

LEGISLATIVE COUNCIL

MINUTES

No. 32

**Minutes of the meeting held on Wednesday 23 June 2010 at 11:00 am,
Thursday 24 June 2010 at 9:00 am and Friday 25 June 2010 at 9:00 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-yea, 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 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-ye, GBS, JP

Dr the Hon PAN Pey-chyou

The Hon Paul TSE Wai-chun

Dr the Hon Samson TAM Wai-ho, JP

The Hon Alan LEONG Kah-kit, SC

The Hon LEUNG Kwok-hung

The Hon Tanya CHAN

The Hon Albert CHAN Wai-yip

The Hon WONG Yuk-man

Public officers attending:

On 23.6.2010, 24.6.2010 and 25.6.2010

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 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

Dr Kitty POON Kit, 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

On 23.6.2010 and 24.6.2010

The Hon TSANG Tak-sing, JP
Secretary for Home Affairs

Miss Adeline WONG Ching-man, JP
Under Secretary for Constitutional and Mainland Affairs

On 25.6.2010

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

Clerks in attendance:

On 23.6.2010 and 24.6.2010

Ms Pauline NG Man-wah, Secretary General

On 23.6.2010 and 25.6.2010

Mrs Percy MA, Assistant Secretary General (Special Duties)

On 23.6.2010, 24.6.2010 and 25.6.2010

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

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

On 24.6.2010

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

Tabling of Papers

The following papers were laid on the table pursuant to Rule 21(2) of the Rules of Procedure:

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Employees Retraining Ordinance (Amendment of Schedule 2) (No. 2) Notice 2010 (gazetted on 11.6.2010)	76/2010
2. Import and Export (Strategic Commodities) Regulations (Amendment of Schedules 1 and 2) Order 2010 (Commencement) Notice (gazetted on 11.6.2010)	77/2010
3. Waste Disposal (Clinical Waste) (General) Regulation (gazetted on 18.6.2010)	83/2010
4. Waste Disposal (Charge for Disposal of Clinical Waste) Regulation (gazetted on 18.6.2010)	84/2010
5. Child Abduction and Custody (Parties to Convention) (Amendment) Order 2010 (gazetted on 18.6.2010)	85/2010
6. Designation of Libraries (No. 3) Order 2010 (gazetted on 18.6.2010)	86/2010
7. Waste Disposal (Amendment) Ordinance 2006 (Commencement) Notice 2010 (gazetted on 18.6.2010)	87/2010

Other Papers

- No. 99 - Clothing Industry Training Authority Annual Report 2009 (published on 15.6.2010)
- No. 100 - The Standing Committee on Legal Education and Training Annual Report 1 January 2009 to 31 December 2009 (published on 15.6.2010)
- No. 101 - Securities and Futures Commission Annual Report 2009-10 (published on 23.6.2010)

Report No. 14/09-10 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (published on 17.6.2010)

Report of the Subcommittee on Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012 (published on 21.6.2010)

Addresses

Hon TAM Yiu-chung, Chairman of the Subcommittee on Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012, addressed the Council on the Subcommittee's Report.

Questions

1. Hon Alan LEONG asked Question 1.

The Secretary for Constitutional and Mainland Affairs replied.

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

2. Hon Albert CHAN asked Question 2.

The Secretary for Security replied.

Six Members asked supplementary questions and the Secretary for Security replied.

3. Dr Hon Joseph LEE asked Question 3.

The Secretary for Labour and Welfare replied.

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

4. Hon Tanya CHAN asked Question 4.

The Secretary for Home Affairs replied.

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

5. Hon LEUNG Kwok-hung asked Question 5.

While Hon LEUNG Kwok-hung was asking his question, the President left the chair at 12:38 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

The Secretary for Labour and Welfare replied.

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

6. Hon WONG Kwok-hing asked Question 6.

The Secretary for Labour and Welfare replied.

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

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

Bills

First Reading

Supplementary Appropriation (2009-2010) Bill

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

Supplementary Appropriation (2009-2010) Bill

The Secretary for Financial Services and the Treasury moved the Second Reading and spoke on the Bill.

At 1:22 pm, while the Secretary for Financial Services and the Treasury was speaking, the President resumed the chair.

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

Motions

When the Secretary for Constitutional and Mainland Affairs was called upon to move the Motion concerning the Amendment to the Method for the Selection of the Chief Executive, Hon Audrey EU raised a point of order requesting the President to direct that the Motion concerning the Amendment to the Method for the Selection of the Chief Executive and the Motion concerning the Amendment to the Method for the Formation of the Legislative Council and its Voting Procedures, which were to be moved at the Council meeting, should be referred to the Subcommittee on Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012 under the House Committee for further deliberation and consideration, in the light of the recent significant development. Ms EU added that Rule 29 of the Rules of Procedure should be observed and since the contents of the two motions to be moved at the Council meeting were different from the versions considered and discussed by the public and the Subcommittee of this Council, she was of the view that the Government should be required to give this Council 12 clear days of notice under Rule 29 of the Rules of Procedure.

Dr Hon Margaret NG also raised a point of order that the Chairman of the House Committee should be consulted given the significant changes made to the contents of the motion.

The President said that he would suspend the meeting and consider the points of order.

The President suspended the meeting at 1:35 pm.

The Council resumed at 1:43 pm.

