

# LEGISLATIVE COUNCIL

## MINUTES

No. 27

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**Minutes of the meeting held on Wednesday 13 May 2009 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 LAU Kong-wah, 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

**Members absent:**

The Hon WONG Yung-kan, SBS, JP

The Hon LAU Wong-fat, GBM, GBS, JP

**Public officers attending:**

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

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

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

Mr Gregory SO Kam-leung, 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>No.</u>
1. Food Business (Amendment) Regulation 2009 (gazetted on 8.5.2009)	L.N. 93/2009
2. Race Discrimination (Formal Investigations) Rules (gazetted on 8.5.2009)	L.N. 94/2009
3. Race Discrimination (Investigation and Conciliation) Rules (gazetted on 8.5.2009)	L.N. 95/2009
4. Code of Practice on Employment under the Race Discrimination Ordinance (gazetted on 8.5.2009)	G.N 2733/2009

### **Other Papers**

- No. 89 - Early Retirement Ex-gratia Payment Fund for Aided Primary School Teachers  
Audited Financial Statements together with the Report of the Director of Audit for the year ended 31 August 2008 (published on 6.5.2009)
- No. 90 - Early Retirement Ex-gratia Payment Fund for Aided Secondary School Teachers  
Audited Financial Statements together with the Report of the Director of Audit for the year ended 31 August 2008 (published on 6.5.2009)
- No. 91 - Securities and Futures Commission  
Approved Budget of Income and Expenditure for the Financial Year 2009/2010 (published on 8.5.2009)

## Questions

1. Hon Albert HO asked Question 1.

The Secretary for Labour and Welfare replied.

Three Members asked supplementary questions and the Secretary for Labour and Welfare replied.

Hon Miriam LAU declared that she was the Chairperson of the Law Reform Commission's Sub-committee on Guardianship and Custody. She then asked a supplementary question.

The Secretary for Labour and Welfare replied.

2. Hon CHAN Hak-kan asked Question 2.

The Secretary for the Environment replied.

Five Members asked supplementary questions. The Secretary for the Environment and the Secretary for Development replied.

3. Hon KAM Nai-wai asked Question 3.

The Secretary for Education replied.

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

4. Hon Starry LEE asked Question 4.

The Secretary for Labour and Welfare replied.

Four Members asked supplementary questions. The Secretary for Financial Services and the Treasury and the Secretary for Labour and Welfare replied.

5. Hon Paul CHAN asked Question 5.

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.

6. Hon LEUNG Yiu-chung asked Question 6.

The Secretary for Development replied.

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

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

## **Bills**

### First Reading

Dutiable Commodities (Amendment) Bill 2009  
Inland Revenue (Amendment) Bill 2009

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

### Second Reading

Dutiable Commodities (Amendment) Bill 2009  
Inland Revenue (Amendment) Bill 2009

The Secretary for Financial Services and the Treasury moved the Second Reading and spoke on each of the above two Bills.

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

## Members' Motions

### Enhancing the tax system to keep Hong Kong competitive

Hon Paul CHAN moved the following motion and spoke on the motion:

That, whereas the Hong Kong profits tax system has not kept pace with time and does not offer adequate incentives and concessions to help Hong Kong enterprises and manufacturers upgrade their business to improve their competitiveness; whereas improved competitiveness of Hong Kong enterprises and manufacturers will create more jobs and economic opportunities for the people of Hong Kong; whereas appropriate choice of tax incentives and concessions is a key inducement to drive business innovation and to lure business investment which can in turn improve the overall competitiveness of Hong Kong; and whereas tax issues are becoming increasingly complex yet setting the right tax policy is becoming ever more important to the overall competitiveness of Hong Kong; therefore, this Council urges the Administration to:

