

# LEGISLATIVE COUNCIL

## MINUTES

### No. 2

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Minutes of the meeting held on Wednesday 15 October 2008 at 11:00 am

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#### Present:

The Hon Donald TSANG Yam-kuen, GBM  
The Chief Executive of the Hong Kong Special Administrative Region

#### 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

**Public officers attending:**

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

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

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

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

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 TSANG Tak-sing, JP  
Secretary for Home Affairs

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

The Hon Mrs Rita LAU NG Wai-lan, JP  
Secretary for Commerce and Economic Development

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

**Clerks in attendance:**

Ms Pauline NG Man-wah, Secretary General

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

### **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>
Air Navigation (Hong Kong) Order 1995 (Amendment) Order 2008 (Commencement) Notice (gazetted on 10.10.2008)	223/2008

### **Other Papers**

- No. 2 - Report by the Trustee of the Prisoners' Education Trust Fund for the period from 1 April 2007 to 31 March 2008 (published on 10.10.2008)
- No. 3 - Report of changes to the approved Estimates of Expenditure approved during the first quarter of 2008-2009  
Public Finance Ordinance : Section 8 (published on 10.10.2008)
- No. 4 - The Legislative Council Commission  
Annual Report 2007-2008 (published on 13.10.2008)

### **The Chief Executive of the Hong Kong Special Administrative Region presents the Policy Address**

The Chief Executive attended the Council meeting.

While the Chief Executive was about to present his Policy Address, Hon LEUNG Kwok-hung remained standing, displayed a large dummy cheque and spoke aloud to the Chief Executive. The President ordered him to stop speaking and sit down. Ignoring the President's order, Hon LEUNG Kwok-hung walked across the Chamber towards the Chief Executive and continued to speak aloud. The President stated that Hon LEUNG Kwok-hung had breached the Rules of Procedure and warned Hon LEUNG Kwok-hung that he would order him to withdraw from the Chamber if he did not return to his seat and stop speaking. As Hon LEUNG Kwok-hung ignored the President's repeated warnings, the President ordered him to withdraw immediately from the Chamber and not to return for the remainder of the meeting. Assisted by the Clerk and security staff, Hon LEUNG Kwok-hung left the Chamber.

The Chief Executive then presented the 2008-2009 Policy Address.

While the Chief Executive was presenting his Policy Address, Hon Albert CHAN and Hon WONG Yuk-man stood up and spoke aloud to the Chief Executive. The President repeatedly ordered them to stop speaking and sit down. The President also warned them that they would be ordered to withdraw from the Chamber if they continued to speak. Ignoring the President's repeated warnings, Hon Albert CHAN and Hon WONG Yuk-man remained standing and continued to speak aloud. The President ordered them to withdraw immediately from the Chamber and not to return for the remainder of the meeting. Hon WONG Yuk-man then hurled a bunch of bananas at the President's podium and, assisted by the Clerk and security staff, left the Chamber with Hon Albert CHAN.

The Chief Executive continued to present his Policy Address.

### **Members' Motions**

#### Proposed resolution under the Interpretation and General Clauses Ordinance

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

RESOLVED that in relation to the Food Business (Amendment) Regulation 2008, published in the Gazette as Legal Notice No. 185 of 2008 and laid on the table of the Legislative Council on 2 July 2008, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) and deemed to be extended under section 34(3) of that Ordinance, be extended under section 34(4) of that Ordinance to the meeting of 5 November 2008.

Question on the motion proposed, put and agreed to.

### **Next meeting**

The President declared that the next meeting of the Council would be held on 16 October 2008 at 3:00 pm.

The Council was adjourned at 12:37 pm.

(Jasper TSANG Yok-sing)  
President  
25 November 2008

Council Chamber  
Hong Kong