

立法會
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Finance Committee of the Legislative Council

**Minutes of the 6th meeting
held at the Legislative Council Chamber
on Thursday, 7 January 2010, at 2:15 pm**

Members present:

Hon Emily LAU Wai-hing, JP (Chairman)
Prof Hon Patrick LAU Sau-shing, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
Hon Fred LI Wah-ming, SBS, JP
Dr Hon Margaret NG
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon LEUNG Yiu-chung
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Miriam LAU Kin-yea, GBS, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Albert CHAN Wai-yip
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, SBS, JP

Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Dr Hon Joseph LEE Kok-long, SBS, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon CHEUNG Hok-ming, GBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon CHIM Pui-chung
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Hak-kan
Hon Paul CHAN Mo-po, MH, JP
Hon CHAN Kin-por, JP
Hon Tanya CHAN
Dr Hon Priscilla LEUNG Mei-fun
Hon CHEUNG Kwok-che
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS
Hon WONG Yuk-man
Hon IP Wai-ming, MH
Hon IP Kwok-him, GBS, JP
Dr Hon PAN Pey-chyou
Hon Paul TSE Wai-chun
Dr Hon Samson TAM Wai-ho, JP

Members absent:

Dr Hon David LI Kwok-po, GBM, GBS, JP
Hon Ronny TONG Ka-wah, SC
Dr Hon LEUNG Ka-lau
Hon Mrs Regina IP LAU Suk-ye, GBS, JP

Clerk in attendance:

Mrs Constance LI

Assistant Secretary General 1

Staff in attendance:

Mr Jimmy MA	Legal Adviser
Ms Anita SIT	Chief Council Secretary (1)5
Miss Joanne FONG	Senior Council Secretary (1)7
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Christy YAU	Legislative Assistant (1)1

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Item No. 1 –

Request from The Professional Commons for presentation of views at a meeting of the Finance Committee on 8 January 2010 on the Hong Kong section of Guangzhou–Shenzhen–Hong Kong Express Rail Link project

The Chairman said that the meeting was convened to consider the request of The Professional Commons for presentation of views at a meeting of the Finance Committee (FC) on 8 January 2010 on the Hong Kong section of Guangzhou–Shenzhen–Hong Kong Express Rail Link (XRL) project and the related arrangements if FC acceded to the request. The Chairman then briefed members on the relevant procedure for and the background to calling the meeting, as follows –

- (a) in accordance with Rule 71(12) of the Rules of Procedure (RoP), "the chairman (of FC) or the committee may invite any public officer, or, in the case of a head of the Estimates relating to a non-government body or organization, any member or employee of that body or organization to give information or any explanation or to produce any records or documents which the committee may require in the performance of its duties; and the committee may also invite any other person to assist the committee in relation to any such information, explanation, records or documents". The relevant provision was also set out in paragraph 17 of the Finance Committee Procedure (FC Procedure);
- (b) The Professional Commons requested, in its email dated 4 January 2010, to give a 30-minute presentation at a FC meeting on 8 January 2010 to further explain its proposal on the XRL project, so that FC members would have full information on the project for making a responsible decision on the Administration's funding proposals on the XRL project; and
- (c) as FC had scheduled three meetings after the House Committee meeting on 8 January 2010 to discuss the financial proposals on the XRL project and other items, if FC acceded to the request of The Professional Commons, consideration would be given to holding a

brief meeting with The Professional Commons after the House Committee meeting on 8 January 2010, followed by the three FC meetings scheduled to consider the Administration's proposals.

2. Mr WONG Kwok-hing said that this FC meeting clashed with the meeting of the Panel on Housing scheduled to start at 2:30 pm in the same afternoon. As he was the Chairman of the Panel on Housing, he would like to request that the Chairman order the ringing of the division bell when the Committee proceeded to a division, so that he and other Panel members could return to the FC meeting for voting. The Chairman agreed.