In respect of the points of order raised by Hon Audrey EU and Dr Hon Margaret NG, the President stated that in accordance with Rule 54(5) of the Rules of Procedure, for a bill to resume the second reading debate, one of the requirements was that the Member concerned or the public officer who was in charge of the bill should, after consultation with the Chairman of the House Committee, give notice to the Clerk to the Legislative Council.

The President added that Rule 54 of the Rules of Procedure stipulated the arrangements for resumption of the Second Reading of bills, while those for the giving of notice for motions were set out in Rule 29, not Rule 54. The President stated that under Rule 29(1), the notice requirement for a motion was not less than 12 clear days before the day on which the motion was to be moved. The President said that the Administration had given notice of the aforesaid motions 12 clear days before the Council meeting. As regards the development which had taken place, it did not affect the contents of the motions presented before the Council and to be moved by the Secretary for Constitutional and Mainland Affairs. The contents were the same as those in the motions for which notice was given by the Administration 12 clear days ago; hence there was no breach of Rule 29 of the Rules of Procedure.

Hon Albert CHAN and Dr Hon Margaret NG sought clarification from the President on his ruling regarding the contents of the motions and the application of Rule 29 of the Rules of Procedure. The President reiterated that unless a consensus had been reached by Members that specific amendments should be made to the Rules of Procedure to stipulate what else should be considered other than the wording of the motions to deem that notice had been given, notifications given in compliance with the Rules of Procedure were deemed to be notice given.

Motion concerning the Amendment to the Method for the Selection of the Chief Executive

The Secretary for Constitutional and Mainland Affairs moved the following motion and spoke on the motion:

Pursuant to Article 7 of Annex I to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the Interpretation by the Standing Committee of the National People's Congress of Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China of 6 April 2004, and the Decision of the Standing Committee of the National People's Congress on Issues relating to the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2012 and on Issues relating to Universal Suffrage of 29 December 2007, the "(Draft) Amendment to Annex I to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Concerning the Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region" appended to this Motion is hereby endorsed by this Council by a two-thirds majority of all Members.

Annex

**(Draft) Amendment to Annex I to the Basic Law
of the Hong Kong Special Administrative Region
of the People's Republic of China Concerning the
Method for the Selection of the Chief Executive of the
Hong Kong Special Administrative Region**

1. The Election Committee to elect the fourth term Chief Executive in 2012 shall be composed of 1200 members from the following sectors:

Industrial, commercial and financial sectors	300
The professions	300
Labour, social services, religious and other sectors	300
Members of the Legislative Council, representatives of members of the District Councils, representatives of the Heung Yee Kuk, Hong Kong deputies to the National People's Congress, and representatives of Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference	300

The term of office of the Election Committee shall be five years.

2. Candidates for the office of Chief Executive may be nominated jointly by not less than 150 members of the Election Committee. Each member may nominate only one candidate.

Question on the motion proposed.

The Chief Secretary for Administration spoke on the motion.

While the Chief Secretary for Administration was speaking, Hon LEUNG Kwok-hung sought elucidation of a point raised by the Chief Secretary for Administration in his speech. The Chief Secretary for Administration did not accede to the request and continued to speak.

Hon Cyd HO spoke on the motion and moved the following motion under Rule 40(1) of the Rules of Procedure:

That the debate on the Motion concerning the Amendment to the Method for the Selection of the Chief Executive be now adjourned.

The President stated that according Rule 40(1) of the Rules of Procedure, he should deal with Hon Cyd HO's motion first.

Question on Hon Cyd HO's motion proposed.

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

Ten Members and Hon LEUNG Kwok-hung spoke on the motion.

While Hon LEUNG Kwok-hung was speaking, the President had repeatedly reminded him that his speech should not deviate from the question under debate.

Another Member and Dr Hon Priscilla LEUNG speak on the motion.

While Dr Hon Priscilla LEUNG was speaking, the President reminded her that her speech should not deviate from the question under debate. While Dr LEUNG was continuing her speech, some people in the Public Gallery yelled noisily. The President asked them to keep quiet. As they ignored the President's direction, the President ordered them to leave the Chamber immediately. Pursuant to the President's order, the people concerned were escorted out of the Public Gallery by security staff.

Another Member and Hon WONG Yuk-man spoke on the motion.

While Hon WONG Yuk-man was speaking, the President reminded him that his speech should not deviate from the question under debate.

Another Member and Hon LEE Wing-tat spoke on the motion.

With the President's permission, Hon Paul TSE elucidated a point he had made earlier which he considered to be misunderstood by Hon LEE Wing-tat.

The Secretary for Constitutional and Mainland Affairs spoke again.

The Secretary for Justice spoke on the motion.

Hon Cyd HO replied.

The President stated that in accordance with the Rule 40(2) of Rules of Procedure, when a motion that the debate be now adjourned was agreed to, the debate on the question then before the Council should stand adjourned and the Council should proceed to the next item of business. If the motion that the debate be now adjourned was negatived, the Council would continue to debate the Motion concerning the Amendment to the Method for the Selection of the Chief Executive.

Question on Hon Cyd HO's motion put.

Hon Cyd HO 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, 30 were present, six were in favour of the motion and 24 against it; while among the Members returned by geographical constituencies through direct elections, 29 were present, 18 were in favour of the motion and 10 against it (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 motion was negatived.

