

立法會
Legislative Council

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House Committee of the Legislative Council

**Minutes of the Special Meeting
held in the Legislative Council Chamber
at 10:45 am on Tuesday, 23 March 2010**

Members present :

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon Fred LI Wah-ming, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
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 WONG Yung-kan, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
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 Frederick FUNG Kin-kee, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon CHEUNG Hok-ming, GBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Prof Hon Patrick LAU Sau-shing, SBS, JP
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
Dr Hon Priscilla LEUNG Mei-fun

Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, BBS
Hon IP Wai-ming, MH
Hon IP Kwok-him, GBS, JP
Hon Paul TSE Wai-chun

Members absent :

Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Dr Hon David LI Kwok-po, GBM, GBS, JP
Hon LEUNG Yiu-chung
Dr Hon Philip WONG Yu-hong, GBS
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, 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
Dr Hon LEUNG Ka-lau
Hon WONG Sing-chi
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Dr Hon PAN Pey-chyou
Dr Hon Samson TAM Wai-ho, JP

Clerk in attendance :

Mrs Vivian KAM Clerk to the House Committee

Staff in attendance :

Ms Pauline NG	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Mrs Constance LI	Assistant Secretary General 1
Mrs Justina LAM	Assistant Secretary General 3
Mrs Percy MA	Assistant Secretary General (Special Duty)
Mr Simon WONG	Chief Public Information Officer
Ms YUE Tin-po	Chief Council Secretary (1)3
Miss Odelia LEUNG	Chief Council Secretary (2)6
Ms Amy YU	Senior Council Secretary (2)3
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)8

I. Proposal for a Legislative Council delegation to conduct a duty visit to the Shanghai World Expo

(LC Paper Nos. CB(1) 1431/09-10; FS14/09-10 and FS15/09-10)

At the invitation of the Chairman, Mr Vincent FANG, Chairman of the Panel on Commerce and Industry ("CI Panel"), reported on the views expressed by Members at the Panel meeting on 16 March 2010 in relation to the proposal for a Legislative Council ("LegCo") delegation to conduct a duty visit to the Shanghai World Expo. He said that the Members attending the meeting had expressed support for LegCo to conduct the proposed duty visit. Most Members were of the view that the duty visit should take place as early as practicable during the first or second week of May 2010, and where possible, Members should be able to attend the opening ceremony of the Shanghai World Expo. On the duration of the duty visit, it was generally agreed among Members that, to avoid clashing with Council business, the duty visit could take place during a weekend and last for about three to four days. Some Members had suggested taking the Express Rail Link ("ERL") from Guangzhou to Wuhan, while some other Members had indicated preference for taking direct flights to and from Shanghai.

2. Mr FANG further reported that Members generally agreed to focus the proposed duty visit on the Shanghai World Expo. The places proposed to be visited included the China Pavilion, the Hong Kong Pavilion, the "Urban Best Practices Area" and other major highlights featured in the pavilions of other participating countries or places at the Shanghai World Expo. He added that as duty visits to the Mainland normally materialized only upon invitation by the Mainland authorities, the CI Panel proposed that the President or the Chairman of the House Committee should write formally to the relevant Mainland authorities to relay the views expressed by Members on the proposed duty visit. Where needed, assistance from the Hong Kong Special Administrative Region ("HKSAR") Government should be sought for making the logistical arrangements.

3. The Chairman invited Members' views on the proposals of the CI Panel.

4. Mr IP Kwok-him said that Members belonging to the Democratic Alliance for the Betterment and Progress of Hong Kong supported the proposed duty visit. They also supported the proposals of the CI Panel on the timing for conducting the duty visit and for attending the opening ceremony of the Shanghai World Expo if possible. While sharing the view that the proposed duty visit should focus on the Shanghai World Expo, they considered it appropriate for Members to take the opportunity to travel on the ERL to gain first-hand experience in its operation, given the controversy over the funding proposal for the Hong Kong section.

