

LEGISLATIVE COUNCIL

MINUTES

No. 32

Minutes of the meeting held on Wednesday 11 June 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

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 LEUNG Yiu-chung

The Hon SIN Chung-kai, SBS, JP

Dr the Hon Philip WONG Yu-hong, GBS
The Hon WONG Yung-kan, SBS, JP
The Hon Jasper TSANG Yok-sing, GBS, JP
The Hon Howard YOUNG, SBS, JP
Dr the Hon YEUNG Sum, JP
The Hon LAU Chin-shek, JP
The Hon LAU Kong-wah, JP
The Hon LAU Wong-fat, GBM, GBS, JP
The Hon Miriam LAU Kin-yee, GBS, JP
The Hon Emily LAU Wai-hing, JP
The Hon CHOY So-yuk, JP
The Hon Andrew CHENG Kar-foo
The Hon Timothy FOK Tsun-ting, GBS, JP
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 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

Members absent:

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

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

The Hon Alan LEONG Kah-kit, SC

The Hon Mrs Anson CHAN, GBM, 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

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

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

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

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

Prof the Hon K C CHAN, SBS, JP
Secretary for Financial Services and the Treasury

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

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

The Hon Eva CHENG, JP
Secretary for Transport and Housing

Clerks in attendance:

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mrs Constance LI TSOI Yeuk-lin, Assistant Secretary General (1)

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. Rules of the High Court (Amendment) Rules 2008 (gazetted on 6.6.2008)	152/2008
2. Rules of the District Court (Amendment) Rules 2008 (gazetted on 6.6.2008)	153/2008
3. High Court Fees (Amendment) Rules 2008 (gazetted on 6.6.2008)	154/2008
4. High Court Suitors' Funds (Amendment) Rules 2008 (gazetted on 6.6.2008)	155/2008
5. District Court Civil Procedure (Fees) (Amendment) Rules 2008 (gazetted on 6.6.2008)	156/2008
6. District Court Suitors' Funds (Amendment) Rules 2008 (gazetted on 6.6.2008)	157/2008
7. Lands Tribunal (Amendment) Rules 2008 (gazetted on 6.6.2008)	158/2008
8. Prevention and Control of Disease Regulation (gazetted on 6.6.2008)	159/2008
9. Declaration of Increase in Pensions Notice 2008 (gazetted on 6.6.2008)	160/2008
10. Widows and Orphans Pension (Increase) Notice 2008 (gazetted on 6.6.2008)	161/2008

Other Papers

No.98 - Securities and Futures Commission
Annual Report 2007 - 2008 (published on 11.6.2008)

Questions

1. Hon LEUNG Kwok-hung asked Question 1.

Hon LEE Cheuk-yan asked why the main reply to the question had not been tabled. The President stated that she had just received a copy of the main reply and she believed that photocopies of it were being made by the Secretariat. She also pointed out that there was a gentleman's agreement between Members and the Administration that all main replies to oral questions to be asked at a Council meeting were to be provided to Members before 9:30 am on the day of the meeting concerned. To facilitate Members in asking supplementary questions, the President hoped that the Administration would make arrangements so that Members had already obtained copies of the main replies at the time when the questions were asked.

The Secretary for Transport and Housing replied.

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

2. Hon Albert HO asked Question 2.

The Secretary for Development replied.

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

3. Hon Ronny TONG Ka-wah asked Question 3.

The Secretary for Constitutional and Mainland Affairs replied.

Four Members asked supplementary questions. The Secretary for Constitutional and Mainland Affairs and the Secretary for Security replied.

4. Dr Hon KWOK Ka-ki asked Question 4.

The Secretary for Food and Health replied.

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

The President stated that she noted that quite a number of Members were wearing a T-shirt of the same design. If the clothing of any Member displayed signs or messages which were not related to any of the business on the Agenda of the Council, it was her practice to remind him accordingly. As she did not know whether the signs or messages displayed on the T-shirt were so related, she would only remind the Members concerned that they might make their own choice of whether or not they would continue wearing the T-shirt at the Council meeting.

5. Hon LAU Kong-wah asked Question 5.

The Secretary for the Environment replied.

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

6. Hon SIN Chung-kai asked Question 6.

The Secretary for Commerce and Economic Development replied.

