

LEGISLATIVE COUNCIL

MINUTES

No. 21

Minutes of the meeting held on Wednesday 11 March 2009 at 11:00 am

Members present:

President

The Hon Jasper TSANG Yok-sing, GBS, JP

The Hon Albert HO Chun-yan

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 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 Emily LAU Wai-hing, JP

The Hon Andrew CHENG Kar-foo

The Hon Abraham SHEK Lai-him, 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 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

The Hon CHAN Hak-kan

The Hon Paul CHAN Mo-po, MH, JP

The Hon CHAN Kin-por, JP

The Hon Tanya CHAN

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 Yuk-man

The Hon IP Wai-ming, MH

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

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 Miriam LAU Kin-yee, GBS, JP

The Hon Timothy FOK Tsun-ting, GBS, JP

The Hon TAM Yiu-chung, GBS, JP

The Hon LI Fung-ying, BBS, JP

The Hon Tommy CHEUNG Yu-yan, SBS, JP

The Hon Jeffrey LAM Kin-fung, SBS, JP

The Hon Andrew LEUNG Kwan-yuen, SBS, JP

Dr the Hon LAM Tai-fai, BBS, JP

The Hon WONG Kwok-kin, BBS

The Hon IP Kwok-him, GBS, 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 Ambrose LEE Siu-kwong, IDSM, JP
Secretary for Security

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

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

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

Clerks in attendance:

Ms Pauline NG Man-wah, Secretary General

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

Mrs Percy MA, Assistant Secretary General (Special Duties)

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. Tramway Ordinance (Alteration of Fares) (Amendment) Notice 2009 (gazetted on 6.3.2009)	33/2009
2. Tramway Ordinance (Commencement of Alteration of Fares) Order 2009 (gazetted on 6.3.2009)	34/2009
3. Prevention and Control of Disease Ordinance (Amendment of Schedule 1) Notice 2009 (gazetted on 6.3.2009)	35/2009

Questions

1. Hon WONG Yung-kan asked Question 1.

The Secretary for Food and Health replied.

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

2. Hon CHEUNG Man-kwong asked Question 2.

The Financial Secretary replied.

Eleven Members asked supplementary questions and the Financial Secretary replied.

3. Hon IP Wai-ming asked Question 3.

The Secretary for Education replied.

Three Members asked supplementary questions and the Secretary for Education replied.

4. Hon LAU Kong-wah 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 Frederick FUNG 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 Paul TSE asked Question 6.

The Secretary for Financial Services and the Treasury replied.

Five Members asked supplementary questions. The Secretary for Financial Services and the Treasury and the Secretary for Commerce and Economic Development replied.

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

Motions

Proposed resolutions under the Mutual Legal Assistance in Criminal Matters Ordinance

1. Mutual Legal Assistance in Criminal Matters (Indonesia) Order

The Secretary for Security moved the following motion and spoke on the motion:

RESOLVED that the Mutual Legal Assistance in Criminal Matters (Indonesia) Order, made by the Chief Executive in Council on 11 November 2008, be approved.

Question on the motion proposed.

Hon James TO spoke on the motion as the Chairman of the Subcommittee on Mutual Legal Assistance in Criminal Matters (Indonesia) Order, Mutual Legal Assistance in Criminal Matters (Japan) Order and Mutual Legal Assistance in Criminal Matters (Sri Lanka) Order.

The Secretary for Security replied.

Question on the motion put and agreed to.

2. Mutual Legal Assistance in Criminal Matters (Japan) Order

The Secretary for Security moved the following motion and spoke on the motion:

RESOLVED that the Mutual Legal Assistance in Criminal Matters (Japan) Order, made by the Chief Executive in Council on 11 November 2008, be approved.

Question on the motion proposed.

Hon James TO spoke on the motion as the Chairman of the Subcommittee on Mutual Legal Assistance in Criminal Matters (Indonesia) Order, Mutual Legal Assistance in Criminal Matters (Japan) Order and Mutual Legal Assistance in Criminal Matters (Sri Lanka) Order.

The Secretary for Security replied.

Question on the motion put and agreed to.

3. Mutual Legal Assistance in Criminal Matters (Sri Lanka) Order

The Secretary for Security moved the following motion and spoke on the motion:

RESOLVED that the Mutual Legal Assistance in Criminal Matters (Sri Lanka) Order, made by the Chief Executive in Council on 11 November 2008, be approved.

