of Certified Public Accountants (HKICPA) sent me an email in October 2006 telling me that they would stop sending out work reports for me. The year 2006 was the most painful year to me. One day in August 2006, my father passed away; on the following day when I was thinking that I no longer needed to visit my father at the hospital every day, my elder brother called me to remind me to go to the hospital again. When I asked him why, he told me that my mother had a stroke and was hospitalized because she was grief-stricken. So, I went to the hospital at once to take care of my mother who was paralyzed on one side of her body. On 10 October, an easy day to remember in October, my father's funeral was held. On 9 October, I was at the funeral parlour when I received an email from the HKICPA telling me that our relationship would be terminated, and our friendship would be cut off; it would not send out mails for me anymore. In that case, I would not be able to communicate with my electors. Yet, I did not give up. I fought by various means and tried to negotiate with the HKICPA through different channels, hoping that things would be straightened out. It never occurred to me that those would be efforts to no avail.

In the face of the thick-headed professional bodies, I mulled over the matter and sought the advice of dozens of colleagues in the accounting sector. One of them gave me an advice that, as I belonged to the Civic Party, I was obliged to follow up the incident for fairness and the public. Eventually, I decided to file a judicial review application. That was actually a very risky decision; I had done some calculations and I found that the lawyer fees for both parties might reach \$5 million. If I lost the case, I might go bankrupt; I could not be a Legislative Council Member and I could not even be an accountant. It might be said that I would have nothing and I would lose everything suddenly.

Here, I would like to express my heartfelt thanks to Mr Martin LEE. At the most critical moment, I rang up Mr LEE personally and asked for his advice about how I should handle the matter. He said without hesitation that he would help me. He asked me to call Mr Albert HO, telling me that I only needed to mention his name to Mr HO and Mr HO would give me assistance. I called Mr HO as per his instruction, and the first thing I said was that Mr Martin LEE had told me to seek his assistance. Mr HO said in reply that he was obliged to help me because Mr Martin LEE had told me to call him. His office represented me in the lawsuit. I thank Mr Martin LEE wholeheartedly for giving me excellent professional advice and for thinking that I should strive by every means in this connection.

It was stated in the judicial review judgment that: Under Article 16 of the Hong Kong Bill of Rights, everyone in Hong Kong shall have the right to freedom of expression; and electors shall have the right to receive information. I trust that I had to stand up and uphold the principles that I had always been sticking to. On account of my principles, my electors, the ideas of the Civic Party, justice, fairness and the public, I made another significant decision in my life.

I had no alternative but to file a judicial review application. But, as a Legislative Council Member, I was obliged to maintain communication with my electors, which was a very important point and the judgment of the Court had proven that my appeal justified. According to the Court, the professional body was the only entity in possession of the correspondence information on members of the sector, and it had the responsibility to help the representative of the sector to send out work reports. I hope what I fought for would set a precedent on the basis of which other functional constituency members would have freedom of expression, and could maintain communication with their electors. As a matter



of fact, the same applies to society as a whole; we cannot allow only one voice in the community, and society should "let a hundred flowers blossom and a hundred schools of thought contend". The Government should make a fair competition law for the business sector, allow the expression of different views, and create a free and fair competitive environment.

Madam President, "Power corrupts, and absolute power corrupts absolutely." If a government is not monitored by the legislature or the public, it is definitely not effective, legitimate, fair or transparent. I always remind myself that, being a Legislative Council Member, I should make my best efforts to monitor the Government and point out the blunders in its operation, so that my voice will be heard besides the voice of the Government.

In the past few years, we monitored the Government through the work of the Public Accounts Committee, in particular when corporate governance is very important nowadays. Recently, the SAR Government's popularity rating has dropped because of the disturbances involving the Under Secretaries and Political Assistants. This precisely reflected that the level of corporate governance of the Government as an organization should be monitored in particular. The whole incident involving the Hong Kong Tourism Board (HKTB) reached a climax when the word "insatiable" was used. If Members were not determined to go in hot pursuit in the monitoring process and lacked the courage to speak for the public, the HKTB would not draw a lesson from a bitter experience and improve governance. I recall that Mr Abraham SHEK insisted on asking questions at the time and so did "Tai Pan CHENG". I supported their asking thorough questions because we also wanted to monitor whether public money had been wasted.

Apart from the HKTB, we also monitor the Government and we should work continuously, but the task tends to be most arduous. Please allow me to elaborate this point with the last few seconds. I am very grateful to Ms Emily LAU, especially for her advocating that we should not mix English with Cantonese when we speak in this Chamber. I had lived in the United Kingdom for 16 years; during the period, I spoke English every day and I thought in English. Speaking Cantonese was a very difficult task for me. Nonetheless, Ms LAU insisted that I should learn not to mix English with Cantonese when I spoke lest the ideas I would like to express should become confused. After all, I am really happy that I can make all my remarks in Cantonese today, and Honourable colleagues wear an understanding smile at hearing this. I would

like to thank them for helping me improve my Cantonese speeches in these few years. Yet, I panicked especially when I had to speak after Mr Andrew CHENG because he spoke really well, and I might not be able to speak as well as he did. Thank you all.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR ALAN LEONG** (in Cantonese): President, these four years have passed really quickly. I still remember that, between late 2003 and early 2004, I was still struggling about whether I should move from the barrister profession to the Legislative Council Chamber. Back then, I consulted many of my seniors, some of them would retire after the end of this term while some others had not served in the Legislative Council this term. My impression at the time was that, after the reunification, the Legislative Council had continuously been dwarfed by the executive and a lot of powers such as Members' powers to introduce private bills had been confined to a very small space.

Probably due to my seniors' advice to me, I did not have high expectations when I became a Member of the Legislative Council. That was good because I was a bit overjoyed after these four years, which might be the fruit of good expectation management.

President, I would like to share with Honourable colleagues here the things that made me overjoyed in the past four years. First, President, I have never reckoned before that it was so satisfying to help many people in one go or help individual people living in the same neighbourhood solve problems that they found very perplexing. During the four years when I worked as a Legislative Council Member, there was an instance in which I helped many people in one go that left the deepest impression on me, and it was my honour to be elected Chairman of the Subcommittee on West Kowloon Cultural District Development. I remember very clearly that, after the reports on Phases I and II studies had been published, the then Chief Secretary for Administration Rafael HUI came to the Legislative Council and announced at a meeting of the Subcommittee that the original single-tender approach would no longer be adopted, and the Government would again be responsible for the development of the cultural district.

In comparison, when I worked as a barrister, I could only help one person or one company even when I won a lawsuit, and I could help a few persons or a few companies at the most. However, if we appropriately perform our duties as Legislative Council Members, we would enable the Legislative Council to exercise its constitutional powers — despite being narrow and limited — and it is so satisfying, some million times more satisfying, especially when Honourable colleagues are of one heart and one mind, as we are going to affect a few million people.

We can help individual people living in the same neighbourhood on a single occasion, and the satisfaction is greater than I expected. I still remember vividly that, around two years ago, a lady living in the same neighbourhood came into my office with her child. Like many Honourable colleagues, I solve problems for people in the district in the evenings. When she came in, I could tell from her expression that she had a very perplexing problem. She told me that she had a serious problem because she suspected that her husband died because of the hospital treatment he received, and she asked me how the problem could be solved. If proceedings had to be initiated, what should be done?

I still remember very clearly the matters I handled for her, which included ascertaining whether she should apply for special grants under the Comprehensive Social Security Assistance (CSSA), and whether she needed special care because her husband was the breadwinner of the family. I also explained to her how she could apply for CSSA, and so on. It was so satisfying to find that she was very much relieved when she left my office. As I have just said, it was also very heartening that I could exercise the power of the Legislative Council and achieve something.

Notwithstanding that there is very limited room for manoeuvre, and we may very often fail to achieve what we want, my impression after these four years is that, as long as we set our heart on a task, though we may not be able to accomplish it at once, we would be able to arouse public concern. Moreover, the task may not be impossible if Honourable colleagues are more willing to listen.

President, throughout these four years, another point that made me a bit overjoyed was that, I found out that there were many different people,

organizations or "stakeholders" (to refer to it more profoundly) in our civil society. They usually had expectations of Legislative Council Members and they really hoped that some Legislative Council Members would speak for them, and to give an impetus to subjects that they were highly concerned with and cared a lot about.

I remember very well that, soon after I was elected Chairman of the Subcommittee on West Kowloon Cultural District Development in January 2005, some planners and surveyors, and some friends from the arts and cultural sector took me to some movies; they accompanied me and taught me how to appreciate the movies. They told me that they had had deep thoughts about why the original single-tender approach would fail to meet Hong Kong's need of being established as an arts and cultural city. Of course, I was very grateful to them at that time. They told me their views and gave explanations to me because they certainly had trust in me; I was very grateful to them.

Nevertheless, I would like to say some words of encouragement to other friends and colleagues in this Council. Many people and organizations outside, be they non-governmental organizations or pressure groups, really hope that they could find somebody they can trust to speak for them in this Chamber. Hence, I believe we should not belittle our roles. In addition, looking back at the past four years, I got satisfaction that I had not expected when I made up my mind to run in the election four years ago. That is why I am a bit overjoyed.

Having talked about happier things, please allow me to express my deep feelings, or refer to cases in which I believe Hong Kong has no alternative. I have been a Member of this Council for four years, and I have had quite a lot of dealings with officials. It seems to me that the executive has become increasingly complacent, and it does not have the minimum respect for the professions, frequently failing to listen humbly to the views of the civil society. The officials may say that they respect people's views a lot, but many of them actually think that they are a cut above other people, the elites among men, so to speak.