The President stated that the Council continued to debate the Motion concerning the Amendment to the Method for the Selection of the Chief Executive.

Hon Albert HO spoke on the motion.

While Hon Albert HO was speaking, the President left the chair at 6:26 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Hon Ronny TONG spoke on the motion.

While Hon Ronny TONG was speaking, Hon LEUNG Kwok-hung and Hon Albert CHAN sought elucidation of some points raised by Hon Ronny TONG in his speech respectively. Hon Ronny TONG elucidated and continued to speak.

A Member and Hon Albert CHAN spoke on the motion.

While Hon Albert CHAN was speaking, Hon Albert HO sought elucidation of a point raised by Hon Albert CHAN in his speech. Hon Albert CHAN elucidated and continued to speak.

Another Member and Hon Andrew CHENG spoke on the motion.

At 7:35 pm, while Hon Andrew CHENG was speaking, the President resumed the chair.

Three more Members and Hon CHEUNG Man-kwong spoke on the motion.

While Hon CHEUNG Man-kwong was speaking, Hon LEUNG Kwok-hung sought elucidation of a point raised by Hon CHEUNG Man-kwong in his speech. Hon CHEUNG Man-kwong did not accede to the request and continued to speak.

Seven other Members spoke on the motion.

The President suspended the meeting at 10:10 pm.

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The Council resumed at 9:00 am on 24 June 2010.

Thirteen Members and Hon Starry LEE spoke on the motion.

While Hon Starry LEE was speaking, the President left the chair at 12:15 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Hon Fred LI spoke on the motion.

While Hon Fred LI was speaking, the President's Deputy reminded him that his speech should not deviate from the question under debate.

Four other Members and Hon KAM Nai-wai spoke on the motion.

At 1:35 pm, while Hon KAM Nai-wai was speaking, the President resumed the chair.

The Secretary for Justice spoke on the motion.

The Secretary for Constitutional and Mainland Affairs replied.

The President reminded Members that, under Article 7 of Annex I to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the motion required the endorsement of a two-thirds majority of all the Members of the Council.

Question on the motion put.

Hon Albert CHAN 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 there were 60 Members present, 46 were in favour of the motion and 13 against it (Voting record in **Appendix II**). Since the question was agreed by a two-thirds majority of all the Members of the Council, he declared that the motion was endorsed by a two-thirds majority of all the Members of the Council.

Motion concerning the Amendment to the Method for the Formation of the Legislative Council and its Voting Procedures

Secretary for Constitutional and Mainland Affairs moved the following motion and spoke on the motion:

Pursuant to Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the Interpretation by the Standing Committee of the National People's Congress of Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China of 6 April 2004, and the Decision of the Standing Committee of the National People's Congress on Issues relating to the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2012 and on Issues relating to Universal Suffrage of 29 December 2007, the "(Draft) Amendment to Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Concerning the Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and its Voting Procedures" appended to this Motion is hereby endorsed by this Council by a two-thirds majority of all Members.

Annex

**(Draft) Amendment to Annex II to the Basic Law
of the Hong Kong Special Administrative Region
of the People's Republic of China Concerning the
Method for the Formation of the Legislative Council of the
Hong Kong Special Administrative Region and its Voting Procedures**

The fifth term Legislative Council in the year 2012 shall be composed of 70 members, and the composition shall be as follows:

Members returned by functional constituencies	35
Members returned by geographical constituencies through direct elections	35

Question on the motion proposed.

The Chief Secretary for Administration spoke on the motion.

Seventeen Members and Hon Jeffrey LAM spoke on the motion.

While Hon Jeffrey LAM was speaking, the President left the chair at 6:12 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Six other Members and Hon Cyd HO spoke on the motion.

At 7:37 pm, while Hon Cyd HO was speaking, the President resumed the chair.

Nine more Members and Hon WONG Yung-kan spoke on the motion.

While Hon WONG Yung-kan was speaking, a man in the Public Gallery yelled noisily. The President ordered him to keep quiet.

The President suspended the meeting at 9:50 pm.

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The Council resumed at 9:00 am on 25 June 2010.

Hon WONG Yung-kan continued to speak on the motion.

Two Members and Hon CHIM Pui-chung spoke on the motion.

While Hon CHIM Pui-chung was speaking, Dr Hon Margaret NG raised a point of order that under the Rules of Procedure, Members were not allowed to impute improper motives to another Member. Dr NG was concerned that Mr CHIM had implied in his speech that some Members had some sort of motives or purposes.

Dr Hon Margaret NG further requested the President to rule whether Hon CHIM Pui-chung had imputed improper motives to her in his speech.

The President ruled that Hon CHIM Pui-chung had imputed improper motive to another Member of this Council in his speech and requested Mr CHIM to withdraw the remark concerned.

Hon CHIM Pui-chung had refused to withdraw the remark concerned.

Hon Paul TSE sought clarification from the President on the interpretation of Members imputing improper motives to another Member during Council meetings.

The President suspended the meeting at 9:50 am.

The Council resumed at 10:00 am.

The President said that under the Rules of Procedure, Members should not use offensive or insulting language about other Members and government officials, and should not impute improper motives to another Member. The President further said that when there were breaches of the Rules of Procedures or when Members stated that the Rules of Procedures had been breached, he would have to deal with the situation.