Action

5. Ms Emily LAU said that while not objecting to the proposed duty visit to the Shanghai World Expo, Members belonging to the Democratic Party ("DP") considered that the crux of the matter was the deprivation of the right of the pan-democratic Members and some members of the public to travel to the Mainland. She considered it necessary to send a clear message to the Central Authorities, the HKSAR Government and the community that the adoption of a hostile and discriminating attitude towards the pan-democrats was unacceptable and that these persons should be issued with Home Return Permits. She further said that Members belonging to DP considered that the duty visit should be open to all 60 Members, and she had suggested that it should be conducted after the LegCo by-election to enable the participation of all 60 Members. However, most Members attending the CI Panel meeting considered that the by-election should not be a factor for consideration in determining the timing of the duty visit. She had also suggested that the duty visit should be conducted in October to tie in with the timing of the Hong Kong Week, but some Members considered it undesirable to conduct the duty visit at such a late stage. She did not subscribe to the view expressed by some Members that it was not appropriate to conduct the duty visit in the months of June to September owing to the hot weather in Shanghai during the summer months. She pointed out that should there be ground for this view, the event would not be expected to attract more than 70 million visitors. She sought clarification on whether LegCo had received any invitation for conducting the duty visit.

6. Dr LAM Tai-fai said that he had organized and participated in visits to the Mainland. He considered it necessary to first clarify whether the proposed duty visit was conducted in response to an invitation or on the initiation of Members. Should the former be the case, Members would be in a passive position as the timing, itinerary and logistical arrangements were decided by the host organization. Members could only decide whether or not to accept the invitation. Should the latter be the case, Members could take the initiative to work out the programme of the duty visit and liaise with the relevant authorities on the logistical arrangements. He reiterated that the status of the duty visit should be clarified as soon as possible.

7. The Chairman said that the President had mentioned that LegCo Members had expressed interest in conducting a duty visit to the Shanghai World Expo. Her understanding was that no invitation had been received so far for conducting a duty visit to the Shanghai World Expo. She added that based on past experience, visits to the Mainland only materialized upon invitation by the Mainland authorities. As such, Members could seek an invitation for the duty visit from the relevant Mainland authorities.

8. Mr Vincent FANG confirmed the understanding of the Chairman. He said that informal contacts had been made with the relevant Mainland authorities and it was hoped that an invitation would be coming. Upon the receipt of the invitation, Members could consider the details, including the timing of the duty visit. It was his understanding that the relevant authorities

Action

would have a busy schedule during the week of the opening ceremony as they had to receive many foreign dignitaries and representatives from other countries/places. The relevant authorities had to consider the appropriate timing for receiving Members. He added that Members would be notified once an invitation was received.

9. Mr Tommy CHEUNG said that according to his experience, duty visits to the Mainland could be arranged efficiently if they were conducted upon invitation from the relevant authorities. He therefore considered it best for the duty visit to the Shanghai World Expo to be conducted in response to invitation. He shared the view that all Members should have the opportunity to join the duty visit. However, whether this meant 55 or 60 Members would depend on the timing of the duty visit. He also shared the view of Mr Vincent FANG and Dr LAM Tai-fai that Members could further discuss the timing of the duty visit after an invitation had been received from the relevant Mainland authorities.

10. Mr WONG Kwok-kin said that Members belonging to the Hong Kong Federation of Trade Unions ("HKFTU") were interested in joining the duty visit to the Shanghai World Expo. As these Members had to participate in events to be held on the Labour Day on 1 May, they hoped that the duty visit could be conducted in the second week of May so that they could participate. Given the tight timetable of the duty visit, he considered it best for the duty visit to focus on the Shanghai World Expo and for Members to take direct flights to and from Shanghai without taking the ERL.

11. Mr WONG Ting-kwong said that as guests, Members should respect the arrangements proposed by the host authorities. While Members might wish to attend the opening ceremony of the Shanghai World Expo, it was understandable that the host authorities might not be able to receive them as many foreign dignitaries would be attending the opening ceremony. If it was not feasible for Members to attend the opening ceremony, the duty visit could take place in the second week of May. He considered it desirable to conduct the duty visit at an early stage in order to arouse the interest of Hong Kong people to visit the Shanghai World Expo. He also considered it worthwhile for Members to take the ERL having regard to the controversy over the funding proposal for the Hong Kong section. He added that Members could report to the public on their first-hand experience in the ERL upon their return from the duty visit.