Regarding the views of the members of many professions or the civil society, they are regarded by the officials as not as good as what they imagined, and the officials are somewhat disdainful of their views. Now that the development of the civil society in Hong Kong has already reached a very mature

stage, I think this is out of keeping with the times. In the course of our dealings during the past few years, I found that the civilian official system that we really trusted and had faith in had been constantly nibbled; as a result, some intrinsic values and systems in Hong Kong had been challenged. I think Hong Kong people should pay more attention to that. If the cornerstone and system underpinning our success and the values we believe in are challenged, it will not be a good thing for Hong Kong.

President, I would like to spend the rest of my speaking time on sharing some fragmentary things that happened in the past four years, but they are definitely not about unimportant persons and things. Two weeks ago, I told a staff member of the Legislative Council — the President should know him, and his name is the same as that of a very famous singer; his surname is LAU and his Chinese name is LAU Tak-wah — that I was going to speak on the Valedictory Motion. Mr LAU told me that I should mention him. I considered that really meaningful; if I mentioned Mr LAU Tak-wah, the name of this staff member would at least appear in the Official Record of Proceedings of the Legislative Council. Madam President, even though I was half joking with Mr LAU on that day, I have to say that, many staff members of the Legislative Council have played very important parts in my experience in these four years. Without their friendly assistance, I am sure I would have had a much harder time throughout these four years.

(THE PRESIDENT'S DEPUTY, MS MIRIAM LAU, took the Chair)

Apart from LAU Tak-wah and other staff members of the Legislative Council, I must say a few words about the Secretariat. I think the Secretariat is a very professional team. It appears as if Members are on a merry-go-round, as the old saying goes, "While some people are on their way home after having resigned from their official posts, some are hurrying to the imperial examination centre." An election is held every four years, and there are bound to be personnel changes. Nevertheless, with the professional assistance rendered by the Secretariat, Legislative Council Members who appeared as if they were on a merry-go-round accomplished their work in the most effective and efficient way within the framework. I must take this opportunity of a Valedictory Motion today to express my regards to my friends in the Secretariat.

These four years have passed in an instant, and I really hope that the election of the Legislative Council in the next term (the fourth term) would be a success. I also hope that Legislative Council Members in the new term would listen carefully and always put themselves in others' shoes when they consider matters. With this attitude, we would very often get twice the result with half the effort.

Thank you, Deputy President.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY PRESIDENT** (in Cantonese): If not .....

(Mr Abraham SHEK pointed in the direction of Mr Albert CHENG's seat)

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR ABRAHAM SHEK** (in Cantonese): It seems that "Tai Pan" wishes to speak.

**DEPUTY PRESIDENT** (in Cantonese): It should be the Chief Secretary for Administration's turn to speak.

**MR ABRAHAM SHEK** (in Cantonese): Let me speak first, and you can go out to bring him back.

**DEPUTY PRESIDENT** (in Cantonese): Mr Abraham SHEK.

**MISS TAM HEUNG-MAN** (in Cantonese): I will bring him back, you go ahead.

**DEPUTY PRESIDENT** (in Cantonese): Miss TAM Heung-man, we only allow one Member to speak at a time. *(Laughter)* Mr Abraham SHEK, you may now speak.

**MR ABRAHAM SHEK** (in Cantonese): I did not intend to speak.

(Mr Abraham SHEK put on the microphone)

**MR ABRAHAM SHEK:** Deputy President, four years of this third legislature passed by so fast that sometimes we only remember the unhappy and bad things that have happened during this period. But it would be incomplete and unfair have we not talked about the success that this Legislative Council has achieved.

In the last election, one of the themes was to ask for universal suffrage, a timetable and a roadmap. Have we not already attained a roadmap and a timetable from our Chief Executive and from the Central Government? Are we so unfair as not to give credit to them for listening to our demands? Four years ago when coming out of SARS and our economic doldrums, have we not asked our Government to open its stores to share the wealth with the citizens? Yes, the Financial Secretary has heard this, and he has given a budget that we share such that it has given a lot of benefits to the poor and the needy, and to practically everybody in Hong Kong. And we have given our approval in this Council to that budget. Are we so unfair as not to give them credit?

Within this legislative term, this Legislative Council united to fight against the Government's original West Kowloon project. But just two weeks ago, it passed the Bill and enacted the West Kowloon Cultural Authority Ordinance. Has the Government not listened to our demands? Why cannot we be generous with our praise to the Government when it deserves it as in the case of criticism when it failed?

Much we have talked about fairness in this Chamber. But I urge my colleagues to practise what we have preached to give credit to the Government when it is due. This is the very foundation on which trust and co-operation

between the Administration and the legislature is to be built upon, for the well-being and welfare of our society.

In the last four years, this Chamber has been a battleground of arguments between the democrats and the pro-government legislators over issues of constitutional reforms, government policies and issues of livelihood. Yes, we have divergent views; yes, we have arguments; yes, we have different political ideals and beliefs, but we have a common goal of working for the well-being and the welfare of the Government.

They criticize the legislators from the Functional Constituencies (FCs) that we only know how to serve our FCs. That is not true. The truth is: we serve our FCs to serve Hong Kong. This is the very basic reason that we are here. Hong Kong is composed of many different types of systems and those people who represent the commercial sector, trade unions and different associations. We are also part of Hong Kong. Why should they pick on us? You are looking for universal suffrage, you will have it; but in the meantime, we are part of that system, the system to be given to us under the Basic Law, to which each and every one of us has sworn for adherence. We are here as proud as any geographical legislators. I have served this Council well, and so I believe that the other 59 Members have also served this Council very well in their own rights. So do not pick on people who represent FCs for no good reason. If they are no good, tell them. If you believe a system of universal suffrage, fight for it. But just do not do it without any reason, and do not do it without any sort of good reason for those people who represent the FCs.

Now Albert is back, I can speed up a little bit now. Deputy President, I would like to pay my humble respect to those who have contributed to the well-being of Hong Kong and this Council, because without their contribution, our success in the past years will not be what it is today.

(THE PRESIDENT resumed the Chair)

First, I would like to pay my deepest respect to Mr MA Lik. It is sad that he is not here today, but during the short time that he was here, he had contributed much to the understanding of the DAB among various Members. I enjoyed his company as much as CHOY So-yuk did.



I would also like to pay respect to Madam President, you have been very tough when toughness is called for, and you have been very tender when tenderness is not called for. *(Laughter)* Madam President, you have been very fair and just, and I cannot find other words to describe the contribution that you have made to this Council. You have given us respect when people are looking down upon us as a Council, when we have failed to convene meetings because we do not have enough attendance. You are the light of this Council. I hope that whoever succeed you will be as good as you are. And I am sure they will be, because this is a system that we all believe in. It is a tradition that we all share. Madam President, may I wish you the best of the time in China and in Hong Kong, and you deserve to enjoy yourself.

Martin, our political ideals are a world apart, but I respect you as a person, and I respect you as a citizen of Hong Kong, because what you believe, you practise, and this is important. In life, we must have commitment, politics must have commitment. As I believe in what I believe, you believe in what you believe, because only in that divergent disagreement that we can agree on something, and now we have a timetable for universal suffrage. First, the universal suffrage for the election of the Chief Executive in 2017, and this is something that we have fought for all these years and you have fought for all these years. And I wish you the best in the years to come, and I hope you enjoy your retirement whether in politics or whatever you do, you deserve it. You have fought for the well-being of Hong Kong.

Madam President, I would also like to pay tribute to other people. Albert, my friend, has contributed greatly to Hong Kong during the SARS days over the radio, and during these four years while he is a Member of this Council. He is leaving now. May I wish him success in his new radio station.

For other Members who are leaving: Howard, who has been a colleague of mine for many years, has represented the travel industry very well. It is sad that he is leaving this Council. He is a model of the FC Members. He has not only fought for the FCs, but also the interests of Hong Kong. Bernard, my colleague and Member of the Alliance, is also leaving. We have shared a lot of time together. Our ideals are different from those people sitting in front of us, but it does not mean that we do not talk to them. We share their views, we believe in what they do, but they do not believe in what we believe. *(Laughter)* But this is democracy. Democracy is the counting of votes. If you win, you win; if you lose, you lose, and you must accept it gracefully. Had we not

accepted the voting results in the last two days when you were clapping your hands and getting or partially getting what you wanted? Have we complained about it? Because we believe in the system. If you have lost because the number of votes is not enough, then work hard to get more votes. This is the very essence in the value of democracy. And this is what we should believe in.

When we talk about the separation of powers, and co-operation between the executive and the legislature, it is not only co-operation that we should be looking for. It is more than that. It is understanding. By nature, we should not be working closely together, because by nature, we should be monitoring and supervising the work of the Government. If the policies are good, we should support them. So far, the pro-establishment Members are supporting the Governments' policies because we believe in the policies that it has prepared, and what it has implemented is good for Hong Kong, although this might not be shared by some of our colleagues here. But ultimately it has to put to vote, and by voting, the Government has got the policies.

It is not a shame to support government policies. I have always been a pro-government legislator, and if I come back again, I have no hesitation to be the same.

I believe the Government is working for the benefits of the people in Hong Kong. But the Government must also work for the people, and put policies to this Council if it believes that those policies are good for the people of Hong Kong, not because they are popular, not because they are what the democrats want the Government to do, not because they are what the people want the Government to do. Instead, the Government must explain to the people why the policies it has put forward are not supported by the people. Explain to them, educate them, lead them, and not to be led. The Government must listen, but somehow it must explain its position. It thinks it is very important. This is what the very essence of the executive-led Government should be. I believe in the Basic Law. I believe in an executive-led Government.

