

LEGISLATIVE COUNCIL

MINUTES

No. 4

Minutes of the meeting held on Wednesday 24 October 2007 at 11:00 am,
Thursday 25 October 2007 at 9:00 am and Friday 26 October 2007 at 9:00 am

Members present:

President

The Hon Mrs Rita FAN HSU Lai-tai, GBM, GBS, JP

The Hon James TIEN Pei-chun, GBS, JP

The Hon Albert HO Chun-yan

The Hon LEE Cheuk-yan

The Hon Martin LEE Chu-ming, SC, JP (absent on 24.10.2007)

Dr the Hon David LI Kwok-po, GBM, GBS, JP

The Hon Fred LI Wah-ming, JP

Dr the Hon LUI Ming-wah, SBS, JP

The Hon Margaret NG

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

The Hon James TO Kun-sun (absent on 25.10.2007)

The Hon CHEUNG Man-kwong

The Hon CHAN Yuen-han, SBS, JP

The Hon Bernard CHAN, GBS, JP

The Hon CHAN Kam-lam, SBS, JP

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

The Hon LEUNG Yiu-chung

The Hon SIN Chung-kai, SBS, JP (absent on 24.10.2007)

Dr the Hon Philip WONG Yu-hong, GBS

The Hon WONG Yung-kan, SBS, JP

The Hon Jasper TSANG Yok-sing, GBS, JP

The Hon Howard YOUNG, SBS, JP

Dr the Hon YEUNG Sum, JP

The Hon LAU Chin-shek, JP

The Hon LAU Kong-wah, JP

The Hon LAU Wong-fat, GBM, GBS, JP

The Hon Miriam LAU Kin-yee, GBS, JP

The Hon Emily LAU Wai-hing, JP

The Hon CHOY So-yuk, JP

The Hon Andrew CHENG Kar-foo

The Hon Timothy FOK Tsun-ting, GBS, JP (absent on 26.10.2007)

The Hon TAM Yiu-chung, GBS, JP

The Hon Abraham SHEK Lai-him, SBS, JP

The Hon LI Fung-ying, BBS, JP (absent on 24.10.2007)

The Hon Tommy CHEUNG Yu-yan, SBS, JP

The Hon Albert CHAN Wai-yip

The Hon Frederick FUNG Kin-kee, SBS, JP

The Hon Audrey EU Yuet-mee, SC, JP

The Hon Vincent FANG Kang, JP

The Hon WONG Kwok-hing, MH

The Hon LEE Wing-tat

The Hon LI Kwok-ying, MH, JP (absent on 25.10.2007)

Dr the Hon Joseph LEE Kok-long, JP

The Hon Daniel LAM Wai-keung, SBS, JP

The Hon Jeffrey LAM Kin-fung, SBS, JP

The Hon Andrew LEUNG Kwan-yuen, SBS, JP

The Hon Alan LEONG Kah-kit, SC

The Hon LEUNG Kwok-hung

Dr the Hon KWOK Ka-ki

Dr the Hon Fernando CHEUNG Chiu-hung

The Hon CHEUNG Hok-ming, SBS, JP

The Hon WONG Ting-kwong, BBS

The Hon Ronny TONG Ka-wah, SC

The Hon CHIM Pui-chung

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

The Hon Albert Jinghan CHENG, JP

The Hon KWONG Chi-kin

The Hon TAM Heung-man

Member absent:

Ir Dr the Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP

Public officers attending:

On 24.10.2007, 25.10.2007 and 26.10.2007

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

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

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

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

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

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

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

On 24.10.2007 and 26.10.2007

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

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

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

On 25.10.2007 and 26.10.2007

The Hon Michael SUEN Ming-yeung, GBS, JP
Secretary for Education

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

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

On 26.10.2007

The Hon John TSANG Chun-wah, JP
The Financial Secretary

The Hon Eva CHENG, JP
Secretary for Transport and Housing

Prof LAU Siu-kai, JP
Head, Central Policy Unit

Clerks in attendance:

