

LEGISLATIVE COUNCIL

MINUTES

No. 16

Minutes of the meeting held on Wednesday 23 January 2008 at 11:00 am

Members present:

President

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

The Hon James TIEN Pei-chun, GBS, JP

The Hon Albert HO Chun-yan

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

The Hon LEE Cheuk-yan

The Hon Martin LEE Chu-ming, SC, JP

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-yee, GBS, JP

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon CHAN Yuen-han, SBS, JP

The Hon Bernard CHAN, GBS, JP

The Hon CHAN Kam-lam, SBS, JP

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

The Hon LEUNG Yiu-chung
The Hon SIN Chung-kai, SBS, JP
Dr the Hon Philip WONG Yu-hong, GBS
The Hon WONG Yung-kan, SBS, JP
The Hon Jasper TSANG Yok-sing, GBS, JP
The Hon Howard YOUNG, SBS, JP
Dr the Hon YEUNG Sum, JP
The Hon LAU Chin-shek, JP
The Hon LAU Kong-wah, JP
The Hon Miriam LAU Kin-yee, GBS, JP
The Hon Emily LAU Wai-hing, JP
The Hon CHOY So-yuk, JP
The Hon Andrew CHENG Kar-foo
The Hon TAM Yiu-chung, GBS, JP
The Hon Abraham SHEK Lai-him, SBS, JP
The Hon LI Fung-ying, BBS, JP
The Hon Tommy CHEUNG Yu-yan, SBS, JP
The Hon Albert CHAN Wai-yip
The Hon Frederick FUNG Kin-kee, SBS, JP
The Hon Audrey EU Yuet-mee, SC, JP
The Hon Vincent FANG Kang, JP
The Hon WONG Kwok-hing, MH
The Hon LEE Wing-tat
The Hon LI Kwok-ying, MH, JP
Dr the Hon Joseph LEE Kok-long, JP
The Hon Daniel LAM Wai-keung, SBS, JP
The Hon Jeffrey LAM Kin-fung, SBS, JP

The Hon 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

The Hon Mrs Anson CHAN, GBM, JP

Members absent:

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

The Hon Timothy FOK Tsun-ting, GBS, JP

Public officers attending:

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

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

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 Eva CHENG, JP
Secretary for Transport and Housing

Clerks in attendance:

Mr Ricky FUNG Choi-cheung, JP, Secretary General

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

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

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

Tabling of Papers

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

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Business Registration Ordinance (Amendment: Levy Reduction) Order 2008 (gazetted on 18.1.2008)	4/2008
2. Intercountry Adoption (Contracting States) Order 2008 (gazetted on 18.1.2008)	5/2008
3. Foreign Lawyers Practice (Amendment) Rules 2007 (gazetted on 18.1.2008)	6/2008
4. Hazardous Chemicals Control Ordinance (Commencement) Notice (gazetted on 18.1.2008)	7/2008
5. Hazardous Chemicals Control (General) Regulation (Commencement) Notice (gazetted on 18.1.2008)	8/2008
6. Hazardous Chemicals Control (Fees) Regulation (Commencement) Notice (gazetted on 18.1.2008)	9/2008
7. Mutual Legal Assistance in Criminal Matters (Malaysia) Order (Commencement) Notice (gazetted on 18.1.2008)	10/2008

Other Papers

No.58	-	Employees' Compensation Insurance Levies Management Board Annual Report 2006-2007 (published on 17.1.2008)
No.59	-	Employees Compensation Assistance Fund Board Annual Report 2006-2007 (published on 17.1.2008)
No.60	-	Occupational Deafness Compensation Board Annual Report 2006-2007 (published on 17. 1.2008)
No.61	-	Pneumoconiosis Compensation Fund Board Annual Report 2006 (published on 17. 1.2008)

- No.62 - Equal Opportunities Commission
Annual Report 2006-2007 (published on 17. 1.2008)
- No.63 - Hong Kong Arts Development Council
Annual Report 2006-2007 (published on 17. 1.2008)
- No.64 - Report on the Administration of the Fire Services
Department Welfare Fund, together with the
Director of Audit's Report and Audited Statement
of Accounts, for the year ended 31 March 2007
(published on 17.1.2008)
- No.65 - Annual Report 2006-2007 of the Hospital Authority,
which contains Statement of Accounts and Auditors'
Report (published on 22.1.2008)
- No.66 - Report and Statement of Accounts of the Samaritan
Fund, together with the Director of Audit's Report,
for the year ended 31 March 2007 (published on
22.1.2008)

Questions

1. Hon Vincent FANG Kang asked Question 1.

The Secretary for Food and Health replied.

