

LEGISLATIVE COUNCIL

MINUTES

No. 24

Minutes of the meeting held on Wednesday 22 April 2009 at 11:00 am

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 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 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

Mr Gregory SO Kam-leung, JP
Under Secretary for Commerce and Economic Development

Mr Raymond TAM Chi-yuen, JP
Under Secretary for Constitutional and Mainland Affairs

Dr Kitty POON Kit, JP
Under Secretary for the Environment

Mr Kenneth CHEN Wei-on, JP
Under Secretary for Education

Ms Julia LEUNG Fung-yeet, JP
Under Secretary for Financial Services and the Treasury

Mr YAU Shing-mu, JP
Under Secretary for Transport and Housing

Prof Gabriel Matthew LEUNG, JP
Under Secretary for Food and Health

Ms Florence HUI Hiu-fai, JP
Under Secretary for Home Affairs

Clerks in attendance:

Ms Pauline NG Man-wah, Secretary General

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

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

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

Mrs Percy MA, Assistant Secretary General (Special Duties)

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 2) Notice 2009 (gazetted on 3.4.2009)	60/2009
2. Fugitive Offenders (Germany) Order (Commencement) Notice (gazetted on 3.4.2009)	61/2009
3. Mutual Legal Assistance in Criminal Matters (Germany) Order (Commencement) Notice (gazetted on 3.4.2009)	62/2009
4. Building Management (Amendment) Ordinance 2000 (Commencement) Notice 2009 (gazetted on 17.4.2009)	64/2009
5. Building Management (Amendment) Ordinance 2007 (Commencement) Notice 2009 (gazetted on 17.4.2009)	65/2009

Other Papers

- No. 80 - AIDS Trust Fund
2007-2008 Accounts with the Director of Audit's Report (published on 14.4.2009)
- No. 81 - Employees Retraining Board
Annual Report 2007-08 (published on 16.4.2009)
- No. 82 - Audited Statement of Accounts together with the Director of Audit's Report of the Quality Education Fund for the year ended 31 August 2008 (published on 16.4.2009)
- No. 83 - Audited Statement of Accounts together with the Director of Audit's Report of the Education Development Fund for the year ended 31 August 2008 (published on 16.4.2009)
- No. 84 - Report No. 52 of the Director of Audit on the results of value for money audits - March 2009 (published on 22.4.2009)
- No. 85 - Kowloon-Canton Railway Corporation
Annual Report 2008 (published on 22.4.2009)

Questions

Written replies to Questions 1 to 20 were tabled for Members' information.

Bills

Appropriation Bill 2009

Resumption of Second Reading debate

The debate on the Second Reading which was moved on 25 February 2009 resumed.

The Secretary for Financial Services and the Treasury, the Secretary for Labour and Welfare, the Secretary for Commerce and Economic Development and the Secretary for the Environment spoke on the motion.

The Financial Secretary replied.

Question on the Second Reading put.

Hon Albert CHAN claimed a division. The President then ordered the Committee to proceed to a division under Rule 47(1) of the Rules of Procedure.

The President announced that 57 Members were present, 33 were in favour of the motion, 22 against it and one abstained. (Voting record in Appendix I.) Since the question was agreed by a majority of the Members present, he declared that the motion was passed.

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

Committee Stage

The Council went into Committee and considered the Appropriation Bill 2009.

In accordance with Rule 68 of the Rules of Procedure, the Committee first considered the schedule to the Bill.

Question that the sums for heads 21 to 28, 30, 31, 33, 37, 39, 42, 44 to 49, 51, 53, 55, 59, 60, 62, 63, 70, 72, 74, 76, 78, 79, 80, 82, 90, 91, 92, 94, 95, 96, 100, 106, 112, 114, 116, 118, 120, 121, 136, 137, 139, 140, 143, 147, 148, 155, 156, 159, 160, 162, 163, 166, 168, 169, 170, 173, 174, 180, 181, 184, 186, 188, 190 and 194 stand part of the schedule proposed, put and agreed to.

Question that the sum for head 122 stand part of the schedule proposed.

Hon James TO moved that head 122 be reduced by \$50,410,000 in respect of subhead 000 and addressed the Committee.

Four Members spoke on the amendment.

The Secretary for Security spoke on the amendment.

Hon James TO spoke again.

Question on the amendment put.

Hon James TO claimed a division. The Chairman then ordered the Committee to proceed to a division under Rule 47(1) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 25 were present, three were in favour of the amendment, 20 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 25 were present, 15 were in favour of the amendment and nine 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 Miriam LAU rose to move the following motion without notice:

That in the event of further divisions in relation to the other provisions of the Appropriation Bill 2009 or amendments thereto, the Committee 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 that head 122 be reduced by \$16,998,570 in respect of subhead 000 and addressed the Committee.

While Hon James TO was speaking, the Chairman left the chair at 1:45 pm temporarily and the Chairman's Deputy, Hon Miriam LAU, took the chair.

Two Members spoke on the amendment.

The Secretary for Security spoke on the amendment.

At 2:00 pm, while the Secretary for Security was speaking, the Chairman resumed the chair.

Hon James TO spoke again.

Another Member spoke on the amendment.

The Secretary for Security spoke on the amendment.

Hon James TO spoke for the third time.

Question on the amendment put.

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

The Chairman announced that among the Members returned by functional constituencies, 25 were present, three were in favour of the amendment and 22 against it; while among the Members returned by geographical constituencies through direct elections, 26 were present, 15 were in favour of the amendment and 10 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, he declared that the amendment was negatived.

Hon James TO moved that head 122 be reduced by \$80,000,000 in respect of subhead 103 and addressed the Committee.

While Hon James TO was speaking, the Chairman left the chair at 2:30 pm temporarily and the Chairman's Deputy, Hon Miriam LAU, took the chair.

Another Member and Hon Frederick FUNG spoke on the amendment.