3. At the Chairman's invitation, the Clerk to the Finance Committee (the Clerk) recapitulated the procedural advice given by the Legislative Council (LegCo) Secretariat to the Chairman in respect of the request of The Professional Commons by making the following points –

- (a) as stipulated under Rule 71(12) of the RoP, it was the Committee, not the Chairman or any individual member, to consider and make a decision on inviting "any other person" to assist the Committee in relation to information or documents provided by public officers, as reflected in the second part of the Rule;
- (b) the request of The Professional Commons could be considered at a FC meeting or by circulation of a relevant paper. With regard to the latter option, paragraph 25 of the FC Procedure provided that "Where the Chairman so orders, any matter for the decision of the Committee may be considered by circulation of papers to the members of the Committee and each member may signify his approval in writing submitted to the Chairman. If a majority of the members so signify before the expiry of the period specified by the Chairman for the purpose, and if upon expiry of that period no member has (in writing submitted to the Chairman) signified disapproval of the matter or requested that the matter be referred for decision at a meeting of the Committee, it shall be deemed to be approved by the Committee."; and
- (c) as the request of The Professional Commons was received in the evening of 4 January 2010 and in anticipation that some members would seek to discuss the matter at a meeting, the Secretariat had suggested for the Chairman's consideration that a meeting could be held before the FC discussed the XRL project on 8 January 2010.

4. The Chairman invited members to note that a paper entitled "Chronology of events regarding request from The Professional Commons to the Subcommittee on Matters Relating to Railways for presentation of views" prepared by the Clerk to the Subcommittee on Matters Relating to Railways (Railways Subcommittee) was tabled

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at the meeting for members' reference. At the invitation of the Chairman, Ms Miriam LAU, Chairman of the Railways Subcommittee, said that the Subcommittee had held a series of meetings from May to November 2009 to discuss the XRL project. The "Chronology of events" prepared by the Secretariat listed out the events regarding the attendance of The Professional Commons at meetings of the Railways Subcommittee to present its views and proposal on the XRL project. In gist, The Professional Commons had attended two meetings of the Subcommittee, and gave a presentation of its proposal on the XRL project at one of the meetings. On 10 November 2009, The Professional Commons made a request to attend a further meeting of the Subcommittee to give a comprehensive response to the Administration's comments on its proposal. The Subcommittee considered the request at a subsequent meeting, and decided after discussion that it was not necessary to convene another meeting to receive further views from deputations including The Professional Commons.

5. In response to the Chairman's enquiry, Ms Miriam LAU further advised that on the day before this meeting, she received a message from the LegCo Secretariat that in view of the present request from The Professional Commons, the Chairman of FC had suggested the Railways Subcommittee consider convening a meeting for The Professional Commons to further explain its proposal. She had therefore instructed the Clerk to the Railways Subcommittee to consult individual members of the Subcommittee on whether they would agree to such arrangement. In the course of the consultation, she learned from the Clerk to the Railways Subcommittee that The Professional Commons had been contacted by the Secretariat and had indicated that it would only attend a FC meeting, but not a meeting of the Railways Subcommittee. On this understanding, she had directed the Clerk to the Railways Subcommittee to discontinue the consultation with Subcommittee members.

6. At the invitation of the Chairman, the Clerk reported that in the evening of 6 January 2010, the Clerk to the Railways Subcommittee liaised with The Professional Commons to enquire if it would attend a meeting of the Railways Subcommittee. During this verbal communication, The Professional Commons indicated that it would attend a FC meeting on 8 January 2010 rather than a meeting of the Railways Subcommittee. The Clerk to the Railways Subcommittee then requested The Professional Commons to give a written reply, and The Professional Commons responded by seeking clarification on some procedural matters and had not provided a written reply.

7. Regarding her suggestion for The Professional Commons to attend a further meeting of the Railways Subcommittee, the Chairman advised that it was a standing practice for a funding proposal to be discussed by the relevant Panel or committee before consideration by FC, and such panel/committee would also receive views of the public or the relevant parties in the course of its deliberation. On 6 January 2010, during a regular briefing held among the Chairman of FC, representatives from the Financial Services and the Treasury Bureau, and the Clerk, possible arrangements for handling the request of The Professional Commons were

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discussed. She had suggested at that briefing that the Chairman of the Railways Subcommittee be invited to consider holding a meeting before the FC meetings on 8 January 2010, for The Professional Commons to further explain its proposal. Her suggestion was made on the consideration that such a meeting of the Railways Subcommittee would meet the request of The Professional Commons which sought a forum to further explain to Members and the public its proposal on the XRL project. She later learned that Ms Miriam LAU, Chairman of the Railways Subcommittee, had agreed to consult members of the Subcommittee on her suggestion.