- (a) amend the Inland Revenue Ordinance or otherwise to provide for appropriate tax incentives or concessions or other features to encourage business upgrading, drive business innovation, stimulate business investment and foster economic growth, such tax incentives or concessions or features shall include but not limited to the following:
  - (i) tax loss carry-back provisions, with appropriate dollar cap for the loss that can be carried back and an appropriate maximum number of years to which tax loss carry-back can be applied;
  - (ii) group tax loss relief, to be available only to wholly-owned and near wholly-owned subsidiaries within the same group of companies;
  - (iii) allowance for capital expenditure incurred on plant or machinery physically located outside Hong Kong (e.g. on the Mainland) and which are used in processing trade arrangements producing profits assessable in Hong Kong; and
  - (iv) profits tax reduction and tax credits on foreign withholding tax, with appropriate anti-avoidance provisions, to make Hong Kong a choice location for regional offices and service centres for group companies;
- (b) identify and evaluate further changes, enhancements, initiatives and priorities, as appropriate, in respect of tax policy principles and tax administration practices, in order to further improve the overall competitiveness of Hong Kong's tax system; and



- (c) establish a specialist ‘tax policy unit’, to be staffed by sufficiently senior personnel with relevant technical knowledge and practical experience, to conduct research and provide policy formulation support to the Administration, in order to enable a continued and focused effort at identifying and evaluating changes, enhancements, initiatives and priorities to better Hong Kong’s tax policy and tax administration practices.

While Hon Paul CHAN was speaking, the President left the chair at 1:25 pm temporarily and the President’s Deputy, Hon Miriam LAU, took the chair.

Question on Hon Paul CHAN’s motion proposed.

The President’s Deputy stated that Hon Vincent FANG and Hon Albert HO would move amendments to the motion. Also, Hon Ronny TONG would move an amendment to Hon Albert HO’s amendment. In accordance with the Rules of Procedure, the motion and the amendments would be debated together in a joint debate.

Hon Vincent FANG, Hon Albert HO and Hon Ronny TONG, who would move amendments to the motion, spoke on the motion and the amendments.

The Secretary for Financial Services and the Treasury spoke on the motion and the amendments.

Six Members and Hon LEE Cheuk-yan spoke on the motion and the amendments.

At 2:55 pm, while Hon LEE Cheuk-yan was speaking, the President resumed the chair.

Ten other Members and Hon WONG Kwok-hing spoke on the motion and the amendments.

With the President’s permission, Hon LEUNG Kwok-hung elucidated a point he made earlier which he considered was misunderstood by Hon WONG Kwok-hing.

With the President’s permission, Hon WONG Kwok-hing also elucidated a point he made earlier which he considered was misunderstood by Hon LEUNG Kwok-hung.

Three more Members spoke on the motion and the amendments.

Hon Paul CHAN spoke on the amendments.

The Secretary for Financial Services and the Treasury spoke again.

Hon Vincent FANG moved the following amendment to Hon Paul CHAN's motion:

To delete "whereas the Hong Kong profits tax system has not kept pace with time and does not offer" after "That," and substitute with "on the basis of maintaining Hong Kong's simple and low tax system,"; to delete "to help Hong Kong enterprises and manufacturers" after "adequate incentives and concessions" and substitute with "should be offered to industrial and commercial enterprises in Hong Kong to help them"; to add "(a) regularly review and update the legislation and code of practice on taxation in Hong Kong, so as to enhance the clarity and enforceability of the tax stipulations in Hong Kong and, in particular, provide greater certainty in the concept of charging profits tax according to the 'territorial source principle', with a view to consolidating Hong Kong's status as an international financial centre and the regional headquarter of enterprises;" after "this Council urges the Administration to:"; to delete the original "(a)" and substitute with "(b)"; to delete "and" after "profits assessable in Hong Kong,;"; to add "and (v) tax deductions for research and development expenditures to be increased to a rate of at least 200%, and full tax deductions for the purchase of trademarks and brand names, so as to encourage product research and development and promote the development of creative industries;" after "group companies,;"; to delete the original "(b)" and substitute with "(c)"; to delete the original "(c)" and substitute with "(d)"; and to delete "establish" before "a specialist" and substitute with "study the establishment of".

Question on Hon Vincent FANG's amendment to Hon Paul CHAN's motion proposed and put.