When the Government ask for the Deputy Ministers and Political Assistants, I cannot agree that the Government should do this for the grooming of more politicians. What actually are politicians? Politicians are really people who speak but seldom listen. Statesmen are politicians who speak and listen. Madam President, you are one of the Hong Kong statesmen. And our Government must somehow be able to ensure that — especially the civil

servants, you are not politicians, you are here to work for the benefits of Hong Kong, your policies must reflect the very essence that you are here to serve Hong Kong. Now come in Carrie LAM. She is a typical minister who I enjoy working with. She works above bureaucracy. I hope other ministers can be like her. Eva, without fear or favour, worked to ensure that the merger of the two railways worked, which was a very difficult merger. She went through it and it worked out very well for the benefit of Hong Kong.

CHAN Yuen-han is not here. (in Cantonese) Miss CHAN Yuen-han said she wished to speak, she had to speak. This morning, someone commended her for having done what she should although she had done it for the labour sector, and many workers hope she can help them.

Divergence of views does not exist between the commercial and industrial sectors and the labour sector; when the labour sector is pleased, the commercial and industrial sectors will also be pleased, and all of them will be able to share the fruits of prosperity of Hong Kong. Therefore, over the past year, many Members wished that our Government would be able to solve the serious problem of the disparity between the rich and the poor and help the needy in society. Therefore, as the Government would allocate \$10 billion to help our compatriots in Sichuan, I very much hope that the Government will also allocate fundings to help needy people in Hong Kong. "Charity starts at home", so the English saying goes. This is vitally important. Only in this way will Hong Kong become a harmonious society.

We businessmen also wish to have a harmonious society. How can businessmen run their business well? There will be no business without a harmonious society. Honourable colleagues often accuse real estate developers of exploitation, but no one is able to exploit the others. If buildings built by real estate developers are not good, no one will buy them. President, we do not cheat, we only build what the public want for the sake of the public. Thank you, President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR LEE CHEUK-YAN** (in Cantonese): First of all, President, I wish to say to you, "Many thanks to your efforts." I am a representative of the labour sector.

You have been the President of the Legislative Council for three terms, and you have taken the Chair for three terms. From the perspective of occupational safety and health, I wonder how much strain injury you have sustained. But President, have you ever made an application to the Occupational Deafness Compensation. Because your concern about decibels makes me suspect that in case you have any hearing defects in the future, you may blame the Legislative Council. If you have really sustained any strain injury attributable to your work in the Legislative Council, I will render my support to you. President, you have had a very hard time, I must say. It has not been easy for you to perform the duties in your present position over all these years.

President, I also wish to bid farewell to Martin LEE because he is certainly the "Father of Democracy". We must say a few words about him. Without Martin LEE, who can act as the protagonist of those "cases of injustice"? He is the Member who is most frequently framed up. He was once labelled a "traitor". He clearly did not ask anyone to boycott the Olympics, but he was still wrongly accused. I do not know who can replace him in this regard. I believe Martin should have very deep feelings about all this. I often grumble for him, but if I were to replace him in this regard, I would be in big trouble.

President, I am often upset by how Martin is wrongly accused. I felt especially angry when WONG Kwok-hing said that he was WU San-gui. Hearing this, I immediately asked, "Who is CHEN Yuan-yuan?" There was no CHEN Yuen-yuen. It was a very big frame-up. There was no CHEN Yuen-yuen, but he was still framed up like this by some people. Therefore, Martin must have had a very difficult time. But we have all the time appreciated Martin's persistence and sense of humour. I hope Martin was not tricked by Chief Secretary for Administration Henry TANG's speech just now. I hope he will not thus believe that there will be universal suffrage. Why? I heard him ask Martin to go voting together with him in 2017. I heard clearly that he only talked about voting. If he really believes that there will certainly be universal suffrage in 2017, he will not speak like that. He should have asked Martin to run as candidates in 2017. If Martin can run as a candidate, we can be sure that there will be genuine universal suffrage in Hong Kong, that there will be no screening of candidates. Henry TANG unintentionally blowed a secret just now — there will be no genuine universal suffrage in 2017. Henry TANG only asked Martin to go voting together with him. We all hope that there will really be universal suffrage.

President, the Central Authorities' two decisions against universal suffrage are the most unforgettable experience during my term as a Member. I think we have still failed to tackle this problem: How can Hong Kong develop its own political system? The Central Authorities twice rejected universal suffrage. At the same time, we were twice allowed to go back to the Mainland. I want to ask, "Do they mean that we are allowed to go back every time universal suffrage is rejected?" If the answer is yes, then I would rather not go back. I would rather see a quicker pace of introducing universal suffrage. I do not know whether this is fate.

President, finally, I wish to mention one issue. Since the Secretary for Labour and Welfare is present, I may as well say a few words about my greatest worry and greatest delight in the past few years. There seems to be a conclusion on the minimum wage issue. But the very bad thing is that there will not be any outcome until the new term of the Legislative Council. I have been championing a minimum wage since 1998, and I hope that it can eventually be introduced in Hong Kong. It is a pity that it cannot be introduced during this term. The timing is not as desired by me. However, I suppose the final moment has already come. The Member who has just entered the Chamber is the Chairman of the Panel on Manpower, that is, my partner, Mr LAU Chin-shek. I must thank him for making efforts behind the scene on labour issues. He has strong clout, only that people may not be aware of that. People like us who do not have any influence must fight at the front line; those who have the influence can stay behind the scene. Therefore, I must thank LAU Chin-shek.

President, I have promised Honourable colleagues that I will not speak for too long today. I hope this can enable me to remain popular and well-received by Members. I hope Members will support the proposals put forward by representatives of the labour sector in the future. Thank you, President.

**MR ALBERT CHENG** (in Cantonese): President, I believe today is probably the last time I deliver a speech here. I would like to follow what Martin LEE has done, as I wish that more people can listen to my speech, but it seems that a quorum is not present in the Chamber now.

**PRESIDENT** (in Cantonese): Mr Albert CHENG is asking me to do a head count to see how many Members are present in the Chamber now.

(The President and the Clerk counted the number of Members present)

**PRESIDENT** (in Cantonese): We have only 26 Members here. Clerk, please ring the bell.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

**PRESIDENT** (in Cantonese): A quorum of 30 Members is now present. Mr Albert CHENG, you may speak now. *(Laughter)*

**MR ALBERT CHENG** (in Cantonese): President, at the beginning of the term for the past four years, Mr Martin LEE and I often requested that a quorum must be present at a Council meeting. As today's meeting is the last meeting of the term, I must play the same old trick again. The Rules of Procedure requires that a quorum must be met at a Council meeting. It is reasonable for a Member to request for a head count when he speaks and so, Members must not have a grudge against him.

I wish to explain another point. Mr Martin LEE already explained this yesterday. It is about the procedure that a division shall be held after a division bell has been rung for three minutes. Every time Ms Miriam LAU, in her capacity as the Chairman of the House Committee, proposed the motion that voting shall start after a division bell had been rung for one minute, I was the only Member who raised my hand to vote against it. I was like a fool and looked rather stupid. I know there are many reasons for this, such as going to the washroom, as Mr Martin LEE had mentioned. However, I think this is not the point. In my opinion, the three minutes give us time to carry out careful and thorough consideration, so as to show that we do not vote in haste in order to finish off the day soon. I believe this is symbolic and very important.

With respect to today's valedictory motion, I think the wording used is incorrect. It should be called "farewell motion". A valedictory motion indicates that all the Members will leave. But in fact, a majority of the Members will not leave. Only nine Members are leaving. Of course, some Members may fail to be re-elected. But according to my calculation, a majority of them will return to the Legislative Council.

In my opinion, many Members of the Legislative Council are taking advantage of this valedictory motion to achieve their own purposes, including conducting self-evaluation and evaluations of the President as well as other colleagues. Some are even canvassing votes, claiming that they are successful in attaining certain goals. I have heard these words for numerous times before, to the extent that I thought this was an election forum. I will not act like this, because I believe such evaluations, irrespective of whether they are evaluations of the Legislative Council, the President or all Members, should be made by the general public.

I would like to record my praise for one thing. Ms Margaret NG has pointed it out just now, and I share her view. When I first joined the Legislative Council, I had some misgivings about the Legislative Council Secretariat. Eventually I have discovered that every staff member of the Secretariat, irrespective of their ranks, is politically neutral. At least, it appears to be so on the surface. This is very important. Both the remuneration and resources of Members are not adequate. I am not seeking re-election for the next term, so I have all the more reasons to put forward this point. However, Ms Margaret NG reminded me that resources for the Legislative Council Secretariat were even more inadequate. This is where the problem is. In my opinion, resources for the Secretariat should be increased. Previously I planned to fight for the upward adjustment of the remuneration of Legislative Council Members. But now, instead of fighting for this, I think it is most important to allocate these resources — if there are adequate resources — as funding for the Legislative Council Secretariat first, and after that, we can discuss our remuneration (or your remuneration in the future). I think the amount of funding required by this Council is more imperative than the remuneration required by Members of this Council. Why do I say that? It is because Members are not recruited by Legislative Council. Members fight for this job on their own initiative. According to the experience I have gained over the past four years, those who can become Legislative Council Members are not necessarily very remarkable. However, they are certainly not stupid, because it

is very difficult to win a seat in this Council. Although some Members are elected uncontested, the voters should be grateful for being able to identify suitable persons as they do not have competitors at all, while other people like us have to face fierce competitions. In other words, to join the Legislative Council is a personal choice made by the Member, with the objective of serving the public.