8. At the invitation of the Chairman, the Clerk informed members that The Professional Commons had sent in a facsimile message enquiring whether they would still be allowed to attend a FC meeting on 8 January 2010 if they attended a meeting of the Railways Subcommittee beforehand; whether all FC members would attend the presentation by The Professional Commons; and how FC would take forward its discussion of the XRL project. The Clerk further advised that according to the standing practice, if The Professional Commons agreed to attend a Railways Subcommittee meeting to present further views on the XRL project which was a funding proposal, all FC members would be invited to attend the Subcommittee meeting.

9. The Chairman said that although there was no precedent of FC inviting "any other person" to attend a FC meeting to assist the Committee in relation to the Administration's funding proposals, the Committee could decide to invite The Professional Commons to provide any necessary assistance in accordance with the relevant rules in the RoP and the FC Procedure. The Chairman then invited members to give views on the request of The Professional Commons. She said that she would put the matter to vote after discussion.

Discussion

10. Mr LAU Kong-wah said that given the substantial discussions on the XRL project in LegCo and the thorough deliberations of the views and proposal of The Professional Commons by the Railways Subcommittee at its meetings, it was inappropriate procedurally to hold a meeting specifically for The Professional Commons at this stage when the Public Works Subcommittee had already made its recommendations to FC on the funding proposals on the XRL project and FC was going to make decisions on the funding proposals. Mr LAU suggested that The Professional Commons should be invited to submit any further views/explanations it might have on the XRL project in writing to FC for consideration. Such an arrangement should apply to other bodies or organizations which had submitted their views on the XRL project to LegCo.

11. Dr Margaret NG expressed support for inviting The Professional Commons to give a 30-minute presentation to FC on 8 January 2010. She opined that it was worthwhile to provide a forum for The Professional Commons to clarify the comments made by the Administration on its proposal including criticisms on its

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professionalism, before FC proceeded to make decisions on the Administration's funding proposals. The time required for the presentation, i.e. 30 minutes, was not significant in relation to the scale of the XRL project. On Mr LAU Kong-wah's suggestion of requesting The Professional Commons to provide any further views/explanations in writing instead of attending a FC meeting, Dr NG commented that there were practical difficulties for The Professional Commons to fully explain its views and proposal in written form as numerous diagrams needed to be shown to members. On Mr LAU's suggestion for FC to also invite other bodies or organizations to submit their further views on the XRL project, Dr NG said that it was not necessary to do so because these bodies/organizations had not made such a request.

12. Ms Audrey EU said that it was in the best interest of the public for FC to provide an opportunity for The Professional Commons to clear the misunderstandings held by some members of the public about its proposal and to explain the inadequacies/problems of the West Kowloon Reclamation Development Traffic Study (the Traffic Study) commissioned by the Administration. Given the large number of image references needed to be used by The Professional Commons in explaining the road capacity, the traffic conditions, the traffic congestion problem and so on, it would certainly not be conducive to members' understanding of the issues if they had to visualize the explanations of The Professional Commons in words.

13. Mr LAU Kong-wah responded that the expert advice of The Professional Commons on the technical aspects of the XRL project was not unique and had indeed been considered by the Railways Subcommittee. Besides, despite the practical difficulties pointed out by Dr Margaret NG and Ms Audrey EU, hard copies of diagrammatic illustrations could be produced by The Professional Commons for members' reference. He appealed to members to adopt a pragmatic approach in dealing with the matter. He suggested that since the chairman of The Professional Commons was a member of the Civic Party, any further views on the XRL project from the body could be presented to FC via those FC members belonging to the Civic Party. This would also help address any concern about FC giving special treatment to a particular body.

14. Mr Andrew CHENG affirmed the support of the Democratic Party to the request of The Professional Commons to give a 30-minute presentation to FC on 8 January 2010. He commended The Professional Commons for its continued efforts to explain its proposal on the XRL project to concerned parties, despite that the suggestion of some LegCo Members for commissioning an independent consultant to conduct an assessment of the Administration's XRL project proposal vis-à-vis the proposal of The Professional Commons had been turned down. He further said that as the XRL project involved a huge sum of public funds, all parties including the Administration and LegCo should embrace different opinions on the matter at this critical stage. In his view, it was always beneficial to listen to professional advice from experts even after the funding proposals were approved.

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15. Mr LEE Cheuk-yan said that FC should listen to the views of The Professional Commons, which was allowed and provided for in the RoP, in order to arrive at responsible decisions on the Administration's funding proposals. He considered that the proposal of The Professional Commons was unique as it was founded on clear principles and supported by professional advice. It would be fair for FC to provide a forum for The Professional Commons to respond to the main criticisms against its proposal. Referring to Mr LAU Kong-wah's suggestion for members belonging to the Civic Party to provide written submissions on behalf of The Professional Commons, he opined that it was mistaken to confuse one's role in a professional body with that in a political party.