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

2. Hon Daniel LAM Wai-keung asked Question 2.

The Secretary for Transport and Housing replied.

Five Members asked supplementary questions and the
Secretary for Transport and Housing replied.

3. Dr Hon David LI asked Question 3.

The Secretary for Home Affairs replied.

Six Members asked supplementary questions and the
Secretary for Home Affairs replied.

4. Hon Frederick FUNG asked Question 4.

The Secretary for Commerce and Economic Development
replied.

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

5. Hon Alan LEONG Kah-kit asked Question 5.

The Secretary for Transport and Housing replied.

Five Members asked supplementary questions and the Secretary for Transport and Housing replied.

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

The Secretary for Transport and Housing replied.

Five Members asked supplementary questions and the Secretary for Transport and Housing replied.

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

Members' Bills

The Chinese University of Hong Kong (Declaration of C. W. Chu College, Wu Yee Sun College and Lee Woo Sing College as Constituent Colleges) Bill

Resumption of Second Reading debate

The debate on the Second Reading which was moved on 9 January 2008 resumed.

A Member spoke on the Bill.

Hon LI Kwok-ying declared that he was a member of the Council of The Chinese University of Hong Kong elected by Legislative Council Members. Hon LI Kwok-ying then spoke on the Bill.

Two other Members spoke on the Bill.

Hon CHEUNG Man-kwong declared that he was a member of the Council of The Chinese University of Hong Kong elected by Legislative Council Members. Hon CHEUNG Man-kwong then replied.

Question on the Second Reading put and agreed to.

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

Committee Stage

The Council went into Committee and considered **The Chinese University of Hong Kong (Declaration of C. W. Chu College, Wu Yee Sun College and Lee Woo Sing College as Constituent Colleges) Bill**.

Question that clauses 1 to 5 stand part of the Bill proposed, put and agreed to.

Question that the Schedule stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

Hon CHEUNG Man-kwong reported that

**The Chinese University of Hong Kong (Declaration of
C. W. Chu College, Wu Yee Sun College and Lee Woo
Sing College as Constituent Colleges) Bill**

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

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

Bill read the third time and passed.

Members' Motions

Ensuring the conduct of fair elections

Hon Audrey EU moved the following motion and addressed the Council:

That, as there were a number of incidents of violence and intimidation which were allegedly related to elections during the District Council Election and the Legislative Council Hong Kong Island Geographical Constituency By-election at the end of last year, and there were controversies arising from grey areas in various aspects such as the use of exit poll results, the employment of electoral staff and the provision of community services, etc, causing the public to query whether the election results might have been affected; this Council urges the Government to review existing legislation and guidelines, and take appropriate measures to improve the regulation of various acts related to elections, so as to ensure that the various levels of election are conducted fairly.

While Hon Audrey EU was addressing the Council, the President left the chair at 1:27 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Hon Audrey EU's motion proposed.

The President's Deputy stated that Hon TAM Yiu-chung intended to move an amendment to the motion. In accordance with the Rules of Procedure, the motion and the amendment would be debated together in a joint debate.

Hon TAM Yiu-chung moved the following amendment to Hon Audrey EU's motion and addressed the Council:

To delete "and" after "incidents of violence" and substitute with ","; to add "and provocation" after "intimidation"; and to add "distributing ad hoc election news in the constituencies by media syndicates on the polling day, and releasing television and MTR advertisements by media syndicates echoing the campaign slogans of individual candidates," after "the use of exit poll results,".

Question on Hon TAM Yiu-chung's amendment to Hon Audrey EU's motion proposed.

Seven Members spoke on the motion and the amendment.

With the permission of the President's Deputy, Hon Frederick FUNG elucidated a point he had made earlier which he considered to be misunderstood by Hon TSANG Yok-sing.

Hon Albert HO spoke on the motion and the amendment.

At 2:31 pm, while Hon Albert HO was speaking, the President resumed the chair.

With the permission of the President, Hon TAM Yiu-chung elucidated a point he had made earlier which he considered to be misunderstood by Hon Albert HO.

While Hon TAM Yiu-chung was elucidating, Hon Albert HO raised a point of order on whether Members at a Council meeting were allowed to make use of their privileged position to attack another person with defamatory remarks, while that person was not present to defend himself/herself.