Question on the motion proposed, put and agreed to.

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

Dr Hon Samson TAM moved the following motion and spoke on the motion:

RESOLVED that in relation to the -

- (a) Telecommunications (Designation of Frequency Bands subject to Payment of Spectrum Utilization Fee) (Amendment) Order 2009, published in the Gazette as Legal Notice No. 20 of 2009;
- (b) Telecommunications (Level of Spectrum Utilization Fees) (Second Generation Mobile Services) (Amendment) Regulation 2009, published in the Gazette as Legal Notice No. 21 of 2009; and

- (c) Telecommunications (Determining Spectrum Utilization Fees by Auction) (Amendment) Regulation 2009, published in the Gazette as Legal Notice No. 22 of 2009,

and laid on the table of the Legislative Council on 11 February 2009, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 1 April 2009.

Question on the motion proposed, put and agreed to.

Promoting medical check-up for the whole community

Hon CHAN Kin-por moved the following motion and spoke on the motion:

That, as the population of Hong Kong is ageing, which will exert great pressure on the healthcare system, yet the general public often neglect the importance of undergoing regular medical check-up and do not seek medical consultation until their clinical conditions have worsened, which will not only affect their chance of being cured, but also substantially increase the public healthcare expenditure; this Council urges the Government to comprehensively plan afresh policies on prevention of non-communicable diseases and health promotion, including:

- (a) expeditiously studying the provision of regular basic medical check-ups for Hong Kong residents gradually and systematically, so as to prevent diseases through early diagnosis and treatment;
- (b) at the same time, formulating suitable medical check-up plans for different high-risk groups; and
- (c) promoting healthy living and health education to encourage the public on all fronts to do more exercise, so as to enable Hong Kong to develop into a genuinely healthy city.

While Hon CHAN Kin-por was speaking, the President left the chair at 1:32 pm temporarily and the President's Deputy, Hon Fred LI, took the chair.

Question on Hon CHAN Kin-por's motion proposed.

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

Hon CHAN Hak-kan, Hon WONG Kwok-hing, Dr Hon LEUNG Ka-lau and Hon Albert CHAN, who intended to move amendments to the motion, spoke on the motion and the amendments.

The Secretary for Food and Health spoke on the motion and the amendments.

Hon WONG Yung-kan spoke on the motion and the amendments.

At 2:26 pm, while Hon WONG Yung-kan was speaking, the President resumed the chair.

Thirteen other Members spoke on the motion and the amendments.

Hon CHAN Kin-por spoke on the amendments.

The Secretary for Food and Health spoke again.

Hon CHAN Hak-kan moved the following amendment to Hon CHAN Kin-por's motion:

To delete "as the population of Hong Kong is ageing" after "That," and substitute with "with the ageing of the Hong Kong population"; to delete "great" after "which will exert" and substitute with "even greater"; to delete "gradually and" after "Hong Kong residents"; and to add "through such means as medical check-up vouchers or other financial incentives" after "systematically".

Question on Hon CHAN Hak-kan's amendment to Hon CHAN Kin-por's motion proposed, put and agreed to.

As Hon CHAN Hak-kan's amendment had been passed, the President granted leave for Hon WONG Kwok-hing to revise the terms of his amendment.

Hon WONG Kwok-hing moved the following further amendment to Hon CHAN Kin-por's motion as amended by Hon CHAN Hak-kan:

To add "and subsidizing the poor to undergo medical check-ups," after "financial incentives,"; to delete "and" after "high-risk groups,"; and to add "increasing the quotas at the elderly health centres to provide medical check-up, health assessment, counselling and health education services to more elderly persons at low fees, so that elderly patients can receive appropriate treatment expeditiously; and (d)" after "(c)".

Question on Hon WONG Kwok-hing's amendment to Hon CHAN Kin-por's motion as amended by Hon CHAN Hak-kan proposed, put and agreed to.

The President stated that Hon Albert CHAN had indicated that he would withdraw his amendment to Hon CHAN Kin-por's motion if Hon WONG Kwok-hing's amendment was passed. Hon Albert CHAN had therefore withdrawn his amendment.