16. Mr Albert CHAN said that he was pleased to see that his suggestion made two years ago of locating the terminus of the Hong Kong section of the XRL at Kam Sheung Road was supported by a professional body. He commented that given the high costs of the project, it was ridiculous to deprive a professional body of an opportunity to put forward its views on the project to the Committee. Such an unprofessional approach of scrutinizing a funding proposal was far from satisfactory, especially when compared to the diligence demonstrated by the former LegCo in examining the funding proposals on the Airport Core Programme some 10 years ago. Mr CHAN further said that the reputation and credibility of LegCo would be tarnished if The Professional Commons was not given an opportunity to speak for itself on this occasion.

17. Dr PAN Peh-chyou said that members should assess whether it was necessary for FC to examine the technical aspects of the XRL project from scratch at this stage, and whether the concerns of some FC members on the project had already been addressed by other committees of LegCo. He however agreed that FC should listen to the views and advice of other persons who could assist the Committee in performing its duties. In this connection, the Committee should also consider inviting these other bodies, such as The Hong Kong Institution of Engineers and the "After 50" (五十後) professionals, to present their views to the Committee.

18. At 2:49 pm, when Mr Paul TSE started to speak, Mr CHIM Pui-chung started a conversation with Mr WONG Yuk-man. Mr CHIM soon left his seat and continued his conversation with Mr WONG. As the two members persisted in such behaviour even after the Chairman had repeatedly asked them to stop the conversation and return to their seats, the Chairman ordered that the meeting be suspended at 2:51 pm.

19. At 2:53 pm, the Chairman ordered that the meeting be resumed. She reminded members that if any member behaved disorderly and disregarded her direction to discontinue such disorderly behaviour, she would order the member to withdraw immediately from the Committee for the remainder of the meeting.

20. Speaking on the request of The Professional Commons, Mr Paul TSE questioned whether it was meaningful for the body to make a 30-minute presentation

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to FC, as this would achieve little purpose other than a show. He considered that The Professional Commons had already been given adequate opportunities to present its views and proposal on the XRL project at meetings of the relevant committee of LegCo. The Professional Commons's refusal to attend a meeting of the Railways Subcommittee and insistence to seek a tailor-made FC meeting to present their views showed that the body had little regard for the established practices of LegCo. It would set an undesirable precedent if the request of The Professional Commons was acceded to.

21. Mr LEUNG Kwok-hung was of the view that given the substantial cost of the XRL project, members should be allowed sufficient time to deliberate thoroughly the many volumes of related documents and relevant issues, and to hear views from deputations on the project. He considered that the Administration had acted irresponsibly in pushing through the funding proposals on the XRL project notwithstanding that many problems had yet to be resolved. In his view, it was appropriate for FC to listen to a concrete proposal from a professional body, which should have greater credibility than the MTR Corporation Limited and the Highways Department. It would also be irresponsible for FC to disregard the concerns of affected parties and the advice of professional bodies. He said that it was the responsibility of LegCo to provide a forum for engaging the public in the discussion of matters of public concern. He did not see any disadvantage of inviting The Professional Commons to attend a FC meeting on 8 January 2010. Mr LEUNG also supported Dr PAN Pey-chyou's suggestion of inviting also other bodies to attend the FC meeting to give their views on the XRL project.

22. Mr CHIM Pui-chung said that it was strange for FC to engage in a debate of this kind. The matter under discussion should have been thoroughly considered by the relevant Panel or committee. Although some members held the view that the matter should warrant exceptional treatment in view of the huge cost of the XRL project, he did not consider that the project cost was the crux of the matter. He doubted whether individual members would change their position on the matter after listening to a 30-minute presentation of The Professional Commons.

23. At 3:03 pm, the Chairman ordered that the meeting be extended by up to 15 minutes to 3:30 pm. In reply to Mr IP Kwok-him, the Chairman said that she would put the matter to vote before the end of the meeting. She also requested members to observe closely the three-minute speaking time limit.