Hon CHIM Pui-chung indicated that he did not intend to impute any improper motives to Hon LEE Cheuk-yan and continued to speak.

Three other Members and Hon LAU Kong-wah spoke on the motion.

With the President's permission, Hon Alan LEONG elucidated a point he had made earlier which he considered to be misunderstood by Hon LAU Kong-wah.

Hon LEUNG Kwok-hung spoke on the motion.

While Hon LEUNG Kwok-hung was speaking, Hon CHIM Pui-chung requested the President to rule whether the remark made by Hon LEUNG Kwok-hung in his speech had imputed improper motives to Hon CHEUNG Man-kwong.

The President ruled that Hon LEUNG Kwok-hung did not impute improper motives to Hon CHEUNG Man-kwong.

While Hon LEUNG Kwok-hung was continuing his speech, Hon TAM Yiu-chung raised a point of order on whether Hon LEUNG Kwok-hung had used insulting language about Hon LAU Kong-wah.

The President said that he did not consider that Hon LEUNG Kwok-hung had breached the Rules of Procedure when making his speech. However, he reminded Hon LEUNG Kwok-hung that he should not use offensive or insulting language about other Members in his speech.

Hon LEUNG Kwok-hung continued to speak.

A Member and Hon Audrey EU spoke on the motion.

While Hon Audrey EU was speaking, the President left the chair at 11:50 am temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

With the President's Deputy's permission, Dr Hon PAN Pey-chyou elucidated a point he had made earlier which he considered to be misunderstood by Hon Audrey EU.

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

At 12:45 pm, while Hon Mrs Sophie LEUNG was speaking, the President resumed the chair.

The Secretary for Justice spoke on the motion.

The Secretary for Constitutional and Mainland Affairs replied.

While the Secretary for Constitutional and Mainland Affairs was speaking, Hon WONG Yuk-man and Hon LEUNG Kwok-hung interrupted him. The President ordered them to sit down and stop speaking. Hon LEUNG Kwok-hung ignored the President's warning, and held a placard in his hand and walked towards the President. The President ordered him to withdraw from the Chamber immediately. Pursuant to the President's order, Hon LEUNG Kwok-hung was escorted out of the Chamber by the Clerk and security staff.

The Secretary for Constitutional and Mainland Affairs continued to speak.

Question on the motion put.

Hon Andrew CHENG 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 there were 59 Members present, 46 were in favour of the motion and 12 against it (Voting record in **Appendix III**). Since the question was agreed by a two-thirds majority of all the Members of the Council, he declared that the motion was endorsed by a two-thirds majority of all the Members of the Council.

Hon Albert CHAN stood up to speak. He expressed strong dissatisfaction with the voting result, and then walked out of the meeting in protest of the passage of the motion.

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

Hon Miriam LAU moved the following motion and spoke on the motion:

RESOLVED that in relation to the Tate's Cairn Tunnel Ordinance (Amendment of Schedule) Notice 2010, published in the Gazette as Legal Notice No. 67 of 2010 and laid on the table of the Legislative Council on 26 May 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 14 July 2010.

Question on the motion proposed, put and agreed to.

Motion under Rule 49E(2) of the Rules of Procedure

Hon Miriam LAU moved the following motion and spoke on the motion:

That this Council takes note of Report No. 14/09-10 of the House Committee laid on the Table of the Council on 23 June 2010 in relation to the subsidiary legislation and instrument(s) as listed below:

<u>Item Number</u>	<u>Title of Subsidiary Legislation or Instrument</u>
(1)	Fugitive Offenders (South Africa) Order (L.N. 43/2010).

Question on the motion proposed.

Hon James TO spoke on the motion as the Chairman of the Subcommittee on Fugitive Offenders (South Africa) Order and Mutual Legal Assistance in Criminal Matters (South Africa) Order.

The Secretary for Security spoke on the motion.

The President stated that in accordance with Rule 49E(9) of the Rules of Procedure, he would not put any question on the motion.

Legislating for 'standard working hours'

Dr Hon LEUNG Ka-lau moved the following motion and spoke on the motion:

That, as Hong Kong is in general an affluent and civilized society, yet some employees still need to work long hours, adversely affecting their personal health and family life and giving rise to many social problems, this Council urges the Government to legislate for 'standard working hours' according to the principles of fairness, flexibility, and having regard to the business environment and competitiveness of Hong Kong.

Question on Dr Hon LEUNG Ka-lau's motion proposed.

The President stated that five Members intended to move amendments to the motion. Since Hon LEUNG Kwok-hung could not attend the meeting and move his amendment, four Members would move amendments to the motion. In accordance with the Rules of Procedure, the motion and the amendments would be debated together in a joint debate.

Hon WONG Sing-chi, who would move an amendment, spoke on the motion and the amendments.

While Hon WONG Sing-chi was speaking, the President left the chair at 2:00 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Hon IP Wai-ming, Hon LI Fung-ying and Hon LEE Cheuk-yan, who intended to move amendments, spoke on the motion and the amendments.

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

Fifteen Members spoke on the motion and the amendments.

Dr Hon LEUNG Ka-lau spoke on the amendments.

The Secretary for Labour and Welfare spoke again.