On 24.10.2007, 25.10.2007 and 26.10.2007

Mr Ricky FUNG Choi-cheung, JP, Secretary General

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

On 24.10.2007 and 25.10.2007

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

On 25.10.2007 and 26.10.2007

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

Tabling of Papers

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

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Declaration of Geographical Constituencies (Legislative Council) Order 2007 (gazetted on 18.10.2007)	186/2007
2. Companies (Amendment) Ordinance 2004 (Commencement) (No. 2) Notice 2007 (gazetted on 18.10.2007)	187/2007
3. Financial Reporting Council Ordinance (Commencement) (No. 3) Notice 2007 (gazetted on 18.10.2007)	188/2007
4. Companies Ordinance (Amendment of Eighth Schedule) Order 2007 (Commencement) Notice (gazetted on 18.10.2007)	189/2007
5. Fugitive Offenders (Malaysia) (Amendment) Order 2007 (Commencement) Notice (gazetted on 18.10.2007)	190/2007

Other Papers

- No.17 - Traffic Accident Victims Assistance Fund Annual Report for the year from 1 April 2006 to 31 March 2007 (published on 18.10.2007)
- No.18 - Annual Report 2006-2007 of the Protection of Wages on Insolvency Fund Board (published on 18.10.2007)

Questions

Written replies to Questions 1 to 20 were tabled for Members' information.

Members' Motions

Development of the convention and exhibition industry

The Council continued with the unfinished part of the motion on the Development of the convention and exhibition industry.

The President stated that at the last meeting, she had put to Members the question that Hon WONG Ting-kwong's amendment to Hon Andrew LEUNG Kwan-yuen's motion be passed. In this connection, Hon Albert HO had claimed a division.

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

The President announced that among the Members returned by functional constituencies, 22 were present, 22 were in favour of the amendment; while among the Members returned by geographical constituencies through direct elections, 22 were present, 21 were in favour of the amendment. (Voting record in Appendix I.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the amendment was agreed.

Hon Andrew LEUNG Kwan-yuen replied.

Question on Hon Andrew LEUNG Kwan-yuen's motion as amended by Hon WONG Ting-kwong put and agreed to.

Motion of Thanks

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

That this Council thanks the Chief Executive for his address.

Question on the motion proposed.

The President stated that Hon Albert HO, Hon Andrew CHENG, Hon Frederick FUNG, Hon Emily LAU, Hon Albert CHAN and Hon LEUNG Yiu-chung would move amendments to the motion respectively, and Hon Fred LI would also move an amendment to Hon Albert HO's amendment. In accordance with the Rules of Procedure, the motion and the amendments would be debated together in a joint debate.

The President announced the commencement of the first debate session, which covered the following policy areas: administration of justice and legal services, constitutional affairs, public service, security, district administration and civic education.

Five Members spoke.

Hon CHIM Pui-chung asked whether he could speak on policy areas other than those for the first debate session. The President asked him not to do so because she respected the House Committee's decision in respect of the policy areas of the five debate sessions. Hon CHIM Pui-chung agreed and spoke.

Five other Members and Hon CHEUNG Man-kwong spoke.

While Hon CHEUNG Man-kwong was speaking, the President left the chair at 1:03 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Four more Members and Hon Emily LAU spoke.

At 2:00 pm, while Hon Emily LAU was speaking, the President resumed the chair.

Three other Members spoke.

Hon Mrs Sophie LEUNG spoke. The President interrupted her as her speech was on policy areas other than those for the first debate session. The President said that the House Committee and the Committee on Rules of Procedure might need to reconsider the arrangements for the debate on the Motion of Thanks, as Members very often spoke on policy areas other than those for the session in progress. Hon Mrs Sophie LEUNG continued to speak.

Two more Members and Hon CHOY So-yuk spoke.