As Hon CHAN Hak-kan's and Hon WONG Kwok-hing's amendments had been passed, the President granted leave for Dr Hon LEUNG Ka-lau to revise the terms of his amendment.

Dr Hon LEUNG Ka-lau moved the following further amendment to Hon CHAN Kin-por's motion as amended by Hon CHAN Hak-kan and Hon WONG Kwok-hing, and explained the revised terms of his amendment to the Council:

To add “; and (e) immediately launching a screening programme for common diseases, including high blood pressure, diabetic and cholesterol tests, fecal occult blood test, breast examination and Pap smear test, Hepatitis B test and optometry examination, and extending dental care to pre-school children, secondary students and the elderly” immediately before the full stop.

Question on Dr Hon LEUNG Ka-lau's amendment to Hon CHAN Kin-por's motion as amended by Hon CHAN Hak-kan and Hon WONG Kwok-hung proposed, put and agreed to.

Hon CHAN Kin-por replied.

Question on Hon CHAN Kin-por's motion as amended by Hon CHAN Hak-kan, Hon WONG Kwok-hing and Dr Hon LEUNG Ka-lau put and agreed to.

Reviewing the Interception of Communications and Surveillance Ordinance

Hon Cyd HO moved the following motion and spoke on the motion:

That, as the report released by the Commissioner on Interception of Communications and Surveillance in June 2008 has revealed that currently there are many malpractices in the enforcement actions of the law enforcement agencies, this Council urges the Government to immediately review the Interception of Communications and Surveillance Ordinance.

Question on Hon Cyd HO's motion proposed.

The President stated that three Members would 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 LAU Kong-wah, Hon James TO and Hon LEUNG Kwok-hung, who would move amendments to the motion, spoke on the motion and the amendments.

The Secretary for Security spoke on the motion and the amendments.

Four Members and Hon Audrey EU spoke on the motion and the amendments.

With the President's permission, Hon LAU Kong-wah elucidated a point he had made in his earlier speech, which he considered was misunderstood by Hon Audrey EU.

Another Member spoke on the motion and the amendments.

Hon Cyd HO spoke on the amendments.

With the President's permission, Hon LAU Kong-wah elucidated a point he had made in his earlier speech, which he considered was misunderstood by Hon Cyd HO.

The Secretary for Security spoke again.

Hon LAU Kong-wah moved his amendment to Hon Cyd HO's motion. While Hon LAU Kong-wah was moving his amendment, Hon James TO sought, with the President's permission, elucidation by Hon LAU Kong-wah on whether his proposed amendment was consistent with the remarks he had made earlier. Hon LAU Kong-wah elucidated and moved the following amendment to Hon Cyd HO's motion:

To delete "as the report" after "That," and substitute with "the reports"; to add "June 2007 and" after "Surveillance in"; to delete "has" after "June 2008" and substitute with "have"; to add "arousing public concern," after "agencies,,"; to add ", in the light of the various recommendations mentioned in the two annual reports by the Commissioner, expeditiously adopt measures to comprehensively review the existing code of practice under the Interception of Communications and Surveillance Ordinance and make appropriate amendments thereto; in addition, the Government should strive to improve the attitude of law enforcement officers in taking law enforcement actions, enhance their understanding of the Interception of Communications and Surveillance Ordinance, and honour its undertaking to" after "the Government to"; and to add "after the Commissioner has submitted the second full-year report" immediately before the full stop.

Question on Hon LAU Kong-wah's amendment to Hon Cyd HO's motion proposed and put.

Hon James TO 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, 17 were present, 12 were in favour of the amendment, four against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, six were in favour of the amendment, 18 against it and one abstained. (Voting record in Appendix I.) Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the amendment was negatived.

Hon Fred LI rose to move the following motion without notice:

That in the event of further divisions in relation to the motion on "Reviewing the Interception of Communications and Surveillance Ordinance" 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 James TO moved the following amendment to Hon Cyd HO's motion:

To delete "report" after "as the" and substitute with "reports"; to add "June 2007 and" after "Surveillance in"; to delete "has" after "June 2008" and substitute with "have"; and to add ", comprehensively improve the mechanisms and procedures for supervising the interception of communications and covert surveillance, as well as consider introducing a change whereby officers independent of the Hong Kong Police Force and the Independent Commission Against Corruption are responsible for interception of communications, so as to prevent law enforcement officers from abusing their powers and protect the rights of the people; and expeditiously table the 2008 annual report by the Commissioner on Interception of Communications and Surveillance in the Legislative Council and release it to the public after receiving it" immediately before the full stop.