Hon WONG Sing-chi moved the following amendment to Dr Hon LEUNG Ka-lau's motion:

To delete "as Hong Kong" after "That," and substitute with "an ideal life pattern should allow an even distribution of time for work, rest and activities to facilitate a balanced development of the various aspects of a person; however, while Hong Kong nowadays"; to delete "yet" after "society,,"; to add "; in this connection" after "social problems"; and to add ", stipulating that the 'standard working hours' be 44 hours per week with overtime pay at a rate of not less than 1.25 times of the normal pay, and that exemption may be granted to employees of certain industries in the light of the specificity of their work, so as to protect the employees' rights; at the same time, the Government should also proactively implement family-friendly policies, which are closely related to the objectives of stipulating 'standard working hours', to promote work-life balance" immediately before the full stop.

Question on Hon WONG Sing-chi's amendment to Dr Hon LEUNG Ka-lau's motion proposed and put.

Hon IP Kwok-him claimed a division. The President's Deputy then ordered the Council to proceed to a division under Rule 47(1) of the Rules of Procedure.

The President's Deputy announced that among the Members returned by functional constituencies, 22 were present, eight were in favour of the amendment, seven against it and six abstained; while among the Members returned by geographical constituencies through direct elections, 20 were present, 15 were in favour of the amendment, one against it and four abstained (voting record in **Appendix IV**). Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Hon Fred LI rose to move the following motion without notice:

That in the event of further divisions in relation to the motion on “Legislating for ‘standard working hours’ ” 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 IP Wai-ming moved the following amendment to Dr Hon LEUNG Ka-lau’s motion:

To delete “as” after “That,” and substitute with “although”; to delete “yet some” after “society,” and substitute with “many”; to delete “adversely affecting” after “long hours,” and substitute with “or even work overtime without compensation, which is not only unfair to them but also adversely affects”; to delete “and” after “family life” and substitute with “;”; to add “; in this connection” after “social problems”; and to delete “and having regard to the business environment and competitiveness of Hong Kong” immediately before the full stop and substitute with “protection of the employees’ rights and facilitation of Hong Kong’s economic development, which should include: (a) to set the standard working hours at eight hours per day or 44 hours per week; (b) to provide employees with a 30-minute break for every six hours of continuous work; (c) to give financial compensation to employees for overtime work; (d) to strictly enforce the regulations on rest days, statutory holidays and paid annual leave to prevent employers from requiring employees to take such holidays as compensation for overtime work; and (e) to amend the Employment Ordinance to include all general holidays other than Sundays as statutory holidays, so as to standardize the basis for calculating working hours”.

Question on Hon IP Wai-ming’s amendment to Dr Hon LEUNG Ka-lau’s motion proposed and put.

Hon Tommy CHEUNG claimed a division. The President’s Deputy then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President’s Deputy announced that among the Members returned by functional constituencies, 22 were present, seven were in favour of the amendment, nine against it and five abstained; while among the Members returned by geographical constituencies through direct elections, 20 were present, 15 were in favour of the amendment, one against it and four abstained (voting record in **Appendix V**). Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Hon LI Fung-ying moved the following amendment to Dr Hon LEUNG Ka-lau’s motion:

To delete “in general an affluent and civilized society, yet some” after “Hong Kong is” and substitute with “an economically developed city, yet most”; and to delete “principles of fairness, flexibility, and having regard to the business environment and competitiveness of Hong Kong” immediately before the full stop and substitute with “people-oriented principle to ensure a work-rest balance for employees”.

Question on Hon LI Fung-ying’s amendment to Dr Hon LEUNG Ka-lau’s motion proposed and put.

Hon Tommy CHEUNG claimed a division. The President’s Deputy then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President’s Deputy announced that among the Members returned by functional constituencies, 23 were present, 13 were in favour of the amendment, four against it and five abstained; while among the Members returned by geographical constituencies through direct elections, 20 were present, 18 were in favour of the amendment, one against it and one abstained (voting record in **Appendix VI**). Since the question was agreed by a majority of each of the two groups of Members present, she declared that the amendment was passed.

As Hon LI Fung-ying’s amendment had been passed, the President’s Deputy granted leave for Hon LEE Cheuk-yan to revise the terms of his amendment.

Hon LEE Cheuk-yan moved the following further amendment to Dr Hon LEUNG Ka-lau’s motion as amended by Hon LI Fung-ying, and explained the revised terms of his amendment to the Council:

To add “; in addition, ‘standard working hours’ should include ‘overtime premium’ and ‘a minimum daily rest period’ ” immediately before the full stop.

Question on Hon LEE Cheuk-yan’s amendment to Dr Hon LEUNG Ka-lau’s motion as amended by Hon LI Fung-ying proposed and put.

Hon LEE Cheuk-yan claimed a division. The President’s Deputy then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President’s Deputy announced that among the Members returned by functional constituencies, 21 were present, eight were in favour of the amendment, six against it and six abstained; while among the Members returned by geographical constituencies through direct elections, 20 were present, 15 were in favour of the amendment, one against it and four abstained (voting record in **Appendix VII**). Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Dr Hon LEUNG Ka-lau replied.

Question on Dr Hon LEUNG Ka-lau's motion as amended by Hon LI Fung-ying put.

Hon Vincent FANG claimed a division. The President's Deputy then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President's Deputy announced that among the Members returned by functional constituencies, 22 were present, 13 were in favour of the motion as amended, four against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 21 were present, 19 were in favour of the motion as amended, one against it and one abstained (voting record in **Appendix VIII**). Since the question was agreed by a majority of each of the two groups of Members present, she declared that the motion as amended was passed.

