

LEGISLATIVE COUNCIL

MINUTES

No. 18

Minutes of the meeting held on Wednesday 24 February 2010 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, SBS, JP

Dr the Hon Margaret NG

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon CHAN Kam-lam, SBS, JP

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

The Hon LEUNG Yiu-chung

Dr the Hon Philip WONG Yu-hong, GBS

The Hon WONG Yung-kan, SBS, JP

The Hon LAU Kong-wah, JP

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

The Hon Miriam LAU Kin-yee, GBS, JP

The Hon Emily LAU Wai-hing, JP

The Hon Andrew CHENG Kar-foo

The Hon 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 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, SBS, JP

The Hon Jeffrey LAM Kin-fung, SBS, JP

The Hon Andrew LEUNG Kwan-yuen, SBS, JP

The Hon CHEUNG Hok-ming, GBS, JP

The Hon WONG Ting-kwong, BBS, JP

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

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 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

Member absent:

The Hon Timothy FOK Tsun-ting, GBS, JP

Public officers attending:

The Hon Henry TANG Ying-yen, GBM, 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, GBS, JP
Secretary for Constitutional and Mainland Affairs

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

Dr the Hon York CHOW Yat-ngok, GBS, 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

The Hon Mrs Rita LAU NG Wai-lan, 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

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. Prisons (Amendment) Order 2010 (gazetted on 5.2.2010)	13/2010
2. Immigration (Places of Detention) (Amendment) Order 2010 (gazetted on 5.2.2010)	14/2010
3. Immigration (Treatment of Detainees) (Amendment) Order 2010 (gazetted on 5.2.2010)	15/2010
4. Smoking (Public Health) Ordinance (Amendment of Schedule 2) Order 2010 (gazetted on 5.2.2010)	16/2010
5. Occupational Deafness (Compensation) (Amendment) Ordinance 2010 (Commencement) Notice (gazetted on 19.2.2010)	17/2010

Other Papers

- No. 68 - Education Scholarships Fund
Audited statement of accounts together with the Auditor's report and Trustee's report on the administration of the Fund for the year ended 31 August 2009 (published on 11.2.2010)
- No. 69 - Audited statement of accounts and report on activities of the Hong Kong Examinations and Assessment Authority for the year ended 31 August 2009 (published on 11.2.2010)
- No. 70 - Hong Kong Arts Development Council Annual Report 2008/09 (published on 11.2.2010)
- No. 71 - Li Po Chun Charitable Trust Fund
Signed and audited financial statements together with the Auditor's report and report by the Trustee on the Administration of the Fund for the year ended 31 August 2009 (published on 22.2.2010)
- No. 72 - Estimates
for the year ending 31 March 2011
Volume IA - General Revenue Account
Volume IB - General Revenue Account
(published on 24.2.2010)

No. 73 - Estimates
for the year ending 31 March 2011
Volume II - Fund Accounts
(published on 24.2.2010)

Report No. 5/09-10 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (published on 22.2.2010)

Questions

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

Bills

First Reading

Appropriation Bill 2010

The Bill was 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

Appropriation Bill 2010

The Financial Secretary moved the Second Reading and delivered his Budget speech.

Question on the Second Reading proposed. In accordance with Rules 67 and 71 of the Rules of Procedure, the President adjourned the debate on the second reading of the Bill and referred the Estimates to the Finance Committee for examination.

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

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

RESOLVED that in relation to the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice, published in the Gazette as Legal Notice No. 6 of 2010 and laid on the table of the Legislative Council on 27 January 2010, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 17 March 2010.

Question on the motion proposed, put and agreed to.

Proposed resolution under the Interpretation and General Clauses Ordinance

Hon LI Fung-ying moved the following motion and spoke on the motion:

RESOLVED that in relation to the Census and Statistics (Annual Earnings and Hours Survey) Order, published in the Gazette as Legal Notice No. 7 of 2010 and laid on the table of the Legislative Council on 27 January 2010, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 17 March 2010.

Question on the motion proposed, put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 3 March 2010 at 11:00 am.

The Council was adjourned at 12:53 pm.

(Jasper TSANG Yok-sing)
President
15 March 2010

Council Chamber
Hong Kong