Question on Hon James TO's amendment to Hon Cyd HO's motion proposed and 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, 17 were present, four were in favour of the amendment, 12 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 19 were in favour of the amendment and six 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, he declared that the amendment was negatived.

Hon LEUNG Kwok-hung moved the following amendment to Hon Cyd HO's motion:

To add “, and with regard to the lack of existing legislation to regulate law enforcement agencies permanently keeping information about individuals/organizations collected by intercepting communications under the pretext of ‘intelligence’, restrict such practice by enacting legislation so as to protect the privacy of the people and prevent the Government from abusing its power” immediately before the full stop.

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

Hon LAU Kong-wah 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, 17 were present, four were in favour of the amendment, 10 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 19 were in favour of the amendment, five against it and one abstained. (Voting record in Appendix III.) Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the amendment was negatived.

Hon Cyd HO replied.

Question on Hon Cyd HO'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, 17 were present, five were in favour of the motion, 10 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 19 were in favour of the motion, five 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, he declared that the motion was negatived.

Next meeting

The President declared that the next meeting of the Council would be held on 18 March 2009 at 11:00 am.

The Council was adjourned at 6:46 pm.

(Jasper TSANG Yok-sing)
President
6 April 2009

Council Chamber
Hong Kong

投票 VOTE: 1
 日期 DATE: 11/03/2009
 時間 TIME: 06:34:42 下午pm

動議 MOTION: 劉江華議員對何秀蘭議員的「檢討《截取通訊及監察條例》」議案，作出的修正案
 AMENDMENT BY HON LAU KONG-WAH TO HON CYD HO'S MOTION ON "REVIEWING THE INTERCEPTION OF COMMUNICATIONS AND SURVEILLANCE ORDINANCE"

動議人 MOVED BY: 劉江華 LAU Kong-wah

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	17	26	
投票 Vote	17	25	
贊成 Yes	12	6	
反對 No	4	18	
棄權 Abstain	1	1	
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		曾鈺成 TSANG Yok-sing	出席 PRESENT
李國寶 Dr David LI		何俊仁 Albert HO	反對 NO
吳靄儀 Dr Margaret NG	反對 NO	李卓人 LEE Cheuk-yan	反對 NO
張文光 CHEUNG Man-kwong	反對 NO	李華明 Fred LI	反對 NO
梁劉柔芬 Mrs Sophie LEUNG		涂謹申 James TO	反對 NO
黃宜弘 Dr Philip WONG	贊成 YES	陳鑑林 CHAN Kam-lam	
黃容根 WONG Yung-kan	贊成 YES	梁耀忠 LEUNG Yiu-chung	反對 NO
劉皇發 LAU Wong-fat	贊成 YES	劉江華 LAU Kong-wah	贊成 YES
劉健儀 Miriam LAU		劉慧卿 Emily LAU	反對 NO
霍震霆 Timothy FOK		鄭家富 Andrew CHENG	反對 NO
石禮謙 Abraham SHEK	贊成 YES	譚耀宗 TAM Yiu-chung	
李鳳英 Li Fung-ying		陳偉業 Albert CHAN	反對 NO
張宇人 Tommy CHEUNG		馮檢基 Frederick FUNG	棄權 ABSTAIN
方剛 Vincent FANG	贊成 YES	余若薇 Audrey EU	反對 NO
李國麟 Dr Joseph LEE	反對 NO	王國興 WONG Kwok-hing	贊成 YES
林健鋒 Jeffrey LAM		李永達 LEE Wing-tat	反對 NO
梁君彥 Andrew LEUNG		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	
劉秀成 Prof Patrick LAU	贊成 YES	湯家驊 Ronny TONG	反對 NO
林大輝 Dr LAM Tai-fai		甘乃威 KAM Nai-wai	反對 NO
陳茂波 Paul CHAN	贊成 YES	何秀蘭 Cyd HO	反對 NO
陳健波 CHAN Kin-por	贊成 YES	李慧琼 Starry LEE	贊成 YES
梁家駒 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	贊成 YES
張國柱 CHEUNG Kwok-che	反對 NO	陳淑莊 Tanya CHAN	反對 NO
葉偉明 IP Wai-ming	贊成 YES	Dr Priscilla LEUNG	贊成 YES
葉國謙 IP Kwok-him		黃成智 WONG Sing-chi	反對 NO
潘佩璆 Dr PAN Pey-chyou	贊成 YES	黃國健 WONG Kwok-kin	
謝偉俊 Paul TSE	棄權 ABSTAIN	黃毓民 WONG Yuk-man	反對 NO
譚偉豪 Dr Samson TAM	贊成 YES	葉劉淑儀 Mrs Regina IP	贊成 YES