Hon Mrs Selina CHOW raised a point of order on whether cultural policy, on which Hon CHOY So-yuk was speaking, fell outside the scope of the first debate session.

Hon CHOY So-yuk said that cultural policy was one of the policy areas relating to home affairs which was covered in the first session.

The President said that Hon CHOY So-yuk had misunderstood the policy areas which were covered by home affairs in the first session. The President pointed out that in its circular, the Secretariat stated that the first session covered home affairs which referred to "district administration" and "civil education" that were shown in brackets. At the beginning of the first session, she had also stated clearly that those two policy areas were covered in that session, so that Members would understand that "cultural policy" and other policy areas relating to home affairs should be discussed in the second session. Nevertheless, if Hon CHOY So-yuk wished to continue to speak on cultural policy, she would allow her to do so. Hon CHOY So-yuk continued to speak.

Another nine Members spoke.

At 4:49 pm, the President suspended the meeting for 10 minutes.

The Council resumed at 4:59 pm.

The Chief Secretary for Administration, the Secretary for Justice, the Secretary for Constitutional and Mainland Affairs, the Secretary for the Civil Service, the Secretary for Security and the Secretary for Home Affairs spoke.

The President announced the end of the first debate session and the commencement of the second debate session, which covered the following policy areas: energy, environmental affairs, food safety and environmental hygiene, home affairs, creative industry and heritage conservation.

Four Members and Hon Frederick FUNG spoke.

While Hon Frederick FUNG was speaking, the President left the chair at 6:41 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Four other Members and Hon Abraham SHEK spoke.

At 7:42 pm, while Hon Abraham SHEK was speaking, the President resumed the chair.

Two more Members and Hon LEE Cheuk-yan spoke.

Hon Mrs Selina CHOW raised a point of order on whether Hon LEE Cheuk-yan had used offensive language about other Members in his speech. The President then suspended the meeting at 8:09 pm.

The Council resumed at 8:26 pm.

The President stated that she had repeatedly viewed the video-recording of the speech of Hon LEE Cheuk-yan. She ruled that Hon LEE Cheuk-yan's speech had not used offensive language about other Members since he was only posing a question, and not making a comment.

Hon LEE Cheuk-yan continued to speak.

Three other Members spoke.

The President suspended the meeting at 9:04 pm.

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The Council resumed at 9:00 am on 25 October 2007 to continue the second debate session of the Motion of Thanks.

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

Eleven Members spoke.

Hon Martin LEE said that as he had returned to Hong Kong the night before, his speech in the session in progress would also cover the subject of constitutional reform.

Hon Martin LEE spoke. The President interrupted him and asked him not to comment on the platforms of the candidates running for the Legislative Council by-election, as the Policy Address was the subject matter of the debate in progress. Hon Martin LEE continued to speak.

After Hon Martin LEE had spoken, the President pointed out that in response to enquires from some Members and Hon CHIM Pui-chung on whether they could speak on subjects other than those for the first debate session, she had asked

them to refrain from doing so. This was because she respected the House Committee's decision in respect of the policy areas of the five debate sessions. She also pointed out that the Rules of Procedure did not provide that the five debate sessions of the Motion of Thanks must be conducted in accordance with the arrangements endorsed by the House Committee, but she hoped that Members could comply with such decision as far as possible. Later, a Member raised a point of order and requested the Member who was speaking to speak on the subjects of the first session.

The President said that she was not personally satisfied with how the situation had been handled, because on the one hand, she, as the President, would certainly respect Members' right to speak freely and she had to safeguard Members' right to freedom of speech. On the other hand, she had to enforce the Rules of Procedure and respect the decision of the House Committee. In such circumstances, those Members who had initially sought her permission to speak on subjects other than those for the first debate session had refrained from doing so at her request. Yet she subsequently allowed other Members to speak on subjects other than those for the session in progress.

