

LEGISLATIVE COUNCIL

MINUTES

No. 7

**Minutes of the meeting held on Wednesday 17 November 2010 at 11:00 am
and Thursday 18 November 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 (absent on 18.11.2010)

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 LAU Kong-wah, JP

The Hon LAU Wong-fat, GBM, GBS, JP (absent on 18.11.2010)

The Hon Miriam LAU Kin-yea, GBS, JP

The Hon Emily LAU Wai-hing, JP (absent on 18.11.2010)

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, SBS, 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, GBS, 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, JP

Dr the Hon LAM Tai-fai, BBS, JP

The Hon CHAN Hak-kan

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-yea, GBS, JP (absent on 18.11.2010)

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

Members absent:

The Hon WONG Yung-kan, SBS, JP

The Hon Paul CHAN Mo-po, MH, JP

Public officers attending:

On 17.11.2010

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

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 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 Edward YAU Tang-wah, JP
Secretary for the Environment

On 17.11.2010 and 18.11.2010

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

Clerks in attendance:

On 17.11.2010

Ms Pauline NG Man-wah, Secretary General

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

Mrs Percy MA, Assistant Secretary General (Special Duties)

On 18.11.2010

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

On 17.11.2010 and 18.11.2010

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

Noting the absence of a quorum, the President directed the Clerk to summon Members to the meeting. A quorum was then present.

Tabling of Papers

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

| <u>Subsidiary Legislation / Instruments</u> | <u>L.N. No.</u> |
|---|-----------------|
| 1. Minimum Wage Ordinance (Amendment of Schedule 3) Notice 2010 (gazetted on 12.11.2010) | 145/2010 |
| 2. Minimum Wage Ordinance (Commencement) Notice 2010 (gazetted on 12.11.2010) | 146/2010 |
| 3. Minimum Wage Ordinance (Commencement) (No. 2) Notice 2010 (gazetted on 12.11.2010) | 147/2010 |
| 4. Employment Ordinance (Amendment of Ninth Schedule) Notice 2010 (gazetted on 12.11.2010) | 148/2010 |
| 5. Antiquities and Monuments (Declaration of Historical Buildings) Notice 2010 (gazetted on 12.11.2010) | 149/2010 |

Other Papers

- No. 29 - Hong Kong Housing Authority Annual Report 2009/10 (published on 16.11.2010)
- No. 30 - Hong Kong Housing Authority Financial Statements for the year ended 31 March 2010 (published on 16.11.2010)
- No. 31 - Report of the Director of Audit on the Accounts of the Government of the Hong Kong Special Administrative Region for the year ended 31 March 2010 (published on 17.11.2010)
- No. 32 - Report No. 55 of the Director of Audit on the results of value for money audits - October 2010 (published on 17.11.2010)
- No. 33 - Accounts of the Government for the year ended 31 March 2010 (published on 17.11.2010)

Report No. 4/10-11 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (published on 11.11.2010)

Questions

1. Hon Starry LEE asked Question 1.

The Secretary for Food and Health replied.

Four Members asked supplementary questions and the Secretary for Food and Health replied.

2. Hon Ronny TONG asked Question 2.

The Secretary for Home Affairs replied.

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

3. Hon Audrey EU asked Question 3.

The Secretary for the Environment replied.

Five Members asked supplementary questions. The Secretary for the Environment and the Secretary for Security replied.

4. Hon Mrs Regina IP asked Question 4.

The Financial Secretary replied.

Seven Members asked supplementary questions and the Financial Secretary replied.

5. Hon WONG Kwok-hing asked Question 5.

The Secretary for Food and Health replied.

Four Members asked supplementary questions and the Secretary for Food and Health replied.

6. In accordance with Rule 26(6) of the Rules of Procedure, Hon WONG Ting-kwong asked Question 6 on behalf of Hon WONG Yung-kan, who was not present to ask his question.

The Secretary for Food and Health replied.

Five Members asked supplementary questions and the Secretary for Food and Health replied.