The President said that Members at a Council meeting, including those belonging to various political parties or groups, had criticised a certain person who was not present at the meeting. Therefore, she could not agree to the first point raised by Hon Albert HO. Regarding whether or not such remarks were defamatory, as the President was not a judge, she would not rule on that.

Hon TAM Yiu-chung continued with his elucidation.

Fifteen more Members spoke on the motion and the amendment.

Hon Audrey EU spoke on the amendment.

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

Question on Hon TAM Yiu-chung's amendment to Hon Audrey EU's motion put.

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

The President announced that among the Members returned by functional constituencies, 19 were present, 17 were in favour of the amendment and two against it; while among the Members returned by geographical constituencies through direct elections, 28 were present, 19 were in favour of the amendment and eight against it. (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 Audrey EU replied.

Question on Hon Audrey EU's motion as amended by Hon TAM Yiu-chung put and agreed to.

Introducing legislative amendments to open up community radio stations

Hon James TO moved the following motion and addressed the Council:

That existing legislation restricts the setting up of community radio stations by the public and the Government has unrestricted power to reject the applications from members of the public for a licence to operate a radio station, which has led to criminal prosecution against members of the public for setting up and participating in community radio stations, thus depriving the public of the right to express opinions through different channels and violating human rights; this Council urges the Government to amend the Telecommunications Ordinance and the Broadcasting Ordinance to open up public service broadcasting, including setting up channels for digital television and radio broadcasting for use by the public and allowing the community to set up and operate radio and television broadcasting services, so as to safeguard the freedom of speech of the public.

Question on Hon James TO's motion proposed.

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

Hon CHAN Kam-lam, who intended to move an amendment to the motion, spoke on the motion and the amendments.

Hon Albert HO, who intended to move an amendment to the motion, declared that he was the lawyer representing the Citizens' Radio and some of the related persons. Hon Albert HO then spoke on the motion and the amendments.

Hon LEUNG Kwok-hung, who intended to move an amendment to the motion, spoke on the motion and the amendments.

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

While the Secretary for Commerce and Economic Development was speaking, Hon Martin LEE drew the attention of the President to the absence of a quorum. The President directed the Clerk to summon Members to the meeting. A quorum was then present.

Nine Members spoke on the motion and the amendments.

Hon Martin LEE declared that he was one of the barristers in the court case concerned. Hon Martin LEE then spoke on the motion and the amendments.

Three other Members spoke on the motion and the amendments.

Hon Albert Jinghan CHENG declared that a consortium led by him had formally submitted an application to the Government in early January 2008 for operating a new commercial radio station which would broadcast on the AM band. Hon Albert Jinghan CHENG then spoke on the motion and the amendments. He also stated that he would not vote on the motion and the amendments.

While Hon Albert Jinghan CHENG was speaking, the President left the chair at 7:06 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Three more Members spoke on the motion and the amendments.

Hon James TO spoke on the amendments.

At 7:29 pm while Hon James TO was speaking, the President resumed the chair.

The Secretary for Commerce and Economic Development spoke again.

While the Secretary for Commerce and Economic Development was speaking, Hon Martin LEE requested the Secretary to elucidate a point raised by him in his speech. The Secretary did not accede to the request and continued to speak.

Hon CHAN Kam-lam moved the following amendment to Hon James TO's motion:

To delete "restricts the setting up of community radio stations by the public and the Government has unrestricted power to reject the applications from members of the public" after "That existing legislation" and substitute with "stipulates that members of the public and organizations must, prior to the setting up of radio stations, apply to the Government"; to delete "which has led" after "operate a radio station," and substitute with "members of the public who conduct and participate in illegal broadcasting are liable"; to delete "against members of the public for setting up and participating in community radio stations, thus depriving the public of the right to express opinions through different channels and violating human rights" after "criminal prosecution"; to add "to make the public fully aware of the factors that the Government will take into consideration in issuing licences and to allow them to express opinions through different channels," before "this Council"; to delete "Government to amend" after "urges the" and substitute with "Administration to, under the principle of protecting freedom of speech of the public while ensuring that legitimate communications will not be interfered, review"; and to delete "to open up public service broadcasting, including setting up channels for digital television and radio broadcasting for use by the public and allowing the community to set up and operate radio and television broadcasting services, so as to safeguard the freedom of speech of the public" immediately before the full stop.

Question on Hon CHAN Kam-lam's amendment to Hon James TO's motion proposed and put.

