

LEGISLATIVE COUNCIL

MINUTES

No. 29

Minutes of the meeting held on Wednesday 20 May 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 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 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 Vincent FANG Kang, SBS, JP

Public officers attending:

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

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

The Hon Stephen LAM Sui-lung, JP
Secretary for Constitutional and Mainland Affairs

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

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

The Hon Mrs Carrie LAM CHENG Yuet-ngor, JP
Secretary for Development

The Hon Eva CHENG, JP
Secretary for Transport and Housing

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

Clerks in attendance:

Ms Pauline NG Man-wah, Secretary General

Mrs 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. Road Tunnels (Government) (Amendment) Regulation 2009 (gazetted on 15.5.2009)	96/2009
2. Eastern Harbour Crossing Road Tunnel (Amendment) Regulation 2009 (gazetted on 15.5.2009)	97/2009
3. Tate's Cairn Tunnel (Amendment) Regulation 2009 (gazetted on 15.5.2009)	98/2009
4. Specification of Public Office Notice 2009 (gazetted on 15.5.2009)	99/2009
5. Shipping and Port Control (Amendment) Regulation 2009 (gazetted on 15.5.2009)	100/2009
6. Merchant Shipping (Registration) (Fees and Charges) (Amendment) Regulation 2009 (gazetted on 15.5.2009)	101/2009
7. Merchant Shipping (Seafarers) (Fees) (Amendment) Regulation 2009 (gazetted on 15.5.2009)	102/2009
8. Merchant Shipping (Local Vessels) (Fees) (Amendment) Regulation 2009 (gazetted on 15.5.2009)	103/2009
9. Tsing Ma Control Area (General) (Amendment) Regulation 2009 (gazetted on 15.5.2009)	104/2009
10. Practising Certificate (Solicitors) (Amendment) Rules 2009 (gazetted on 15.5.2009)	105/2009
11. Statute Law (Miscellaneous Provisions) Ordinance 2008 (Commencement) Notice (gazetted on 15.5.2009)	106/2009

Other Papers

No. 92 - The Government Minute in response to the Report No. 51 of the Public Accounts Committee dated February 2009 (published on 20.5.2009)

No. 93 - Supplemental Report of the Public Accounts Committee on Report No. 51 of the Director of Audit on the Results of Value for Money Audits (May 2009 - P.A.C. Report No. 51A) (published on 20.5.2009)

Report of the Bills Committee on Road Traffic (Driving-offence Points) (Amendment) Bill 2009 (published on 19.5.2009)

Addresses

The Chief Secretary for Administration addressed the Council on the Government Minute in response to the Report No. 51 of the Public Accounts Committee dated February 2009.

Dr Hon Philip WONG, Chairman of the Public Accounts Committee, addressed the Council on the Committee's Report No. 51A.

Questions

1. Ir Dr Hon Raymond HO asked Question 1.

The Secretary for Development replied.

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

2. Hon Ronny TONG asked Question 2.

The Secretary for Commerce and Economic Development replied.

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

3. Hon Mrs Regina IP asked Question 3.

The Secretary for the Civil Service replied.

Four Members asked supplementary questions and the Secretary for the Civil Service replied.

4. Hon Audrey EU asked Question 4.

The Secretary for Constitutional and Mainland Affairs replied.

Five Members asked supplementary questions and the Secretary for Constitutional and Mainland Affairs replied.

5. Dr Hon PAN Pey-chyou asked Question 5.

The Secretary for Labour and Welfare replied.

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

6. Dr Hon Priscilla LEUNG asked Question 6.

The Secretary for Home Affairs replied.

Five Members asked supplementary questions and the Secretary for Home Affairs replied.

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

Bills

Road Traffic (Driving-offence Points) (Amendment) Bill 2009

Resumption of Second Reading debate

The debate on the Second Reading which was moved on 4 February 2009 resumed.

Hon Miriam LAU, Chairman of the Bills Committee on Road Traffic (Driving-offence Points) (Amendment) Bill 2009, addressed the Council on the Committee's Report. After the address, she spoke on the Bill in her personal capacity as a Member.

Four Members spoke on the Bill.

The Secretary for Transport and Housing replied.

Question on the Second Reading put and agreed to.

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

Committee Stage

The Council went into Committee and considered the Road Traffic (Driving-offence Points) (Amendment) Bill 2009.

Question that clauses 1 to 6 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Transport and Housing reported that

the Road Traffic (Driving-offence Points) (Amendment) Bill 2009

had passed through the Committee without amendment. She moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed, put and agreed to.

Bill read the third time and passed.

Motions

Proposed resolution under the Education Ordinance

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

RESOLVED that section 40BK(3)(a) of the Education Ordinance (Cap. 279) be amended by repealing “1 July 2009” and substituting “1 July 2011”.

While the Secretary for Education was speaking, the President left the chair at 2:20 pm temporarily and the President’s Deputy, Hon Miriam LAU, took the chair.

Question on the motion proposed.

Five Members spoke on the motion.

The Secretary for Education replied.

Question on the motion put and agreed to.

Proposed resolution under the Interpretation and General Clauses Ordinance

The Secretary for Development moved the motion in Appendix I and spoke on the motion.

Question on the motion proposed.

Ir Dr Hon Raymond HO spoke on the motion as the Chairman of the Subcommittee on Building (Minor Works) Regulation.

Three Members spoke on the motion.

The Secretary for Development replied.

Question on the motion put and agreed to.