At 3:20 pm, while Hon Frederick FUNG was speaking, the Chairman resumed the chair.

One more Member spoke on the amendment.

The Secretary for Security spoke on the amendment.

Hon James TO spoke again.

Question on the amendment put.

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

The Chairman announced that among the Members returned by functional constituencies, 25 were present, three were in favour of the amendment, 19 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 30 were present, 19 were in favour of the amendment and 10 against it. (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 amendment was negatived.

Question that the sum for head 122 stand part of the schedule put and agreed to.

Question that the sums for heads 138, 141, 142, 144, 151, 152 and 158 stand part of the schedule proposed.

Hon Emily LAU moved that heads 138, 141 and 151 be reduced by \$2,680,000 respectively and that heads 142, 144, 152 and 158 be reduced by \$1,970,000 respectively in respect of subhead 000 and addressed the Committee.

Eleven Members spoke on the amendments.

A Member who had spoken spoke again.

Another Member spoke on the amendments.

Hon LEUNG Kwok-hung spoke again.

While Hon LEUNG Kwok-hung was speaking, the Chairman left the chair at 6:26 pm temporarily and the Chairman's Deputy, Hon Miriam LAU, took the chair.

Two more Members and Dr Hon PAN Pey-chyou spoke on the amendments.

At 6:57 pm, while Dr Hon PAN Pey-chyou was speaking, the Chairman resumed the chair.

With the Chairman's permission, Hon Cyd HO elucidated a point she had made in her earlier speech, which she considered was misunderstood by Dr Hon PAN Pey-chyou.

Another Member who had spoken spoke again.

One more Member spoke on the amendments.

One more Member who had spoken spoke again.

The Secretary for Constitutional and Mainland Affairs spoke on the amendments.

Hon Emily LAU spoke again.

Two Members who had spoken twice spoke again.

The Secretary for Constitutional and Mainland Affairs spoke again.

Two Members who had spoken thrice spoke again.

Question on the amendments put.

Hon Emily LAU claimed a division. The Chairman then ordered the Committee to proceed to a division under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 25 were present, three were in favour of the amendments, 18 against them and four abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 16 were in favour of the amendments, 10 against them and one abstained. (Voting record in Appendix V.) Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the amendments were negatived.

Question that the sums for heads 138, 141, 142, 151, 152 and 158 stand part of the schedule put and agreed to.

Hon LEUNG Kwok-hung moved that head 144 be reduced by \$121,000,000 in respect of subhead 000 and addressed the Committee.

Hon Frederick FUNG spoke on the amendment.

While Hon Frederick FUNG was speaking, the Chairman left the chair at 8:47 pm temporarily and the Chairman's Deputy, Hon Miriam LAU, took the chair.

Three Members and Hon Mrs Sophie LEUNG spoke on the amendment.

At 9:20 pm, while Hon Mrs Sophie LEUNG was speaking, the Chairman resumed the chair.

The Chairman said that he intended to complete all the proceedings relating to the Appropriation Bill 2009 that night. As it would probably be very late at night by then, he would then suspend the meeting and resume it at 9:00 am the following day to deal with the unfinished businesses on the Agenda.

Three other Members spoke on the amendment.

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

Hon LEUNG Kwok-hung spoke again.

Three more Members spoke on the amendment.

Question on the amendment put.

Hon Albert CHAN and Hon LEUNG Kwok-hung claimed a division. The Chairman then ordered the Committee to proceed to a division under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 28 were present, two were in favour of the amendment, 25 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 17 were in favour of the amendment and 11 against it. (Voting record in Appendix VI.) 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 LEE Cheuk-yan raised a point of order on whether the Chairman would follow the usual practice of suspending the meeting and order that it be resumed the following day at 9:00 am to deal with the unfinished businesses on the Agenda. He added that as it was 10:40 pm already and a lot of Members were still waiting to speak, it might be two or three o'clock in the morning when all the proceedings relating to the Appropriation Bill 2009 were completed.

The Chairman said that the time taken for the proceedings relating to the Appropriation Bill 2009 had been longer than he expected. As it was not expected that the Council had to spend the whole morning on the following day to deal with the unfinished business on the Agenda, the meetings originally scheduled for the following day had not been re-scheduled, which included meetings with members of two District Councils. The Chairman added that he had fully considered the different options in respect of the arrangements for the meeting. After consulting some Members, he considered it most appropriate for the Council to complete all the proceedings relating to the Appropriation Bill 2009 that night, which would have the least impact on the other meetings scheduled to be held on the following day.

Dr Hon Margaret NG asked whether there was a time limit for the meeting in case the proceedings relating to the Bill could not be completed by midnight.

The Chairman said that if Members had strong views on when the meeting must be suspended, he would listen to them.

Hon LEUNG Yiu-chung expressed concern that the businesses on the Agenda might not be finished by the estimated time the following day, and the meetings scheduled on that day would still be affected.

Hon LEE Wing-tat and Hon CHEUNG Man-kwong also expressed concern that it might take many hours to complete the remaining proceedings of the Bill. Hon CHEUNG Man-kwong suggested that the meeting should be suspended immediately and then resumed in the morning of the following day to deal with the unfinished businesses on the Agenda.

Hon TAM Yiu-chung said that he supported the Chairman's decision to suspend the meeting when all the proceedings relating to the Appropriation Bill 2009 had been completed.

Hon WONG Kwok-hing suggested that the meeting should continue until all the business on the agenda were finished that night.

The Chairman said that the meeting should not continue with the discussion on the time arrangement for the meeting, and should proceed to deal with the items on the Agenda. When the Committee proceeded to a debate on the question that clauses 1 and 2 stand part of the Bill, he would ask the Chairman's Deputy to take the chair and he would consult Members on the time arrangement for the meeting.

Question that the sum for head 144 stand part of the schedule put and agreed to.

Question that the schedule stand part of the Bill put and agreed to.

Question that clauses 1 and 2 stand part of the Bill proposed.