24. Mr Albert HO said that as the XRL project involved a huge sum of public money, FC should consider the request of The Professional Commons as provided for under Rule 71(12) of the RoP. He did not consider that setting a precedent would be an overriding consideration. As the Railways Subcommittee had not accepted some Members' suggestion that LegCo should appoint a consultant to conduct an independent assessment of the Administration's proposals for the project, it would be desirable for FC members and the public to listen to the professional view of The Professional Commons before FC took a decision on the funding proposals on the

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XRL project. While he had no strong view about inviting other interested bodies to the FC meeting, he would suggest that only those holding different views from the Administration's proposals should be invited so that the public could have a better understanding of the pros and cons of the Administration's proposals.

25. Mr Alan LEONG expressed strong support for inviting The Professional Commons to present its views to FC on 8 January 2010. He said that it was legitimate and appropriate for FC to invite relevant bodies to attend its meetings to assist its deliberation of matters on the agenda, although there was no such precedent. The XRL project was exceptional in terms of the extent of public interest in the project, the breadth and depth of the social impact, the financial scope of the project, and also the extent of controversy as reported by the media and opinion polls. All these would warrant special treatment by FC. He also pointed out that there had been inadequate public consultation on the project, and it was only in the past four months that the public's attention was drawn to the XRL project. Given the mounting public sentiments against the project, he did not see why FC should not listen to other views such as those from The Professional Commons.

26. Mr LEUNG Yiu-chung said that the public had not been well informed of the project. It was only after the recent press reports on the clearance of Choi Yuen Tsuen for the XRL project that the public's attention was drawn to the XRL project. Moreover, affected residents in Tai Kok Tsui were invited only two months ago to attend a meeting held by the Administration informing them of how the XRL project would affect the underground strata of their buildings. Mr LEUNG considered that FC should exercise extra care in scrutinizing the XRL proposals in view of the huge costs of the project, the scale of public attention and the social impact. Since the community also had doubts on the cost-effectiveness of the XRL project, FC should adopt an open attitude and listen to different views in society. He therefore supported inviting The Professional Commons to give a presentation on its proposal on 8 January 2010, as this would also provide an opportunity for the Administration to explain the importance and value of the XRL project to the public.

27. Mrs Sophie LEUNG said that there were established rules and practices for FC to conduct its business, and members had been doing their best to perform their duties in accordance with the established rules and practices. As there had been substantial discussions of the XRL project at the Railways Subcommittee, including the views of The Professional Commons and its alternative proposal, it was time for FC to make decisions on the funding proposals for the project. She said that she had high regard for the professionals of The Professional Commons and she recognized the need to listen to different voices in society. However, she considered that FC should not fail the public expectation by risking delay in the XRL project. She remarked that The Professional Commons should resort to other means than seeking a 30-minute presentation at a FC meeting to clear criticisms against its proposal.

28. Ir Dr Raymond HO declared that he was an independent non-executive director of a company which might submit tenders in relation to the XRL project. He

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said that he had not participated in any discussion of matters or tender submission related to the XRL project. He pointed out that members of the Railways Subcommittee had considered a lot of information provided by the Administration on the XRL project, and the Subcommittee had also heard the views and proposal of The Professional Commons on the XRL project at two meetings. The Administration had made it clear that the proposal of The Professional Commons was only a conceptual proposal which was infeasible for implementation, and The Professional Commons had not provided a substantive response on this. There was also a press statement made by the "After 50" professionals that the counter-proposal of The Professional Commons was unprofessional. As the XRL project had been discussed for a long time, and much discussion was focused on the technical aspects of the project, Ir Dr HO was of the view that if FC was satisfied with the information provided by the Administration, it would not be necessary to invite The Professional Commons to a FC meeting for another presentation.

29. Ms Cyd HO expressed support for inviting concerned parties including The Professional Commons to present views to FC on the XRL project. This would provide a platform for all concerned parties and the public to make a fair judgement on whether the XRL project was value for money before FC took a decision on the funding proposals. She said that although the matter had been discussed at a series of meetings of the Railways Subcommittee, the public's attention and discussions on the XRL project only took place in the past few months.

30. Mr Albert CHAN recalled that FC had on one occasion invited Hyundai (韓國現代公司) to attend a FC meeting in relation to the Administration's comments on the company's tender results of the Tsing Ma Bridge project which was considered by FC in the early 1990s. However, the company had declined to attend the meeting.

(Post-meeting note: In response to the LegCo Secretariat's enquiry, the Administration had advised that according to available records, the funding proposal on Tsing Ma Bridge was discussed at the FC meeting on 15 May 1992, but there was no mention in the minutes of the meeting that FC had extended an invitation to Hyundai to attend a meeting. The Administration could not trace relevant correspondence on the said "invitation".)