Assisting the sustainable development of small and medium enterprises

Dr Hon LAM Tai-fai moved the following motion and spoke on the motion:

That, given the weak economies and high unemployment rates of Europe and the United States, as well as the various concerns and uncertainties in the external economic environment and the failure of Hong Kong's economy to make a full recovery, coupled with factors such as fierce market competition and soaring costs, etc., the small and medium enterprises ('SMEs') in Hong Kong are facing an operating environment which is becoming increasingly difficult when they operate their businesses in the local, Mainland or overseas markets; in this connection, this Council urges the Government to formulate strategies and measures to comprehensively improve the business environment, and assist SMEs in various aspects such as reducing expenses on operating costs, financing, continuously developing the local, export and China's domestic sales markets, upgrading and transformation, product exploration, brand development and manpower training, etc., with a view to fostering the sustainable development of Hong Kong's economy and increasing employment opportunities for the community.

Question on Dr Hon LAM Tai-fai's motion proposed.

The President's Deputy stated that since Hon Albert CHAN had withdrawn his amendment, 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 Jeffrey LAM, who would move an amendment, spoke on the motion and the amendments.

At 5:12 pm, while Hon Jeffrey LAM was speaking, the President resumed the chair.

Hon Vincent FANG, who would move an amendment, spoke on the motion and the amendments.

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

Three Members spoke on the motion and the amendments.

Dr Hon LAM Tai-fai spoke on the amendments.

The Secretary for Commerce and Economic Development spoke again.

Hon Jeffrey LAM moved the following amendment to Dr Hon LAM Tai-fai's motion:

To delete "given" after "That,."; to add "financial tsunami has resulted in" before "weak economies"; to add "promoting green production, deploying resources to develop emerging markets," after "financing,."; to add "and research and development" after "product exploration"; and to add "as well as make use of the Mainland and Hong Kong Closer Economic Partnership Arrangement and the Framework Agreement on Hong Kong/Guangdong Co-operation," after "manpower training, etc.,".

Question on Hon Jeffrey LAM's amendment to Dr Hon LAM Tai-fai's motion proposed, put and agreed to.

As Hon Jeffrey LAM's amendment had been passed, the President granted leave for Hon Vincent FANG to revise the terms of his amendment.

Hon Vincent FANG moved the following further amendment to Dr Hon LAM Tai-fai's motion as amended by Hon Jeffrey LAM, and explained the revised terms of his amendment to the Council:

To add "implement a simple and accommodative taxation policy, adopt effective measures to boost the domestic consumption market, and in respect of the investments and inputs made by SMEs which are conducive to their sustainable development, such as scientific research, innovation and design, new market development, creation of additional employment opportunities due to business expansion, etc., provide SMEs with initiative-enhancing incentives such as tax concessions or rebates, etc., as well as when formulating new policies, comprehensively consult SMEs and minimize the impact on them as far as possible, or provide resources to assist the affected enterprises," before "with a view".

Question on Hon Vincent FANG's amendment to Dr Hon LAM Tai-fai's motion as amended by Hon Jeffrey LAM proposed, put and agreed to.

Question on Dr Hon LAM Tai-fai's motion as amended by Hon Jeffrey LAM and Hon Vincent FANG put and agreed to.

Next meeting

The President declared that the next meeting of the Council would be held on 30 June 2010 at 11:00 am.

The Council was adjourned at 6:29 pm.

(Jasper TSANG Yok-sing)
President
27 October 2010

Council Chamber
Hong Kong

投票 VOTE: 1
 日期 DATE: 23/06/2010
 時間 TIME: 06:23:33 下午pm

動議 MOTION: 就修改行政長官產生辦法提出的議案的辯論，根據《議事規則》第40(1)條動議，現即將辯論中止待續的議案
 MOTION UNDER RULE 40(1) OF THE RULES OF PROCEDURE THAT THE DEBATE ON THE MOTION CONCERNING THE AMENDMENT TO THE METHOD FOR THE SELECTION OF THE CHIEF EXECUTIVE BE NOW ADJOURNED

動議人 MOVED BY: 何秀蘭 Cyd HO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	30	29	
投票 Vote	30	28	
贊成 Yes	6	18	
反對 No	24	10	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

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

投票 VOTE: 2
日期 DATE: 24/06/2010
時間 TIME: 02:26:10 下午pm

動議 MOTION: 就修改行政長官產生辦法提出的議案
MOTION CONCERNING THE AMENDMENT TO THE METHOD FOR THE SELECTION OF
THE CHIEF EXECUTIVE

動議人 MOVED BY: 政制及內地事務局局長 Secretary for Constitutional and Mainland Affairs

出席 Present :60
投票 Vote :59
贊成 Yes :46
反對 No :13
棄權 Abstain :0
結果 Result :通過 Passed

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

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

William Lam

秘書 CLERK

投票 VOTE: 3
日期 DATE: 25/06/2010
時間 TIME: 01:28:00 下午pm

動議 MOTION: 就修改立法會產生辦法和表決程序提出的議案
MOTION CONCERNING THE AMENDMENT TO THE METHOD FOR THE FORMATION OF
THE LEGISLATIVE COUNCIL AND ITS VOTING PROCEDURES