Hon IP Wai-ming 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, 24 were present, 16 were in favour of the amendment, four against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 13 were in favour of the amendment, seven against it and eight 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 Miriam LAU rose to move the following motion without notice:

That in the event of further divisions in relation to the motion on "Enhancing the tax system to keep Hong Kong competitive" 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 Albert HO moved the following amendment to Hon Paul CHAN's motion:

To delete “amend” after “(a)” and substitute with “study amending”; to delete “and” after “profits assessable in Hong Kong;”; to add “and (v) provision of tax concessions whereby the costs incurred by companies for employee training and purchase of environment-friendly facilities, etc are deductible from assessable profits and the amount of deduction allowable should be double the amount of the costs incurred, so as to encourage companies to provide in-service training for their employees and protect the environment; (b) study the introduction of a two-tier profits tax system whereby the profits tax rate for those companies with assessable profits of \$10 million or above should be raised by 1.5%, while such tax rate for other companies should remain unchanged, so as to achieve a progressive and fair profits tax system as well as increase the government revenue to support the Government in promoting more measures to create employment, stabilize the economy and alleviate people’s hardship; (c) abolish the standard rate of salaries tax so that taxpayers will pay their salaries tax according to marginal tax rates on the basis that the higher the income, the more the amount of tax payable and vice versa, so as to narrow the gap between the rich and the poor;” after “group companies;”; to delete the original “(b)” and substitute with “(d)”; and to delete the original “(c)” and substitute with “(e)”.

Question on Hon Albert HO’s amendment to Hon Paul CHAN’s motion proposed.

Hon Ronny TONG moved the following amendment to Hon Albert HO’s amendment:

To add “abolition of the provisional tax, and reduction of the unnecessary economic, operational and administrative procedures and costs borne by the business sector, with the small and medium enterprises in particular; and also study the” before “introduction of a two-tier profits tax system”; and to add “the provisional tax and” before “the standard rate of salaries tax”.

Question on Hon Ronny TONG’s amendment to Hon Albert HO’s amendment proposal and put.

Hon Albert CHAN 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, 24 were present, three were in favour of the amendment, 16 against it and five abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 14 were in favour of the amendment, 13 against it and one abstained. (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.

Question on Hon Albert HO’s amendment to Hon Paul CHAN’s motion put.

Hon Albert HO 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, 24 were present, three were in favour of the amendment, 18 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 14 were in favour of the amendment, 13 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 negated.

Hon Paul CHAN replied.

Question on Hon Paul CHAN's motion put.

Hon LEUNG Kwok-hung 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, 24 were present, 16 were in favour of the motion, four against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 14 were in favour of the motion, seven against it and seven 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 negated.

Proposed establishment of a Tourism Bureau with dedicated responsibility for handling tourism issues

Hon Paul TSE moved the following motion and spoke on the motion:

That, in order to promote the development of Hong Kong's tourism industry in a more effective and systematic manner, this Council urges the Government to:

- (a) establish a 'Tourism Bureau' and confer dedicated powers and responsibilities on the 'Secretary for Tourism' to formulate tourism policies and take charge of the business of the Bureau, including coordinating the various organizations which regulate and promote the development of tourism, such as placing the Hong Kong Tourism Board (which is responsible for marketing and promotion), the Travel Industry Council of Hong Kong (which is responsible for regulating travel agents) and the Travel Agents Registry (which is responsible for the licensing of travel agents) within the purview of the Tourism Bureau, and immediately review and abolish over-lapping structures and work procedures, so that the departments can focus on their respective responsibilities and cut down expenditure;