秘書 CLERK 

投票 VOTE: 2
 日期 DATE: 11/03/2009
 時間 TIME: 06:37:45 下午pm

動議 MOTION: 涂謹申議員對何秀蘭議員的「檢討《截取通訊及監察條例》」議案，作出的修正案
 AMENDMENT BY HON JAMES TO TO HON CYD HO'S MOTION ON "REVIEWING THE INTERCEPTION OF COMMUNICATIONS AND SURVEILLANCE ORDINANCE"

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	17	26	
投票 Vote	17	25	
贊成 Yes	4	19	
反對 No	12	6	
棄權 Abstain	1	0	
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		曾鈺成 TSANG Yok-sing	出席 PRESENT
李國寶 Dr David LI		何俊仁 Albert HO	贊成 YES
吳靄儀 Dr Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG		涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	
黃容根 WONG Yung-kan	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat	反對 NO	劉江華 LAU Kong-wah	反對 NO
劉健儀 Miriam LAU		劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK		鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	
李鳳英 LI Fung-ying		陳偉業 Albert CHAN	贊成 YES
張宇人 Tommy CHEUNG		馮檢基 Frederick FUNG	贊成 YES
方剛 Vincent FANG	反對 NO	余若薇 Audrey EU	贊成 YES
李國麟 Dr Joseph LEE	贊成 YES	王國興 WONG Kwok-hing	反對 NO
林健鋒 Jeffrey LAM		李永達 LEE Wing-tat	贊成 YES
梁君彥 Andrew LEUNG		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	
劉秀成 Prof Patrick LAU	反對 NO	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai		甘乃威 KAM Nai-wai	贊成 YES
陳茂波 Paul CHAN	反對 NO	何秀蘭 Cyd HO	贊成 YES
陳健波 CHAN Kin-por	反對 NO	李慧琼 Starry LEE	反對 NO
梁家驛 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	反對 NO
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	反對 NO	梁美芬 Dr Priscilla LEUNG	反對 NO
葉國謙 IP Kwok-him		黃成智 WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyou	反對 NO	黃國健 WONG Kwok-kin	
謝偉俊 Paul TSE	棄權 ABSTAIN	黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM	反對 NO	葉劉淑儀 Mrs Regina IP	反對 NO

投票 VOTE: 3
 日期 DATE: 11/03/2009
 時間 TIME: 06:40:01 下午pm

動議 MOTION: 梁國雄議員對何秀蘭議員的「檢討《截取通訊及監察條例》」議案，作出的修正案
 AMENDMENT BY HON LEUNG KWOK-HUNG TO HON CYD HO'S MOTION ON
 "REVIEWING THE INTERCEPTION OF COMMUNICATIONS AND SURVEILLANCE
 ORDINANCE"