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

Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

The Secretary for Financial Services and the Treasury moved the following motion and spoke on the motion:

Resolved that the Deposit Protection Scheme (Representation on Scheme Membership and Protection of Financial Products under Scheme) (Amendment) Rules 2010, published in the Gazette as Legal Notice No. 131 of 2010 and laid on the table of the Legislative Council on 20 October 2010, be amended as set out in the Schedule.

Question on the motion proposed.

Hon CHAN Kam-lam spoke on the motion as the Chairman of the Subcommittee on Deposit Protection Scheme (Representation on Scheme Membership and Protection of Financial Products under Scheme) (Amendment) Rules 2010, and then in his personal capacity as a Member.

The Secretary for Financial Services and the Treasury replied.

Question on the motion put and agreed to.

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

Hon Tommy CHEUNG moved the following motion and spoke on the motion:

Resolved that in relation to the Waterworks (Amendment) Regulation 2010, published in the Gazette as Legal Notice No. 129 of 2010, and laid on the table of the Legislative Council on 20 October 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 8 December 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:

That this Council takes note of Report No. 4/10-11 of the House Committee laid on the Table of the Council on 17 November 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) | Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Republic of Hungary) Order (L.N. 124/2010) |
| (2) | Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income and Capital) (Republic of Austria) Order (L.N. 125/2010) |
| (3) | Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income and Capital Gains) (United Kingdom of Great Britain and Northern Ireland) Order (L.N. 126/2010) |
| (4) | Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Ireland) Order (L.N. 127/2010) |
| (5) | Specification of Arrangements (The Mainland of China) (Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income) (Third Protocol) Order (L.N. 128/2010). |

Question on Hon Miriam LAU's motion proposed.

Hon James TO spoke on the motion as the Chairman of the Subcommittee on the Five Orders Made under Section 49(1A) of the Inland Revenue Ordinance and Gazetted on 15 October 2010.

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

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

Reviewing the coverage of the safety net

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

That, as the Government has adopted a conservative fiscal policy for years, surpluses exceeding the expected levels were often recorded in the past; in addition, since the Exchange Fund had recorded a huge profit of \$74.1 billion in the third quarter of this year, the accumulated surplus for the first nine months of the year increased by \$42 billion, and given the substantial proceeds from land auctions this year, the chance of the Treasury continuing to be 'flooded by cash' has become much greater, yet not only are some grassroots unable to enjoy the fruit of economic development, but they are also unable to benefit from the social security system, resulting in cases of 'falling through the net'; in this connection, this Council proposes that the Administration should identify loopholes in the existing safety net, appropriately extend the safety net to cover more grassroots of different types, and strengthen the support to assist grassroots in climbing up the social ladder and sharing the fruit of economic development, thereby easing class conflicts and promoting social harmony; the relevant measures should include:

- (a) to strengthen the support for the working poor, including removing the stigma attached to the low-income recipients of Comprehensive Social Security Assistance ('CSSA'), lower the threshold of application, and provide such recipients with a 'low-income living supplement', so as to alleviate their conditions of poverty;
- (b) to comprehensively strengthen the in-service training for the middle-aged, increase the number of retraining places, and raise the subsidies for continuing education;
- (c) through promoting the local community economy, developing the six industries with competitive edge and positively supporting the development of social enterprises, to create more jobs suitable for grassroot workers;

- (d) to comprehensively strengthen child care and after-school care services to enable parents of low-income families to work without worries, and proactively cater for the needs of grassroot children, including providing additional subsidies for extracurricular activities;
- (e) to actively assist poor families living in cage homes or cubicle apartments in improving their living environment;
- (f) to strengthen the employment counselling services for young people waiting for employment;
- (g) to further relax the absence limit in respect of Old Age Allowance and CSSA for the elderly, increase the amount of Elderly Healthcare Vouchers to at least \$1,000 a year, and provide needy elderly persons with a living supplement, so as to improve the life of the elderly in their twilight years; and
- (h) to expeditiously increase the number of residential care places for the elderly and provide them with elderly care vouchers, so as to enable elderly persons waiting for residential care services to choose those elderly services that suit them.