Hon LEE Wing-tat spoke on the clauses.

While Hon LEE Wing-tat was speaking, the Chairman left the chair at 10:50 pm temporarily and the Chairman's Deputy, Hon Miriam LAU, took the chair.

Hon Albert HO spoke on the clauses.

At 11:15 pm, while Hon Albert HO was speaking, the Chairman resumed the chair.

The Chairman announced that he had decided not to suspend the meeting until all the businesses on the agenda had been finished, which would have the least impact on the other meetings scheduled on the following day.

Hon Cyd HO drew the attention of the Chairman to the absence of a quorum. The Clerk then indicated that a quorum was present.

Hon LEE Cheuk-yan asked whether the Chairman had made the aforesaid decision because the Chief Secretary for Administration had scheduled a meeting with a senior Chinese official the following day.

The Chairman said that while he was willing to discuss with Members outside the meeting, he hoped that Members would accept his decision.

Seven other Members spoke on the clauses.

Question that clauses 1 and 2 stand part of the Bill put.

Hon Albert HO claimed a division. The Chairman then ordered the Committee to proceed to a division under Rule 49(5) of the Rules of Procedure.

The Chairman announced that 58 Members were present, 34 were in favour of the motion and 23 against it. (Voting record in Appendix VII.) Since the question was agreed by a majority of the Members present, he declared that the motion was passed.

The Council then resumed.

Third Reading

The Financial Secretary reported that

the Appropriation Bill 2009

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 and put.

Hon Emily LAU 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 58 Members were present, 34 were in favour of the motion, 22 against it and one abstained. (Voting record in Appendix VIII.) Since the question was agreed by a majority of the Members present, he declared that the motion was passed.

Bill read the third time and passed.

Motions

Proposed resolution under the Product Eco-responsibility Ordinance and the Interpretation and General Clauses Ordinance

The Secretary for the Environment moved the motion in Appendix IX and spoke on the motion.

Question on the motion proposed.

Hon Audrey EU spoke on the motion as the Chairman of the Subcommittee on Product Eco-responsibility (Plastic Shopping Bags) Regulation, and then in her personal capacity as a Member.

While Hon Audrey EU was speaking, the President left the chair at 1:04 am temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Another Member and Hon Andrew LEUNG spoke on the motion.

At 1:23 am, while Hon Andrew LEUNG was speaking, the President resumed the chair.

Four more Members spoke on the motion.

The Secretary for the Environment replied.

Question on the motion put.

Hon WONG Yuk-man claimed a division. The President then ordered the Committee to proceed to a division under Rule 47(1) of the Rules of Procedure.

The President announced that 39 Members were present, 35 were in favour of the motion and three against it. (Voting record in Appendix X) Since the question was agreed by a majority of the Members present, he declared that the motion was passed.

Next Meeting

The President declared that the next meeting of the Council would be held on 29 April 2009 at 11:00 am.

The Council was adjourned at 2:05 am on 23 April 2009.

(Jasper TSANG Yok-sing)
President
22 May 2009

Council Chamber
Hong Kong

投票 VOTE: 1
日期 DATE: 22/04/2009
時間 TIME: 12:21:21 下午pm

動議 MOTION: 《2009年撥款條例草案》 - 二讀
APPROPRIATION BILL 2009 - SECOND READING

動議人 MOVED BY: 財政司司長 Financial Secretary

出席 Present :57
投票 Vote :56
贊成 Yes :33
反對 No :22
棄權 Abstain :1
結果 Result :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
曾鈺成	TSANG Yok-sing	出席	PRESENT	李國麟	Dr Joseph LEE	棄權	ABSTAIN
何俊仁	Albert HO	反對	NO	林健鋒	Jeffrey LAM	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	梁君彥	Andrew LEUNG	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	梁家傑	Alan LEONG	反對	NO
李國寶	Dr David LI	贊成	YES	梁國雄	LEUNG Kwok-hung	反對	NO
李華明	Fred LI	反對	NO	張學明	CHEUNG Hok-ming	贊成	YES
吳靄儀	Dr Margaret NG	反對	NO	黃定光	WONG Ting-kwong	贊成	YES
涂謹申	James TO	反對	NO	湯家驊	Ronny TONG	反對	NO
張文光	CHEUNG Man-kwong	反對	NO	詹培忠	CHIM Pui-chung	贊成	YES
陳鑑林	CHAN Kam-lam	贊成	YES	劉秀成	Prof Patrick LAU	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	甘乃威	KAM Nai-wai	反對	NO
梁耀忠	LEUNG Yiu-chung	反對	NO	何秀蘭	Cyd HO	反對	NO
黃宜弘	Dr Philip WONG	贊成	YES	李慧琼	Starry LEE	贊成	YES
黃容根	WONG Yung-kan	贊成	YES	林大輝	Dr LAM Tai-fai	贊成	YES
劉江華	LAU Kong-wah	贊成	YES	陳克勤	CHAN Hak-kan	贊成	YES
劉皇發	LAU Wong-fat	贊成	YES	陳茂波	Paul CHAN	贊成	YES
劉健儀	Miriam LAU	贊成	YES	陳健波	CHAN Kin-por	贊成	YES
劉慧卿	Emily LAU	反對	NO	陳淑莊	Tanya CHAN	反對	NO
鄭家富	Andrew CHENG	反對	NO	梁美芬	Dr Priscilla LEUNG	贊成	YES
霍震霆	Timothy FOK			Dr LEUNG Ka-lau	贊成	YES	
譚耀宗	TAM Yiu-chung	贊成	YES	張國柱	CHEUNG Kwok-che	反對	NO
石禮謙	Abraham SHEK	贊成	YES	黃成智	WONG Sing-chi	反對	NO
李鳳英	LI Fung-ying			黃國健	WONG Kwok-kin	贊成	YES
張宇人	Tommy CHEUNG			黃毓民	WONG Yuk-man	反對	NO
陳偉業	Albert CHAN	反對	NO	葉偉明	IP Wai-ming	贊成	YES
馮檢基	Frederick FUNG	反對	NO	葉國謙	IP Kwok-him	贊成	YES
余若薇	Audrey EU	反對	NO	葉劉淑儀	Mrs Regina IP	贊成	YES
方剛	Vincent FANG	贊成	YES	潘佩璆	Dr PAN Pey-chyou	贊成	YES
王國興	WONG Kwok-hing	贊成	YES	謝偉俊	Paul TSE	贊成	YES
李永達	LEE Wing-tat	反對	NO	譚偉豪	Dr Samson TAM	贊成	YES