Declaration of interests

31. The following members declared interests as follows –

- (a) Mr Abraham SHEK declared that he was a non-executive director of MTR Corporation Limited, NWS Holdings Limited, and Hsin Chong Construction Group Limited;
- (b) Mr Paul CHAN declared that he was a member of the Board of the West Kowloon Cultural District Authority; and an independent

non-executive director of The Wharf (Holdings) Limited, China Construction Bank (Asia), and CCB International (Holdings) Ltd. His family members owned certain properties in Tai Kok Tsui;

- (c) Mr IP Kwok-him declared that he was a non-executive director of a construction holdings company, and a non-executive director of the Urban Renewal Authority (URA);
- (d) Mr Vincent FANG declared that he was an independent non-executive director of The Wharf (Holdings) Limited. Both the company and he himself were not involved in any project related to the XRL. He was also the owner of a property along the XRL alignment;
- (e) Mr Jeffrey LAM declared that he was an independent non-executive director of a construction holdings company, but he was not involved in discussion, if any, on the XRL project in the company;
- (f) Prof Patrick LAU declared that he owned some shares of MTR Corporation Limited;
- (g) Dr Priscilla LEUNG declared that she was the owner of a property in Hunghom (Kowloon West);
- (h) Dr PAN Pey-chyou declared that he owned some shares of MTR Corporation Limited, and was the owner of a property in Kowloon West;
- (i) Ms Starry LEE declared that she was the owner of a property in Kowloon West, and her office was in Tai Kok Tsui;
- (j) Mr WONG Sing-chi declared that he held talks for staff of the MTR Corporation Limited, and received remunerations for the talks;
- (k) Mr James TO declared that he was a non-executive director of URA;
- (l) Mr WONG Kwok-kin declared that he was a non-executive director of URA;
- (m) Miss Tanya CHAN declared that she was a non-executive director of URA;
- (n) Mr CHAN Kin-por declared that he was a remunerated consultant and a non-remunerated director of a Hong Kong subsidiary company of the Munich Re Group, an international insurance company which might be involved in providing insurance cover for various XRL projects; and

- (o) Mr Paul TSE declared that his involvement in the tourism business might give rise to certain interests after the XRL was implemented.

Voting

32. The Chairman put to vote the question that the Committee would invite The Professional Commons to attend a meeting of the Committee on 8 January 2010 to further explain its proposal on the XRL project. As requested by Mr WONG Kwok-hing at the beginning of the meeting, the Chairman ordered a division. Of the members present, 19 members voted for the question, 30 members voted against it and one member abstained from voting. Voting results of individual members were as follows –

For:

Mr Albert HO
Mr Fred LI
Mr James TO
Mr LEUNG Yiu-chung
Mr Albert CHAN
Ms Audrey EU
Mr Alan LEONG
Mr KAM Nai-wai
Miss Tanya CHAN
Mr WONG Sing-chi
(19 members)

Mr LEE Cheuk-yan
Dr Margaret NG
Mr CHEUNG Man-kwong
Mr Andrew CHENG
Mr Frederick FUNG
Mr LEE Wing-tat
Mr LEUNG Kwok-hung
Ms Cyd HO
Mr CHEUNG Kwok-che

Against:

Mr CHAN Kam-lam
Dr Philip WONG
Mr LAU Kong-wah
Ms Miriam LAU
Mr TAM Yiu-chung
Mr Vincent FANG
Dr Joseph LEE
Mr CHEUNG Hok-ming
Mr CHIM Pui-chung
Ms Starry LEE
Mr CHAN Hak-kan
Mr CHAN Kin-por
Mr WONG Kwok-kin
Mr IP Kwok-him
Mr Paul TSE
(30 members)

Mrs Sophie LEUNG
Mr WONG Yung-kan
Mr LAU Wong-fat
Mr Timothy FOK
Mr Tommy CHEUNG
Mr WONG Kwok-hing
Mr Andrew LEUNG
Mr WONG Ting-kwong
Prof Patrick LAU
Dr LAM Tai-fai
Mr Paul CHAN
Dr Priscilla LEUNG
Mr IP Wai-ming
Dr PAN Pey-chyou
Dr Samson TAM

Abstention:
Ms LI Fung-ying
(1 member)

The Chairman declared that the question was negatived.

33. The meeting was adjourned at 3:28 pm.

Council Business Division 1
Legislative Council Secretariat
29 June 2010