Members' Motions

Urging enterprises to fulfill their social responsibility

Hon CHAN Kam-lam moved the following motion and spoke on the motion:

That, amid the financial tsunami, the general public of Hong Kong are stoically facing up to economic hardship, yet some enterprises have still effected layoffs and pay cuts despite making huge profits, and fail to go through the hard times with the public; on the other hand, the management and major shareholders of individual enterprises have recklessly resorted to various ploys to maximize their private interests, while the interests of minority shareholders are left unprotected; as such, this Council urges the Government to create a favourable environment for enterprises to fulfill their social responsibility, implement employment training programmes, and support those enterprises which are in difficulty, while at the same time discussing with the business sector to urge enterprises that, in seeking to make profits, they must also take into account the overall interests of the community, enhance the transparency of corporate decision making, strengthen communication with their employees, fulfill their social responsibility and must not effect layoffs and pay cuts, so as to safeguard the rights and interests of employees and minority shareholders.

At 3:29 pm, while Hon CHAN Kam-lam was speaking, the President resumed the chair.

Question on Hon CHAN Kam-lam's motion proposed.

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

Hon WONG Sing-chi, Hon Tommy CHEUNG, Hon CHEUNG Kwok-che, Hon Alan LEONG, Hon Mrs Regina IP, Hon Ronny TONG, Hon IP Wai-ming, Hon LEUNG Kwok-hung and Hon LEE Cheuk-yan, who intended to move amendments to the motion, spoke on the motion and the amendments.

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

Eight Members spoke on the motion and the amendments.

Hon CHAN Kam-lam spoke on the amendments.

The Secretary for Labour and Welfare and the Secretary for Financial Services and the Treasury spoke again.

Hon WONG Sing-chi moved the following amendment to Hon CHAN Kam-lam's motion:

To delete “,” after “That” and substitute with “the enterprises in Hong Kong possess a weak sense of fulfilling social responsibility and employers do not pay enough attention to labour rights and interests, and”; and to add “as well as to legislate afresh to protect employees' right to collective bargaining, and amend the Employment Ordinance to prohibit employers from dismissing their employees under unfair circumstances,” after “not effect layoffs and pay cuts,”.

Question on Hon WONG Sing-chi's amendment to Hon CHAN Kam-lam's motion proposed and put.

Hon Tommy CHEUNG 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, 19 were present, five were in favour of the amendment, 11 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 18 were in favour of the amendment, one against it and seven 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.

Hon Miriam LAU rose to move the following motion without notice:

That in the event of further divisions in relation to the motion on “Urging enterprises to fulfill their social responsibility” 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 Tommy CHEUNG moved the following amendment to Hon CHAN Kam-lam's motion:

To delete “amid” after “That,” and substitute with “as”; to add “has not yet come to a halt” after “tsunami”; to delete “are” after “Hong Kong” and substitute with “still have to”; to add “encourage enterprises to fulfill more social responsibility under the principle that it is performed on a voluntary basis and within their ability, and actively” after “the Government to”; to delete “enhance” after “the community,” and substitute with “such as enhancing”; to delete “strengthen” after “decision making,” and substitute with “strengthening”; to add “and making every effort to” after “their employees,”; and to delete “and must not effect layoffs and pay cuts, so as to safeguard” before “the rights” and substitute with “; the Government should also actively assist enterprises in expanding their business and enhancing corporate governance, so that layoffs and pay cuts will not be effected as far as possible, thereby safeguarding”.

Question on Hon Tommy CHEUNG’s amendment to Hon CHAN Kam-lam’s motion proposed and put.

Hon CHAN Kam-lam 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, 19 were present, 13 were in favour of the amendment, two against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 14 were in favour of the amendment, two against it and 11 abstained. (Voting record in Appendix III.) Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the amendment was negatived.

Hon CHEUNG Kwok-che moved the following amendment to Hon CHAN Kam-lam’s motion:

To delete “, amid the financial tsunami, the general public of Hong Kong are stoically facing up to economic hardship” after “That” and substitute with “the unemployment rate has risen further recently”; and to add “implement a quota system for employing people with disabilities in government departments, public organizations and welfare agencies first and then extend the system to the private sector,” after “enterprises to fulfill their social responsibility,”.

Question on Hon CHEUNG Kwok-che’s amendment to Hon CHAN Kam-lam’s motion proposed and put.

Hon CHAN Kam-lam 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, 19 were present, eight were in favour of the amendment, nine against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 25 were in favour of the amendment and two 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.

Hon Alan LEONG moved the following amendment to Hon CHAN Kam-lam's motion:

To delete "amid the" after "That," and substitute with "in facing the once-in-a-century"; to delete "and" after "effected layoffs" and substitute with ","; to add "and rent increases against the market trend" before "despite"; to add "and small business operators" after "the public"; to add "show understanding for the operating difficulties of small business operators," after "their employees,"; to delete "and" after "effect layoffs" and substitute with ","; to add "and rent increases" before ", so as to"; and to add ", small business operators" after "interests of employees".

Question on Hon Alan LEONG's amendment to Hon CHAN Kam-lam's motion proposed and put.

Hon Jeffrey LAM 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, 18 were present, eight were in favour of the amendment, six against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 26 were in favour of the amendment 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 amendment was negatived.

Hon Mrs Regina IP moved the following amendment to Hon CHAN Kam-lam's motion:

To add "private" after "yet some"; to delete "on the other hand," after "with the public,"; to add "even disregarded the interests of minority shareholders and" after "individual enterprises have"; to delete "private interests, while the interests of minority shareholders are left unprotected; as such" after "maximize their" and substitute with "interests; on the other hand, dozens of public organizations in Hong Kong, some being statutory bodies, provide important public services in areas including housing, transportation, exhibition and financial services, etc; the funding for such organizations is mostly provided by the Government in full or in part, and some of them are able to self-finance by imposing levies or other charges as

authorized by legislation; it is learnt that in determining the pay and bonus for the management of these public organizations, their profitability is one of the important criteria for measuring performance, causing some public organizations to fully strive to expand and compete with the private sector for profits, hence disregarding the purposes of their establishment, social justice and the interests of the public; furthermore, as scandals of abuse of public money and mismanagement of public organizations have been repeatedly reported in recent years, the public have become increasingly concerned whether the scope of work and operational philosophy of such organizations have departed from the duties and responsibilities laid down for them by the Government at the time of their establishment; in view of this”; to add “private” after “environment for”; to delete “enhance” after “the community,” and substitute with “including enhancing”; to delete “strengthen” after “decision making,” and substitute with “strengthening”; to delete “, fulfill their social responsibility and must not effect” after “their employees” and substitute with “and not effecting”; to add “as far as possible” before “, so as to”; and to add “; on the other hand, the Government should formulate guiding principles for the management of public organizations, develop indicators for ‘corporate social responsibility’, and peg the pay/bonus for the remunerated directors and senior executives of public organizations to such indicators” immediately before the full stop.