- (b) confer on the 'Secretary for Tourism' the authority to represent the Hong Kong Special Administrative Region Government to attend meetings organized by travel organizations worldwide, and directly liaise with the official tourism representatives of various places to handle and promote tourism-related policies and issues;
- (c) assign departments with specific responsibilities to take charge of (i) sea and land transport that primarily serves tourism; (ii) hotel business; (iii) the management and development of tourist attractions; and (iv) tourists' protection and complaints, so as to ensure that every tourism-related issue is efficiently and directly handled by a corresponding department;
- (d) authorize the 'Tourism Bureau' to take over the jurisdiction on hotel licensing to formulate a licensing regulation and rating mechanism, so as to safeguard the rights of tourists;
- (e) formulate a regulatory and rating mechanism for tourist attractions and coordinate and promote the development of new tourist attractions, so as to safeguard the right to know and consumers' rights of both local and inbound tourists;
- (f) confer financial power on the 'Tourism Bureau' to handle applications for huge expenses for promoting tourism, determine the establishment and remuneration arrangement of the organizations within the purview of the Bureau, regularly review the accumulated balance of the Travel Industry Compensation Fund and adjust the level of stamp levy, reduce the licence fees of travel agents, and abolish the 'Council Levy' which was previously used for operating the Travel Industry Council of Hong Kong, so as to reduce the operating costs of the industry;
- (g) establish a contingency mechanism under the 'Tourism Bureau' to handle tourism-related crises, review the existing mechanism for issuing 'travel advices' and 'travel warnings' and its efficiency, and arrange Hong Kong tourists stranded overseas to return to Hong Kong;
- (h) ensure that the departments under the 'Tourism Bureau' fully seek the views of the representatives of the tourism industry and invite operators of the industry to take part in policy formulation, so that the policies will closely follow the needs of the market; and
- (i) strive to encourage and assist community organizations and private enterprises in exploring, conserving and developing tourist facilities, and organizing and promoting tourist events or projects that have local characteristics or are appealing to tourists.

Question on Hon Paul TSE's motion proposed.

The President stated that Hon Fred LI would move an amendment to the motion. In accordance with the Rules of Procedure, the motion and the amendment would be debated together in a joint debate.

Hon Fred LI moved the following amendment to Hon Paul TSE's motion and spoke on the motion and the amendment:

To add "as members of the Board of Directors of the Travel Industry Council of Hong Kong, which is currently responsible for regulating travel agents, are mainly from the tourism industry, this has given rise to a phenomenon of people in the industry regulating people in the industry;" after "That,,"; to delete "establish" after "(a)" and substitute with "consider establishing"; to delete "and confer dedicated powers and responsibilities on the 'Secretary for Tourism' " after "a 'Tourism Bureau' " and substitute with "or setting up a statutory body"; to delete "and take charge of the business of the Bureau" after "tourism policies"; to add "or the statutory body" after "the Tourism Bureau"; to delete " 'Secretary for Tourism' " after "confer on the" and substitute with " 'Tourism Bureau' or the statutory body"; to add "or the statutory body" after "authorize the 'Tourism Bureau' "; to add "or the statutory body" after "power on the 'Tourism Bureau' "; to add "or the statutory body" after "purview of the Bureau"; to add "or the statutory body" after "mechanism under the 'Tourism Bureau' "; and to add "or the statutory body" after "departments under the 'Tourism Bureau' ".

Question on Hon Fred LI's amendment to Hon Paul TSE's motion proposed.

The Secretary for Commerce and Economic Development spoke on the motion and the amendment.

Twelve Members spoke on the motion and the amendment.

Hon Paul TSE spoke on the amendment.

The Secretary for Commerce and Economic Development spoke again.

Question on Hon Fred LI's amendment to Hon Paul TSE's motion put.

Hon Paul TSE 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, 23 were present, 10 were in favour of the amendment, 12 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 16 were in favour of the amendment, seven against it and three 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 amendment was negatived.

Hon Paul TSE replied.

Question on Hon Paul TSE's motion put.

Hon Paul TSE 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, 23 were present, five were in favour of the motion, 11 against it and seven abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 11 were in favour of the motion, nine against it and six abstained. (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 motion was negatived.

### **Next meeting**

The President declared that the next meeting of the Council would be held on 14 May 2009 at 3:00 pm.

The Council was adjourned at 7:25 pm.