Hon Albert HO 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, 16 were in favour of the amendment and six against it; while among the Members returned by geographical constituencies through direct elections, 25 were present, nine were in favour of the amendment and 15 against it. (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 "Introducing legislative amendments to open up community radio stations" or amendments thereto, the Council do proceed to each of such divisions after the division bell has been rung for one minute.

Question on the motion proposed, put and agreed to.

Hon Albert HO moved the following amendment to Hon James TO's motion:

To add "face up to the long-term aspirations of the community for opening up the airwaves and public service broadcasting, and immediately" after "this Council urges the Government to".

Question on Hon Albert HO's amendment to Hon James TO's motion proposed and put.

Hon CHAN Kam-lam 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, 22 were present, seven were in favour of the amendment, eight against it and seven abstained; while among the Members returned by geographical constituencies through direct elections, 25 were present, 15 were in favour of the amendment, seven against it and two 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.

Hon LEUNG Kwok-hung moved the following amendment to Hon James TO's motion:

To add "immediately undertake to expeditiously" after "this Council urges the Government to"; and to add "and abolish the existing privilege enjoyed by the Chief Executive in the issue of licences which is contrary to protecting freedom of speech as provided in the Basic Law," after "public service broadcasting,".

Question on Hon LEUNG Kwok-hung's amendment to Hon James TO's motion proposed and put.

Hon LEUNG Kwok-hung 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, 22 were present, six were in favour of the amendment, eight against it and eight abstained; while among the Members returned by geographical constituencies through direct elections, 25 were present, 14 were in favour of the amendment, seven against and three 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 James TO replied.

Question on Hon James TO's motion put.

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

The President announced that among the Members returned by functional constituencies, 22 were present, seven were in favour of the motion, eight against it and seven abstained; while among the Members returned by geographical constituencies through direct elections, 25 were present, 15 were in favour of the motion, seven against it and two abstained. (Voting record in Appendix V.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the motion was negatived.

Next meeting

The President declared that the next meeting of the Council would be held on 30 January 2008 at 11:00 am.

The Council was adjourned at 8:11 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

投票 VOTE: 1
 日期 DATE: 23/01/2008
 時間 TIME: 04:50:26 下午pm

動議 MOTION: 譚耀宗議員對余若薇議員的「確保選舉公平進行」議案，作出的修正案
 AMENDMENT BY HON TAM YIU-CHUNG TO HON AUDREY EU'S MOTION ON "ENSURING THE CONDUCT OF FAIR ELECTIONS"

動議人 MOVED BY: 譚耀宗 TAM Yiu-chung

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	28	
投票 Vote	19	27	
贊成 Yes	17	19	
反對 No	2	8	
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		何俊仁 Albert HO	反對 NO
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	反對 NO	李柱銘 Martin LEE	反對 NO
陳智思 Bernard CHAN		李華明 Fred LI	反對 NO
梁劉柔芬 Mrs Sophie LEUNG		周梁淑怡 Mrs Selina CHOW	贊成 YES
單仲偕 SIN Chung-kai	反對 NO	涂謹申 James TO	反對 NO
黃宜弘 Dr Philip WONG	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	反對 NO
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	贊成 YES
張宇人 Tommy CHEUNG		蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG		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	反對 NO
林偉強 Daniel LAM		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		李永達 LEE Wing-tat	反對 NO
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	
黃定光 WONG Ting-kwong	贊成 YES	梁國雄 LEUNG Kwok-hung	反對 NO
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	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	陳方安生 Mrs Anson CHAN	贊成 YES

秘書 CLERK

Vivian Chan

投票 VOTE: 2
 日期 DATE: 23/01/2008
 時間 TIME: 07:58:37 下午pm

動議 MOTION: 陳鑑林議員對涂謹申議員的「修例開放民間電台」議案，作出的修正案
 AMENDMENT BY HON CHAN KAM-LAM TO HON JAMES TO'S MOTION ON
 "INTRODUCING LEGISLATIVE AMENDMENTS TO OPEN UP COMMUNITY RADIO
 STATIONS"

動議人 MOVED BY: 陳鑑林CHAN Kam-lam

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	25	
投票 Vote	22	24	
贊成 Yes	16	9	
反對 No	6	15	
棄權 Abstain	0	0	
結果 Result	通過 Passed	否決 Negatived	否決 Negatived