12. Mr Tommy CHEUNG said that he had expressed the view at the CI Panel meeting that Members should take the ERL during the proposed duty visit. Mr James TIEN, a former LegCo Member, had told him of the deep impression after taking the ERL recently. In his view, Members should take the ERL during the proposed duty visit, even though the itinerary might be tighter and the duration longer.

Action

13. Dr Priscilla LEUNG said that Mr Paul TSE had first proposed to organize a visit for Members to take the ERL. She considered it of equal importance to attend the Shanghai World Expo and to take the ERL, given the latter's importance on the transport development on the Mainland and the controversy over the funding proposal for the Hong Kong section. She indicated interest in joining the duty visit should it be materialized. Dr LEUNG shared the view that, where possible, Members should attend the opening ceremony of the Shanghai World Expo on 1 May. She suggested that Members belonging to HKFTU could join the LegCo delegation on 2 May, if they had to stay in Hong Kong on 1 May.

14. Prof Patrick LAU said that the HKSAR Government should extend an invitation to Members to attend the opening ceremony of the Hong Kong Pavilion as LegCo Members were representatives of Hong Kong people. In his view, there would be many opportunities for Members to take the ERL in future but the opportunity for Members to attend the opening ceremony of the Hong Kong Pavilion would be too important to be missed. The availability or otherwise of some Members to attend the opening ceremony should not be a material consideration. He hoped that the Chairman of the House Committee would relay his views to the HKSAR Government.

15. Mr CHAN Kam-lam said that at the start of the current legislative session, the Panel on Financial Affairs ("FA Panel") had indicated interest in conducting a duty visit to Shanghai to obtain first-hand information on its planned development as a new international financial centre. Should the proposed duty visit to the Shanghai World Expo be conducted, a side trip could be arranged for members of the FA Panel to visit the Shanghai Municipal Office of Finance Service to exchange views with the relevant authorities on the development of financial services. This would obviate the need for the FA Panel to conduct another duty visit to Shanghai.

16. In response to the Chairman, Mr CHAN Kam-lam clarified that he shared the views that the focus of the duty visit should be the Shanghai World Expo and Members should also travel on the ERL from Guangzhou to Wuhan to gain first-hand experience. While appreciating the wish of some Members to attend the opening ceremony of the Shanghai World Expo, he opined that there might be difficulties for the relevant authorities to make the arrangements given the limited capacity of the venue and the expected attendance of representatives of many countries/places.

17. Mr Vincent FANG said that he was given to understand that the opening ceremony of the Shanghai World Expo would be very crowded and the host authorities would not have time to receive Members. Moreover, LegCo Members of the HKSAR might not be entitled to an invitation for attending the opening ceremony. He also clarified that the opening ceremony of the Shanghai World Expo and that of the Hong Kong Pavilion were different matters.

Action

18. Ms Emily LAU said that when the matter was first discussed by the House Committee, she had pointed out the need to clarify the status of the proposed duty visit. She was concerned that unlike duty visits to the Mainland conducted in the past where Members were informed clearly of the timing and programme of the visits, it was not clear whether the duty visit in question could materialize notwithstanding the discussions held by Members at a number of meetings. She questioned whether the HKSAR Government was in a position to extend an invitation to Members for conducting the duty visit. She pointed out that since the mentioning of the proposed duty visit by the President, the HKSAR Government had not made any indication that it would extend an invitation to Members to visit the Shanghai World Expo. Noting from Mr Vincent FANG that an invitation for the duty visit from the Mainland authorities would likely be coming, she considered that Members should await the invitation before further discussing the details of the duty visit.