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

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

Bills

First Reading

Supplementary Appropriation (2007-2008) Bill

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

Second Reading

Supplementary Appropriation (2007-2008) Bill

The Secretary for Financial Services and the Treasury moved the Second Reading and addressed the Council.

Question on the Second Reading proposed. The President stated that in accordance with Rule 54(4) of the Rules of Procedure, the debate was adjourned and the Bill was referred to the House Committee.

Motions

Proposed resolutions under the Interpretation and General Clauses Ordinance

1. The Trade Descriptions (Provision of Information on Natural Fei Cui) Order

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

Question on the motion proposed.

Hon CHAN Kam-lam spoke on the motion as Chairman of the Subcommittee to Study Six Items of Subsidiary Legislation under the Trade Descriptions Ordinance Gazetted on 18 April 2008, and then in his personal capacity as a Member.

Question on the motion put and agreed to.

2. The Trade Descriptions (Provision of Information on Diamond) Order

The Secretary for Commerce and Economic Development moved the following motion and addressed the Council:

RESOLVED that the Trade Descriptions (Provision of Information on Diamond) Order, published in the Gazette as Legal Notice No. 80 of 2008 and laid on the table of the Legislative Council on 23 April 2008, be amended -

- (a) by renumbering section 2 as section 2(1);
- (b) in section 2(1), in the definition of "article of diamond", by repealing paragraphs (a), (b) and (c) and substituting -
 - "(a) which is composed solely of diamond; or
 - (b) which is inlaid with diamond for the purpose of adornment;"
- (c) in section 2, by adding -
 - "(2) An article on which an object is mounted is regarded for the purposes of this Order as an article inlaid with that object.";
- (d) in section 3(2)(d), by repealing everything after "describe the" and substituting -
 - "article -
 - (i) as being composed solely of diamond;
 - (ii) where the article is inlaid with both diamond and other precious stone, as being inlaid with both diamond and other precious stone; or

(iii) where the article is inlaid with diamond but with no other precious stone, as being inlaid with diamond,

as may be appropriate; and".

Question on the motion proposed, put and agreed to.

3. The Trade Descriptions (Provision of Information on Regulated Electronic Products) Order

The Secretary for Commerce and Economic Development moved the motion in Appendix II and addressed the Council.

Question on the motion proposed, put and agreed to.

4. The Trade Descriptions (Marking) (Gold and Gold Alloy) (Amendment) Order 2008

The Secretary for Commerce and Economic Development moved the following motion and addressed the Council:

RESOLVED that the Trade Descriptions (Marking) (Gold and Gold Alloy) (Amendment) Order 2008, published in the Gazette as Legal Notice No. 82 of 2008 and laid on the table of the Legislative Council on 23 April 2008, be amended -

(a) in section 4(2), in the new paragraph 6(1)(d)(ii), by adding "by virtue of paragraph 5(1)" before "and the";

(b) in section 10, by adding before subsection (1) -

"(1A) The Third Schedule is amended in the English version of the Notice by repealing "Order 1984" and substituting "Order (Cap. 362 sub. leg.)".";

(c) in section 10, by adding -

"(2A) The Third Schedule is amended in the Chinese version of the Notice by repealing "《1984年商品說明(標記)(黃金及黃金合金)令》" and substituting "《商品說明(標記)(黃金及黃金合金)令》(第362章, 附屬法例)".".

Question on the motion proposed, put and agreed to.

5. The Trade Descriptions (Marking) (Platinum) (Amendment) Order 2008

The Secretary for Commerce and Economic Development moved the following motion and addressed the Council:

RESOLVED that the Trade Descriptions (Marking) (Platinum) (Amendment) Order 2008, published in the Gazette as Legal Notice No. 83 of 2008 and laid on the table of the Legislative Council on 23 April 2008, be amended -

- (a) in section 5(2), in the new paragraph 6(1)(d)(ii), by adding "by virtue of paragraph 5(1)" before "and the";
- (b) in section 11(1), by repealing everything after "by" and substituting "repealing "Order, every article made of platinum that is supplied or offered for supply in the course of trade or business" and substituting "Order (Cap. 362 sub. leg.), every article made of platinum that is supplied or offered for supply in the course of trade or business at retail level".";
- (c) in section 11(3), by repealing everything after "by" and substituting "repealing "令》, 每一件在" and substituting "令》(第 362 章, 附屬法例), 每一件在零售層面的".".