投票 VOTE: 2
日期 DATE: 22/04/2009
時間 TIME: 01:41:15 下午pm

動議 MOTION: 《2009年撥款條例草案》- 全體委員會審議階段 - 為削減分目000而將總目122削減50,410,000元
APPROPRIATION BILL 2009 - COMMITTEE STAGE - HEAD 122 BE REDUCED BY \$50,410,000 IN RESPECT OF SUBHEAD 000

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	25	25	
投票 Vote	25	24	
贊成 Yes	3	15	
反對 No	20	9	
棄權 Abstain	2	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	反對 NO	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	反對 NO	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
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	反對 NO	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	反對 NO
李鳳英 LI Fung-ying	反對 NO	陳偉業 Albert CHAN	贊成 YES
張宇人 Tommy CHEUNG		馮檢基 Frederick FUNG	
方剛 Vincent FANG		余若薇 Audrey EU	
李國麟 Dr Joseph LEE	反對 NO	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	反對 NO	梁家傑 Alan LEONG	
黃定光 WONG Ting-kwong	反對 NO	梁國雄 LEUNG Kwok-hung	贊成 YES
詹培忠 CHIM Pui-chung	反對 NO	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
林大輝 Dr LAM Tai-fai	反對 NO	甘乃威 KAM Nai-wai	贊成 YES
陳茂波 Paul CHAN	棄權 ABSTAIN	何秀蘭 Cyd HO	贊成 YES
陳健波 CHAN Kin-por	反對 NO	李慧琼 Starry LEE	
梁家駒 Dr LEUNG Ka-lau	棄權 ABSTAIN	陳克勤 CHAN Hak-kan	反對 NO
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	
葉偉明 IP Wai-ming	反對 NO	梁美芬 Dr Priscilla LEUNG	反對 NO
葉國謙 IP Kwok-him	反對 NO	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	反對 NO
謝偉俊 Paul TSE	反對 NO	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

投票 VOTE: 3
日期 DATE: 22/04/2009
時間 TIME: 02:29:38 下午pm

動議 MOTION: 《2009年撥款條例草案》- 全體委員會審議階段 - 為削減分目000而將總目122 (進一步) 削減16,998,570元
APPROPRIATION BILL 2009 - COMMITTEE STAGE - HEAD 122 BE ~~(FURTHER)~~ REDUCED BY \$16,998,570 IN RESPECT OF SUBHEAD 000

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	25	26	
投票 Vote	25	25	
贊成 Yes	3	15	
反對 No	22	10	
棄權 Abstain	0	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	反對 NO	曾鈺成 TSANG Yok-sing	出席 PRESENT
李國寶 Dr David LI		何俊仁 Albert HO	
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	反對 NO	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
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	反對 NO	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李鳳英 LI Fung-ying	反對 NO	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		余若薇 Audrey EU	
李國麟 Dr Joseph LEE	反對 NO	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	反對 NO	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	
林大輝 Dr LAM Tai-fai	反對 NO	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
梁家驩 Dr LEUNG Ka-lau	反對 NO	陳克勤 CHAN Hak-kan	反對 NO
張國柱 CHEUNG Kwok-che	贊成 YES	Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	反對 NO	Dr Priscilla LEUNG	反對 NO
葉國謙 IP Kwok-him	反對 NO	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	反對 NO
謝偉俊 Paul TSE	反對 NO	黃毓民 WONG Yuk-man	
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: 22/04/2009
時間 TIME: 03:28:52 下午pm

動議 MOTION: 《2009年撥款條例草案》- 全體委員會審議階段 - 為削減分目103而將總目122 (進一步) 削減80,000,000元
APPROPRIATION BILL 2009 - COMMITTEE STAGE - HEAD 122 BE (FURTHER) REDUCED BY \$80,000,000 IN RESPECT OF SUBHEAD 103

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	25	30	
投票 Vote	25	29	
贊成 Yes	3	19	
反對 No	19	10	
棄權 Abstain	3	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	反對 NO	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	反對 NO	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
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	反對 NO	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
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		余若薇 Audrey EU	贊成 YES
李國麟 Dr Joseph LEE	反對 NO	王國興 WONG Kwok-hing	反對 NO
林健鋒 Jeffrey LAM	反對 NO	李永達 LEE Wing-tat	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	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
林大輝 Dr LAM Tai-fai	反對 NO	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	棄權 ABSTAIN	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	Dr Priscilla LEUNG	反對 NO
葉國謙 IP Kwok-him	反對 NO	黃成智 WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyau	反對 NO	黃國健 WONG Kwok-kin	反對 NO
謝偉俊 Paul TSE	棄權 ABSTAIN	黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM	棄權 ABSTAIN	葉劉淑儀 Mrs Regina IP	反對 NO

投票 VOTE: 5
日期 DATE: 22/04/2009
時間 TIME: 08:20:54 下午pm

動議 MOTION: 《2009年撥款條例草案》- 全體委員會審議階段 - 為削減分目000而將總目138、141及151分別削減2,680,000元；及將總目142、144、152及158分別削減1,970,000元
APPROPRIATION BILL 2009 - COMMITTEE STAGE - HEADS 138, 141 AND 151 BE REDUCED BY \$2,680,000 RESPECTIVELY AND HEADS 142, 144, 152 AND 158 BE REDUCED BY \$1,970,000 RESPECTIVELY IN RESPECT OF SUBHEAD 000