In respect of Members of the Legislative Council, many people have often mentioned "affinity differentiation" during this term. This term has given rise to many controversies — a disaster courted by the SAR Government. I would also like to talk about the issue of "affinity differentiation", because many people will associate many things with me every time "affinity differentiation" is mentioned (*Laughter*). This is simply unfair. I would like to thank Ms Miriam LAU, Chairman of the House Committee — she has just stepped into the Chamber. I would like to wait for her before I go on. She has just given me a hand. At first I did not know how to defend myself. Then, after her explanation, I have found that being a "pin" is good when the "pin" means "pinpointing the ills of our time". If it is to be interpreted this way, I will gladly accept it. Thank you, Ms LAU.

At first I had prepared a draft of my speech before today's meeting. I planned to use 200 to 300 words to reprimand LEE Wing-tat. But LEE Wing-tat is clever. He apologized to me here, so I will withdraw this draft.

I would also like to say this to Mrs Anson CHAN, "You have paid your dues." As Mrs Anson CHAN is not going to seek re-election, many people have said that had she known the outcome in advance, she would not have wanted to be a Member of this Council, and asked why she would stand for elections in the first place. Today's newspaper report also said that she has taken up the position for only a very short time and now she is leaving. On the contrary, I think she has done enough, and should not stay too long. Regarding the speech made by Mrs Anson CHAN just now, I have lots of feelings about it. This is the baptism of democracy. If the speech were delivered by Mrs Anson CHAN years ago when she was still the Chief Secretary for Administration, I would have been much moved by it. However, it is still not too late now, it is better late than never. Some people remarked that she was suddenly democratic. She believed that she was offended by Secretary TSANG Tak-sing when he made this remark. I do not agree with her. She is certainly like this. I would have said the same about her. I can even say that Secretary TSANG Tak-sing was right — but Mrs Anson CHAN does not have such quick wits as



those of the Secretary's elder brother or mine. Actually she could have said that he was suddenly aristocratic, right? The point is that there is nothing wrong with "suddenly".

Why is the baptism of democracy so important? It is because when you join the Legislative Council after you have experienced the baptism of democracy, you will really understand the relationship between the Legislative Council and the Government, and the fact that this Council is ignored and even pressurized by the Government. If she could see the problem earlier, perhaps the tasks that we are tackling now would have been much easier. That said, it is still not too late now because she has enlightened us. I think the Government should learn from this enlightenment.

The political appointments have aroused a huge uproar recently. The Government said that the objective of political appointments is to nurture political talents with a view to preparing for the universal suffrage in the future. Despite the fact that I support political appointments, I believe the best place to nurture political talents is the Legislative Council. The Government is paying over \$100,000 to \$200,000 as remuneration to these people — I have never considered their salary high. We do not have to pay attention to this; and we do not have to compare with them, because we have chosen to join the Legislative Council by ourselves. But the issue is why is the Legislative Council not provided with more funding? Why does the Government not select suitable talents from the Legislative Council to join the Government? Why has it not done that? At present, Chief Secretary Henry TANG is the only official and government representative who had served as a Legislative Council Member. I can say with certainty that he is more experienced than any other official or politically appointed official. With regard to nurturing political talents, Chief Secretary Henry TANG should encourage the Government to nurture talents for them to stand for the Legislative Council elections instead of nurturing these people to join the Government directly. I think this is useless.

Moreover, in mentioning the Legislative Council and "affinity differentiation", I would like to talk about "affinity differentiation". I have to admit that the term "opposition camp" was first introduced by me in the Legislative Council. I admit that I am a Member of the opposition party. Subsequently, Secretary Stephen LAM picked up this term. But Members of the pro-democracy camp have strong reactions towards this term "opposition

camp". I am of the view that opposition is opposition. We should not shirk our role and responsibilities.

Regarding the so-called "affinity differentiation", many people have asked, "Why does "Bowtie" or Mr TSANG meet monthly with members of the political parties that support the Government or the pro-establishment camp, or the "royalists" (as I referred to during the election) but does not meet with me? Why does he not treat me to meals?" I would like to ask those who have raised these questions, "Why do you hanker for these things? If you have views, you should express them in this Council or to the media. Why should you tell him? Is it that you are afraid? Is it that you only have the guts to express them in closed meetings but do not have the guts to express them in public? There is no need for you to complain. And don't give the impression that you resemble those infatuated men and lovelorn women. This is your own choice and your opportunity cost. As you are standing on moral high ground fighting for democracy and monitoring the Government, you should not hanker for these things. In parliaments of foreign countries, if you hanker for these things, you can "cross the aisle" and join the opposite camp, and the opposite camp will gladly welcome you. I think the "royalists" will gladly welcome any Member of the pro-democracy camp crossing the aisle to join their camp. This is a personal choice made by ourselves, so, there should not be any complaints.

I have undergone two phases after I joined the Legislative Council. The first phase was when TUNG Chee-hwa was the Chief Executive. I was very close to them, and there was really the case of "affinity differentiation". I sat at the Number One seat. As a matter of fact, it is an honour. At that time Martin LEE persuaded me to take this seat. Originally I sat over there, but David LI objected to it. He said that he wanted to sit next to Martin LEE, and told me to sit here. I asked him why. Martin LEE then told me that this is a good seat, a seat for a senior Member. Of course, I took the seat after hearing his explanation. It was really all that one could wish for. This Number One seat of a senior Member enables me to see the entire Chamber.

Subsequent to the resignation of Mr TUNG, Donald TSANG took office. This marks the beginning of the second phase for me. As depicted in the term "affinity differentiation", there is differentiation between these "big brothers" and me. They immediately gave me a nickname. I began to understand what fickleness of human relations means, and what results from a breach of

harmonious relations. They have given me the nickname of "bowtie pin". Why do they call me "bowtie pin"? Mr SIN Chung-kai has not explained it clearly just now. As a matter of fact, it all started from the time when I refused to vote for or nominate Mr LEE Wing-tat. So they called me "bowtie pin", and the nickname has been adopted since then. I do not mind at all. If "pin" means "pinpointing the ills of our time", I will gladly be that pin.

Yesterday I deliberately ran into Mr Alan LEONG. He had told newspaper reporters that there was a "pin" in the pro-democracy camp, and that the "pin" went to the Government House, and became a frequent and welcomed guest there. The genuine interpretation of the phrase "frequent and welcomed guest" is not like this at all. It is a derogatory expression. I believe Ms Emily LAU should make an immediate protest. I would like to solemnly tell Mr Alan LEONG this: "If you call me a frequent and welcomed guest of the Government House, I can say that you are a frequent and welcomed guest of the United States Consulate General of Garden Road, a guest of the White House, a "pin" of the *Apple Daily*, a "pin" of Commercial Radio, a "pin" of the programme "The Tipping Point"." Please do not give nicknames to others. If you want to debate with me, there are plenty of opportunities. We can do that anytime.

I have been a Legislative Council Member for four years now. I dare not say my performance is the best. Let us talk about this from the perspective of the pro-democracy camp first. They have been calling me a "pin". This is why I do not attend the lunch-box meetings any more. Surely it does not mean that I know nothing of what they have been saying. Similarly there are many "pins" outside the Council, right? When they asked Members to sign a petition, I did that. When they asked me to donate money, I did that too. I believe I am quite a generous donor. What else do they want? What else can they ask of me?

So, President, during the past four years in the Legislative Council, I have lots of feelings about it. Previously, I had hoped that when I spent four years of my life in one place, I could learn a lot and make a lot of friends. But President, during these four years, I can tell Members that after I joined the Legislative Council, I have lost a lot of friends. I have far less friends than before. However, it does not matter. Starting from today, the past can be written off in one stroke. I can start all over again.

Recently, there have been some misunderstandings between Mr Martin LEE and me. I do not wish to mention them again. I have different views from those of Mr Martin LEE. Nevertheless, insofar as personal relationship is concerned, it does not matter when we have different views. In the past, Mr Martin LEE had demonstrated his perseverance on, commitment in and sacrifices for democracy. I still respect him very much. Therefore, this does not pose any problems. Personal relationships are just personal relationships. The road to democracy is indeed very difficult. Once you have chosen this road, you should bear no grudges or regrets. Do not hanker for things that other people have. The "royalists" are appointed to join the establishment. Could it be that you hanker for this? Are you hankering for the Grand Bauhinia Medal? Are you hankering for having meals at the Government House every day and becoming a "frequent and welcomed guest", just like Alan has said? Why are you hankering for these things? When you go to the media, the media will give you a lot of coverage and time. And this is the price you have to pay.

With respect to the future of the Legislative Council, as a voter — or I may go back to work in the media — I have certain expectations. Many people have asked me, "'Tai Pan', you have not achieved anything since you joined the Legislative Council. Don't you feel unhappy about it?" They have also asked, "You do not have opportunities to speak, as you have only seven minutes to speak each time. Don't you feel unhappy about it?" This is very true. This is exactly what happens. I would like to tell Emily LAU or other Members of the pro-democracy camp that the Legislative Council is a place for debates, and we must speak here. As for whether the remarks of other people are pleasing to the ears, it is not for us to give comments. We do not have the chance to debate in this Council. We cannot debate with the officials. Neither can we debate with those who oppose our views. This is very unfortunate. I had expected that I could debate eloquently after I joined this Council, and that there could be spontaneous, tit-for-tat debates. If there were such debates in this Council, I might stand for elections again. However, we do not have such debates at present. Why should one become a Member? As a Member, you just stand up and read your speech, to be followed by speeches of many other people.