Question on Hon Mrs Regina IP’s amendment to Hon CHAN Kam-lam’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 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 19 were present, seven were in favour of the amendment; three against it and nine abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 23 were in favour of the amendment, two against it and two 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 amendment was negatived.

Hon Ronny TONG moved the following amendment to Hon CHAN Kam-lam’s motion:

To add “make reference to the ten principles for corporate governance under the United Nations Global Compact when rewriting the company laws to formulate clear guiding principles and promote them extensively in Hong Kong, with a view to enhancing a culture of good corporate governance in Hong Kong, as well as to” after “the Government to”.

Question on Hon Ronny TONG’s amendment to Hon CHAN Kam-lam’s motion proposed and put.

Hon Tommy CHEUNG 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, 19 were present, five were in favour of the amendment; eight against it and six abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 19 were in favour of the amendment, one against it and seven abstained. (Voting record in Appendix VII.) 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 IP Wai-ming moved the following amendment to Hon CHAN Kam-lam's motion:

To delete "implement" after "enterprises to fulfill their social responsibility," and substitute with "including: (a) setting an example by making labour protection a major tender assessment criterion when inviting tenders for government service contracts; (b) proactively organizing employers' associations, labour groups and non-government organizations, etc to study and promote the direction and specific proposals for corporate social responsibility; (c) considering legislating to require enterprises to publish annual reports on corporate social responsibility to reflect their work in promoting social responsibility and the effectiveness of their social responsibility-related investments; (d) implementing"; to delete ", and support" after "employment training programmes" and substitute with "; and (e) supporting"; and to delete ";" after "difficulty" and substitute with ";

Question on Hon IP Wai-ming's amendment to Hon CHAN Kam-lam's motion proposed and put.

Hon Tommy CHEUNG 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, 19 were present, seven were in favour of the amendment; eight against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 24 were in favour of the amendment, one against it and two abstained. (Voting record in Appendix VIII.) Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the amendment was negatived.

Hon LEUNG Kwok-hung moved the following amendment to Hon CHAN Kam-lam's motion:

To delete “discussing with the business sector to urge enterprises that, in seeking to make profits, they must also take into account the overall interests of the community,” after “at the same time” and substitute with “urging enterprises to”; to delete “must” after “social responsibility and”; to add “to” after “not”; and to delete “, so as to safeguard the rights and interests of employees and minority shareholders” immediately before the full stop and substitute with “; enterprises should also have regard to the needs of the socially disadvantaged groups, establish a partnering relationship with community stakeholders, treat their employees well and safeguard labour rights and interests, as well as accord priority to the overall interests of the community, so that they can integrate into the community and be accepted by the public”.

Question on Hon LEUNG Kwok-hung’s amendment to Hon CHAN Kam-lam’s motion proposed and put.

Hon IP Kwok-him 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, 19 were present, four were in favour of the amendment; nine against it and six abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 18 were in favour of the amendment and nine abstained. (Voting record in Appendix IX.) 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.

When being called to move his amendment to Hon CHAN Kam-lam’s motion, Hon LEE Cheuk-yan said that he would not move the amendment.

Hon CHAN Kam-lam replied.

Question on Hon CHAN Kam-lam’s motion put.

Hon LEE Cheuk-yan 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, 19 were present, 11 were in favour of the motion, one against it and seven abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 26 were in favour of the motion and one abstained. (Voting record in Appendix X.) Since the question was agreed by a majority of each of the two groups of Members present, he declared that the motion was passed.

Promoting the development of the testing and certification industry in Hong Kong

Hon Andrew LEUNG moved the following motion and spoke on the motion:

That Hong Kong has a professional and established testing and certification industry which brings substantial benefits to our economy and helps safeguard the interests of consumers both locally and overseas; in this connection, this Council urges the Government to grasp the market opportunities and draw up a comprehensive plan to facilitate the growth of this industry by:

- (a) outsourcing more government testing services to private laboratories;
- (b) promoting the service of the industry in the Mainland and in the region;
- (c) strengthening the local accreditation system to enable the industry to engage in a wider range of testing services;
- (d) reinforcing the reputation of the industry by concluding more mutual recognition agreements overseas; and
- (e) widening the scope of food testing in the interests of consumers.

While Hon Andrew LEUNG was speaking, the President left the chair at 7:02 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Question on Hon Andrew LEUNG's motion proposed.

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

Hon Tommy CHEUNG and Hon Fred LI, who would move amendments to the motion, spoke on the motion and the amendments.

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

Hon Jeffrey LAM declared that he was a non-remunerated director of the Hong Kong Standards and Testing Centre. He then spoke on the motion and the amendments.

Four Members spoke on the motion and the amendments.

Hon Andrew LEUNG spoke on the amendments.

The Secretary for Commerce and Economic Development spoke again.

At 8:12 pm, while the Secretary for Commerce and Economic Development was speaking, the President resumed the chair.

