

# LEGISLATIVE COUNCIL

## MINUTES

### No. 1

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Minutes of the meeting held on Wednesday 8 October 2008 at 11:00 am

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#### Members present:

President

The Hon Jasper TSANG Yok-sing, 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

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

The Hon Fred LI Wah-ming, JP

Dr the Hon Margaret NG

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon CHAN Kam-lam, SBS, JP

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

The Hon LEUNG Yiu-chung

Dr the Hon Philip WONG Yu-hong, GBS

The Hon WONG Yung-kan, SBS, 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 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, SBS, JP  
The Hon WONG Kwok-hing, MH  
The Hon LEE Wing-tat  
Dr the Hon Joseph LEE Kok-long, 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  
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 KAM Nai-wai, MH  
The Hon Cyd HO Sau-lan  
The Hon Starry LEE Wai-king  
Dr the Hon LAM Tai-fai, BBS, JP

The Hon CHAN Hak-kan

The Hon Paul CHAN Mo-po, MH, JP

The Hon CHAN Kin-por, JP

The Hon CHAN Tanya

Dr the Hon Priscilla LEUNG Mei-fun

Dr the Hon LEUNG Ka-lau

The Hon CHEUNG Kwok-che

The Hon WONG Sing-chi

The Hon WONG Kwok-kin, BBS

The Hon WONG Yuk-man

The Hon IP Wai-ming, MH

The Hon IP Kwok-him, GBS, JP

The Hon Mrs Regina IP LAU Suk-yee, GBS, JP

Dr the Hon PAN Pey-chyou

The Hon Paul TSE Wai-chun

Dr the Hon Samson TAM Wai-ho, JP

**Clerks in attendance:**

Ms Pauline NG Man-wah, Secretary General

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

**Taking of Legislative Council Oath**

Members took the Legislative Council (LegCo) Oath or made the LegCo Affirmation in the following order:

Hon Albert HO made the LegCo Affirmation;

Ir Dr Hon Raymond HO took the LegCo Oath;

Hon LEE Cheuk-yan took the LegCo Oath;

Dr Hon David LI took the LegCo Oath;

Hon Fred LI made the LegCo Affirmation;

Dr Hon Margaret NG took the LegCo Oath;

Hon James TO took the LegCo Oath;

Hon CHEUNG Man-kwong made the LegCo Affirmation;

Hon CHAN Kam-lam took the LegCo Oath;

Hon Mrs Sophie LEUNG made the LegCo Affirmation;

Hon LEUNG Yiu-chung took the LegCo Oath;

Dr Hon Philip WONG took the LegCo Oath;

Hon WONG Yung-kan took the LegCo Oath;

Hon Jasper TSANG took the LegCo Oath;

Hon LAU Kong-wah took the LegCo Oath;

Hon LAU Wong-fat made the LegCo Affirmation;

Hon Miriam LAU took the LegCo Oath;

Hon Emily LAU made the LegCo Affirmation;

Hon Andrew CHENG took the LegCo Oath;

Hon Timothy FOK took the LegCo Oath;

Hon TAM Yiu-chung took the LegCo Oath;

Hon Abraham SHEK took the LegCo Oath;

Hon LI Fung-ying took the LegCo Oath;

Hon Tommy CHEUNG took the LegCo Oath;

Hon Albert CHAN took the LegCo Oath;

Hon Frederick FUNG took the LegCo Oath;  
Hon Audrey EU took the LegCo Oath;  
Hon Vincent FANG took the LegCo Oath;  
Hon WONG Kwok-hing made the LegCo Affirmation;  
Hon LEE Wing-tat made the LegCo Affirmation;  
Dr Hon Joseph LEE took the LegCo Oath;  
Hon Jeffrey LAM made the LegCo Affirmation;  
Hon Andrew LEUNG made the LegCo Affirmation;  
Hon Alan LEONG took the LegCo Oath;  
Hon LEUNG Kwok-hung made the LegCo Affirmation;  
Hon CHEUNG Hok-ming took the LegCo Oath;  
Hon WONG Ting-kwong took the LegCo Oath;  
Hon Ronny TONG made the LegCo Affirmation;  
Hon CHIM Pui-chung took the LegCo Oath;  
Prof Hon Patrick LAU took the LegCo Oath;  
Hon KAM Nai-wai made the LegCo Affirmation;  
Hon Cyd HO made the LegCo Affirmation;  
Hon Starry LEE took the LegCo Oath;  
Dr Hon LAM Tai-fai made the LegCo Affirmation;  
Hon CHAN Hak-kan took the LegCo Oath;  
Hon Paul CHAN took the LegCo Oath;  
Hon CHAN Kin-por took the LegCo Oath;  
Hon CHAN Tanya made the LegCo Affirmation;  
Dr Hon Priscilla LEUNG took the LegCo Oath;  
Dr Hon LEUNG Ka-lau made the LegCo Affirmation;  
Hon CHEUNG Kwok-che took the LegCo Oath;  
Hon WONG Sing-chi took the LegCo Oath;  
Hon WONG Kwok-kin made the LegCo Affirmation;

Hon WONG Yuk-man took the LegCo Oath;  
Hon IP Wai-ming made the LegCo Affirmation;  
Hon IP Kwok-him took the LegCo Oath;  
Hon Mrs Regina IP took the LegCo Oath;  
Dr Hon PAN Pey-chyou made the LegCo Affirmation;  
Hon Paul TSE took the LegCo Oath; and  
Dr Hon Samson TAM took the LegCo Oath.