動議人 MOVED BY: 劉慧卿Emily LAU

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	25	28	
投票 Vote	25	27	
贊成 Yes	3	16	
反對 No	18	10	
棄權 Abstain	4	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	棄權 ABSTAIN	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	
張文光 CHEUNG Man-kwong	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
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	棄權 ABSTAIN	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李鳳英 LI Fung-ying	反對 NO	陳偉業 Albert CHAN	贊成 YES
張宇人 Tommy CHEUNG	棄權 ABSTAIN	馮檢基 Frederick FUNG	反對 NO
方剛 Vincent FANG		余若薇 Audrey EU	贊成 YES
李國麟 Dr Joseph LEE	反對 NO	王國興 WONG Kwok-hing	反對 NO
林健鋒 Jeffrey LAM	反對 NO	李永達 LEE Wing-tat	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	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	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	反對 NO	甘乃威 KAM Nai-wai	贊成 YES
陳茂波 Paul CHAN		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
梁家騶 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	反對 NO
張國柱 CHEUNG Kwok-che	贊成 YES	Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	反對 NO	Dr Priscilla LEUNG	棄權 ABSTAIN
葉國謙 IP Kwok-him	反對 NO	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	反對 NO
謝偉俊 Paul TSE	反對 NO	黃毓民 WONG Yuk-man	
譚偉豪 Dr Samson TAM	反對 NO	葉劉淑儀 Mrs Regina IP	反對 NO

投票 VOTE: 6
 日期 DATE: 22/04/2009
 時間 TIME: 10:39:45 下午pm

動議 MOTION: 《2009年撥款條例草案》- 全體委員會審議階段 - 為削減分目000而將總目144削減121,000,000元
 APPROPRIATION BILL 2009 - COMMITTEE STAGE - HEAD 144 BE REDUCED BY \$121,000,000 IN RESPECT OF SUBHEAD 000

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	28	29	
投票 Vote	28	28	
贊成 Yes	2	17	
反對 No	25	11	
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	反對 NO	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	反對 NO	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
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	反對 NO	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李鳳英 LI Fung-ying	反對 NO	陳偉業 Albert CHAN	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	馮檢基 Frederick FUNG	反對 NO
方剛 Vincent FANG	反對 NO	余若薇 Audrey EU	贊成 YES
李國麟 Dr Joseph LEE	反對 NO	王國興 WONG Kwok-hing	反對 NO
林健鋒 Jeffrey LAM	反對 NO	李永達 LEE Wing-tat	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	梁家傑 Alan LEONG	
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
林大輝 Dr LAM Tai-fai	反對 NO	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
梁家駒 Dr LEUNG Ka-lau	反對 NO	陳克勤 CHAN Hak-kan	反對 NO
張國柱 CHEUNG Kwok-che	棄權 ABSTAIN	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	反對 NO	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	反對 NO
謝偉俊 Paul TSE	反對 NO	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

投票 VOTE: 7
日期 DATE: 23/04/2009
時間 TIME: 12:45:36 上午am

動議 MOTION: 《2009年撥款條例草案》- 全體委員會審議階段 - 第1及2條納入條例草案
APPROPRIATION BILL 2009 - COMMITTEE STAGE - CLAUSES 1 AND 2 STAND PART OF THE BILL

動議人 MOVED BY: 財政司司長 Financial Secretary

出席 Present :58
投票 Vote :57
贊成 Yes :34
反對 No :23
棄權 Abstain :0
結果 Result :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
曾鈺成	TSANG Yok-sing	出席	PRESENT	李國麟	Dr Joseph LEE	反對	NO
何俊仁	Albert HO	反對	NO	林健鋒	Jeffrey LAM	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	梁君彥	Andrew LEUNG	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	梁家傑	Alan LEONG	反對	NO
李國寶	Dr David LI			梁國雄	LEUNG Kwok-hung	反對	NO
李華明	Fred LI	反對	NO	張學明	CHEUNG Hok-ming	贊成	YES
吳靄儀	Dr Margaret NG	反對	NO	黃定光	WONG Ting-kwong	贊成	YES
涂謹申	James TO	反對	NO	湯家驊	Ronny TONG	反對	NO
張文光	CHEUNG Man-kwong	反對	NO	詹培忠	CHIM Pui-chung		
陳鑑林	CHAN Kam-lam	贊成	YES	劉秀成	Prof Patrick LAU	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	甘乃威	KAM Nai-wai	反對	NO
梁耀忠	LEUNG Yiu-chung	反對	NO	何秀蘭	Cyd HO	反對	NO
黃宜弘	Dr Philip WONG	贊成	YES	李慧琼	Starry LEE	贊成	YES
黃容根	WONG Yung-kan	贊成	YES	林大輝	Dr LAM Tai-fai	贊成	YES
劉江華	LAU Kong-wah	贊成	YES	陳克勤	CHAN Hak-kan	贊成	YES
劉皇發	LAU Wong-fat	贊成	YES	陳茂波	Paul CHAN	贊成	YES
劉健儀	Miriam LAU	贊成	YES	陳健波	CHAN Kin-por	贊成	YES
劉慧卿	Emily LAU	反對	NO	陳淑莊	Tanya CHAN	反對	NO
鄭家富	Andrew CHENG	反對	NO	梁美芬	Dr Priscilla LEUNG	贊成	YES
霍震霆	Timothy FOK	贊成	YES	梁家驩	Dr LEUNG Ka-lau	贊成	YES
譚耀宗	TAM Yiu-chung	贊成	YES	張國柱	CHEUNG Kwok-che	反對	NO
石禮謙	Abraham SHEK	贊成	YES	黃成智	WONG Sing-chi	反對	NO
李鳳英	LI Fung-ying	贊成	YES	黃國健	WONG Kwok-kin	贊成	YES
張宇人	Tommy CHEUNG	贊成	YES	黃毓民	WONG Yuk-man	反對	NO
陳偉業	Albert CHAN	反對	NO	葉偉明	IP Wai-ming	贊成	YES
馮檢基	Frederick FUNG	反對	NO	葉國謙	IP Kwok-him	贊成	YES
余若薇	Audrey EU	反對	NO	葉劉淑儀	Mrs Regina IP	贊成	YES
方剛	Vincent FANG	贊成	YES	潘佩璆	Dr PAN Pey-chyou	贊成	YES
王國興	WONG Kwok-hing	贊成	YES	謝偉俊	Paul TSE	贊成	YES
李永達	LEE Wing-tat	反對	NO	譚偉豪	Dr Samson TAM	贊成	YES