Hon Tommy CHEUNG moved the following amendment to Hon Andrew LEUNG's motion:

To add "recently the Task Force on Economic Challenges has identified the testing and certification industry as one of the six economic areas where Hong Kong has enormous potential for development and considered that this industry could benefit Hong Kong's economy in the medium and long term; moreover," after "That"; to add "striving to further relax the restrictions on the industry to establish businesses in the Mainland under the Mainland and Hong Kong Closer Economic Partnership Arrangement and" after "(b)"; to delete "; and" after "agreements overseas" and substitute with "so as to enhance international confidence in export products manufactured in Hong Kong and the Mainland;"; and to add "; (f) introducing tax incentives and other encouragement policies to enhance the development of the industry; and (g) discussing with local institutes and organizations to encourage them to provide more testing-and-certification-related training programmes to ease the shortage of specialists in the industry" immediately before the full stop.

Question on Hon Tommy CHEUNG's amendment to Hon Andrew LEUNG's motion proposed, put and agreed to.

As Hon Tommy CHEUNG's amendment had been passed, the President granted leave for Hon Fred LI to revise the terms of his amendment.

Hon Fred LI moved the following further amendment to Hon Andrew LEUNG's motion as amended by Hon Tommy CHEUNG, and explained the revised terms of his amendment to the Council:

To add "; and (h) allocating more resources to the Hong Kong Accreditation Service for providing new accreditation service for food manufacturing process and establishing a certification system for organic food to facilitate consumers to recognize such products" immediately before the full stop.

Question on Hon Fred LI's amendment to Hon Andrew LEUNG's motion as amended by Hon Tommy CHEUNG proposed, put and agreed to.

Hon Andrew LEUNG replied.

Question on Hon Andrew LEUNG's motion as amended by Hon Tommy CHEUNG and Hon Fred LI put and agreed to.

Next meeting

The President declared that the next meeting of the Council would be held on 27 May 2009 at 11:00 am.

The Council was adjourned at 8:32 pm.

(Jasper TSANG Yok-sing)
President
19 June 2009

Council Chamber
Hong Kong

INTERPRETATION AND GENERAL CLAUSES
ORDINANCE

RESOLUTION

(Under section 34(2) of the Interpretation and General Clauses
Ordinance (Cap. 1))

BUILDING (MINOR WORKS) REGULATION

RESOLVED that the Building (Minor Works) Regulation, published in the
Gazette as Legal Notice No. 51 of 2009 and laid on the table of the
Legislative Council on 1 April 2009, be amended –

- (a) by repealing section 7(1)(a) and substituting –
 - “(a) 1 person nominated by the Building Authority
who, in the opinion of the Authority, has
knowledge and experience in minor works;”;
- (b) in section 8 –
 - (i) by repealing “Part 4” and substituting “Parts 4 and
10”;
 - (ii) in paragraph (c), by repealing “and”;
 - (iii) in paragraph (d), by repealing the full stop and
substituting “; and”;
 - (iv) by adding –

“(e) reviewing the decisions of the Authority or recommendations of other Registration Committees under section 26.”;

(c) by repealing section 12(1) and substituting –

“(1) The Building Authority may refer, either in whole or in part, an application under section 10(1)(b) to a Registration Committee for recommendation if the Authority considers it appropriate to do so after taking into account –

(a) the nature of the type or types of minor works under one or more classes to which the application relates; or

(b) any matter that is relevant for determining whether the applicant complies with the requirements set out in subsections (5) and (6).”;

(d) in section 12, by adding –

“(2A) If the Building Authority considers it appropriate to refer the application to a Registration Committee, the Authority must direct the Committee to meet, within 3 months from receiving the application, to consider the application.”;

(e) in section 12(3), by repealing “refers the application” and substituting “refers an application”;

(f) by repealing section 12(3)(d) and substituting –

“(d) defer the determination of the application for a period not exceeding 6 months, and –

- (i) refer the application again to a Registration Committee for recommendation after that period on the request of the applicant; and
 - (ii) direct the Committee to meet, within 3 months from receiving the request, to consider the application.”;
- (g) in section 14(3)(a), by adding “or (2B)(a) or (b)” after “or (b)”;
- (h) by repealing section 15(1) and (2) and substituting –
 - “(1) The Building Authority may refer, either in whole or in part, an application under section 14(1) to a Registration Committee for recommendation if the Authority considers it appropriate to do so after taking into account –
 - (a) the nature of the type or types of minor works under one or more classes to which the application relates; or
 - (b) any matter that is relevant for determining whether the applicant complies with the requirements set out in subsection (3).
 - (2) If the Building Authority does not refer the application to a Registration Committee, the Authority must, within 3 months from receiving the application –
 - (a) allow the application;
 - (b) allow the application in part and refuse the remaining part; or

(c) refuse the application.

(2A) If the Building Authority considers it appropriate to refer the application to a Registration Committee, the Authority must direct the Committee to meet, within 3 months from receiving the application, to consider the application.

(2B) If the Building Authority refers an application to a Registration Committee, the Authority must, within 3 months from the meeting of the Committee at which the application is considered –

- (a) allow the application;
- (b) allow the application in part and refuse the remaining part; or
- (c) refuse the application.”;

- (i) in section 15(3) and (4), by adding “or (2B)(a) or (b)” after “or (b)”;
- (j) in section 15(5), by adding “or (2B)(b) or (c)” after “or (c)”;
- (k) in section 17(1)(b), by adding “or (2B)(c)” after “15(2)(c)”;
- (l) in section 17(3), in the Chinese text, by repealing “第 15(5)(b)款” and substituting “第 15(5)(b)條”;
- (m) by repealing section 19(1) and (2) and substituting –

“(1) The Building Authority may refer, either in whole or in part, an application under section 18(1) to a Registration Committee for recommendation if the Authority considers it appropriate to do so after taking into account –

- (a) the nature of the type or types of minor works under one or more classes to which the application relates; or
- (b) any matter that is relevant for determining whether the applicant complies with the requirements set out in subsection (3).