(Jasper TSANG Yok-sing)  
President  
11 June 2009

Council Chamber  
Hong Kong

投票 VOTE: 1  
日期 DATE: 13/05/2009  
時間 TIME: 04:49:58 下午pm

動議 MOTION: 方剛議員對陳茂波議員的「優化稅制保持香港競爭力」議案，作出的修正案  
AMENDMENT BY HON VINCENT FANG TO HON PAUL CHAN'S MOTION ON "ENHANCING THE TAX SYSTEM TO KEEP HONG KONG COMPETITIVE"

動議人 MOVED BY: 方剛Vincent FANG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	24	29	
投票 Vote	24	28	
贊成 Yes	16	13	
反對 No	4	7	
棄權 Abstain	4	8	
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
<b>功能團體 Functional Constituencies</b>		<b>地方選區 Geographical Constituencies</b>	
何鍾泰 Dr Raymond HO	贊成 YES	曾鈺成 TSANG Yok-sing	出席 PRESENT
李國寶 Dr David LI		何俊仁 Albert HO	棄權 ABSTAIN
吳靄儀 Dr Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	反對 NO
張文光 CHEUNG Man-kwong	棄權 ABSTAIN	李華明 Fred LI	棄權 ABSTAIN
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	涂謹申 James TO	棄權 ABSTAIN
黃宜弘 Dr Philip WONG	棄權 ABSTAIN	陳鑑林 CHAN Kam-lam	贊成 YES
黃容根 WONG Yung-kan		梁耀忠 LEUNG Yiu-chung	
劉皇發 LAU Wong-fat		劉江華 LAU Kong-wah	贊成 YES
劉健儀 Miriam LAU	贊成 YES	劉慧卿 Emily LAU	棄權 ABSTAIN
霍震霆 Timothy FOK		鄭家富 Andrew CHENG	棄權 ABSTAIN
石禮謙 Abraham SHEK	贊成 YES	譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 LI Fung-ying	反對 NO	陳偉業 Albert CHAN	反對 NO
張宇人 Tommy CHEUNG		馮檢基 Frederick FUNG	贊成 YES
方剛 Vincent FANG	贊成 YES	余若薇 Audrey EU	贊成 YES
李國麟 Dr Joseph LEE	贊成 YES	WONG Kwok-hing	反對 NO
林健鋒 Jeffrey LAM	贊成 YES	李永達 LEE Wing-tat	棄權 ABSTAIN
梁君彥 Andrew LEUNG	贊成 YES	梁家傑 Alan LEONG	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	梁國雄 LEUNG Kwok-hung	反對 NO
詹培忠 CHIM Pui-chung	棄權 ABSTAIN	張學明 CHEUNG Hok-ming	贊成 YES
劉秀成 Prof Patrick LAU		湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	贊成 YES	甘乃威 KAM Nai-wai	棄權 ABSTAIN
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
梁家驩 Dr LEUNG Ka-lau	贊成 YES	陳克勤 CHAN Hak-kan	贊成 YES
張國柱 CHEUNG Kwok-che	反對 NO	Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	反對 NO	梁美芬 Dr Priscilla LEUNG	贊成 YES
葉國謙 IP Kwok-him	贊成 YES	黃成智 WONG Sing-chi	棄權 ABSTAIN
潘佩璆 Dr PAN Pey-chyou	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	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: 13/05/2009  
時間 TIME: 04:53:16 下午pm

動議 MOTION: 湯家驊議員就何俊仁議員對陳茂波議員的「優化稅制保持香港競爭力」議案所提修正案，作出的修正案  
HON RONNY TONG'S AMENDMENT TO HON ALBERT HO'S AMENDMENT TO HON PAUL CHAN'S MOTION ON "ENHANCING THE TAX SYSTEM TO KEEP HONG KONG COMPETITIVE"

動議人 MOVED BY: 湯家驊 Ronny TONG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	24	29	
投票 Vote	24	28	
贊成 Yes	3	14	
反對 No	16	13	
棄權 Abstain	5	1	
結果 Result	否決 Negatived	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
<b>功能團體 Functional Constituencies</b>		<b>地方選區 Geographical Constituencies</b>	
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	棄權 ABSTAIN
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		梁耀忠 LEUNG Yiu-chung	
劉皇發 LAU Wong-fat		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		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	反對 NO
張宇人 Tommy CHEUNG		馮檢基 Frederick FUNG	贊成 YES
方剛 Vincent FANG	棄權 ABSTAIN	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	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	反對 NO
詹培忠 CHIM Pui-chung	棄權 ABSTAIN	張學明 CHEUNG Hok-ming	反對 NO
劉秀成 Prof Patrick LAU		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	棄權 ABSTAIN	黃毓民 WONG Yuk-man	反對 NO
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: 13/05/2009  
 時間 TIME: 04:55:10 下午pm