19. The Chairman said that Mr Vincent FANG had already made clear the status of the duty visit. He had mentioned earlier at the meeting that informal contacts had been made to relay Members' interest in conducting a duty visit to the Shanghai World Expo, and the Mainland authorities had given a positive response. The purpose of the House Committee meeting was to solicit Members' views on the duty visit which would be relayed to the relevant Mainland authorities through the President or her as the Chairman of the House Committee. Her understanding was that the relevant Mainland authorities would consider Members' views before extending a formal invitation for the duty visit. The Chairman further said that the view of Prof Patrick LAU on the need for the HKSAR Government to extend an invitation to Members to attend the opening ceremony of the Hong Kong Pavilion was not relevant to the discussion as the invitation for the proposed duty visit should come from the Mainland authorities.

20. Prof Patrick LAU said that he had participated in exhibitions held on the Mainland many times upon the invitation of the HKSAR Government. He reiterated that as representatives of Hong Kong people, LegCo Members should attend the opening ceremony of the Hong Kong Pavilion.

21. While noting Prof Patrick LAU's view, the Chairman said that Members were discussing the opening ceremony of the Shanghai World Expo and not that of the Hong Kong Pavilion.

22. Mrs Sophie LEUNG said that she appreciated Prof Patrick LAU's interest in the Hong Kong Pavilion. She gathered from the discussions that Members supported the proposed duty visit and agreed that the President or the Chairman of the House Committee should relay their views to the relevant Mainland authorities. She shared the view that it was worthwhile for Members to take the ERL. Recognizing that some Members were not issued with Home Return Permits, she hoped that Members could take the opportunity to travel on the ERL together during the duty visit.

Action

23. Mr Paul TSE pointed out that it was a normal practice for the Mainland authorities to extend a formal invitation to individuals/organizations only after they had indicated interest in participating in the event concerned. In line with such a practice, Members should relay clearly their interest in conducting a duty visit to the Shanghai World Expo to the relevant Mainland authorities for their consideration of extending a formal invitation. He stressed that as the duty visit would be conducted in the name of LegCo, its itinerary should meet the objective of serving the public interest, such as enhancing exchanges and promoting tourism between Shanghai and Hong Kong, and arousing the interest of Hong Kong people to visit the Shanghai World Expo. In his view, the duty visit should focus on the Shanghai World Expo as a whole instead of the Hong Kong Pavilion. He further said that although the funding proposal for the Hong Kong section of the ERL had been approved by LegCo, Members had the on-going responsibility to monitor the project. Hence, he supported the proposal for Members to take the ERL during the duty visit. He further proposed inviting the relevant experts to brief Members on the operation of the ERL to enhance their understanding. As regards the timing of the duty visit, he considered that it should be conducted at a time to the convenience of the host authorities.

24. At the invitation of the Chairman, Secretary General ("SG") said that she was given to understand from the President the day before the House Committee meeting that he had had initial discussions with the Liaison Office of the Central People's Government in HKSAR ("Liaison Office") on the views expressed by Members in relation to the duty visit at the CI Panel meeting. The President had received a positive response from the Liaison Office, which had already commenced discussions with the relevant authorities in Shanghai on the timing and itinerary of the duty visit in the light of the views expressed by Members. The President had also indicated that he would write to the Director of the Liaison Office, Mr PENG Qinghua, after the House Committee meeting to relay Members' views on, among others, the timing of the duty visit and their wish to attend the opening ceremony of the Shanghai World Expo if possible. There might be difficulties in making arrangements for Members to attend the opening ceremony, but the President would see if such an arrangement could be made. As Members had mentioned during the CI Panel meeting about the role of the HKSAR Government in the proposed duty visit, the Secretariat had raised the matter with the HKSAR Government subsequently. The HKSAR Government welcomed Members' proposed duty visit to the Shanghai World Expo including the Hong Kong Pavilion, and indicated that it would make its best endeavour to render the necessary assistance and had offered to send representatives to accompany Members in the duty visit. SG added that the Secretariat would follow up on Prof Patrick LAU's views to see whether arrangements could be made for Members to visit the Hong Kong Pavilion during the duty visit.