(2) If the Building Authority does not refer the application to a Registration Committee, the Authority must, within 3 months from receiving the application –

- (a) allow the application;
- (b) allow the application in part and refuse the remaining part; or
- (c) refuse the application.

(2A) If the Building Authority considers it appropriate to refer the application to a Registration Committee, the Authority must direct the Committee to meet, within 3 months from receiving the application, to consider the application.

(2B) If the Building Authority refers an application to a Registration Committee, the Authority must, within 3 months from the meeting of the Committee at which the application is considered –

- (a) allow the application;
- (b) allow the application in part and refuse the remaining part; or
- (c) refuse the application.”;

- (n) in section 19(3) and (4), by adding “or (2B)(a) or (b)” after “or (b)”;
- (o) in section 19(5), by adding “or (2B)(b) or (c)” after “or (c)”;
- (p) by repealing section 23(1) and substituting –
 - “(1) The Building Authority may refer, either in whole or in part, an application under section 21(2) to a Registration Committee for recommendation if the Authority considers it appropriate to do so after taking into account –
 - (a) the nature of the type or types of minor works under one or more classes to which the application relates; or
 - (b) any matter that is relevant for determining whether the applicant complies with the requirements set out in subsections (5) and (6).”;
- (q) in section 23, by adding –
 - “(2A) If the Building Authority considers it appropriate to refer the application to a Registration Committee, the Authority must direct the Committee to meet, within 3 months from receiving the application, to consider the application.”;
- (r) in section 23(3), by repealing “refers the application” and substituting “refers an application”;
- (s) by repealing section 23(3)(d) and substituting –
 - “(d) defer the determination of the application for a period not exceeding 6 months, and –

- (i) refer the application again to a Registration Committee for recommendation after that period on the request of the applicant; and
 - (ii) direct the Committee to meet, within 3 months from receiving the request, to consider the application.”;
- (t) by repealing section 25(1) and substituting –
- “(1) The Building Authority may refer, either in whole or in part, an application under section 24(1) to a Registration Committee for recommendation if the Authority considers it appropriate to do so after taking into account –
- (a) the nature of the type or types of minor works under one or more classes to which the application relates; or
 - (b) any matter that is relevant for determining whether the applicant complies with the requirements set out in subsections (5) and (6).”;
- (u) in section 25, by adding –
- “(2A) If the Building Authority considers it appropriate to refer the application to a Registration Committee, the Authority must direct the Committee to meet, within 3 months from receiving the application, to consider the application.”;
- (v) in section 25(3), by repealing “refers the application” and substituting “refers an application”;

- (w) by repealing section 25(3)(d) and substituting –
- “(d) defer the determination of the application for a period not exceeding 6 months, and –
- (i) refer the application again to a Registration Committee for recommendation after that period on the request of the applicant; and
- (ii) direct the Committee to meet, within 3 months from receiving the request, to consider the application.”;
- (x) in Part 4, by repealing Division 6 and substituting –

“Division 6 – Reviews and Appeals

26. Review of decisions of Building Authority or recommendations of Minor Works Contractors Registration Committee

- (1) A person who is aggrieved by –
- (a) a decision of the Building Authority to refuse the person’s application under section 11, 12, 15, 19, 22, 23, 25 or 65;
- (b) a decision of the Building Authority to defer the determination of the person’s application under section 12, 23 or 25; or
- (c) a recommendation of a Registration Committee made in respect of the person’s

application for the purposes of section 12, 15, 19, 23 or 25, may request a Registration Committee to review the decision or recommendation.

(2) The request must –

- (a) be in the specified form;
- (b) be accompanied by the prescribed fee;
- (c) state the substance of the matter and reasons for requesting the review; and
- (d) be submitted to the Building Authority within 28 days from the date on which the reasons for the decision, or the decision to which the recommendation relates, were given to the person under section 11(5), 12(8), 15(5)(a), 19(5), 22(5), 23(8), 25(8) or 65(6).

(3) The request does not affect the operation of the decision or the effect of the recommendation.

(4) On receiving the request, the Building Authority must direct a Registration Committee to meet, within 3 months from receiving the request, to review the decision or recommendation.

(5) The Registration Committee must not consist of any member who has considered the application to which the decision or recommendation relates.

(6) In reviewing the decision or recommendation, the Registration Committee may consider any information or documentary proof that was not provided to the Building Authority or the Registration Committee concerned when the decision or recommendation was made.

(7) The Registration Committee may advise the Building Authority to –

- (a) confirm the decision, or the decision to which the recommendation relates; or
- (b) substitute the decision, or the decision to which the recommendation relates, with such other decision as the Committee thinks fit.

(8) Within 3 months from receiving the advice of the Registration Committee in respect of the request, the Building Authority must –

- (a) having regard to the advice –
 - (i) confirm the decision; or
 - (ii) subject to subsection (9), substitute the decision with such other decision as the Authority thinks fit; and
- (b) notify the person making the request in writing of –
 - (i) the advice of the Committee and the

reasons for the advice;
and

- (ii) the decision of the Authority under paragraph (a) and the reasons for the decision.

(9) The Building Authority may make a decision to allow the application to which the request relates only if the Registration Committee so advises.

26A. Appeal against advice of Minor Works Contractors Registration Committee or decisions of Building Authority under section 26

(1) A person who is aggrieved by any advice of a Registration Committee, or a decision of the Building Authority, made in respect of the person's request under section 26 may appeal to the Court of First Instance.

(2) The practice for the appeal is subject to any rules of court made under the High Court Ordinance (Cap. 4).”.