### **Election of President**

In accordance with paragraph 6 of the procedure for the election of the President of LegCo set out in the Schedule to the Rules of Procedure, Hon Albert HO presided over the election of the President of LegCo.

Hon Albert HO stated that two valid nominations for the office of President had been received by the Clerk. The nominees, in the order of receipt of the nominations, were Hon Fred LI and Hon Jasper TSANG. Hon Fred LI was nominated by Hon Ronny TONG and the nomination was seconded by Hon Albert HO, Hon CHAN Tanya, Hon Audrey EU and Hon CHEUNG Kwok-che. Hon Jasper TSANG was nominated by Ir Dr Hon Raymond HO and the nomination was seconded by Dr Hon David LI, Hon TAM Yiu-chung, Hon Mrs Regina IP, Hon Abraham SHEK, Hon WONG Kwok-kin, Dr Hon PAN Pey-chyou, Hon IP Wai-ming and Hon Miriam LAU. In accordance with the election procedure, Hon Albert HO ordered a vote by secret ballot.

Hon Albert CHAN and Hon LEUNG Kwok-hung had separately requested Hon Jasper TSANG to clarify whether he was an underground member of the Communist Party. Hon Albert HO stated that a two-hour special forum had already been held for Members to raise questions to the candidates for the office of President of LegCo. On that occasion, Hon Jasper TSANG had already given a response to a similar question. Hon Albert HO further stated that this session of the Council was dedicated to the election of the President, no time was reserved for the candidates to take questions from Members.

Each Member present, including Hon Albert HO, was then given a ballot paper and a chop with a "✓" for indicating their choice of candidate on the ballot paper.

After the ballot papers had been collected from Members, Hon Albert HO invited Hon Ronny TONG and Ir Dr Hon Raymond HO, who made the nominations, to join him in overseeing the counting of votes.

The ballot papers were counted by way of reading them out aloud by a staff member of the Secretariat. The Clerk then reported the result to Hon Albert HO. After checking, Hon Albert HO announced that Hon Fred LI received 24 votes and Hon Jasper TSANG received 36 votes. He then declared Hon Jasper TSANG elected the President of LegCo.

Hon Jasper TSANG then took the chair and addressed the Council.

### **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. Employees Retraining Ordinance (Amendment of Schedule 3) Notice 2008 (gazetted on 1.8.2008)	208/2008
2. Import and Export (General) Regulations (Amendment of Seventh Schedule) Notice 2008 (gazetted on 8.8.2008)	209/2008
3. Admission and Registration (Amendment) (No. 2) Rules 2002 (Commencement) Notice (gazetted on 5.9.2008)	211/2008
4. Legal Practitioners (Risk Management Education) Rules (Appointment of Commencement Date) Notice 2008 (gazetted on 5.9.2008)	212/2008
5. Fugitive Offenders (Transnational Organized Crime) Order (Commencement) Notice (gazetted on 19.9.2008)	213/2008
6. Mutual Legal Assistance in Criminal Matters (Transnational Organized Crime) Order (Commencement) Notice (gazetted on 19.9.2008)	214/2008

7. Harmful Substances in Food (Amendment) Regulation 2008 (gazetted on 23.9.2008) 215/2008
8. Child Abduction and Custody (Parties to Convention) (Amendment) (No. 2) Order 2008 (gazetted on 26.9.2008) 216/2008
9. Building (Planning) (Amendment) Regulation 2008 (Commencement) Notice (gazetted on 26.9.2008) 217/2008
10. Broadcasting (Licence Fees) (Amendment) Regulation 2008 (gazetted on 3.10.2008) 218/2008
11. Road Traffic (Public Service Vehicles) (Amendment) Regulation 2008 (gazetted on 3.10.2008) 219/2008
12. Tate's Cairn Tunnel Ordinance (Replacement of Schedule) Notice 2008 (gazetted on 3.10.2008) 220/2008
13. Mandatory Provident Fund Schemes (Amendment) (No. 2) Ordinance 2008 (Commencement) Notice (gazetted on 3.10.2008) 221/2008
14. Race Discrimination Ordinance (Commencement) Notice 2008 (gazetted on 3.10.2008) 222/2008

Other Paper

- No. 1 - Urban Renewal Authority  
Annual Report 2007-2008 (published on 6.10.2008)

**Next meeting**

The President declared that the next meeting of the Council would be held on 15 October 2008 at 11:00 am.

The Council was adjourned at 12:11 pm.

(Jasper TSANG Yok-sing)  
President  
5 November 2008

Council Chamber  
Hong Kong