Question on the motion proposed, put and agreed to.

Members' Bills

First Reading

The Hong Kong University of Science and Technology (Amendment) Bill 2008

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

The President stated that as The Hong Kong University of Science and Technology (Amendment) Bill 2008 presented by Hon Abraham SHEK related to Government policies, in accordance with Rule 54(1) of the Rules of Procedure, the signification of the written consent of the Chief Executive by a designated public officer was required before the Council entered upon consideration of the second reading of the Bill.

The Secretary for the Civil Service confirmed that the Chief Executive had given his written consent for The Hong Kong University of Science and Technology (Amendment) Bill 2008 to be presented to this Council.

Second Reading

The Hong Kong University of Science and Technology (Amendment) Bill 2008

Hon Abraham SHEK moved the Second Reading and addressed the Council.

Question on the Second Reading proposed. The President stated that in accordance with Rule 54(4) of the Rules of Procedure, the debate was adjourned and the Bill was referred to the House Committee.

Members' Motions

Providing food and nutrition support to the grassroots

Hon KWONG Chi-kin moved the following motion and addressed the Council:

That the rise in food prices worldwide has led to a surge in local food prices, resulting in escalating inflation in Hong Kong, with last month's year-on-year Composite Consumer Price Index recording an increase of 5.4%, the income of the grassroots being eroded by inflation, forcing many grassroots and poor people to reduce their expenditure on food, buy less food or switch to buying food products of poorer quality, and some people even have to collect leftovers in the markets or at the back entrances of restaurants, such situations will easily lead to children who are growing up and the frail elderly suffering from malnutrition; in this connection, this Council urges the Government to formulate the following measures to assist the grassroots in countering the surge in food prices:

- (a) the Administration making reference to overseas practices and providing poor students with free breakfasts and lunches, as well as nutritious foodstuffs such as fruits and milk, etc to enable them to be well-fed and take in sufficient nutrition;
- (b) expeditiously providing rent-free units in poor and remote districts for setting up co-operatives which make bulk purchase of food, hot food centres or food banks, so as to provide meals as well as basic food and oil supplies to those poor people who have difficulty in paying for their daily meals;

- (c) issuing food coupons and meal coupons to those poor people who cannot benefit from food banks or hot food centres to enable them to have enough food for their daily meals;
- (d) closely monitoring the supply situation and price increase of basic food and oil supplies, and curbing large supermarket chains from manipulating the supply prices charged by suppliers;
- (e) encouraging the general public and private organizations to donate food to food banks and hot food centres; and
- (f) allocating more resources to provide free meal delivery service to the poor elderly.

While Hon KWONG Chi-kin was addressing the Council, the President left the chair at 1:43 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Hon KWONG Chi-kin's motion proposed.

The President's Deputy 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 Albert HO, Hon Frederick FUNG and Hon Mrs Selina CHOW, who intended to move amendments to the motion, spoke on the motion and their amendments.

The Secretary for Labour and Welfare spoke on the motion and the amendments.

Three Members and Hon LI Kwok-ying spoke on the motion and the amendments.

At 2:52 pm, while Hon LI Kwok-ying was speaking, the President resumed the chair.

Eleven other Members spoke on the motion and the amendments.

Hon KWONG Chi-kin spoke on the amendments.

The Secretary for Labour and Welfare spoke again.

Hon Albert HO moved the following amendment to Hon KWONG Chi-kin's motion:

To add ", as" after "That"; to delete "for setting up" after "remote districts" and substitute with ", collaborating with voluntary bodies to establish social enterprises,"; to add "to sell food at low prices or even give it to poor families for free" after "hot food centres or food banks"; and to add "making inflationary adjustments to the Comprehensive Social Security Assistance rates and grants on a more frequent basis, and increasing the amount of Old Age Allowance to enable the recipients to buy sufficient food, as well as" after "(c)".

Question on Hon Albert HO's amendment to Hon KWONG Chi-kin's motion proposed, put and agreed to.

As Hon Albert HO's amendment had been agreed, the President granted leave for Hon Frederick FUNG to revise the terms of his amendment.