投票 VOTE: 1
 日期 DATE: 20/05/2009
 時間 TIME: 06:35:59 下午pm

動議 MOTION: 黃成智議員對陳鑑林議員的「促使企業履行社會責任」議案，作出的修正案
 AMENDMENT BY HON WONG SING-CHI TO HON CHAN KAM-LAM'S MOTION ON
 "URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

動議人 MOVED BY: 黃成智 WONG Sing-chi

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	27	
投票 Vote	19	26	
贊成 Yes	5	18	
反對 No	11	1	
棄權 Abstain	3	7	
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			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			陳鑑林	CHAN Kam-lam	棄權	ABSTAIN
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	棄權	ABSTAIN
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	棄權	ABSTAIN
李鳳英	LI Fung-ying	贊成	YES	陳偉業	Albert CHAN		
張宇人	Tommy CHEUNG	反對	NO	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	棄權	ABSTAIN	梁國雄	LEUNG Kwok-hung	贊成	YES
詹培忠	CHIM Pui-chung			張學明	CHEUNG Hok-ming	棄權	ABSTAIN
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	棄權	ABSTAIN	李慧琼	Starry LEE	棄權	ABSTAIN
梁家驊	Dr LEUNG Ka-lau			陳克勤	CHAN Hak-kan	棄權	ABSTAIN
張國柱	CHEUNG Kwok-che	贊成	YES	陳淑莊	Tanya CHAN	贊成	YES
葉偉明	IP Wai-ming	贊成	YES	梁美芬	Dr Priscilla LEUNG	棄權	ABSTAIN
葉國謙	IP Kwok-him	棄權	ABSTAIN	黃成智	WONG Sing-chi	贊成	YES
潘佩璆	Dr PAN Pey-chyou			黃國健	WONG Kwok-kin	贊成	YES
謝偉俊	Paul TSE			黃毓民	WONG Yuk-man	贊成	YES
譚偉豪	Dr Samson TAM			葉劉淑儀	Mrs Regina IP	反對	NO

投票 VOTE: 2
 日期 DATE: 20/05/2009
 時間 TIME: 06:39:08 下午pm

動議 MOTION: 張宇人議員對陳鑑林議員的「促使企業履行社會責任」議案，作出的修正案
 AMENDMENT BY HON TOMMY CHEUNG TO HON CHAN KAM-LAM'S MOTION ON
 "URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

動議人 MOVED BY: 張宇人Tommy CHEUNG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	28	
投票 Vote	19	27	
贊成 Yes	13	14	
反對 No	2	2	
棄權 Abstain	4	11	
結果 Result	通過 Passed	否決 Negatived	否決 Negatived

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

議員	MEMBER	投票	VOTE	議員	MEMBER	投票	VOTE
功能團體 Functional Constituencies				地方選區 Geographical Constituencies			
何鍾泰	Dr Raymond HO	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	棄權	ABSTAIN
張文光	CHEUNG Man-kwong			李華明	Fred LI	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	涂謹申	James TO	贊成	YES
黃宜弘	Dr Philip WONG			陳鑑林	CHAN Kam-lam	棄權	ABSTAIN
黃容根	WONG Yung-kan			梁耀忠	LEUNG Yiu-chung	棄權	ABSTAIN
劉皇發	LAU Wong-fat			劉江華	LAU Kong-wah	棄權	ABSTAIN
劉健儀	Miriam LAU	贊成	YES	劉慧卿	Emily LAU	贊成	YES
霍震霆	Timothy FOK	贊成	YES	鄭家富	Andrew CHENG		
石禮謙	Abraham SHEK	棄權	ABSTAIN	譚耀宗	TAM Yiu-chung	棄權	ABSTAIN
李鳳英	LI Fung-ying	反對	NO	陳偉業	Albert CHAN		
張宇人	Tommy CHEUNG	贊成	YES	馮檢基	Frederick FUNG	棄權	ABSTAIN
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	反對	NO
林健鋒	Jeffrey LAM	贊成	YES	李永達	LEE Wing-tat	贊成	YES
梁君彥	Andrew LEUNG	贊成	YES	梁家傑	Alan LEONG	贊成	YES
黃定光	WONG Ting-kwong	棄權	ABSTAIN	梁國雄	LEUNG Kwok-hung	棄權	ABSTAIN
詹培忠	CHIM Pui-chung			張學明	CHEUNG Hok-ming	棄權	ABSTAIN
劉秀成	Prof Patrick LAU	贊成	YES	湯家驊	Ronny TONG	贊成	YES
林大輝	Dr LAM Tai-fai	贊成	YES	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	棄權	ABSTAIN
梁家駒	Dr LEUNG Ka-lau			陳克勤	CHAN Hak-kan	棄權	ABSTAIN
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	贊成	YES
葉國謙	IP Kwok-him	棄權	ABSTAIN	黃成智	WONG Sing-chi	贊成	YES
潘佩璆	Dr PAN Pey-chyau			黃國健	WONG Kwok-kin	反對	NO
謝偉俊	Paul TSE			黃毓民	WONG Yuk-man	棄權	ABSTAIN
譚偉豪	Dr Samson TAM			葉劉淑儀	Mrs Regina IP	贊成	YES

投票 VOTE: 3
 日期 DATE: 20/05/2009
 時間 TIME: 06:41:16 下午pm

動議 MOTION: 張國柱議員對陳鑑林議員的「促使企業履行社會責任」議案，作出的修正案
 AMENDMENT BY HON CHEUNG KWOK-CHE TO HON CHAN KAM-LAM'S MOTION ON
 "URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