動議人 MOVED BY: 政制及內地事務局局長 Secretary for Constitutional and Mainland Affairs

出席 Present :59
投票 Vote :58
贊成 Yes :46
反對 No :12
棄權 Abstain :0
結果 Result :通過 Passed

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

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

秘書 CLERK

投票 VOTE: 4
日期 DATE: 25/06/2010
時間 TIME: 04:39:22 下午pm

動議 MOTION: 黃成智議員對梁家驩議員的「立法規定'標準工時'」議案作出的修正案
AMENDMENT BY HON WONG SING-CHI TO DR HON LEUNG KA-LAU'S MOTION ON
"LEGISLATING FOR 'STANDARD WORKING HOURS' "

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	22	20	
投票 Vote	21	20	
贊成 Yes	8	15	
反對 No	7	1	
棄權 Abstain	6	4	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

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

秘書 CLERK

投票 VOTE: 5
日期 DATE: 25/06/2010
時間 TIME: 04:42:53 下午pm

動議 MOTION: 葉偉明議員對梁家驩議員的「立法規定'標準工時'」議案作出的修正案
AMENDMENT BY HON IP WAI-MING TO DR HON LEUNG KA-LAU'S MOTION ON
"LEGISLATING FOR 'STANDARD WORKING HOURS' "

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	22	20	
投票 Vote	21	20	
贊成 Yes	7	15	
反對 No	9	1	
棄權 Abstain	5	4	
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	
李國寶 Dr David LI		何俊仁 Albert HO	贊成 YES
吳靄儀 Dr Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG		陳鑑林 CHAN Kam-lam	棄權 ABSTAIN
黃容根 WONG Yung-kan	棄權 ABSTAIN	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	出席 PRESENT	劉慧卿 Emily LAU	
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK		譚耀宗 TAM Yiu-chung	棄權 ABSTAIN
李鳳英 LI Fung-ying	贊成 YES	馮檢基 Frederick FUNG	
張宇人 Tommy CHEUNG	反對 NO	余若薇 Audrey EU	贊成 YES
方剛 Vincent FANG	反對 NO	王國興 WONG Kwok-hing	贊成 YES
李國麟 Dr Joseph LEE	贊成 YES	李永達 LEE Wing-tat	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	張學明 CHEUNG Hok-ming	
梁君彥 Andrew LEUNG	反對 NO	湯家驊 Ronny TONG	贊成 YES
黃定光 WONG Ting-kwong	棄權 ABSTAIN	甘乃威 KAM Nai-wai	贊成 YES
詹培忠 CHIM Pui-chung		何秀蘭 Cyd HO	贊成 YES
劉秀成 Prof Patrick LAU	反對 NO	李慧琼 Starry LEE	
林大輝 Dr LAM Tai-fai	反對 NO	陳克勤 CHAN Hak-kan	棄權 ABSTAIN
陳茂波 Paul CHAN		梁美芬 Dr Priscilla LEUNG	棄權 ABSTAIN
陳健波 CHAN Kin-por	棄權 ABSTAIN	黃成智 WONG Sing-chi	贊成 YES
梁家驩 Dr LEUNG Ka-lau	贊成 YES	黃國健 WONG Kwok-kin	贊成 YES
張國柱 CHEUNG Kwok-che		葉劉淑儀 Mrs Regina IP	
葉偉明 IP Wai-ming	贊成 YES	梁家傑 Alan LEONG	贊成 YES
葉國謙 IP Kwok-him	棄權 ABSTAIN	梁國雄 LEUNG Kwok-hung	
潘佩璆 Dr PAN Pey-chyou	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
謝偉俊 Paul TSE	棄權 ABSTAIN	陳偉業 Albert CHAN	
譚偉豪 Dr Samson TAM		黃毓民 WONG Yuk-man	

秘書 CLERK

投票 VOTE: 6
日期 DATE: 25/06/2010
時間 TIME: 04:45:13 下午pm

動議 MOTION: 李鳳英議員對梁家驊議員的「立法規定'標準工時'」議案作出的修正案
AMENDMENT BY HON LI FUNG-YING TO DR HON LEUNG KA-LAU'S MOTION ON
"LEGISLATING FOR 'STANDARD WORKING HOURS' "