投票 VOTE: 8
 日期 DATE: 23/04/2009
 時間 TIME: 12:50:17 上午am

動議 MOTION: 《2009年撥款條例草案》 - 三讀
 APPROPRIATION BILL 2009 - THIRD READING

動議人 MOVED BY: 財政司司長Financial Secretary

出席 Present :58
 投票 Vote :57
 贊成 Yes :34
 反對 No :22
 棄權 Abstain :1
 結果 Result :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
曾鈺成	TSANG Yok-sing	出席	PRESENT	李國麟	Dr Joseph LEE	棄權	ABSTAIN
何俊仁	Albert HO	反對	NO	林健鋒	Jeffrey LAM	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	梁君彥	Andrew LEUNG	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	梁家傑	Alan LEONG	反對	NO
李國寶	Dr David LI			梁國雄	LEUNG Kwok-hung	反對	NO
李華明	Fred LI	反對	NO	張學明	CHEUNG Hok-ming	贊成	YES
吳靄儀	Dr Margaret NG	反對	NO	黃定光	WONG Ting-kwong	贊成	YES
涂謹申	James TO	反對	NO	湯家驊	Ronny TONG	反對	NO
張文光	CHEUNG Man-kwong	反對	NO	詹培忠	CHIM Pui-chung		
陳鑑林	CHAN Kam-lam	贊成	YES	劉秀成	Prof Patrick LAU	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	甘乃威	KAM Nai-wai	反對	NO
梁耀忠	LEUNG Yiu-chung	反對	NO	何秀蘭	Cyd HO	反對	NO
黃宜弘	Dr Philip WONG	贊成	YES	李慧琼	Starry LEE	贊成	YES
黃容根	WONG Yung-kan	贊成	YES	林大輝	Dr LAM Tai-fai	贊成	YES
劉江華	LAU Kong-wah	贊成	YES	陳克勤	CHAN Hak-kan	贊成	YES
劉皇發	LAU Wong-fat	贊成	YES	陳茂波	Paul CHAN	贊成	YES
劉健儀	Miriam LAU	贊成	YES	陳健波	CHAN Kin-por	贊成	YES
劉慧卿	Emily LAU	反對	NO	陳淑莊	Tanya CHAN	反對	NO
鄭家富	Andrew CHENG	反對	NO	梁美芬	Dr Priscilla LEUNG	贊成	YES
霍震霆	Timothy FOK	贊成	YES	梁家騮	Dr LEUNG Ka-lau	贊成	YES
譚耀宗	TAM Yiu-chung	贊成	YES	張國柱	CHEUNG Kwok-che	反對	NO
石禮謙	Abraham SHEK	贊成	YES	黃成智	WONG Sing-chi	反對	NO
李鳳英	LI Fung-ying	贊成	YES	黃國健	WONG Kwok-kin	贊成	YES
張宇人	Tommy CHEUNG	贊成	YES	黃毓民	WONG Yuk-man	反對	NO
陳偉業	Albert CHAN	反對	NO	葉偉明	IP Wai-ming	贊成	YES
馮檢基	Frederick FUNG	反對	NO	葉國謙	IP Kwok-him	贊成	YES
余若薇	Audrey EU	反對	NO	葉劉淑儀	Mrs Regina IP	贊成	YES
方剛	Vincent FANG	贊成	YES	潘佩璆	Dr PAN Pey-chyau	贊成	YES
王國興	WONG Kwok-hing	贊成	YES	謝偉俊	Paul TSE	贊成	YES
李永達	LEE Wing-tat	反對	NO	譚偉豪	Dr Samson TAM	贊成	YES

PRODUCT ECO-RESPONSIBILITY ORDINANCE
AND
INTERPRETATION AND GENERAL CLAUSES
ORDINANCE

RESOLUTION

(Under section 29 of the Product Eco-responsibility Ordinance
(32 of 2008) and section 35 of the Interpretation and
General Clauses Ordinance (Cap. 1))

PRODUCT ECO-RESPONSIBILITY (PLASTIC
SHOPPING BAGS) REGULATION

RESOLVED that the Product Eco-responsibility (Plastic Shopping Bags)
Regulation, made by the Secretary for the Environment on 31
December 2008, be approved, subject to the following
amendments –

- (a) in section 2(1), in the Chinese text, in the definition of “登
記冊”, by deleting the full stop and substituting a
semicolon;
- (b) in section 2(1), by adding –
 - ““criteria for a Type 1 exemption” (第 1 類豁免準則)
means the criteria specified in section 8(3);
 - “criteria for a Type 2 exemption” (第 2 類豁免準則)
means the criteria specified in section 8(5);

“exempted area” (獲豁免範圍), in relation to a registered retail outlet, means an area of the retail outlet that is exempted by the Director for the purposes of section 23 of the Ordinance;”;

(c) by deleting section 3(4) and substituting –

“(4) The Director may, by notice in writing, require the applicant to provide further information and documents in connection with the application.”;

(d) by deleting section 4(2)(a) and substituting –

“(a) the applicant has not complied with a requirement under section 3(1), (3) or (4);”;