The President added that she felt sorry that some Members considered attending the regular meetings of the Legislative Council not as important as other matters, and she had made such remark with an aching heart. She hoped that Members would try their best to attend Council meetings, so that a good debate could be conducted in accordance with the Rules of Procedure and the decision of the House Committee. The President further said that if Members considered that the current arrangements were not satisfactory, she hoped that they would make adjustments or changes to the arrangements.

Another Member spoke.

At 11:49 am, the President suspended the meeting for 10 minutes.

The Council resumed at 11:59 am.

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

The Secretary for the Environment, the Secretary for Development, the Secretary for Commerce and Economic Development, the Secretary for Food and Health and the Secretary for Home Affairs spoke.

While the Secretary for Home Affairs was speaking, the President left the chair at 12:59 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

With the President's Deputy's permission, Hon Tommy CHEUNG elucidated on a point he had made earlier and which he considered to be misunderstood by the Secretary for Food and Health.

The President's Deputy announced the end of the second debate session and the commencement of the third debate session, which covered the following policy areas: manpower, welfare services, social enterprise, family matters and allocation of public resources.

Five Members and Hon Ronny TONG Ka-wah spoke.

At 2:07 pm, while Hon Ronny TONG Ka-wah was speaking, the President resumed the chair.

Two Members spoke.

Hon Albert HO sought the President's permission to respond to Hon TSANG Yok-sing's earlier comments on Hon Martin LEE. The President said that as Hon Martin LEE and Hon TSANG Yok-sing had spoken in the second session, Hon Albert HO should have responded to their speeches in that session. She would still allow him to do so in the session in progress as he might not have sufficient time to consider whether he should make a response in the last debate session. However, the President added that if other Members sought to make similar responses after Hon Albert HO had spoken, she must also allow them to do so.

Hon Albert HO said that while he understood the President's ruling, he had to make a simple response for record purpose, as Hon TSANG Yok-sing's allegation was very serious.

Hon Albert HO and 18 other Members spoke.

At 6:16 pm, the President suspended the meeting for 10 minutes.

The Council resumed at 6:26 am.

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

The Secretary for Labour and Welfare spoke.

While the Secretary for Labour and Welfare was speaking, the President left the chair at 6:29 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

The Secretary for Home Affairs and the Secretary for Financial Services and the Treasury spoke.

The President's Deputy announced the end of the third debate session and the commencement of the fourth debate session, which covered the following policy areas: education, health services and immigration policies.

Hon Andrew CHENG spoke.

At 7:16 pm, while Hon Andrew CHENG was speaking, the President resumed the chair.

Eleven other Members spoke.

The President suspended the meeting at 8:57 pm.

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The Council resumed at 9:00 am on 26 October 2007 to continue the fourth debate session of the Motion of Thanks.

Ten Members spoke.

At 10:02 am, the President suspended the meeting for 10 minutes.

The Council resumed at 10:12 am.

The Secretary for Education, the Secretary for Food and Health and the Secretary for Security spoke.

The President announced the end of the fourth debate session and the commencement of the fifth debate session, which covered the following policy areas: commerce and industry, economic services, financial services, housing, information technology and broadcasting, planning, lands and works and transport.

Three Members and Hon WONG Ting-kwong spoke.

While Hon WONG Ting-kwong was speaking, Hon Margaret NG indicated her intention to seek elucidation of a point raised in his speech. Hon WONG Ting-kwong elucidated.

Two other Members and Hon CHAN Kam-lam spoke.

While Hon CHAN Kam-lam was speaking, the President left the chair at 11:52 am temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Ten Members and Hon LEUNG Kwok-hung spoke.

At 1:20 pm, while Hon LEUNG Kwok-hung was speaking, the President resumed the chair.

Twelve more Members spoke.

At 2:37 pm, the President suspended the meeting for 10 minutes.

The Council resumed at 2:47 pm.

The Financial Secretary, the Secretary for Development, the Secretary for Transport and Housing, the Secretary for Commerce and Economic Development and the Secretary for Financial Services and the Treasury spoke.

