

LEGISLATIVE COUNCIL

MINUTES

No. 28

Minutes of the meeting held on Thursday 14 May 2009 at 3:00 pm

Present:

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

Members present:

President

The Hon Jasper TSANG Yok-sing, GBS, JP

The Hon Albert HO Chun-yan

Ir Dr the Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP

The Hon LEE Cheuk-yan

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

The Hon Fred LI Wah-ming, JP

Dr the Hon Margaret NG

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon CHAN Kam-lam, SBS, JP

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

The Hon LEUNG Yiu-chung

Dr the Hon Philip WONG Yu-hong, GBS

The Hon 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

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

Prof the Hon Patrick LAU Sau-shing, SBS, 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-ye, 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

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

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

Clerk in attendance:

Ms Pauline NG Man-wah, Secretary General

The Chief Executive's Question and Answer Session

The Chief Executive attended the Council meeting and addressed the Council.

Five Members asked questions and supplementary questions, and the Chief Executive replied.

Hon LEUNG Kwok-hung asked a question. While he was asking his question, Hon WONG Yuk-man interjected aloud for several times. The Chief Executive replied to Hon LEUNG Kwok-hung's question.

Hon LEUNG Kwok-hung asked a supplementary question. After the Chief Executive had replied to his supplementary question, Hon WONG Yuk-man interjected again. The President warned him that he would be ordered to withdraw from the Chamber if he breached the Rules of Procedure again.

Another Member and Dr Hon Margaret NG asked questions and supplementary questions, and the Chief Executive replied.

While the Chief Executive was answering Dr Hon Margaret NG's supplementary question, a man in the Public Gallery yelled noisily. The President ordered that the man be removed. Security staff escorted the man away from the Public Gallery accordingly.

Dr Hon Margaret NG raised a point of order on whether Members were allowed to raise their questions again during a Chief Executive's Question and Answer Session if their questions had not been answered, as they were allowed to do so during regular Council meetings.

The President stated that the general rules of questions applied to the Chief Executive's Question and Answer Sessions and he had pointed out more than once that very often public officers considered that they had replied to Members but the Members concerned considered otherwise. As the President, he could not force public officers to give answers in the way Members wanted. It had been the practice that Members could ask a short supplementary question after the Chief Executive had replied, and if a Member considered his question had not been answered, the President would ask the public officer if he had anything to add. If Members were not satisfied with the Chief Executive's replies, they could follow up through other ways.

With the President's permission, Dr Hon Margaret NG repeated the part of her question which she considered had not been answered, and the Chief Executive replied.

Hon LEUNG Kwok-hung, Hon LEE Cheuk-yan and Hon CHEUNG Man-kwong stood up one by one and requested the Chief Executive to clarify a remark he made in his reply to Dr Hon Margaret NG's supplementary question. Hon LEE Cheuk-yan also requested the Chief Executive to withdraw that remark.

While the Chief Executive was speaking, several persons in the Public Gallery yelled noisily.

Hon LEUNG Kwok-hung stood up and spoke aloud to the Chief Executive. The President ordered Hon LEUNG Kwok-hung to withdraw from the Chamber immediately. Hon LEUNG Kwok-hung continued to speak aloud for a while and then left the Chamber.

Hon LEE Cheuk-yan then stood up and requested the Chief Executive to withdraw his remark again.

The President said that in accordance with the Rules of Procedure, when a Member or public officer was requested by other Members to elucidate, it was up to that Member or public officer to decide whether he or she would like to do so and in what way. The President added that the Chief Executive's Question and Answer Session should not turn into a debate session. The President then ordered Hon LEE Cheuk-yan and Hon CHEUNG Man-kwong to sit down and not to obstruct other Members from asking questions.

Hon Ronny TONG raised a point of order on whether it was the constitutional responsibility of the Government to reply to Members' questions.

While Hon Ronny TONG was speaking, Dr Hon Margaret NG said that they would walk out in protest of the Chief Executive's remarks.

Twenty or so Members left the Chamber.

Before leaving the Chamber, Hon WONG Yuk-man crossed the floor and tried to put two pieces of cardboard on the table in front of the Chief Executive. The Clerk and security staff stopped him.

The President suspended the meeting at 3:55 pm.

The Council resumed at 4:06 pm.

The Chief Executive elaborated on the remark he made earlier.

The President stated that many Members were waiting for their turn to ask questions. He hoped that Members would comply with the Rules of Procedure so that Members could have opportunities to ask their questions and the Chief Executive could also have opportunities to reply. He also reminded members of the public sitting in the Public Gallery that they must keep quiet and refrain from obstructing the proceedings of the meeting.

Seven Members asked questions and the Chief Executive replied.

While the President was speaking, a woman in the Public Gallery yelled noisily. The President ordered that the woman be removed. Security staff escorted the woman away from the Public Gallery accordingly.

Next Meeting

The President declared that the next meeting of the Council would be held on 20 May 2009 at 11:00 am.

The Council was adjourned at 4:31 pm.

(Jasper TSANG Yok-sing)
President
11 June 2009

Council Chamber
Hong Kong