Hon Frederick FUNG moved the following further amendment to Hon KWONG Chi-kin's motion as amended by Hon Albert HO:

To add "; (g) immediately reviewing the Comprehensive Social Security Assistance system to ensure that poor people who have difficulty in paying for their daily meals can also be protected by the safety net; and (h) ensuring that there will be no labelling effect on the grassroots in the process of formulating measures to assist the grassroots in countering the surge in food prices" immediately before the full stop.

Question on Hon Frederick FUNG's amendment to Hon KWONG Chi-kin's motion as amended by Hon Albert HO proposed, put and agreed to.

As Hon Albert HO's and Hon Frederick FUNG's amendments had been agreed, the President granted leave for Hon Mrs Selina CHOW to revise the terms of her amendment.

Hon Mrs Selina CHOW moved the following further amendment to Hon KWONG Chi-kin's motion as amended by Hon Albert HO and Hon Ferderick FUNG:

To add "; (i) maintaining close contact with Mainland suppliers to ensure that there is an ample supply of various types of food, foodstuffs, materials and livestock, so as to avoid a surge in food prices due to shortage of supply; (j) strengthening the monitoring of and support to non-governmental organizations to ensure that the quality of meals delivered to the elderly and that provided in residential care homes for the elderly will not be affected; and (k) expeditiously reviewing the weighting of food in the Social Security Assistance Index of Prices so that recipients of Comprehensive Social Security Assistance can maintain their purchasing power for food" immediately before the full stop.

Question on Hon Mrs Selina CHOW's amendment to Hon KWONG Chi-kin's motion as amended by Hon Albert HO and Hon Ferderick FUNG proposed, put and agreed to.

Hon KWONG Chi-kin replied.

Question on Hon KWONG Chi-kin's motion as amended by Hon Albert HO, Hon Ferderick FUNG and Hon Mrs Selina CHOW put and agreed to.

Implementation of "one country, two systems"

Hon Martin LEE moved the following motion and addressed the Council:

That this Council urges the Central Government to abide by the Basic Law and strictly require that no department of the Central Government, including the Central Government Liaison Office, and no local government in the Mainland shall interfere in the affairs which the Hong Kong SAR Government administers on its own in accordance with the Basic Law, so as to implement "one country, two systems", "Hong Kong people ruling Hong Kong" with "a high degree of autonomy".

Question on Hon Martin LEE's motion proposed.

The President 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 Martin LEE's motion and addressed the Council:

To delete "this Council urges" after "That" and substitute with ", as the Central Government has been proactively taking measures over the years to support the economic development, improvement of people's livelihood and promotion of democracy in Hong Kong, and vigorously facilitating exchanges and co-operation between the Mainland and Hong Kong in the areas of economy, education, science and technology, culture, health and sports, etc, this Council expresses deep gratitude and hereby expresses support to"; to add "continuing" after "the Central Government"; to add "the provision in" after "to abide by"; and to delete "and strictly require" after "the Basic Law"; to delete "Government, including the Central Government Liaison Office, and no local government in the Mainland" after "no department of the Central" and substitute with "People's Government and no province, autonomous region, or municipality directly under the Central Government".

Question on Hon TAM Yiu-chung's amendment to Hon Martin LEE's motion proposed.

Eight Members and Hon CHEUNG Man-kwong spoke on the motion and the amendment.

While Hon Hon CHEUNG Man-kwong 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 and Hon CHEUNG Man-kwong continued to speak.

Six other Members spoke on the motion and the amendment.

Hon Martin LEE 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 Martin LEE's motion put.

Hon Martin LEE 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, 25 were present, 18 were in favour of the amendment, six against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 21 were present, eight were in favour of the amendment and 12 against it. (Voting record in Appendix III.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Hon Martin LEE replied.

Question on Hon Martin LEE's motion put.

Hon Martin LEE 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, 25 were present, six were in favour of the motion, nine against it and 10 abstained; while among the Members returned by geographical constituencies through direct elections, 21 were present, 11 were in favour of the motion, six against it 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 motion was negatived.

Next Meeting

The President declared that the next meeting of the Council would be held on 18 June 2008 at 11:00 am.