The President announced the end of the fifth debate session.

Hon Miriam LAU spoke on the amendments.

Hon Albert HO moved the following amendment to Hon Miriam LAU's motion:

To add ", but strongly requests the Government to increase the rates of the Old Age Allowance for the elderly" immediately before the full stop.

Dr Hon Philip WONG declared his interest on the Old Age Allowance.

Question on Hon Albert HO's amendment to Hon Miriam LAU's motion proposed.

Hon Fred LI moved the following amendment to Hon Albert HO's amendment:

To delete "Old Age Allowance" after "the rates of the" and substitute with "Normal Old Age Allowance and Higher Old Age Allowance"; and to add "to \$900 and \$1,000 per month respectively, so as to improve the life of the poor elderly" immediately before the full stop.

Question on Hon Fred LI's amendment to Hon Albert HO's amendment proposed, put and agreed to.

Question on Hon Albert HO's amendment, as amended by Hon Fred LI, to Hon Miriam LAU's motion put and agreed to.

As Hon Albert HO's amendment as amended by Hon Fred LI had been agreed earlier, the President granted leave for Hon Andrew CHENG to revise the terms of his amendment and explain them to the Council.

Hon Andrew CHENG moved the following further amendment to Hon Miriam LAU's motion as amended by Hon Albert HO and Hon Fred LI, and explained the revised terms of his amendment to the Council.

To add "; this Council also expresses deep disappointment that, despite a huge surplus in the government treasury, the Chief Executive only deploys a meagre amount of resources to enhance the medical services for the elderly, which is hardly sufficient to meet the medical needs of the elderly in the lower class; this Council urges the Chief Executive and the Government to adopt measures and devote more resources to enhance the medical services for the elderly, including extending the beneficiaries of the health care vouchers to all senior citizens aged 65 or above, increasing the amount of subsidy for each elderly recipient, offering half-fee concession for public medical services to all senior citizens, setting up a fund to subsidize dental services for the elderly, and providing all senior citizens with free vaccination against influenza, etc" immediately before the full stop.

Question on Hon Andrew CHENG's amendment to Hon Miriam LAU's motion as amended by Hon Albert HO and Hon Fred LI proposed, put and agreed to.

As Hon Albert HO's amendment as amended by Hon Fred LI and Hon Andrew CHENG's amendment had been agreed earlier, the President granted leave for Hon Frederick FUNG to revise the terms of his amendment and explained them to the Council.

Hon Frederick FUNG moved the following further amendment to Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI and Hon Andrew CHENG, and explain the revised terms of his amendment to the Council:

To add "; this Council at the same time urges the Government to set up an ad hoc committee headed by the Chief Secretary for Administration to tackle the problem of poverty, and to expeditiously implement the recommendations put forward by the Commission on Poverty and the Legislative Council Subcommittee to Study the Subject of Combating Poverty in their reports, as well as to deploy more resources to develop social enterprises" immediately before the full stop.

Question on Hon Frederick FUNG's amendment to Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI and Hon Andrew CHENG proposed, put and agreed to.

As Hon Albert HO's amendment as amended by Hon Fred LI, Hon Andrew CHENG's amendment and Hon Frederick FUNG's amendment had been agreed earlier, the President granted leave for Hon Emily LAU to revise the terms of her amendment and explained them to the Council.

Hon Emily LAU moved the following further amendment to Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI, Hon Andrew CHENG and Hon Frederick FUNG, and explained the revised terms of her amendment to the Council:

To add "; in addition, as the majority of people support the implementation of dual universal suffrage in 2012, this Council expresses regret at the Chief Executive's lack of commitment to the expeditious implementation of dual universal suffrage and his failure to make every effort to convince those who are against the implementation of dual universal suffrage in 2012" immediately before the full stop.

Question on Hon Emily LAU's amendment to Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI, Hon Andrew CHENG and Hon Frederick FUNG proposed and put.