動議人 MOVED BY: 李鳳英 LI Fung-ying

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	20	
投票 Vote	22	20	
贊成 Yes	13	18	
反對 No	4	1	
棄權 Abstain	5	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	
李國寶 Dr David LI		何俊仁 Albert HO	贊成 YES
吳靄儀 Dr Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	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	贊成 YES	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	出席 PRESENT	劉慧卿 Emily LAU	
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK		譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 LI Fung-ying	贊成 YES	馮檢基 Frederick FUNG	
張宇人 Tommy CHEUNG	反對 NO	余若薇 Audrey EU	贊成 YES
方剛 Vincent FANG	反對 NO	王國興 WONG Kwok-hing	贊成 YES
李國麟 Dr Joseph LEE	贊成 YES	李永達 LEE Wing-tat	贊成 YES
林健鋒 Jeffrey LAM	棄權 ABSTAIN	張學明 CHEUNG Hok-ming	
梁君彥 Andrew LEUNG	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	甘乃威 KAM Nai-wai	贊成 YES
詹培忠 CHIM Pui-chung		何秀蘭 Cyd HO	贊成 YES
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	李慧琼 Starry LEE	
林大輝 Dr LAM Tai-fai	反對 NO	陳克勤 CHAN Hak-kan	贊成 YES
陳茂波 Paul CHAN	贊成 YES	梁美芬 Dr Priscilla LEUNG	棄權 ABSTAIN
陳健波 CHAN Kin-por	贊成 YES	黃成智 WONG Sing-chi	贊成 YES
梁家驊 Dr LEUNG Ka-lau	贊成 YES	黃國健 WONG Kwok-kin	贊成 YES
張國柱 CHEUNG Kwok-che		葉劉淑儀 Mrs Regina IP	
葉偉明 IP Wai-ming	贊成 YES	梁家傑 Alan LEONG	贊成 YES
葉國謙 IP Kwok-him	贊成 YES	梁國雄 LEUNG Kwok-hung	
潘佩璆 Dr PAN Pey-chyou	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
謝偉俊 Paul TSE	贊成 YES	陳偉業 Albert CHAN	
譚偉豪 Dr Samson TAM		黃毓民 WONG Yuk-man	

秘書 CLERK

投票 VOTE: 7
日期 DATE: 25/06/2010
時間 TIME: 04:48:53 下午pm

動議 MOTION: 李卓人議員對梁家驊議員就「立法規定'標準工時'」所提，經黃成智議員／葉偉明議員、
~~及／李鳳英議員、及／梁國雄議員~~修正的議案，作出的修正案
AMENDMENT BY HON LEE CHEUK-YAN TO DR HON LEUNG KA-LAU'S MOTION ON
"LEGISLATING FOR 'STANDARD WORKING HOURS' " AS AMENDED BY HON WONG SING
~~CHI / HON IP WAI-MING , /AND/ HON LI FUNG-YING /AND/ HON LEUNG KWOK-HUNG~~

動議人 MOVED BY: 李卓人 LEE Cheuk-yan

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	21	20	
投票 Vote	20	20	
贊成 Yes	8	15	
反對 No	6	1	
棄權 Abstain	6	4	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

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

秘書 CLERK

投票 VOTE: 8
日期 DATE: 25/06/2010
時間 TIME: 04:55:04 下午pm

動議 MOTION: 由梁家驩議員動議，經黃成智議員、葉偉明議員、及李鳳英議員、及梁國雄議員、及李卓人議員修正的「立法規定'標準工時'」議案
MOTION MOVED BY DR HON LEUNG KA-LAU ON "LEGISLATING FOR 'STANDARD WORKING HOURS' " AS AMENDED BY HON WONG SING-CHI / HON IP WAI-MING, /AND/ HON LI FUNG-YING, /AND/ HON LEUNG KWOK-HUNG /AND/ HON LEE CHEUK-YAN

動議人 MOVED BY: 梁家驩 Dr LEUNG Ka-lau

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	21	
投票 Vote	21	21	
贊成 Yes	13	19	
反對 No	4	1	
棄權 Abstain	4	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	
李國寶 Dr David LI		何俊仁 Albert HO	贊成 YES
吳靄儀 Dr Margaret NG	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
張文光 CHEUNG Man-kwong	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG	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	贊成 YES	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	出席 PRESENT	劉慧卿 Emily LAU	
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	贊成 YES
石禮謙 Abraham SHEK		譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 Li Fung-ying	贊成 YES	馮檢基 Frederick FUNG	
張宇人 Tommy CHEUNG	反對 NO	余若薇 Audrey EU	贊成 YES
方剛 Vincent FANG	反對 NO	王國興 WONG Kwok-hing	贊成 YES
李國麟 Dr Joseph LEE	贊成 YES	李永達 LEE Wing-tat	贊成 YES
林健鋒 Jeffrey LAM	棄權 ABSTAIN	張學明 CHEUNG Hok-ming	贊成 YES
梁君彥 Andrew LEUNG	棄權 ABSTAIN	湯家驊 Ronny TONG	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	甘乃威 KAM Nai-wai	贊成 YES
詹培忠 CHIM Pui-chung		何秀蘭 Cyd HO	贊成 YES
劉秀成 Prof Patrick LAU		李慧琼 Starry LEE	
林大輝 Dr LAM Tai-fai	反對 NO	陳克勤 CHAN Hak-kan	贊成 YES
陳茂波 Paul CHAN	贊成 YES	梁美芬 Dr Priscilla LEUNG	棄權 ABSTAIN
陳健波 CHAN Kin-por	贊成 YES	黃成智 WONG Sing-chi	贊成 YES
梁家驩 Dr LEUNG Ka-lau	贊成 YES	黃國健 WONG Kwok-kin	贊成 YES
張國柱 CHEUNG Kwok-che		葉劉淑儀 Mrs Regina IP	
葉偉明 IP Wai-ming	贊成 YES	梁家傑 Alan LEONG	贊成 YES
葉國謙 IP Kwok-him	贊成 YES	梁國雄 LEUNG Kwok-hung	
潘佩璆 Dr PAN Pey-chyou	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
謝偉俊 Paul TSE	贊成 YES	陳偉業 Albert CHAN	
譚偉豪 Dr Samson TAM		黃毓民 WONG Yuk-man	

秘書 CLERK