The Council was adjourned at 7:17 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

INTERPRETATION AND GENERAL CLAUSES
ORDINANCE

RESOLUTION

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

TRADE DESCRIPTIONS (PROVISION OF INFORMATION
ON NATURAL FEI CUI) ORDER

RESOLVED that the Trade Descriptions (Provision of Information on Natural Fei Cui) Order, published in the Gazette as Legal Notice No. 79 of 2008 and laid on the table of the Legislative Council on 23 April 2008, be amended –

- (a) by renumbering section 2 as section 2(1);
- (b) in section 2(1), in the definition of “natural fei cui”, by repealing everything after “meaning of” and substituting “section 2 of the Trade Descriptions (Definition of Fei Cui and Natural Fei Cui) Regulation (L.N. 42 of 2008) which falls within the definition of “natural” or “天然” in section 3 of that Regulation when used to describe fei cui.”;
- (c) in section 2(1), in the Chinese text, in paragraph (b) of the definition of “天然翡翠製品”, by repealing “鑲嵌” and substituting “嵌有”;
- (d) in section 2, by adding –

- “(2) An article on which an object is mounted is regarded for the purposes of this Order as an article inlaid with that object.”;
- (e) in section 3(2)(*d*), by repealing everything after “describe the” and substituting –
- “article –
- (i) where the article is inlaid with both natural fei cui and other jade, as “natural fei cui plus other jade” or “天然翡翠和其他玉石”; or
- (ii) where the article is –
- (A) composed solely or principally of natural fei cui; or
- (B) inlaid with natural fei cui but with no other jade,
- as “natural fei cui” or “天然翡翠”.”;
- (f) in the Schedule, in the English version of the Notice, by repealing paragraph (*a*) and substituting –
- “(a) only jade that falls within the definition in the Trade Descriptions (Definition of Fei Cui and Natural Fei Cui) Regulation (Cap. 362 sub. leg.) can be described as “fei cui”.”;
- (g) in the Schedule, in the Chinese version of the Notice, by repealing paragraph (*a*) and substituting –
- “(a) 只有符合《商品說明(翡翠及天然翡翠的定義)規例》(第 362 章，附屬法例)中的定義的玉石，方可被稱為“翡翠”.”;
- (h) in the Schedule, in paragraph (*b*) of the Chinese version of the Notice, by adding “任何” after “經過”.

INTERPRETATION AND GENERAL CLAUSES
ORDINANCE

RESOLUTION

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

TRADE DESCRIPTIONS (PROVISION OF INFORMATION
ON REGULATED ELECTRONIC PRODUCTS) ORDER

RESOLVED that the Trade Descriptions (Provision of Information on Regulated Electronic Products) Order, published in the Gazette as Legal Notice No. 81 of 2008 and laid on the table of the Legislative Council on 23 April 2008, be amended –

- (a) in section 2(1), in the English text, in paragraph (a) of the definition of “digital audio player”, by repealing “playing” and substituting “to play”;
- (b) in section 2(1), in the English text, in paragraph (b) of the definition of “digital audio player”, by repealing “products” and substituting “the product”;
- (c) in section 2(1), in the English text, in the definition of “digital camcorder”, by repealing “making” and substituting “to make”;
- (d) in section 2(1), in the English text, in the definition of “digital camera”, by repealing “recording and storing” and substituting “to record and store”;

- (e) in section 2(1), in paragraph (a) of the definition of “mobile phone”, by adding “and” after the semicolon;
- (f) in section 2(1), in the English text, in paragraph (a) of the definition of “portable multimedia player”, by repealing “playing” and substituting “to play”;
- (g) in section 2(1), in the English text, in paragraph (b) of the definition of “portable multimedia player”, by repealing “products” and substituting “the product”;
- (h) in section 2(2)(b), by repealing “and”;
- (i) in section 2(2)(c), by repealing the full stop and substituting “; and”;
- (j) in section 2(2), by adding –
“(d) any other relevant information.”;
- (k) in section 3, by adding –
“(1A) Subsection (1) applies only to trade or business conducted on premises being a tenement included in the valuation list in force under section 14 of the Rating Ordinance (Cap. 116).”;
- (l) in the English text, by repealing section 3(2)(f) and substituting –
“(f) the following information as regards service for the inspection, repair or maintenance of the product –
 - (i) such service is available free of charge or such service is not so available, as may be applicable; and
 - (ii) where such service is available –
 - (A) subject to subsection (3), the place at which such service is available;