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

The President announced that among the Members returned by functional constituencies, 27 were present, seven were in favour of the amendment, 19 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 16 were in favour of the amendment, nine against it and one abstained. (Voting record in Appendix II.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

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

That in the event of further divisions in relation to the motion on "Motion of Thanks" or amendments thereto, the Council do proceed to each of such divisions after the division bell has been rung for one minute.

Question on the motion proposed, put and agreed to.

As Hon Albert HO's amendment as amended by Hon Fred LI, Hon Andrew CHENG's amendment and Hon Frederick FUNG's amendment had been agreed earlier, the President granted leave for Hon Albert CHAN to revise the terms of his amendment and explain them to the Council.

Hon Albert CHAN moved the following further amendment to Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI, Hon Andrew CHENG and Hon Frederick FUNG, and explained the revised terms of his amendment to the Council:

To add "; in addition, this Council expresses deep regret at and strong condemnation of the policy address's failure to respond specifically to the hardship and pressure of the life of the grass-roots people" immediately before the full stop.

Question on Hon Albert CHAN's amendment to Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI, Hon Andrew CHENG and Hon Frederick FUNG proposed and put.

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

The President announced that among the Members returned by functional constituencies, 27 were present, five were in favour of the amendment, 19 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, eight were in favour of the amendment, 10 against it and eight abstained. (Voting record in Appendix III.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

As Hon Albert HO's amendment as amended by Hon Fred LI, Hon Andrew CHENG's amendment and Hon Frederick FUNG's amendment had been agreed earlier, the President granted leave for Hon LEUNG Yiu-chung to revise the terms of his amendment and explain them to the Council.

Hon LEUNG Yiu-chung moved the following further amendment to Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI, Hon Andrew CHENG and Hon Frederick FUNG, and explained the revised terms of his amendment to the Council:

To add "; in addition, this Council expresses deep regret that the Chief Executive has not taken any concrete steps to prescribe a statutory minimum wage and standard working hours, nor has he offered any assistance to the serving non-civil service contract staff in resolving their plight of possible loss of job, while at the same time disregarding protection for the livelihood of the grass-roots workers" immediately before the full stop.

Question on Hon LEUNG Yiu-chung's amendment to Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI, Hon Andrew CHENG and Hon Frederick FUNG proposed and put.

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

The President announced that among the Members returned by functional constituencies, 27 were present, eight were in favour of the amendment, 17 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 16 were in favour of the amendment, nine against it and one abstained. (Voting record in Appendix IV.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Hon Miriam LAU replied.

Question on Hon Miriam LAU's motion as amended by Hon Albert HO, Hon Fred LI, Hon Andrew CHENG and Hon Frederick FUNG put.

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

The President announced that among the Members returned by functional constituencies, 27 were present, 22 were in favour of the motion as amended and five abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 17 were in favour of the motion as amended, four against it and five abstained. (Voting record in Appendix V.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the motion as amended was carried.

Next Meeting

The President declared that the next meeting of the Council would be held on 31 October 2007 at 11:00 am.

The Council was adjourned at 4:17 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

投票 VOTE: 1
日期 DATE: 24/10/2007
時間 TIME: 11:03:31 上午am

動議 MOTION: 黃定光議員對梁君彥議員的「會議展覽業的發展」議案，作出的修正案
AMENDMENT BY HON WONG TING-KWONG TO HON ANDREW LEUNG'S MOTION ON
"DEVELOPMENT OF THE CONVENTION AND EXHIBITION INDUSTRY"

動議人 MOVED BY: 黃定光 WONG Ting-kwong

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	22	
投票 Vote	22	21	
贊成 Yes	22	21	
反對 No	0	0	
棄權 Abstain	0	0	
結果 Result	通過 Passed	通過 Passed	通過 Passed