25. Mr TAM Yiu-chung said that he noted from the discussions that Members were supportive of the proposed duty visit. Most Members were of the view that the opportunity should be taken to travel on the ERL. He

Action

considered it feasible for Members to do so in a three-day duty visit. He pointed out that countries such as the United States and Russia were planning for the development of high speed rails, and travelling on the ERL would enable Members to gain first-hand experience in its operation. He expressed support for Mr Paul TSE's proposal for the relevant experts to brief Members on the development of the ERL during the ERL ride. On the timing of the duty visit, he agreed to Members' view that it should take place as early as practicable during the first or second week of May. He added that it was his understanding that the opening ceremony would be for the whole Shanghai World Expo, and a Hong Kong Week would be held to promote the Hong Kong Pavilion. He was also given to understand from the Secretary for the Environment that a thematic promotion on environmental protection would be held in the Hong Kong Pavilion from 5 to 8 May and the Secretary would be present at the Expo during that period. He further opined that due to time constraints, it might not be feasible to visit the Shanghai Municipal Office of Finance Service during the proposed duty visit. The relevant Panel might make separate arrangements for conducting such a visit in future.

26. Mr Paul CHAN said that he was a member of the Shanghai Committee of the Chinese People's Political Consultative Conference ("CPPCC"). In his view, Members should take the opportunity of the duty visit to the Shanghai World Expo to study the planning and development of other Mainland cities featured in the China Pavilion. While not objecting to the proposal for taking the ERL, he opined that Members could consider visiting the Shanghai city to obtain first-hand information on its development. Given the time constraints, he suggested exploring the feasibility of providing options for Members to visit the Shanghai city or to take the ERL. He pointed out that he had attended functions held on the Mainland in his professional capacity. In his view, the opening ceremony of the Hong Kong Pavilion was different from such functions. If the HKSAR Government was to invite a delegation to attend the opening ceremony of the Hong Kong Pavilion, the delegation would probably be very large and comprise more than LegCo Members. Should this be the case, the proposed duty visit would lose its meaning. He further said that as the Shanghai World Expo was a major national event, the proposed duty visit would be more fruitful if the relevant Mainland authorities would assist in making the necessary arrangements. He considered that Members should liaise with the relevant authorities on the timing and programme of the duty visit, both as a matter of practical necessity and courtesy. He noted from the meeting of the Shanghai Committee of CPPCC that tens of millions of visitors were expected to attend the Shanghai World Expo. To make more room for overseas visitors, local people had been advised to refrain from attending the Expo during certain periods of time. Arrangements had also been made for provincial and municipal officials to visit the Expo in advance in April. He stressed that in considering the timing of the duty visit, Members should take into account the difficulties and constraints faced by the host authorities. He was also given to understand that the opening ceremony of the Shanghai World Expo was very different from that of the Olympics. Like other World Expositions, its opening would be a simple ceremony.

Action

27. Mr IP Kwok-him said that it was his understanding that the opening ceremony of the Hong Kong Pavilion would be held at the same time as that of the Shanghai World Expo. He clarified that the Hong Kong Week, which aimed at promoting certain themes in the Hong Kong Pavilion, was a separate matter. In his view, the status of the duty visit had been made clear. Members had indicated interest in conducting a duty visit to the Shanghai World Expo and had sought an invitation from the relevant Mainland authorities for the duty visit. He stressed that Members should respect the arrangements made by the host authorities regarding the timing of the duty visit.

28. Concluding the discussions, the Chairman said that Members were clearly supportive of the proposed duty visit. The views expressed by Members in relation to the duty visit, such as the proposals for visiting the Shanghai Municipal Office of Finance Service and the Shanghai city and for taking the ERL, would be relayed to the Liaison Office through the President. It would be for the relevant Mainland authorities to see how far Members' requests could be accommodated. Members would further discuss the detailed arrangements of the duty visit after receiving a formal invitation. Members agreed.

29. There being no other business, the meeting ended at 11:34 am.