動議人 MOVED BY: 張國柱CHEUNG Kwok-che

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	28	
投票 Vote	19	27	
贊成 Yes	8	25	
反對 No	9	2	
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		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		陳鑑林 CHAN Kam-lam	贊成 YES
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	贊成 YES
劉健儀 Miriam LAU	反對 NO	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	棄權 ABSTAIN	鄭家富 Andrew CHENG	
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 LI Fung-ying	贊成 YES	陳偉業 Albert CHAN	
張宇人 Tommy CHEUNG	反對 NO	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	贊成 YES	梁國雄 LEUNG Kwok-hung	贊成 YES
詹培忠 CHIM Pui-chung		張學明 CHEUNG Hok-ming	贊成 YES
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	贊成 YES	何秀蘭 Cyd HO	贊成 YES
陳健波 CHAN Kin-por	棄權 ABSTAIN	李慧琼 Starry LEE	贊成 YES
梁家驪 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	贊成 YES
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	贊成 YES	梁美芬 Dr Priscilla LEUNG	反對 NO
葉國謙 IP Kwok-him	贊成 YES	黃成智 WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyou		黃國健 WONG Kwok-kin	贊成 YES
謝偉俊 Paul TSE		黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM		葉劉淑儀 Mrs Regina IP	反對 NO

投票 VOTE: 4
 日期 DATE: 20/05/2009
 時間 TIME: 06:43:27 下午pm

動議 MOTION: 梁家傑議員對陳鑑林議員的「促使企業履行社會責任」議案，作出的修正案
 AMENDMENT BY HON ALAN LEONG TO HON CHAN KAM-LAM'S MOTION ON "URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

動議人 MOVED BY: 梁家傑 Alan LEONG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	18	28	
投票 Vote	18	27	
贊成 Yes	8	26	
反對 No	6	0	
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	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		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		陳鑑林 CHAN Kam-lam	贊成 YES
黃容根 WONG Yung-kan		梁耀忠 LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Yung-fat		劉江華 LAU Kong-wah	贊成 YES
劉健儀 Miriam LAU	贊成 YES	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	棄權 ABSTAIN	鄭家富 Andrew CHENG	
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 LI Fung-ying	贊成 YES	陳偉業 Albert CHAN	
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 Tung-kwong	贊成 YES	梁國雄 LEUNG Kwok-hung	贊成 YES
詹培忠 CHIM Pui-chung		張學明 CHEUNG Hok-ming	贊成 YES
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	棄權 ABSTAIN	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	贊成 YES
梁家驩 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	贊成 YES
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	贊成 YES	梁美芬 Dr Priscilla LEUNG	棄權 ABSTAIN
葉國謙 IP Kwok-him	贊成 YES	黃成智 WONG Sing-chi	贊成 YES
潘佩珍 Dr PAN Pey-chyau		黃國健 WONG Kwok-kin	贊成 YES
謝偉俊 Paul TSE		黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM		葉劉淑儀 Mrs Regina IP	贊成 YES

投票 VOTE: 5
 日期 DATE: 20/05/2009
 時間 TIME: 06:45:36 下午pm

動議 MOTION: 葉劉淑儀議員對陳鑑林議員的「促使企業履行社會責任」議案，作出的修正案
 AMENDMENT BY HON MRS REGINA IP TO HON CHAN KAM-LAM'S MOTION ON "URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

動議人 MOVED BY: 葉劉淑儀 Mrs Regina IP

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	28	
投票 Vote	19	27	
贊成 Yes	7	23	
反對 No	3	2	
棄權 Abstain	9	2	
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
李國賢 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		李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	棄權 ABSTAIN	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG		陳鑑林 CHAN Kam-lam	贊成 YES
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	棄權 ABSTAIN
劉健儀 Miriam LAU	棄權 ABSTAIN	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	棄權 ABSTAIN	鄭家富 Andrew CHENG	
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 LI Fung-ying	棄權 ABSTAIN	陳偉業 Albert CHAN	
張宇人 Tommy CHEUNG	棄權 ABSTAIN	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	反對 NO
林健鋒 Jeffrey LAM	棄權 ABSTAIN	李永達 LEE Wing-tat	贊成 YES
梁君彥 Andrew LEUNG	棄權 ABSTAIN	梁家傑 Alan LEONG	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	梁國雄 LEUNG Kwok-hung	贊成 YES
詹培忠 CHIM Pui-chung		張學明 CHEUNG Hok-ming	贊成 YES
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	棄權 ABSTAIN	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	贊成 YES
梁家駒 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	贊成 YES
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 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	贊成 YES	黃成智 WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyou		黃國健 WONG Kwok-kin	反對 NO
謝偉俊 Paul TSE		黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM		葉劉淑儀 Mrs Regina IP	贊成 YES

投票 VOTE: 6
 日期 DATE: 20/05/2009
 時間 TIME: 06:47:44 下午pm


動議 MOTION: 湯家驊議員對陳鑑林議員的「促使企業履行社會責任」議案，作出的修正案
 AMENDMENT BY HON RONNY TONG TO HON CHAN KAM-LAM'S MOTION ON "URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

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	19	28	
投票 Vote	19	27	
贊成 Yes	5	19	
反對 No	8	1	
棄權 Abstain	6	7	
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		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		陳鑑林 CHAN Kam-lam	棄權 ABSTAIN
黃容根 WONG Yung-kan		LEUNG Yiu-chung	贊成 YES
劉皇發 LAU Wong-fat		劉江華 LAU Kong-wah	棄權 ABSTAIN
劉健儀 Miriam LAU	反對 NO	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	棄權 ABSTAIN	鄭家富 Andrew CHENG	
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	棄權 ABSTAIN
李鳳英 LI Fung-ying	贊成 YES	陳偉業 Albert CHAN	
張宇人 Tommy CHEUNG	反對 NO	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	棄權 ABSTAIN	梁國雄 LEUNG Kwok-hung	贊成 YES
詹培忠 CHIM Pui-chung		張學明 CHEUNG Hok-ming	棄權 ABSTAIN
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	棄權 ABSTAIN	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	棄權 ABSTAIN
梁家驩 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	棄權 ABSTAIN
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	贊成 YES	梁美芬 Dr Priscilla LEUNG	棄權 ABSTAIN
葉國謙 IP Kwok-him	棄權 ABSTAIN	黃成智 WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyau		黃國健 WONG Kwok-kin	贊成 YES
謝偉俊 Paul TSE		黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM		葉劉淑儀 Mrs Regina IP	反對 NO