動議 MOTION: 何俊仁議員對陳茂波議員的「優化稅制保持香港競爭力」議案，作出的修正案  
 AMENDMENT BY HON ALBERT HO TO HON PAUL CHAN'S MOTION ON "ENHANCING THE TAX SYSTEM TO KEEP HONG KONG COMPETITIVE"

動議人 MOVED BY: 何俊仁 Albert HO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	24	29	
投票 Vote	24	28	
贊成 Yes	3	14	
反對 No	18	13	
棄權 Abstain	3	1	
結果 Result	否決 Negatived	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
<b>功能團體 Functional Constituencies</b>				<b>地方選區 Geographical Constituencies</b>			
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	棄權	ABSTAIN
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			梁耀忠	LEUNG Yiu-chung		
劉皇發	LAU Wong-fat			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	反對	NO
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	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	反對	NO
詹培忠	CHIM Pui-chung	棄權	ABSTAIN	張學明	CHEUNG Hok-ming	反對	NO
劉秀成	Prof Patrick LAU			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
梁家驩	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	Dr Priscilla LEUNG	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	反對	NO
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: 4  
 日期 DATE: 13/05/2009  
 時間 TIME: 04:58:28 下午pm

動議 MOTION: 「優化稅制保持香港競爭力」議案  
 MOTION ON "ENHANCING THE TAX SYSTEM TO KEEP HONG KONG COMPETITIVE"

動議人 MOVED BY: 陳茂波Paul CHAN

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	24	29	
投票 Vote	24	28	
贊成 Yes	16	14	
反對 No	4	7	
棄權 Abstain	4	7	
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
<b>功能團體 Functional Constituencies</b>		<b>地方選區 Geographical Constituencies</b>	
何鍾泰 Dr Raymond HO	贊成 YES	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	反對 NO
張文光 CHEUNG Man-kwong	棄權 ABSTAIN	李華明 Fred LI	棄權 ABSTAIN
梁劉柔芬 Mrs Sophie LEUNG	贊成 YES	涂謹申 James TO	棄權 ABSTAIN
黃宜弘 Dr Philip WONG	棄權 ABSTAIN	陳鑑林 CHAN Kam-lam	贊成 YES
黃容根 WONG Yung-kan		梁耀忠 LEUNG Yiu-chung	
劉皇發 LAU Wong-fat		劉江華 LAU Kong-wah	贊成 YES
劉健儀 Miriam LAU	贊成 YES	劉慧卿 Emily LAU	棄權 ABSTAIN
霍震霆 Timothy FOK		鄭家富 Andrew CHENG	棄權 ABSTAIN
石禮謙 Abraham SHEK	贊成 YES	譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 Li Fung-ying	反對 NO	陳偉業 Albert CHAN	反對 NO
張宇人 Tommy CHEUNG		馮檢基 Frederick FUNG	贊成 YES
方剛 Vincent FANG	贊成 YES	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	贊成 YES	李永達 LEE Wing-tat	棄權 ABSTAIN
梁君彥 Andrew LEUNG	贊成 YES	梁家傑 Alan LEONG	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	梁國雄 LEUNG Kwok-hung	反對 NO
詹培忠 CHIM Pui-chung	棄權 ABSTAIN	張學明 CHEUNG Hok-ming	贊成 YES
劉秀成 Prof Patrick LAU		湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	贊成 YES	甘乃威 KAM Nai-wai	棄權 ABSTAIN
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	贊成 YES	陳克勤 CHAN Hak-kan	贊成 YES
張國柱 CHEUNG Kwok-che	反對 NO	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	反對 NO	梁美芬 Dr Priscilla LEUNG	贊成 YES
葉國謙 IP Kwok-him	贊成 YES	黃成智 WONG Sing-chi	棄權 ABSTAIN
潘佩璆 Dr PAN Pey-chyou	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	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: 5  
日期 DATE: 13/05/2009  
時間 TIME: 07:19:11 下午pm