- (B) the identity of the provider of such service; and
 - (C) the period for which such service is available;”;
- (m) in section 3(3), in the English text, by repealing “facilities for the inspection, repair or service of a product are” and substituting “a service for the inspection, repair or maintenance of a product is”;
- (n) in section 3(3)(a), by repealing “facilities are available in any particular one of those places, show” and substituting “service is available in any particular one of those places, contain information on”;
- (o) in section 3(3)(b), by repealing “facilities are available in a particular place, show” and substituting “service is available in a particular place, contain information on”;
- (p) in section 3(3)(b)(i), in the English text, by repealing “facilities” and substituting “service”;
- (q) in section 3(3)(b)(ii), in the English text, by repealing “facilities are” and substituting “service is”;
- (r) in the Schedule, in the Chinese text, in paragraph (c) of the item “數碼攝錄機”, by adding “以像素列出的” before “硬照”;
- (s) in the Schedule, in paragraph (d) of the item “Digital camcorder”, by adding “(if provided)” after “card”;
- (t) in the Schedule, in the Chinese text, in paragraph (a) of the item “數碼相機”, by repealing “鏡頭” and substituting “相機”;
- (u) in the Schedule, in paragraph (b) of the item “Digital camera”, by adding “(if provided)” after “card”;

- (v) in the Schedule, in paragraph (b) of the item “Mobile phone”, by adding “(if provided)” after “card”;
- (w) in the Schedule, in the Chinese text, in paragraph (d) of the item “手提電話”, by repealing “鏡頭”.

投票 VOTE: 1
 日期 DATE: 11/06/2008
 時間 TIME: 07:07:07 下午pm

動議 MOTION: 譚耀宗議員對李柱銘議員的「落實一國兩制」議案，作出的修正案
 AMENDMENT BY HON TAM YIU-CHUNG TO HON MARTIN LEE'S MOTION ON
 "IMPLEMENTATION OF 'ONE COUNTRY, TWO SYSTEMS' "

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	25	21	
投票 Vote	25	20	
贊成 Yes	18	8	
反對 No	6	12	
棄權 Abstain	1	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		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	贊成 YES	何俊仁 Albert HO	
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	贊成 YES	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	
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	
劉皇發 LAU Wong-fat	贊成 YES	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	贊成 YES	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	
方剛 Vincent FANG	贊成 YES	鄭家富 Andrew CHENG	反對 NO
王國興 WONG Kwok-hing	贊成 YES	譚耀宗 TAM Yiu-chung	贊成 YES
李國麟 Dr Joseph LEE	反對 NO	陳偉業 Albert CHAN	反對 NO
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	
郭家麒 Dr KWOK Ka-ki		李國英 LI Kwok-ying	贊成 YES
張超雄 Dr Fernando CHEUNG	反對 NO	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	棄權 ABSTAIN	張學明 CHEUNG Hok-ming	贊成 YES
劉秀成 Prof Patrick LAU		湯家驊 Ronny TONG	反對 NO
鄺志堅 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	

秘書 CLERK

投票 VOTE: 2
 日期 DATE: 11/06/2008
 時間 TIME: 07:15:39 下午pm

動議 MOTION: 「落實一國兩制」議案
 MOTION ON "IMPLEMENTATION OF 'ONE COUNTRY, TWO SYSTEMS' "

動議人 MOVED BY: 李柱銘 Martin LEE

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	25	21	
投票 Vote	25	20	
贊成 Yes	6	11	
反對 No	9	6	
棄權 Abstain	10	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	
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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	棄權 ABSTAIN	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG		周梁淑怡 Mrs Selina CHOW	棄權 ABSTAIN
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劉健儀 Miriam LAU	棄權 ABSTAIN	楊森 Dr YEUNG Sum	贊成 YES
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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	
方剛 Vincent FANG	棄權 ABSTAIN	鄭家富 Andrew CHENG	贊成 YES
王國興 WONG Kwok-hing	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
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郭家麒 Dr KWOK Ka-ki		李國英 LI Kwok-ying	反對 NO
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詹培忠 CHIM Pui-chung	反對 NO	張學明 CHEUNG Hok-ming	反對 NO
劉秀成 Prof Patrick LAU		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	

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