(e) in section 4, by adding –

“(5) Before rejecting an application, the Director must –

(a) give the applicant prior notice in writing of the Director’s intention to do so and the reasons; and

(b) give the applicant an opportunity to make representations.”;

(f) by deleting section 6(4) and substituting –

“(4) The Director may, by notice in writing, require the applicant to provide further information and documents in connection with the application.”;

(g) by deleting section 7(2)(a) and substituting –

“(a) the applicant has not complied with a requirement under section 6(1), (3) or (4);”;

(h) in section 7, by adding –

“(5) Before rejecting an application, the Director must –

- (a) give the applicant prior notice in writing of the Director's intention to do so and the reasons; and
 - (b) give the applicant an opportunity to make representations.”;
- (i) by deleting sections 8 and 9 and substituting –

“8. Application for exemption of part of the area of registered retail outlets or variation of exemption

(1) For the purposes of section 23(2) of the Ordinance, a registered retailer may apply to the Director for the exemption of part of the area of a registered retail outlet of that retailer, or for the variation of an exemption, based on the criteria for a Type 1 exemption or the criteria for a Type 2 exemption.

(2) An application under subsection (1) must be made in writing and in the specified form.

(3) The following are specified as the criteria for a Type 1 exemption in relation to a registered retail outlet –

- (a) the total floor area of the retail outlet in which only non-specified goods are displayed or offered for sale is more than 50% of the retail floor area of the retail outlet; and
- (b) each part of the area to be exempted is a cashier's counter

that accepts payment for non-specified goods only.

(4) For the purposes of subsection (3), “retail floor area” (零售樓面面積) has the same meaning as in Schedule 4 to the Ordinance.

(5) The following are specified as the criteria for a Type 2 exemption in relation to a registered retail outlet –

- (a) the part of the area of the retail outlet to be exempted is used for the purposes of a business of a third party (not being the registered retailer) registered under the Business Registration Ordinance (Cap. 310);
- (b) that area is demarcated clearly by a counter and is used exclusively for the purposes of the third party’s business;
- (c) the name, trade name, trade mark or brand name of the third party is displayed conspicuously in that area;
- (d) that area is staffed by an employee of the third party; and
- (e) all plastic shopping bags provided from that area bear the name, trade name, trade mark or brand name of the third party.

(6) For an application based on the criteria for a Type 1 exemption, the specified form must be accompanied by a floor plan of the retail outlet indicating –

- (a) any area in which only non-specified goods are displayed or offered for sale; and
- (b) which part of the area of the retail outlet is intended to be exempted, or how an exempted area is intended to be varied, according to the criteria for a Type 1 exemption.

(7) For an application based on the criteria for a Type 2 exemption, the specified form must be accompanied by a floor plan of the retail outlet indicating which part of the area of the retail outlet is intended to be exempted, or how an exempted area is intended to be varied, according to the criteria for a Type 2 exemption.

(8) The applicant may, by giving the Director notice in writing, withdraw the application under this section at any time before it is determined under section 9.

(9) If a change in the information provided to the Director under this section occurs before the determination of the application, the applicant must, as soon as reasonably practicable, give the Director notice of the change in writing unless the application has been withdrawn.

(10) The Director may, by notice in writing, require the applicant to provide further information and documents in connection with the application.

9. Determination of application for exemption or variation of exemption

(1) For the purposes of section 23(3) of the Ordinance, the Director must approve an application under section 8 unless it is rejected under subsection (2).

(2) The Director may reject the application if the Director considers that –

- (a) the applicant has not complied with a requirement under section 8(1), (2), (6), (7), (9) or (10);
- (b) the information provided in relation to the application is incorrect or misleading; or
- (c) the retail outlet does not meet the following –
 - (i) if the application is based on the criteria for a Type 1 exemption, any of the criteria for a Type 1 exemption; or
 - (ii) if the application is based on the criteria for a Type 2 exemption, any of the criteria for a Type 2 exemption.

- (3) If an application is approved, the Director must –
- (a) for the purposes of section 23 of the Ordinance, exempt the part of the area of the registered retail outlet, or vary the exemption, as indicated in the application subject to the following conditions –
 - (i) if the application is based on the criteria for a Type 1 exemption, all the conditions set out in subsection (4); or
 - (ii) if the application is based on the criteria for a Type 2 exemption, all the conditions set out in subsection (5);
 - (b) give the applicant notice in writing of the decision; and
 - (c) specify in the notice the conditions to which the exemption or the variation of the exemption is subject.
- (4) For the purposes of subsection (3)(a)(i), if the application is based on the criteria for a Type 1 exemption, the following are the conditions to which the exemption, or variation of the exemption, of part of the area of the registered retail outlet is subject –

- (a) the retail outlet continues to meet the criteria for a Type 1 exemption;
- (b) plastic shopping bags may be provided from such an exempted area without payment of the charge required by section 23(1) of the Ordinance only if –
 - (i) they are provided to customers who make payment for non-specified goods in that area; and
 - (ii) the number of bags so provided is not more than necessary for carrying those goods; and
- (c) such other conditions as the Director may reasonably impose from time to time.

(5) For the purposes of subsection (3)(a)(ii), if the application is based on the criteria for a Type 2 exemption, the following are the conditions to which the exemption, or variation of the exemption, of part of the area of the registered retail outlet is subject –

- (a) the retail outlet continues to meet the criteria for a Type 2 exemption;
- (b) plastic shopping bags may be provided from such an exempted area without payment of the

charge required by section 23(1) of the Ordinance only if –

- (i) they are provided to customers who purchase the goods offered for sale by the third party concerned in that area; and
 - (ii) the number of bags so provided is not more than necessary for carrying those goods; and
- (c) such other conditions as the Director may reasonably impose from time to time.

(6) The Director must also give the applicant notice in writing of any conditions imposed under subsection (4)(c) or (5)(c).

(7) Before imposing any conditions under subsection (4)(c) or (5)(c), the Director must –

- (a) give the applicant prior notice in writing of the conditions that the Director intends to impose; and
- (b) give the applicant an opportunity to make representations as to why the conditions should not be imposed.