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO	贊成 YES	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	贊成 YES
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	反對 NO
吳靄儀 Margaret NG	反對 NO	李卓人 LEE Cheuk-yan	反對 NO
張文光 CHEUNG Man-kwong	反對 NO	李柱銘 Martin LEE	反對 NO
陳智思 Bernard CHAN		李華明 Fred LI	反對 NO
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	周梁淑怡 Mrs Selina CHOW	贊成 YES
單仲偕 SIN Chung-kai	反對 NO	涂謹申 James TO	反對 NO
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		曾鈺成 TSANG Yok-sing	
劉健儀 Miriam LAU	贊成 YES	楊森 Dr YEUNG Sum	反對 NO
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	贊成 YES	劉慧卿 Emily LAU	反對 NO
張宇人 Tommy CHEUNG	贊成 YES	蔡素玉 CHOY So-yuk	贊成 YES
方剛 Vincent FANG		鄭家富 Andrew CHENG	
王國興 WONG Kwok-hing	贊成 YES	譚耀宗 TAM Yiu-chung	贊成 YES
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	
林偉強 Daniel LAM	贊成 YES	馮檢基 Frederick FUNG	反對 NO
林健鋒 Jeffrey LAM	贊成 YES	余若薇 Audrey EU	反對 NO
梁君彥 Andrew LEUNG	贊成 YES	李永達 LEE Wing-tat	反對 NO
郭家麒 Dr KWOK Ka-ki	反對 NO	李國英 Li Kwok-ying	贊成 YES
張超雄 Dr Fernando CHEUNG	反對 NO	梁家傑 Alan LEONG	反對 NO
黃定光 WONG Ting-kwong	贊成 YES	梁國雄 LEUNG Kwok-hung	反對 NO
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	反對 NO
鄭志堅 KWONG Chi-kin	贊成 YES	鄭經翰 Albert CHENG	
譚香文 TAM Heung-man	反對 NO	陳方安生 Mrs Anson CHAN	反對 NO

秘書 CLERK

投票 VOTE: 3
 日期 DATE: 23/01/2008
 時間 TIME: 08:01:46 下午pm

動議 MOTION: 何俊仁議員對涂謹申議員的「修例開放民間電台」議案，作出的修正案
 AMENDMENT BY HON ALBERT HO TO HON JAMES TO'S MOTION ON "INTRODUCING LEGISLATIVE AMENDMENTS TO OPEN UP COMMUNITY RADIO STATIONS"

動議人 MOVED BY: 何俊仁 Albert HO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	25	
投票 Vote	22	24	
贊成 Yes	7	15	
反對 No	8	7	
棄權 Abstain	7	2	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

議員	MEMBER	投票	VOTE	議員	MEMBER	投票	VOTE
功能團體 Functional Constituencies				地方選區 Geographical Constituencies			
何鍾泰	Dr Raymond HO	反對	NO	范徐麗泰	Mrs Rita FAN	出席	PRESENT
李國寶	Dr David LI			田北俊	James TIEN	棄權	ABSTAIN
呂明華	Dr LUI Ming-wah			何俊仁	Albert HO	贊成	YES
吳靄儀	Margaret NG	贊成	YES	李卓人	LEE Cheuk-yan	贊成	YES
張文光	CHEUNG Man-kwong	贊成	YES	李柱銘	Martin LEE	贊成	YES
陳智思	Bernard CHAN			李華明	Fred LI	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	棄權	ABSTAIN	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	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	棄權	ABSTAIN	梁耀忠	LEUNG Yiu-chung	贊成	YES
劉皇發	LAU Wong-fat			曾鈺成	TSANG Yok-sing		
劉健儀	Miriam LAU	棄權	ABSTAIN	楊森	Dr YEUNG Sum	贊成	YES
霍震霆	Timothy FOK			劉千石	LAU Chin-shek		
石禮謙	Abraham SHEK	反對	NO	劉江華	LAU Kong-wah	反對	NO
李鳳英	Li Fung-ying	贊成	YES	劉慧卿	Emily LAU	贊成	YES
張宇人	Tommy CHEUNG	棄權	ABSTAIN	蔡素玉	CHOY So-yuk	反對	NO
方剛	Vincent FANG			鄭家富	Andrew CHENG		
王國興	WONG Kwok-hing	反對	NO	譚耀宗	TAM Yiu-chung	反對	NO
李國麟	Dr Joseph LEE			陳偉業	Albert CHAN		
林偉強	Daniel LAM	棄權	ABSTAIN	馮檢基	Frederick FUNG	贊成	YES
林健鋒	Jeffrey LAM	棄權	ABSTAIN	余若薇	Audrey EU	贊成	YES
梁君彥	Andrew LEUNG	棄權	ABSTAIN	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	贊成	YES
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	Albert CHENG		
譚香文	TAM Heung-man	贊成	YES	陳方安生	Mrs Anson CHAN	贊成	YES