There is another point. In the Legislative Council — the time is almost up. It is really discouraging. *(Laughter)* You only need to ask the government officials, and you will know the outcome of all the motions tabled to the

Legislative Council; or you can see how many highly-paid AO "paparazzi" are standing outside, and you will know whether the Government is in favour of or against the motion concerned. There are certainly no unexpected results. The percentage of correct guessing is 99.9%. If there are any discrepancies, they are due to human errors. It is usually the case that when the Government wishes that the motion is passed, then it will be passed; when the Government does not wish to see the motion being passed, then it will not be passed. In this Council, from the era of the Hong Kong-British era until now, there has not been one single motion of which the voting result has been altered as a result of debate. This is not a representative assembly. Therefore, as a member of the public, I really hope that there will really be debates among Members in the future, and that every Member will speak. Furthermore, obviously there are problems with small-circle elections. Why should certain people have two votes while I have only one?

I so submit. Thank you, President.

**MR HOWARD YOUNG** (in Cantonese): Madam President, I remember that I have never spoken in a valedictory motion because I did not plan to bid farewell. (*Laughter*) However, four years ago, I made up my mind to give a valedictory speech this time around. As I had discussed and commented on matters relating to politics before, there is no need to say much in this regard. Madam President, this is a 20-second speech that I have prepared. Thank You, Madam President. Thank you, Members.

However, it is quite impossible for me not to respond to certain matters. So let me tell some stories instead. First of all, just now I heard Mr Abraham SHEK say that we used to be colleagues. He also said that I represented the tourism sector. It is true that I represent the tourism sector. But as a matter of fact, I love travelling more. Therefore, I will tell a story about travelling.

A private tour was on its way across the Atlantic Ocean by plane. There were four persons on board the plane — a Member of Parliament, a priest, a traveller, and of course, a pilot. The plane experienced some technical failures during the flight. The pilot apologized to the passengers and said that he worked only part-time. He said that he worked as a pilot for the President and so, it would be impossible for the President to do without him. At that time,

there were four persons and three parachutes on board. The pilot took one parachute. As only two parachutes were left behind, he told the passengers to play it by ear and then he jumped down right away.

Then, the Member of Parliament on board the plane said that he was an elected Member who monitored the Government on behalf of the public. He said that without him, the Government would be able to do whatever it liked. It would also be impossible to do without him. So he took a parachute and jumped. Finally, only the young traveller and the priest were left behind. What should they do? The priest said that he was a veteran, whereas the young traveller belonged to the second echelon, just like those young people in political parties. He believed that the young traveller had a great future ahead of him, and that he might even do better than the Member of Parliament who had just jumped down. He told the young traveller to take the last parachute. The young traveller replied that it was not necessary at all, and that both of them could be saved. Why was it so? It was obvious that there were four persons aboard with only three parachutes, so how could they be saved? The young man said that the Member of Parliament had only taken a backpack when he jumped. *(Laughter)* So it is really more advantageous to be a traveller than a Member of Parliament.

I would like to respond to the comments of Mr Albert CHENG. He said that those who become Legislative Council Members are certainly not stupid. *(Laughter)* I agree to this view. The value of a Member's brain is very high. Let me tell another story. There was a place that allowed the sale of replacement organs. On the shelves were brains. A customer went in and said, "I want to buy a brain for transplant." The shopkeeper said, "Well, an ordinary brain will cost you \$1,000, and here it is." The customer said, "Is there anything better?" "Yes of course, on this shelf, these cost \$2,000." "Why?" "Because these are doctors' brains. They have knowledge. They have skills. So they cost more." At the third shelf, the customer said, "What is that?" "Oh, that costs \$3,000." "Why is that?" "Because that is a scholar's brain. It can think. It has a lot of knowledge, and it used to belong to a very well-known scholar." "OK, do you have anything better still?" "Yes, we have something which is really top of the range. That one up there costs \$10,000." "Why is that one so expensive?" "Because that is the brain of a politician. It is brand new; it has never been used. *(Laughter)* All the others are second-hand."

Madam President, I am not going to talk about politics. Originally I had plenty of stories to tell, such as the story about eating fresh beef meatballs when travelling in Spain; or taking three levels of examinations before gaining access to the Heaven; or the requirement of standing for democratic elections before one can make his choice of torture when travelling in hell; and the conversation between the Beijing and American diplomats over the dining table. There is also the story about a father explaining what politics is all about to his son. And there is a story in which Miss TAM Heung-man may be interested. I was challenging Ms Emily LAU at the Panel on Security the other day. I said that the first profession was not the one expected by everyone. Nor was it the one that she thought. It was the accountancy profession. However, Madam President, I am not going to tell these stories today. If I tell all these stories, in order to be fair, you will certainly say that I have breached the Rules of Procedure. So I will leave all these stories to be told in the future.

I believe that Mr Martin LEE, Dr Philip WONG, Mr Abraham SHEK, Mr Jeffrey LAM, Mr Jasper TSANG, and Mr Andrew LEUNG have probably heard these stories before. If they are successful in returning to this Council, you can ask them about the details of the stories after I left.

Thank you, Madam President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): If not, I will now call upon the Chief Secretary for Administration to speak.

**CHIEF SECRETARY FOR ADMINISTRATION** (in Cantonese): I do not wish to speak.

(Dr Fernando CHEUNG raised his hand to indicate his wish to speak)

**DR FERNANDO CHEUNG** (in Cantonese): President, I do not wish many stories to tell, and I do not know how to tell jokes. As a matter of fact, I had not thought of coming back and speaking in this Council again. Just like Howard YOUNG, I do not wish to give a valedictory speech. However, this subjective wish may not necessarily be achieved. I have not prepared anything to say. I really thought that after finishing today's activity outside this Council, I might not be able to come back here in time. Fortunately, I can come back in time. I have not thought of anything special to say. But as a "new comer", perhaps I should take this opportunity to talk about my feelings.

As we all know, it is a rare chance for me to talk about my feelings in the presence of the Chief Secretary for Administration, as well as so many Members of the Legislative Council. It is my honour to be able to take part in political discussions in this Chamber. In my opinion, every Member who is sitting in this Chamber has a very high level of intelligence and caliber. Although we have many differences in our political views, I believe from the perspective of the ability of a person, Members who can be here to take part in political discussion are, in fact, important persons of our society. In addition, a person who is not up to a certain standard certainly cannot join the Council. That is why it is my honour to be a Member.

On the other hand, the Legislative Council is certainly a place for discussing important public policies. When we were studying EPA in our secondary school, we were taught that the Legislative Council is almost the most important place, as it approves the budget of the Government. If the Government does not have money, it will be unable to do anything. Thus, the Legislative Council has great powers.

Moreover, the Legislative Council is certainly the place where laws are enacted. Laws are most authoritative. In a society where the rule of law prevails, nobody can violate the law. So, the law is an important power too.

However, to tell the truth, after I joined the Legislative Council, I have found that the Legislative Council is a bit different from the descriptions in textbooks. Many aspects of the Legislative Council are like decorations on the exterior. On the surface, it seems to have certain functions and certain powers. But in reality — I would like to take this opportunity to tell the public that it may not necessarily be a very powerful mechanism in its actual operation. First of all, I often quote the provision under Article 74 of the Basic Law. I often tell



my friends that Members of the Legislative Council cannot make laws. Despite the fact that they hold the seats of the Legislative Council, in reality, it is very difficult for them to enact or introduce laws with a view to bringing more fairness to our society, improving the livelihood of more people, and striking a better balance in the community.

Article 74 has provided for three restrictions — of course, Members in this Chamber now need not listen to this again, but I would like to tell the public this. First, we cannot make laws related to public expenditure that require spending by the Government; second, we cannot make laws which have impacts on the operation of the Government; third, we cannot make laws related to political structure. These three areas have almost covered all aspects of public policies, making it difficult for us to pass laws that enable the society to be more balanced, or to enact laws that are related to regulation, irrespective of whether they aim at imposing control in society or regulating the acts of individuals, the Government, companies or organizations.

Lastly, there is another restriction. If it is a piece of legislation related to government policies, the consent of the Chief Executive shall be sought before it can be introduced. Under these four restrictions, it is very difficult for us to formulate any legislation. This happens after the promulgation of the Basic Law. Frankly speaking, sometimes this has really turned the present Legislative Council under the SAR Government into a "toothless tiger". If Members of the Legislative Council cannot make laws, what can we do? A simple example is that we wish to legislate on a minimum wage, but we are not allowed to do so, because basically it is impossible to circumvent Article 74. We cannot circumvent Article 74, but we can propose a motion by way of a Members' motion for debate in this Council. However, such a motion does not have any legislative effect or real significance. Still, it is good for these motions to be proposed and debated. However, these debates are of a lower level.

When a Member proposes a motion for debate, separate voting has to be carried out. Structurally, there are Functional Constituency (FC) Members and directly-elected Geographical Constituency (GC) Members. The two groups of Members counteract each other. The pan-democratic camp has more GC Members, while the pro-establishment camp has more FC Members. Motions introduced by us are opposed by the pro-establishment camp, while motions introduced by the pro-establishment camp are opposed by us. It is in this way that we counteract each other. In the end, nothing can be achieved. Even if

the result of the voting indicates the majority of votes support the passage of a motion that does not have legislative effect, it still cannot be passed. When I first joined this Council, one of the two motion debates was on a minimum wage. If I remember correctly, there were more than 30 votes in support of a minimum wage, that is, more than half of the votes. But even this motion moved by us was not passed. Of course, even if it was passed, it would not have legislative effect.