秘書 CLERK 

投票 VOTE: 7
日期 DATE: 20/05/2009
時間 TIME: 06:49:46 下午pm

動議 MOTION: 葉偉明議員對陳鑑林議員的「促使企業履行社會責任」議案，作出的修正案
AMENDMENT BY HON IP WAI-MING TO HON CHAN KAM-LAM'S MOTION ON "URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

動議人 MOVED BY: 葉偉明 IP Wai-ming

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	28	
投票 Vote	19	27	
贊成 Yes	7	24	
反對 No	8	1	
棄權 Abstain	4	2	
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		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		陳鑑林 CHAN Kam-lam	贊成 YES
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	棄權 ABSTAIN
劉健儀 Miriam LAU	反對 NO	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	棄權 ABSTAIN	鄭家富 Andrew CHENG	
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 LI Fung-ying	贊成 YES	陳偉業 Albert CHAN	
張宇人 Tommy CHEUNG	反對 NO	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	贊成 YES	梁國雄 LEUNG Kwok-hung	贊成 YES
詹培忠 CHIM Pui-chung		張學明 CHEUNG Hok-ming	贊成 YES
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	棄權 ABSTAIN	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	贊成 YES
梁家驩 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	贊成 YES
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	贊成 YES	梁美芬 Dr Priscilla LEUNG	棄權 ABSTAIN
葉國謙 IP Kwok-him	贊成 YES	黃成智 WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyou		黃國健 WONG Kwok-kin	贊成 YES
謝偉俊 Paul TSE		黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM		葉劉淑儀 Mrs Regina IP	反對 NO

秘書 CLERK

投票 VOTE: 8
日期 DATE: 20/05/2009
時間 TIME: 06:52:08 下午pm

動議 MOTION: 梁國雄議員對陳鑑林議員的「促使企業履行社會責任」議案，作出的修正案
AMENDMENT BY HON LEUNG KWOK-HUNG TO HON CHAN KAM-LAM'S MOTION ON
"URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

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	19	28	
投票 Vote	19	27	
贊成 Yes	4	18	
反對 No	9	0	
棄權 Abstain	6	9	
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		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		陳鑑林 CHAN Kam-lam	棄權 ABSTAIN
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	棄權 ABSTAIN
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	棄權 ABSTAIN
李鳳英 LI Fung-ying	贊成 YES	陳偉業 Albert CHAN	
張宇人 Tommy CHEUNG	反對 NO	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	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	贊成 YES
黃定光 WONG Ting-kwong	棄權 ABSTAIN	梁國雄 LEUNG Kwok-hung	贊成 YES
詹培忠 CHIM Pui-chung		張學明 CHEUNG Hok-ming	棄權 ABSTAIN
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	棄權 ABSTAIN	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	棄權 ABSTAIN
梁家驛 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	棄權 ABSTAIN
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	棄權 ABSTAIN	Dr Priscilla LEUNG	棄權 ABSTAIN
葉國謙 IP Kwok-him	棄權 ABSTAIN	WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyou		黃國健 WONG Kwok-kin	棄權 ABSTAIN
謝偉俊 Paul TSE		黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM		葉劉淑儀 Mrs Regina IP	贊成 YES

秘書 CLERK

投票 VOTE: 9
 日期 DATE: 20/05/2009
 時間 TIME: 06:58:22 下午pm

動議 MOTION: 「促使企業履行社會責任」議案
 MOTION ON "URGING ENTERPRISES TO FULFILL THEIR SOCIAL RESPONSIBILITY"

動議人 MOVED BY: 陳鑑林 CHAN Kam-lam

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	19	28	
投票 Vote	19	27	
贊成 Yes	11	26	
反對 No	1	0	
棄權 Abstain	7	1	
結果 Result	通過 Passed	通過 Passed	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
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	贊成 YES
張文光 CHEUNG Man-kwong		李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	棄權 ABSTAIN	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG		陳鑑林 CHAN Kam-lam	贊成 YES
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	贊成 YES
劉健儀 Miriam LAU	贊成 YES	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	贊成 YES	鄭家富 Andrew CHENG	
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 LI Fung-ying	贊成 YES	陳偉業 Albert CHAN	
張宇人 Tommy CHEUNG	贊成 YES	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	棄權 ABSTAIN	李永達 LEE Wing-tat	贊成 YES
梁君彥 Andrew LEUNG	棄權 ABSTAIN	梁家傑 Alan LEONG	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	梁國雄 LEUNG Kwok-hung	贊成 YES
詹培忠 CHIM Pui-chung		張學明 CHEUNG Hok-ming	贊成 YES
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
林大輝 Dr LAM Tai-fai	贊成 YES	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	棄權 ABSTAIN	李慧琼 Starry LEE	贊成 YES
梁家驩 Dr LEUNG Ka-lau		陳克勤 CHAN Hak-kan	贊成 YES
張國柱 CHEUNG Kwok-che	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
葉偉明 IP Wai-ming	贊成 YES	黃美芬 Dr Priscilla LEUNG	棄權 ABSTAIN
葉國謙 IP Kwok-him	贊成 YES	黃成智 WONG Sing-chi	贊成 YES
潘佩璆 Dr PAN Pey-chyou		黃國健 WONG Kwok-kin	贊成 YES
謝偉俊 Paul TSE		黃毓民 WONG Yuk-man	贊成 YES
譚偉豪 Dr Samson TAM		葉劉淑儀 Mrs Regina IP	贊成 YES