Question on Hon Miriam LAU's motion proposed.

The President stated that 10 Members intended to move amendments to the motion. In accordance with the Rules of Procedure, the motion and the 10 amendments would be debated together in a joint debate.

Hon LEE Cheuk-yan, who intended to move amendments, spoke on the motion and the amendments.

While Hon LEE Cheuk-yan was speaking, the President left the chair at 1:54 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Hon WONG Sing-chi, Hon IP Wai-ming, Hon James TO, Hon TAM Yiu-chung, Hon Ronny TONG, Hon CHEUNG Kwok-che, Hon LEUNG Kwok-hung, Hon CHAN Kin-por, and Hon Frederick FUNG, 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.

Eight Members and Hon Vincent FANG spoke on the motion and the amendments.

At 4:22 pm, while Hon Vincent FANG was speaking, the President resumed the chair.

Six other Members spoke on the motion and the amendments.

Hon Miriam LAU spoke on the amendments.

The Secretary for Labour and Welfare spoke again.

Hon LEE Cheuk-yan moved the following amendment to Hon Miriam LAU's motion:

To delete "as" after "That," and substitute with "this Council opines that 'rich Government but poor people' is one of the deep-rooted conflicts in Hong Kong, and as"; to add "in the long run, the Government should establish a system of 'Negative Income Tax', so as to benefit a greater number of working-poor households; (b) to set up savings accounts for CSSA recipients with job income, and deposit into such accounts the whole or part of the amounts deducted from their CSSA for reasons of 'assessable income', so that when such recipients get out of the CSSA net due to income improvements or as a result of their accounts having accumulated a prescribed amount, they can have a substantial amount of savings, so as to increase their sense of financial security and reduce their chances of falling back into the CSSA net;" after "conditions of poverty;"; to delete the original "(b)" and substitute with "(c)"; to delete the original "(c)" and substitute with "(d)"; to delete the original "(d)" and substitute with "(e)"; to delete the original "(e)" and substitute with "(f)"; to delete the original "(f)" and substitute with "(g)"; to delete the original "(g)" and substitute with "(h)"; to delete "and" after "twilight years;" and substitute with "(i) to immediately study the establishment of a universal retirement protection system, so as to provide instant benefits to all elderly persons in Hong Kong; and"; and to delete the original "(h)" and substitute with "(j)".

Question on Hon LEE Cheuk-yan's amendment to Hon Miriam LAU's motion proposed and put.

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

The President announced that among the Members returned by functional constituencies, 25 were present, 13 were in favour of the amendment, eight against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 20 were in favour of the amendment and six against it (voting record in **Appendix I**). Since the question was agreed by a majority of each of the two groups of Members present, he declared that the amendment was passed.

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

That in the event of further divisions in relation to the motion on “Reviewing the coverage of the safety net” 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.

Hon LEE Cheuk-yan spoke on the motion.

Question on the motion put and agreed to.

The President stated that as the amendment of Hon LEE Cheuk-yan had been passed, Hon TAM Yiu-chung and Hon LEUNG Kwok-hung had therefore withdrawn their amendments.

As Hon LEE Cheuk-yan’s amendment had been passed, the President granted leave for Hon WONG Sing-chi to revise the terms of his amendment.

Hon WONG Sing-chi moved the following further amendment to Hon Miriam LAU’s motion as amended by Hon LEE Cheuk-yan, and explained the revised terms of his amendment to the Council:

To add “; (k) to allocate \$10 billion for establishing a ‘residential care homes development fund’ to provide interest-free loans to non-governmental organizations for constructing self-financed residential care homes for the elderly and persons with disabilities; (l) to establish a ‘subsidy system for carers of persons with disabilities’ to offer a monthly grant of \$1,000 to persons who need to look after their family members with disabilities on a long-term basis, so as to relieve their financial needs; (m) to allocate \$10 billion for establishing a ‘medicines subsidy fund’; (n) to relax the absence

limit in respect of Old Age Allowance by allowing elderly persons to return to Hong Kong only once a year for 'reporting', and to study allowing elderly persons to receive Disability Allowance and Old Age Allowance at the same time; and (o) to immediately adjust the CSSA rent allowance to alleviate the financial burden of recipients" immediately before the full stop.