動議 MOTION: 李華明議員對謝偉俊議員的「建議成立旅遊局專責處理旅遊事宜」議案，作出的修正案  
AMENDMENT BY HON FRED LI TO HON PAUL TSE'S MOTION ON "PROPOSED  
ESTABLISHMENT OF A TOURISM BUREAU WITH DEDICATED RESPONSIBILITY FOR  
HANDLING TOURISM ISSUES"

動議人 MOVED BY: 李華明Fred LI

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	27	
投票 Vote	23	26	
贊成 Yes	10	16	
反對 No	12	7	
棄權 Abstain	1	3	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

個別表決如下 THE INDIVIDUAL VOTES WERE AS FOLLOWS:

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
<b>功能團體 Functional Constituencies</b>		<b>地方選區 Geographical Constituencies</b>	
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	
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		梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		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	
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李鳳英 Li Fung-ying	贊成 YES	陳偉業 Albert CHAN	棄權 ABSTAIN
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	贊成 YES	王國興 WONG Kwok-hing	贊成 YES
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	棄權 ABSTAIN
詹培忠 CHIM Pui-chung	贊成 YES	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	贊成 YES	何秀蘭 Cyd HO	贊成 YES
陳健波 CHAN Kin-por	贊成 YES	李慧琼 Starry LEE	反對 NO
梁家驩 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	反對 NO
張國柱 CHEUNG Kwok-che		陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	贊成 YES	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	贊成 YES	黃國健 WONG Kwok-kin	贊成 YES
謝偉俊 Paul TSE	贊成 YES	黃毓民 WONG Yuk-man	棄權 ABSTAIN
譚偉豪 Dr Samson TAM	棄權 ABSTAIN	葉劉淑儀 Mrs Regina IP	贊成 YES

秘書 CLERK

投票 VOTE: 6  
 日期 DATE: 13/05/2009  
 時間 TIME: 07:24:44 下午pm

動議 MOTION: 「建議成立旅遊局專責處理旅遊事宜」議案  
 MOTION ON "PROPOSED ESTABLISHMENT OF A TOURISM BUREAU WITH DEDICATED RESPONSIBILITY FOR HANDLING TOURISM ISSUES"

動議人 MOVED BY: 謝偉俊 Paul TSE

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	27	
投票 Vote	23	26	
贊成 Yes	5	11	
反對 No	11	9	
棄權 Abstain	7	6	
結果 Result	否決 Negatived	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	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	反對	NO	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			梁耀忠	LEUNG Yiu-chung	贊成	YES
劉皇發	LAU Wong-fat			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		
石禮謙	Abraham SHEK	棄權	ABSTAIN	譚耀宗	TAM Yiu-chung	反對	NO
李鳳英	Li Fung-ying	贊成	YES	陳偉業	Albert CHAN	棄權	ABSTAIN
張宇人	Tommy CHEUNG			馮檢基	Frederick FUNG	贊成	YES
方剛	Vincent FANG			余若薇	Audrey EU	反對	NO
李國麟	Dr Joseph LEE	贊成	YES	王國興	WONG Kwok-hing	棄權	ABSTAIN
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	反對	NO
黃定光	WONG Ting-kwong	反對	NO	梁國雄	LEUNG Kwok-hung	棄權	ABSTAIN
詹培忠	CHIM Pui-chung	贊成	YES	張學明	CHEUNG Hok-ming	反對	NO
劉秀成	Prof Patrick LAU	棄權	ABSTAIN	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	棄權	ABSTAIN	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			陳淑莊	Tanya CHAN	反對	NO
葉偉明	IP Wai-ming	棄權	ABSTAIN	Dr Priscilla LEUNG	棄權	ABSTAIN	
葉國謙	IP Kwok-him	反對	NO	WONG Sing-chi	贊成	YES	
潘佩璆	Dr PAN Pey-chyau	棄權	ABSTAIN	WONG Kwok-kin	棄權	ABSTAIN	
謝偉俊	Paul TSE	贊成	YES	WONG Yuk-man	棄權	ABSTAIN	
譚偉豪	Dr Samson TAM	棄權	ABSTAIN	黃毓民	贊成	YES	
				葉劉淑儀	Mrs Regina IP	贊成	YES

秘書 CLERK