If we cannot make laws, and if the motions introduced by us do not have any legislative effect, what is the point of being a Member? The Government has to legislate laws, but all the legislative powers are, in fact, held by the Government. First of all, the Government has to commence the legislating work. On its gazettal, the Bill has to be introduced to the Legislative Council for scrutiny. After the Bill has been introduced to the Legislative Council, we have to engage in a legal tug-of-war with the Government. The Legislative Council is absolutely a place for a tug-of-war, because it represents various interests, and different views and thoughts in society.

However, how do we engage in the tug-of-war? President, the long title or scope of some legislation is very narrow. Take the Rail Merger Bill discussed by us previously as an example. In fact, the rail merger has huge impacts on the overall situation of public transport. I had hoped that the provision of half-fare concessions to people with disabilities would be introduced under the merger. But the Government said that it was impossible to do so, because this was outside the scope of the legislation. The long title is written by the Government in such a narrow way that the amendments are purely technical amendments in law. Under such a restriction, the Legislative Council is degraded to become a place for discussion only. Members can only discuss some technical amendments. Of course, there is no restriction on speech. We can still freely put forward our views. Nevertheless, after our views are expressed, their legal effects will be tightly restricted by these regulations.

If there is another scenario different from this one, it is the scenario of Members being pressed by the Government when scrutinizing bills. As a result, Members have to cope with a lot of work all of a sudden. Recently, as this the session is coming to its close, the Government has introduced a lot of motions and legislation for us to scrutinize. Today is the fifth day of the meeting. Why is it like this? I think this is not accidental. I believe it is

difficult for Members to cope with this arrangement. Under these circumstances, we are basically unable to engage in a tug-of-war with the Government on the details of the legislation.

President, under these many barriers, are the present powers of Legislative Council adequate for exercising checks and balances on the so-called executive-led governing body, or a SAR Government that leads Hong Kong in such a way? While we still have the power to approve appropriation of funds, how is the budget formulated at present? It is submitted as one whole package of budgetary proposals, and it is impossible for us to debate with the Government item by item. For instance, though we wish to increase the CSSA payment, we cannot ask the Government to increase the payment in the budget. Though we wish to increase the "fruit grant", it is impossible for us to ask the Government to increase the grant. The Government submits one whole budget to the Legislative Council. We can only accept or not accept it. We cannot increase any funding. We can only delete some items from the budget at the most. But deleting certain items in the budget may adversely affect the livelihood of the people. So how can we do that?

Many members of the public believe that the Legislative Council is really able to share the governing powers of the Government, so that the powers of the legislature, the executive and the judiciary can be genuinely independent. Vice President XI Jinping is probably very familiar with Hong Kong affairs. As a matter of fact, the three cannot be separated. The legislature should be independent from the executive. The legislature and the judiciary may, from time to time, confront each other, but they may also complement each other every now and then. Still, the legislature should be independent in considering what is best for the Hong Kong people from different perspectives. However, insofar as the present legislative power is concerned, is the Legislative Council able to play this role properly? I very much doubt about it.

If things go on like this, irrespective of whether it is allocating public resources, or submitting public policies in an executive-led way, the Government will bent on having its own way after discussions with different Panels of the Legislative Council, even if it is at times met with our opposition. The Panel on Welfare Services has encountered many such examples. We have reached a consensus on many matters. For example, in the subcommittee on special education — an area of work with which I am quite satisfied during this term —

in respect of promoting the rights and interests of the disabled, arousing concerns about special education or accessibility in transportation or a barrier-free environment, some achievements have been made. The subcommittee on special education had discussed many subjects. There were 46 recommendations in our final report. After we had submitted our recommendations for discussion in this Council, nobody raised any objection. Nor had representatives of various political parties raised any objection during the discussion of the subcommittee. Those recommendations were also passed by this Council. But what did the Government do in the end? The Government thanked us for our views, but did not make any undertakings.

President, there are far too many such examples. Irrespective of whether it is the past report of the subcommittee on CSSA, the needs of the elderly, the needs of the SARS patients — SARS is another subject. We had already prepared a motion in the first place. A motion proposed on behalf of the Panel on Welfare Services was also passed in this Council. In the end, the Government paid no attention to it. However, after more than half a year, I suddenly read from newspapers one day that the Government had introduced some new measures that complemented the motion we had proposed at that time. The Government had actually accepted half of our proposal but ignored the other half. This is a reality that this Council has to face today. We can present our arguments and justifications freely and in an uninhibited manner in this Council. But after making our points, do we have the power to exercise checks and balances on the Government? We can put forward results of studies and data, and discuss in a rational manner in this Council, but in the end, will these be truly put into practice? Even if Members of the Legislative Council have reached a consensus, and the Chief Executive has undertaken to implement the proposals on which a consensus is reached in the Legislative Council ..... if we draw up a list of issues on which a consensus has already been reached by Members but no action has been taken by the Government, I think we will need many pieces of paper to write them all down.

President, how are we going to carry on? I would like to thank you for being here for so many years. I am a "new comer" without much experience. But I can see that you have tried your best to allow Members from various parties and groupings to speak their minds freely. And I respect you for that. In the

tug-of-war between various parties in this Council, Members have also tried their best to observe the rule of the game.

I hope that the Legislative Council can genuinely give full play to its check-and-balance role in the future. If the Legislative Council is unable to voice the views of the public, our society will be all the more slanted. It is already too slanted now. Both wealth and powers are also too concentrated. That is why I hope that in the future, the Legislative Council will genuinely play the role of an independent organ that can genuinely voice the views of the public, and genuinely uphold the people-based spirit. I hope that the Legislative Council can truly legislate laws and truly monitor the Government, and that all seats will be genuinely returned by direct elections on the principle of "one person, one vote". I hope that on the road to democracy, through the work of the Legislative Council, and with the joint efforts of the public, we will be able to attain universal suffrage as soon as possible. Thank you, President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR LAU CHIN-SHEK** (in Cantonese): President, "Ah Yan" has talked about the work of the Panel on Manpower just now. Perhaps I should start from this in my speech.

Issues faced by the Panel on Manpower are controversial as well as complicated. The topics we are discussing involve labour issues. However, trade unions in Hong Kong are rather weak. The Panel on Manpower often discusses issues relating to payment. Members of the Panel who are representing the labour sector and trade unions include the three members of the Hong Kong Federation of Trade Unions, and Members from the Hong Kong Confederation of Trade Unions, the Neighbourhood and Workers Service Centre, the League of Social Democrats, and the Federation of Hong Kong and Kowloon Labour Unions; and there is also Mr Tommy CHEUNG, a heavyweight of the business sector. I believe my responsibility is to ensure that they can express their opinions freely before the camera, so that they can criticize and query the Government, as well as reprimand themselves.

However, in my opinion, the most important thing is to identify channels through which practical work meetings can truly be conducted outside the camera with the aim of solving problems. Otherwise, the problems would not be really solved after our discussions. As a matter of fact, the Panel has never held any special meetings. But I believe the number of work meetings that have been held outside the Panel is the highest among all. We also agree that they have helped us to resolve some special labour issues that we wished to resolve.

I would like to discuss in particular the issue of employees being unable to recover wages even after the Labour Tribunal has ruled in favour of them. "Ah Yan", colleagues of the labour sector as well as I myself have been under a lot of pressure in this regard. This issue is still unresolved after 34 years. I am of the view that this cannot be regarded as a success in any way. On the contrary, we should reprimand ourselves and feel ashamed. Why has the issue been dragged on for so long? It has spanned two "dynasties, and a clear solution for resolving the issue can be worked out only today, so that, this issue can finally have some hopes. This has confirmed yet another point, and that is, fighting for the benefits of the labour is hard work, which is different from playing soccer when one can score a goal with one kick. But in any case, I am still of the opinion that this is what the legislation has granted to the labour. This is what the labour should get after the court has ruled in favour of them. If they have to wait for such a long time even against this backdrop, both this Council and the Government should be reprimanded.

Moreover, due to the West Kowloon Cultural District, I have the opportunity to take part in the discussion of policies concerning local culture, particularly those on the Cantonese opera. I have said before that art could not quench the hunger for food, but it could turn a selfish person into a generous person, a narrow-minded person into a tolerant person. This is very important. Basically there is no established policy for culture and arts in Hong Kong. We solely rely on adornment by overseas artists. The nurturing of local culture and art is very important, and Cantonese opera is an important component of local art and culture. I can see that the Government is willing to be slanted in favour of Cantonese opera and local art. But I wish that the implementation of policies can genuinely reflect such slanting in the allocation of resources to this sector.

Now, I wish to talk about something that may not be pleasing to the ears. And I particularly wish to talk about them at this moment. I visited Taiwan in the 1980s, just after the Meilidao Incident had happened. We all know that

SHIH Ming-teh, the leader of the "universal siege" movement was arrested. At that time, his wife came to Hong Kong, but she could not find a place to hold a press conference, so she used my office for the press conference. It was at that time when I visited Taiwan. After my arrival, I went to a restaurant of a hotel. Several officers of the intelligence agency were sitting at the next table. There were only two of us, while there were six of them. Some were talking about "launching counter-attacks against the Mainland, and not forgetting the sufferings in exile". Some others were people outside the Party.