(8) If an application is rejected, the Director must –

- (a) give the applicant notice in writing of the decision; and

(b) include in the notice a statement setting out the reasons for the decision.

(9) Before rejecting an application, the Director must –

(a) give the applicant prior notice in writing of the Director’s intention to do so and the reasons; and

(b) give the applicant an opportunity to make representations.

(10) An exemption, or variation of an exemption, approved under this section applies only to the registered retailer by whom the application is made.”;

(j) in section 10, by renumbering subsection (5) as subsection (6);

(k) in section 10, by adding –

“(5) Before revoking an exemption under subsection (1), the Director must –

(a) give the registered retailer prior notice in writing of the Director’s intention to do so and the reasons; and

(b) give that retailer an opportunity to make representations.”;

(l) in section 11(1)(b), by deleting “9(5)(a)(iii)” and substituting “9(4)(c) or (5)(c)”;

(m) by deleting section 12(3) and substituting –

“(3) The return in respect of a registered retail outlet for each quarter must contain the following information –

- (a) the total number of plastic shopping bags delivered to the retail outlet during that quarter, except for any bags to be provided from an exempted area of the retail outlet that is subject to the criteria for a Type 2 exemption;
- (b) the total number of plastic shopping bags provided directly or indirectly to customers during that quarter from –
 - (i) the retail outlet; or
 - (ii) if there is an exempted area in the retail outlet, any area of the retail outlet that is not exempted; and
- (c) the total amount of levies payable for the bags referred to in paragraph (b).

(4) In relation to a quarter in which the application for registration or deregistration in respect of a retail outlet is approved, the return for that quarter must also specify the date on which the retail outlet becomes registered or deregistered.”;

- (n) by deleting section 14(a), (b) and (c) and substituting –
 - “(a) the number of plastic shopping bags provided to a customer in each retail transaction of the retail outlet, except for any bags provided from an exempted area of the retail outlet;

- (b) the amount charged for those bags by the retailer under section 23(1) of the Ordinance;
- (c) the number of plastic shopping bags contained in each shipment of plastic shopping bags to the retail outlet, except for any bags to be provided from an exempted area of the retail outlet that is subject to the criteria for a Type 2 exemption; and
- (d) the number of plastic shopping bags procured by the retailer and relating to each shipment referred to in paragraph (c).”.

投票 VOTE: 9
日期 DATE: 23/04/2009
時間 TIME: 02:04:54 上午am

動議 MOTION: 批准《產品環保責任（塑膠購物袋）規例》的決議案
PROPOSED RESOLUTION TO APPROVE THE PRODUCT ECO-RESPONSIBILITY (PLASTIC SHOPPING BAGS) REGULATION

動議人 MOVED BY: 環境局局長 Secretary for the Environment

出席 Present :39
投票 Vote :38
 贊成 Yes :35
 反對 No :3
 棄權 Abstain :0
結果 Result :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
曾鈺成	TSANG Yok-sing	出席	PRESENT	李國麟	Dr Joseph LEE	贊成	YES
何俊仁	Albert HO	贊成	YES	林健鋒	Jeffrey LAM	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	梁君彥	Andrew LEUNG	贊成	YES
李卓人	LEE Cheuk-yan			梁家傑	Alan LEONG	贊成	YES
李國寶	Dr David LI			梁國雄	LEUNG Kwok-hung	反對	NO
李華明	Fred LI	贊成	YES	張學明	CHEUNG Hok-ming		
吳靄儀	Dr Margaret NG	贊成	YES	黃定光	WONG Ting-kwong	贊成	YES
涂謹申	James TO			湯家驊	Ronny TONG		
張文光	CHEUNG Man-kwong	贊成	YES	詹培忠	CHIM Pui-chung		
陳鑑林	CHAN Kam-lam	贊成	YES	劉秀成	Prof Patrick LAU	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	甘乃威	KAM Nai-wai	贊成	YES
梁耀忠	LEUNG Yiu-chung			何秀蘭	Cyd HO	贊成	YES
黃宜弘	Dr Philip WONG	贊成	YES	李慧琼	Starry LEE		
黃容根	WONG Yung-kan			林大輝	Dr LAM Tai-fai		
劉江華	LAU Kong-wah			陳克勤	CHAN Hak-kan	贊成	YES
劉皇發	LAU Wong-fat			陳茂波	Paul CHAN	贊成	YES
劉健儀	Miriam LAU	贊成	YES	陳健波	CHAN Kin-por		
劉慧卿	Emily LAU	贊成	YES	陳淑莊	Tanya CHAN	贊成	YES
鄭家富	Andrew CHENG			梁美芬	Dr Priscilla LEUNG	贊成	YES
霍震霆	Timothy FOK			梁家驛	Dr LEUNG Ka-lau		
譚耀宗	TAM Yiu-chung	贊成	YES	張國柱	CHEUNG Kwok-che	贊成	YES
石禮謙	Abraham SHEK	贊成	YES	黃成智	WONG Sing-chi		
李鳳英	LI Fung-ying			黃國健	WONG Kwok-kin	贊成	YES
張宇人	Tommy CHEUNG	贊成	YES	黃毓民	WONG Yuk-man	反對	NO
陳偉業	Albert CHAN	反對	NO	葉偉明	IP Wai-ming	贊成	YES
馮檢基	Frederick FUNG			葉國謙	IP Kwok-him	贊成	YES
余若薇	Audrey EU	贊成	YES	葉劉淑儀	Mrs Regina IP	贊成	YES
方剛	Vincent FANG			潘佩璆	Dr PAN Pey-chyou	贊成	YES
王國興	WONG Kwok-hing	贊成	YES	謝偉俊	Paul TSE		
李永達	LEE Wing-tat	贊成	YES	譚偉豪	Dr Samson TAM	贊成	YES