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	17	26	
投票 Vote	17	25	
贊成 Yes	4	19	
反對 No	10	5	
棄權 Abstain	3	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	
何繼泰 Dr Raymond HO		曾鈺成 TSANG Yok-sing	出席 PRESENT
李國寶 Dr David LI		何俊仁 Albert HO	贊成 YES
吳靄儀 Dr Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG		涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	
黃容根 WONG Yung-kan	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat	反對 NO	劉江華 LAU Kong-wah	反對 NO
劉健儀 Miriam LAU		劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK		鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	
李鳳英 LI Fung-ying		陳偉業 Albert CHAN	贊成 YES
張宇人 Tommy CHEUNG		馮檢基 Frederick FUNG	贊成 YES
方剛 Vincent FANG	反對 NO	余若薇 Audrey EU	贊成 YES
李國麟 Dr Joseph LEE	贊成 YES	王國興 WONG Kwok-hing	棄權 ABSTAIN
林健鋒 Jeffrey LAM		李永達 LEE Wing-tat	贊成 YES
梁君彥 Andrew LEUNG		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	
劉秀成 Prof Patrick LAU	反對 NO	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai		甘乃威 KAM Nai-wai	贊成 YES
陳茂波 Paul CHAN	反對 NO	何秀蘭 Cyd HO	贊成 YES
陳健波 CHAN Kin-por	反對 NO	李慧琼 Starry LEE	反對 NO
梁家驊 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	反對 NO
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	棄權 ABSTAIN	梁美芬 Dr Priscilla LEUNG	反對 NO
葉國謙 IP Kwok-him		黃成智 WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyou	棄權 ABSTAIN	黃國健 WONG Kwok-kin	
謝偉俊 Paul TSE	棄權 ABSTAIN	黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM	反對 NO	葉劉淑儀 Mrs Regina IP	反對 NO

投票 VOTE: 4
 日期 DATE: 11/03/2009
 時間 TIME: 06:45:07 下午pm

動議 MOTION: 「檢討《截取通訊及監察條例》」議案
 MOTION ON "REVIEWING THE INTERCEPTION OF COMMUNICATIONS AND SURVEILLANCE ORDINANCE"

動議人 MOVED BY: 何秀蘭Cyd HO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	17	26	
投票 Vote	17	25	
贊成 Yes	5	19	
反對 No	10	5	
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			曾鈺成	TSANG Yok-sing	出席	PRESENT
李國寶	Dr David LI			何俊仁	Albert HO	贊成	YES
吳靄儀	Dr Margaret NG	贊成	YES	李卓人	LEE Cheuk-yan	贊成	YES
張文光	CHEUNG Man-kwong	贊成	YES	李華明	Fred LI	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG			涂謹申	James TO	贊成	YES
黃宜弘	Dr Philip WONG	反對	NO	陳鑑林	CHAN Kam-lam		
黃容根	WONG Yung-kan	反對	NO	梁耀忠	LEUNG Yiu-chung	贊成	YES
劉皇發	LAU Wong-fat	反對	NO	劉江華	LAU Kong-wah	反對	NO
劉健儀	Miriam LAU			劉慧卿	Emily LAU	贊成	YES
霍震霆	Timothy FOK			鄭家富	Andrew CHENG	贊成	YES
石禮謙	Abraham SHEK	反對	NO	譚耀宗	TAM Yiu-chung		
李鳳英	LI Fung-ying			陳偉業	Albert CHAN	贊成	YES
張宇人	Tommy CHEUNG			馮檢基	Frederick FUNG	贊成	YES
方剛	Vincent FANG	反對	NO	余若薇	Audrey EU	贊成	YES
李國麟	Dr Joseph LEE	贊成	YES	王國興	WONG Kwok-hing	棄權	ABSTAIN
林健鋒	Jeffrey LAM			李永達	LEE Wing-tat	贊成	YES
梁君彥	Andrew LEUNG			Alan LEONG	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		
劉秀成	Prof Patrick LAU	反對	NO	湯家驊	Ronny TONG	贊成	YES
林大輝	Dr LAM Tai-fai			甘乃威	KAM Nai-wai	贊成	YES
陳茂波	Paul CHAN	反對	NO	何秀蘭	Cyd HO	贊成	YES
陳健波	CHAN Kin-por	反對	NO	李慧琼	Starry LEE	反對	NO
梁家驊	Dr LEUNG Ka-lau			陳克勤	CHAN Hak-kan	反對	NO
張國柱	CHEUNG Kwok-che	贊成	YES	陳淑莊	Tanya CHAN	贊成	YES
葉偉明	IP Wai-ming	棄權	ABSTAIN	梁美芬	Dr Priscilla LEUNG	反對	NO
葉國謙	IP Kwok-him			黃成智	WONG Sing-chi	贊成	YES
潘佩璆	Dr PAN Pey-chyau	棄權	ABSTAIN	黃國健	WONG Kwok-kin		
謝偉俊	Paul TSE	贊成	YES	黃毓民	WONG Yuk-man	贊成	YES
譚偉豪	Dr Samson TAM	反對	NO	葉劉淑儀	Mrs Regina IP	反對	NO

秘書 CLERK