秘書 CLERK

投票 VOTE: 4
日期 DATE: 23/01/2008
時間 TIME: 08:04:14 下午pm

動議 MOTION: 梁國雄議員對涂謹申議員的「修例開放民間電台」議案，作出的修正案
AMENDMENT BY HON LEUNG KWOK-HUNG TO HON JAMES TO'S MOTION ON
"INTRODUCING LEGISLATIVE AMENDMENTS TO OPEN UP COMMUNITY RADIO
STATIONS"

動議人 MOVED BY: 梁國雄 LEUNG Kwok-hung

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	25	
投票 Vote	22	24	
贊成 Yes	6	14	
反對 No	8	7	
棄權 Abstain	8	3	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	棄權 ABSTAIN
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	贊成 YES
陳智思 Bernard CHAN		李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	棄權 ABSTAIN	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	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	棄權 ABSTAIN	梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	
劉健儀 Miriam LAU	棄權 ABSTAIN	楊森 Dr YEUNG Sum	贊成 YES
霍震霆 Timothy FOK		劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK	反對 NO	劉江華 LAU Kong-wah	反對 NO
李鳳英 LI Fung-ying	棄權 ABSTAIN	劉慧卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	棄權 ABSTAIN	蔡素玉 CHOY So-yuk	反對 NO
方剛 Vincent FANG		鄭家富 Andrew CHENG	
王國興 WONG Kwok-hing	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	
林偉強 Daniel LAM	棄權 ABSTAIN	馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	棄權 ABSTAIN	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	棄權 ABSTAIN	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	贊成 YES
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 Albert CHENG	
譚香文 TAM Heung-man	贊成 YES	陳方安生 Mrs Anson CHAN	棄權 ABSTAIN

秘書 CLERK

投票 VOTE: 5
 日期 DATE: 23/01/2008
 時間 TIME: 08:10:38 下午pm

動議 MOTION: 「修例開放民間電台」議案
 MOTION ON "INTRODUCING LEGISLATIVE AMENDMENTS TO OPEN UP COMMUNITY RADIO STATIONS"

動議人 MOVED BY: 涂謹申 James TO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	25	
投票 Vote	22	24	
贊成 Yes	7	15	
反對 No	8	7	
棄權 Abstain	7	2	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何鍾泰 Dr Raymond HO	反對 NO	范徐麗泰 Mrs Rita FAN	出席 PRESENT
李國寶 Dr David LI		田北俊 James TIEN	棄權 ABSTAIN
呂明華 Dr LUI Ming-wah		何俊仁 Albert HO	贊成 YES
吳靄儀 Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李柱銘 Martin LEE	贊成 YES
陳智思 Bernard CHAN		李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	棄權 ABSTAIN	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	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	棄權 ABSTAIN	梁耀忠 LBUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		曾鈺成 TSANG Yok-sing	
劉健儀 Miriam LAU	棄權 ABSTAIN	楊森 Dr YEUNG Sum	贊成 YES
霍震霆 Timothy FOK		劉千石 LAU Chin-shek	
石禮謙 Abraham SHEK	反對 NO	劉江華 LAU Kong-wah	反對 NO
李鳳英 LI Fung-ying	贊成 YES	劉麗卿 Emily LAU	贊成 YES
張宇人 Tommy CHEUNG	棄權 ABSTAIN	蔡素玉 CHOY So-yuk	反對 NO
方剛 Vincent FANG		鄭家富 Andrew CHENG	
王國興 WONG Kwok-hing	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李國麟 Dr Joseph LEE		陳偉業 Albert CHAN	
林偉強 Daniel LAM	棄權 ABSTAIN	馮檢基 Frederick FUNG	贊成 YES
林健鋒 Jeffrey LAM	棄權 ABSTAIN	余若薇 Audrey EU	贊成 YES
梁君彥 Andrew LEUNG	棄權 ABSTAIN	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	贊成 YES
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 Albert CHENG	
譚香文 TAM Heung-man	贊成 YES	陳方安生 Mrs Anson CHAN	贊成 YES

秘書 CLERK