After visiting Taiwan for a few times, I had a very strong feeling that in all their arguments for or against reunification or independence, the workers were always ignored. At that time, they were building the Grand Hyatt Hotel, the City Council Building and the World Trade Centre in Taipei. The treatment and working environment of the aboriginal workers were poor. I encouraged them to establish their own labour centres in Taipei and Kaohsiung with a view to finding a direction in the course of reunification or independence, bringing a flicker of hope to those genuinely in need and in frugality, and looking for a possible way out amidst the confrontation.

This is why I am particularly concerned about the present political development of Taiwan. Recently, MA Ying-jeou was elected the President of Taiwan. As he wishes to be a president of all people, he has appointed some non-Kuomintang persons to be government officials. For instance, he appointed LAI Shin-yuan to be the Minister of the Mainland Affairs Council. In the latest appointments of the Control Yuan, a member of the New Party was appointed as the President. However, the original appointment of Mr SHEN Fu-hsiung, a light green supporter of the Democratic Progressive Party, as the Vice-President was vetoed by the Legislative Yuan. As a president of all people, MA Ying-jeou wishes to go beyond his identity as a Kuomintang representative, and he regards his own interests as the interests of all people in Taiwan. Of course, some people say that this is just a tug-of-war between the Yuan and the Government, or one between traditional Kuomintang members and MA Ying-jeou. But in reality, behind all these is confrontation between the deep green camp and the light green camp, a result brought about by the separation of ethnic groups.

As Members may recall, when CHEN Shui-bian was elected the President of Taiwan in 2002, the person he appointed as the President of the Executive

Yuan was TANG Fei, a Kuomintang member who had been a former Minister of the Ministry of National Defence. But TANG Fei stepped down after four months or so in office. Thus, MA Ying-jeou is not the first person who wishes to be a president of all people. Others had tried to do that before, but they had all failed in their endeavours. From the reasons for their failure, we must not ignore the fact that conflicts and contradictions in the past or at present cannot be resolved simply by the appointment of one person or the election of a new president.

Let us look at the present political ecology of Hong Kong. Just now I have heard many Members said that they could get hot under the collar in heated debates in this Chamber, but they could still talk to each other when they were having meals outside. The current situation is probably just the opposite. They do not even exchange a word when they are outside the Chamber. However, I do not think that this is important. I have seen many examples in Taiwan. They have endless arguments in their Council, but they are very friendly with each other when they are having meals outside. But does it mean that the conflicts and contradictions are all resolved?

Mr Jasper TSANG had told me a story before. He said that he had invited some members from the pro-democracy camp to attend the celebration of the anniversary of their party. But when those from the pro-democracy camp entered the venue, some "elderly uncles" were very angry and almost dashed forward to beat them. Similarly, I had also invited some colleagues of the pro-establishment camp to attend the opening of my office. In the end, my supporters who were residents of the district said that I should not have invited them to come. Sometimes, after the arguments we have in the Legislative Council, we can really still be friends, just that they are not able to see that. But do we give comments fairly and objectively on every issue? Do we really deliver comments that direct at the issue instead of any individuals?

If this is a tight knot, we must not think that the implementation of universal suffrage will be able to solve all these conflicts and disputes. I am not targeting the pro-democracy camp. Neither am I targeting Mr Jasper TSANG or Mrs Selina CHOW. I am referring to every Member, including myself. If we do not address this problem squarely, and allow grievances to continue to build up, the situation that has emerged in Taiwan is what we need to really think about today.



I often say that Beijing, as the Central Government, must not think that there are only Jasper TSANG and WONG Kwok-hing in Hong Kong. There are also Martin LEE, YEUNG Sum and the group of us here. Those people whom they like are Hong Kong people, and those people whom they dislike are Hong Kong people as well. It should understand that the targets it needs to win over are all of us, and all of them, because every one of us is a member of its big family. These views are not pleasant to the ears, and they will not be reported to the Central Authorities. However, I believe if we allow internal depletion to go on and on, MA Ying-jeou will certainly get half the result with twice the effort today. The road to being the president of all people will still be a very long way to go.

I would also like to talk about how to handle the present political differences here. I hope that all parties will not sow further mistrust. We also must not create fears. I believe it is not necessary to resort to an approach which will only lead to a lose-lose situation. We only need to move forward on the basis of the mutual trust that has been established. This may not be pleasant to the ears, but it is a belief that comes from the bottom of my heart.

"Ah Yan" often says that it is easier said than done. But I believe so long as all parties — I have to make it clear that I am not referring to one single party, but the Central Government is also included — can make concerted efforts, this change will emerge before the implementation of universal suffrage.

President, I would also like to talk about my several wishes. First, "Ah Yan" said just now that genuine universal suffrage might not be implemented in 2017. My view is just the opposite. I often say to Mr Alan LEONG that while in the last election, his chance of winning the election was zero, I believe he has a chance in 2017. It is not true that he does not have a chance at all. The question is how this chance should be seized. We must let Hong Kong people believe and see that we have the ability to rule Hong Kong, and that we do not only have convictions, but talents as well. Therefore, those who have a will should make this preparation. The chance of winning will not be zero forever. The only question is whether we have seized the opportunity.

Second, "Ah Yan" and I have always had this view, and I believe, the labour sector has the same view as well. At present, the income of many "wage earners" is even lower than the CSSA payment. Up until this year, I have been working for the labour sector and serving society for 40 years. How can the income that one earns from working be less than the CSSA payment? Can we

accept that? We must address and resolve this problem. Otherwise, what kind of a society is this? What are these people of us doing here?

President, it is time to extend my thanks. First, I would like to thank you, because I have often caused you inconvenience. In order to visit my mother, I often pass paper notes to you. President, you have often reminded me to press the button as early as possible, telling me that it is all right so long as I can press the button early. So, every time I will press the button as early as possible. But President, I have, indeed, caused you a lot of inconveniences.

I would also like to thank the Secretary General for his hard work. I wish Pauline and her team all the best. The "Wah Chai" whom I have mentioned just now is the security guard who stations at the entrance. He is going to be transferred. But I wish to tell Members a piece of good news. President, he is going to be baptized at the end of the year. I would also like to thank other attendants, as we still need to pass our notes around today; and colleagues of the Security Office who still hold an umbrella for us even under safe conditions. Of course, I have to thank all our colleagues, and in particular, colleagues of the Panel on Manpower, who have given me a lot of support. I would like to thank colleagues of the Government. These colleagues of the Government are also human beings. I wish to thank them as well.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): If not, I now call upon Ms Miriam LAU to reply.

**MS MIRIAM LAU** (in Cantonese): Madam President, this debate has been conducted for a very long time. As we have held a meeting for five days, my reply is going to be a very short one.

The Chamber is originally a place where each Member expresses his own views. Today, it has become a place where each Member expresses his own

"feelings". Today, it is time to say goodbye, though a colleague said that it should not be called a valedictory motion because it is just a brief farewell. But in any case, Members may still feel sad. Some Members had indeed expressed their sadness when they spoke, but they are in the minority. Instead, the speeches of most Members were funny and humourous and met with a burst of laughter from Members. I have not heard so much laughter in this Chamber for a very long time.

However, the speeches of some Members were very solemn, and they spoke sternly in all righteousness to express their views, denouncing the Government, settling old scores, expressing dissatisfaction with policies, expressing dissatisfaction with the system, and so on. Some Members conducted a review of the past four years, while some made a detailed account of their accomplishments in their political career for several decades. Some Members submitted their work reports, explaining what they had done; while some released a preview of their political platforms and even their election manifestoes. In brief, the speeches simply covered everything you could expect.

Irrespective of how Members have expressed their views today, their speeches are all expressions of genuine emotions. This has also demonstrated that the Legislative Council is a place where the opinions expressed can be multifarious and different opinions can be incorporated, and also a place which is amazing and wonderful.

It is nothing extraordinary for a Member to join or leave this Council. Nevertheless, irrespective of whether the Members who are leaving are young and aspiring Members with less experience or very experienced Members, their leaving will be a great loss to the general public. I very much hope that those Members who are leaving will continue to serve Hong Kong in other positions in the future.

When I spoke just now, I did not have enough time to mention the Legislative Council Secretariat. Now, on behalf of all Members, I would like to express heartfelt gratitude to the Secretariat for providing us with efficient services over the past four years. I wish to specially thank the Secretary General, Ricky, who has served the Legislative Council for 14 years, sitting beside the President ..... for 15 years. Sorry, it has been 15 years. Mr FUNG has all along provided support to the work of the President in silence, and

he has also provided support to the work of the Legislative Council. His efforts and contribution have all along been recognized, appreciated and commended by all of us. With respect to the many demands made by Members — there have not been too many demands over the past four years; there were even more demands on the Secretariat before. Not only did we ask Ricky to take money out of the "bottom of the drawer" for our overseas visits, we also asked him to increase manpower. Regarding our many demands, he would invariably answer, "I will do my utmost to meet the demands of Members until I die". Luckily, fortune favours a good man. Ricky survives a disaster and will certainly enjoy good fortune in the future. Now he can retire without a hitch. I sincerely hope that Ricky will lead a happy life after retirement.

I would also like to thank the new Secretary General, Pauline, and the Legal Advisor for their past contributions. Particularly, I hope that the new Secretary General will continue to lead the Secretariat to provide efficient services for the Legislative Council.

Finally, for those colleagues who plan on a return, I wish that all of them will come back after the summer recess. For those colleagues who are determined to leave, and those who resolutely refuse to come back, I wish them a happy and healthy life ahead. So long, till we meet again.