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

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

秘書 CLERK

投票 VOTE: 2
日期 DATE: 26/10/2007
時間 TIME: 04:04:03 下午pm

動議 MOTION: 劉慧卿議員對劉健儀議員就「致謝議案」所提，經何俊仁議員（及李華明議員）、~~及~~
~~鄭家富議員~~及~~馮檢基議員~~修正的議案，作出的修正案
AMENDMENT BY HON EMILY LAU TO HON MIRIAM LAU'S "MOTION OF THANKS" AS
AMENDED BY HON ALBERT HO (AND HON FRED LI), ~~AND~~ HON ANDREW CHENG
~~AND~~ HON FREDERICK FUNG

動議人 MOVED BY: 劉慧卿 Emily LAU

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	27	27	
投票 Vote	27	26	
贊成 Yes	7	16	
反對 No	19	9	
棄權 Abstain	1	1	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

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

秘書 CLERK

投票 VOTE: 3
日期 DATE: 26/10/2007
時間 TIME: 04:08:28 下午pm

動議 MOTION: 陳偉業議員對劉健儀議員就「致謝議案」所提，經何俊仁議員（及李華明議員）、~~及鄭家富議員~~、~~及馮檢基議員~~及~~劉慧卿議員~~修正的議案，作出的修正案 AMENDMENT BY HON ALBERT CHAN TO HON MIRIAM LAU'S "MOTION OF THANKS" AS AMENDED BY HON ALBERT HO (AND HON FRED LI), ~~AND HON ANDREW CHENG~~、~~AND HON FREDERICK FUNG~~ ~~AND HON EMILY LAU~~

動議人 MOVED BY: 陳偉業 Albert CHAN

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	27	27	
投票 Vote	27	26	
贊成 Yes	5	8	
反對 No	19	10	
棄權 Abstain	3	8	
結果 Result	否決 Negatived	否決 Negatived	否決 Negatived

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

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

秘書 CLERK

投票 VOTE: 4
 日期 DATE: 26/10/2007
 時間 TIME: 04:12:01 下午pm

動議 MOTION: 梁耀忠議員對劉健儀議員就「致謝議案」所提，經何俊仁議員（及李華明議員）、~~及~~
~~鄭家富議員~~及~~馮檢基議員~~及~~劉慧卿議員~~及~~陳偉業議員~~修正的議案，作出的修正案
 AMENDMENT BY HON LEUNG YIU-CHUNG TO HON MIRIAM LAU'S "MOTION OF THANKS" AS AMENDED BY HON ALBERT HO (AND HON FRED LI), ~~AND~~ HON ANDREW CHENG, ~~AND~~ HON FREDERICK FUNG, ~~AND~~ HON EMILY LAU /AND/ HON ALBERT CHAN

動議人 MOVED BY: 梁耀忠 LEUNG Yiu-chung

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	27	27	
投票 Vote	27	26	
贊成 Yes	8	16	
反對 No	17	9	
棄權 Abstain	2	1	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

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

投票 VOTE: 5
 日期 DATE: 26/10/2007
 時間 TIME: 04:16:13 下午pm

動議 MOTION: 由劉健儀議員動議，經何俊仁議員、~~及李華明議員、及鄭家富議員、及馮檢基議員、及劉慧卿議員、及陳偉業議員、及梁耀忠議員~~修正的「致謝議案」
 "MOTION OF THANKS" MOVED BY HON MIRIAM LAU AS AMENDED BY HON ALBERT HO, ~~HON FRED LI, HON ANDREW CHENG, HON FREDERICK FUNG,~~
~~HON EMILY LAU, HON ALBERT CHAN, HON LEUNG YIU CHUNG~~

動議人 MOVED BY: 劉健儀 Miriam LAU

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	27	27	
投票 Vote	27	26	
贊成 Yes	22	17	
反對 No	0	4	
棄權 Abstain	5	5	
結果 Result	通過 Passed	通過 Passed	通過 Passed

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

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

秘書 CLERK 