Thank You, Madam President.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Ms Miriam LAU be passed. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(No hands raised)

**PRESIDENT** (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

**PRESIDENT** (in Cantonese): Honourable Members and government officials, after about 62 hours of this long meeting over the past five days, the third term of the Legislative Council is drawing to an end. This is the last time that I sit in this President's Chair. Although we still have a Chief Executive's Question and Answer Session, I will sit in one of the seats down there. Therefore, please remain in your seat for a little longer and allow me to say a few words here.

First of all, I would like to thank Honourable Members and government officials for their co-operation, which enables meetings of this Council to be conducted smoothly. It has been my honour to work with all of you for the past four years. I have even worked with some colleagues for 11 years, during which there are the gloomy and bright times, and there are times when things waxed and waned in this Chamber. During the gloomy times, the atmosphere is not very good. But during the bright times, we all laugh happily together. When things waxed, it means all Members are present in a meeting. When things waned, I would rather not talk about it. *(Laughter)* But this is still happening today. All these years have been the most challenging days of my political career, and the crown of my life. I would like to express my heartfelt gratitude to all of you for giving me this opportunity.

I would like to convey my special thanks to Ms Miriam LAU. I certainly would not be able to enjoy my meals without her. *(Laughter)* Indeed, without the assistance rendered to me by Ms Miriam LAU and Mr Fred LI, it would not have been possible for me, an elderly, to carry on till today.

Some people say that the Legislative Council is a miniature of the society of Hong Kong. I very much agree to that. As a "movable stage prop" with the highest media exposure in the Legislative Council, I have spent most of the time acting as an observer. When Members are crossing swords in heated debates and the temperature in the Chamber is rising, I am like in the eye of a tropical

storm, calmly watching trees shaking in the storm of howling wind and pouring rain. Would you like to know my feelings?

(Members nodded)

I am happy that the Legislative Council is a place where everything must proceed according to rules. No matter how heated the debates are, or how strong the smell of gunpowder is, everyone still observes the rules. It does not matter whether wind is roaring, rain is pelting, and fire is flaring. As the foundation of the Council is sound and good, we only have to respect the system of the Council, and the Council will operate smoothly. The foundation of the Council is the Rules of Procedure and other rules formulated with the concerted efforts of Members.

All Members are equal in this Council. All Members enjoy the same rights. The duty of the President is to ensure that Members enjoy freedom of speech in accordance with the regulations of the Rules of Procedure. My responsibility is to protect Members' right to speak, irrespective of whether the views expressed are agreeable or unacceptable to me. We have to respect ourselves as well as other people, and we have to respect the different views expressed by others. And, most important of all, we have to respect this legislature. It is only with mutual respect that this Council can remain as a place which embodies a diversity of opinions, and a place filled with democracy and freedom, and a harmonious atmosphere while different opinions can be accommodated. When I sit here and listen to the speeches of Members, I can feel the pluralism of the Hong Kong society and at the same time, experience the spirit of the rule of law, gain an in-depth understanding of the importance of showing respect to the system and exercising self-discipline and respecting oneself. I only wish that the rule of law will always be manifested in this Council, and the rule of man will forever be abandoned.

The rules and procedures of the Hong Kong Legislative Council are adopted from the system of the British Parliament. That is why Members are addressed as Honourable Members. I do not know how Members feel when they are addressed as "Honourable Members". I myself feel very uncomfortable each time I hear someone addresses me this way. In my opinion, this is not a term of commendation. Members are elected by the public. It can be said that we come from the masses. If we are praised by being addressed as "Honourable", does it mean that the Members have already

detached themselves from the masses? I always tell myself to guard against this. I am only an ordinary citizen. My duty is to serve the community. So how can I be "Honourable"? I only hope that I can complete all my duties and do the best that I can. I would be glad if the public would say that "she can be regarded as a dedicated public servant". That is all I could wish for. I hope to share this with all Members in this Chamber today.

I would like to talk about another feeling of mine, which concerns the relationship between the executive and the legislature. Over the years, I have had this immense feeling that both the executive and the legislature can only see the difficulties and problems faced by itself without considering the situation and feelings of the other side. Of course, this is only natural. After all, their roles and responsibilities are different. It is difficult to ask them to work in perfect harmony. If there were no arguments at all between the executive and the legislature, this Council would become a place with "one voice" only. This, I think, is what we should worry about. However, even though the two are not always in harmony, they need not always suspect each other on the basis of "conspiracy theory". I think sometimes, on some issues, we should be frank and sincere with each other, and we should put ourselves into other people's shoes.

All of us have to accept a political reality and that is, the partnership relationship between the executive and the legislature. Under the premise of serving the public, these partners should have the same goal. Regarding the way to serve, as well as the priorities in providing the services, they may not necessarily hold the same views. With its powers and the ability to initiate, the executive is the stronger partner. When Members speak at length and query all matters, some officials appear to be impatient. Sometimes when an official fails to give a satisfactory answer, individual Members will reply with vicious words. Recently, some principal officials give the impression that they are avoiding the Legislative Council. If this is the case, although I can understand what they think, I have to point out that avoiding or circumventing the Legislative Council is not feasible, as this will only make Members of the Legislative Council more eager to conduct further investigation, thus, aggravating the relationship and making them more confrontational. This is also inconsistent with the relationship that they should regulate each other as well as co-ordinate their activities as stipulated in the Basic Law.

On the other hand, in order to reflect public opinion and to vent public anger, some Members have resorted to violent language and repetitive arguments. When they are not given satisfactory replies, their comments become all the more offensive. Members have the right to adopt whichever form of expression. Besides, they are under the protection of the Legislative Council (Powers and Privileges) Ordinance in this Chamber. However, should we analyse whether such way of expression can help us achieve the objective of fighting for the rights of the public?

To improve the relationship between the executive and the legislature, both officials and Members have to reflect on themselves. They should try to put themselves in the shoes of others, strive for mutual understanding and take accommodating attitude, adopt a more pragmatic approach as far as possible, and stop playing "little tricks". Sometimes, clever people may be the victims of their own cleverness. While they think that they have succeeded in their ruses, they have, in fact, damaged the foundation of mutual trust. Is it worthwhile to do so? Members are not stupid; nor are the officials, not to mention Hong Kong people who have discerning eyes. Why do we not treat each other with sincerity and work for the interests of the people of Hong Kong? It is only in this way that we can work together to do something practical for the people.

We rely on friends in the media to release the news of the Legislative Council to the public. Over the years, irrespective of whether they are attending long and almost tedious meetings, or waiting in the "lane of wooden robots" outside the Chamber, reporters always work very hard to stay by the side of Members. I think colleagues would also like me to express heartfelt gratitude on their behalf to all hardworking and dedicated friends of the media.

I would also like to convey my sincere gratitude to all the colleagues of the Secretariat. All of them have performed their duties faithfully, making utmost efforts to provide various support services to Members. Their contribution should not be dismissed. As for me, I have to specially thank the Secretary General, the Legal Advisor, all incumbent and former Assistant Secretary Generals and all heads of divisions. They have assisted me in various aspects of my work in the Legislative Council, among which the most important is their assistance to me in making rulings. So, if the rulings have been handled



properly, I hope that Members will thank them for their efforts; if not, I am the one to blame.

I have been working in the Legislative Council for many years. An election of Members of the Legislative Council is held once every four years. Some Members may seek re-election while some may leave. I am one of those who are leaving. Members have spoken a lot to give encouragement and commendation to those colleagues who plan to leave just now. So I am not going to repeat them.

I have been the President of the Legislative Council for 11 years, and I believe it is time to leave, so that another person who is more qualified can take up this role. Recently, I have actually found that I have the habit of dozing off. I think I must leave now, otherwise, what am I going to do if my dozing off has been caught by camera? I believe Members of the Legislative Council in the next term will pool their collective wisdom to elect a President whom they support. I believe the future President of the Legislative Council will certainly be smarter and think more quickly than me. I also hope that my successor will be slimmer than me.

I have two advices for the next President of the Legislative Council. First, a President should not be afraid of being sued. *(Laughter)* Members of the Council surely will file a case when necessary. But there are some people who like to sue all Members of the Legislative Council. The Legislative Council Commission has recently made a decision that if someone sues all Members of the Legislative Council, the President of the Legislative Council will have to appear before the court. Therefore, the President of the Legislative Council must not be afraid of being sued. Second, anyone who has taken the office of the President of the Legislative Council must not feel bad when he is criticized by other people or when he feels that he is "wronged". Because the President should know that the reason for the President being criticized or wronged by other people is that these people have the need to do so, and to put it plainly, they are using the President as a "cop-out". Therefore, the President must dismiss this with a laugh. The President can say to himself, "Forget it. It does not matter. Sometimes it is good to be 'wronged'. If you have not been 'wronged', it means that you are not important." Right?

A few days ago, I was sitting here surfing on the Internet, because I was wondering what I should say to bid farewell to Members. I found several lines for saying goodbye on the Internet. I would like to share them with you:

My friends, it is time for us to part.

Though we have numerous words to say, we need ..... to say nothing.

Just let us shake our hands, and tell each other to take care.

Though we are reluctant to go, we have ..... our own way ahead of us.

Just let us wave our hands, and say goodbye to each other.

Take care and goodbye! If we are destined to meet again, we will be so!

## **NEXT MEETING**

**PRESIDENT** (in Cantonese): I now adjourn the meeting. (*Members tapped forcefully on the bench to mark the occasion*) The Chief Executive's Question and Answer Session will be held in this Council at 3 pm on Wednesday, 16 July 2008.

*Adjourned accordingly at six minutes to Seven o'clock.*