Question on Hon WONG Sing-chi's amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan proposed and put.

Hon IP Kwok-him claimed a division. The President then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 25 were present, 11 were in favour of the amendment, 10 against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 20 were in favour of the amendment, two against it and four abstained (voting record in **Appendix II**). Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the amendment was negatived.

As Hon LEE Cheuk-yan's amendment had been passed, the President granted leave for Hon IP Wai-ming to revise the terms of his amendment.

Hon IP Wai-ming moved the following further amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan:

To add “, and provide allowances to carers of elderly persons in the communities; (k) focusing on the unemployed and poor people, the Government should formulate a poverty line, so as to get a grasp of the poverty situation in Hong Kong, and provide the unemployed with unemployment assistance, with a view to assisting them in coping with their financial difficulties; (l) through promoting the local cultural economy, to maintain the competitive edge of the four existing major economic pillars; (m) to formulate a timetable for completely abolishing cage homes; (n) to put in place a modern apprenticeship system; (o) to increase the amount of Disability Allowance received by indigent persons with disabilities, so that persons with disabilities living in the community can afford appropriate care and assistance; and (p) to expand the coverage of Samaritan Fund, and follow the example of 'Medifund' in Singapore to offer ultimate support to persons who are unable to pay medical charges, so that they can receive timely and necessary treatment” immediately before the full stop.

Question on Hon IP Wai-ming's amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan proposed and put.

Hon IP Kwok-him claimed a division. The President then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 25 were present, 15 were in favour of the amendment and 10 abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 21 were in favour of the amendment and five abstained (voting record in **Appendix III**). Since the question was agreed by a majority of each of the two groups of Members present, he declared that the amendment was passed.

As Hon LEE Cheuk-yan's and Hon IP Wai-ming's amendments had been passed, the President granted leave for Hon James TO to revise the terms of his amendment.

Hon James TO moved the following further amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan and Hon IP Wai-ming:

To add “; and (q) to introduce more generous measures for persons living in cage homes, cubicle apartments or en suite units to assist them in securing public rental housing allocation more expeditiously” immediately before the full stop.

Question on Hon James TO's amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan and Hon IP Wai-ming proposed and put.

Hon IP Kwok-him claimed a division. The President then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 25 were present, 21 were in favour of the amendment and four abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 23 were in favour of the amendment and four abstained (voting record in **Appendix IV**). Since the question was agreed by a majority of each of the two groups of Members present, he declared that the amendment was passed.

As the amendments of Hon LEE Cheuk-yan, Hon IP Wai-ming and Hon James TO had been passed, the President granted leave for Hon Ronny TONG to revise the terms of his amendment.

Hon Ronny TONG moved the following further amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming and Hon James TO, and explained the revised terms of his amendment to the Council:

To add “; (r) to abolish the system of requiring children to sign a ‘declaration of not providing support to parents’ (commonly known as a ‘bad son statement’), so that elderly persons with financial difficulties who live with their children may also apply for CSSA independently and have support and security in their twilight years; and (s) to reinstate the mode of formulating long-term social welfare planning every five years, so that social welfare services can be effectively delivered to really benefit needy persons” immediately before the full stop.

Question on Hon Ronny TONG's amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming and Hon James TO proposed and put.

Hon Mrs Sophie LEUNG claimed a division. The President then ordered the Council to proceed to a division under Rule 49(5) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 25 were present, 16 were in favour of the amendment and nine abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 23 were in favour of the amendment and three abstained (voting record in **Appendix V**). Since the question was agreed by a majority of each of the two groups of Members present, he declared that the amendment was passed.

As the amendments of Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO and Hon Ronny TONG had been passed, the President granted leave for Hon CHEUNG Kwok-che to revise the terms of his amendment.

Hon CHEUNG Kwok-che moved the following further amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO and Hon Ronny TONG:

To add “; (t) to establish an emergency unemployment relief fund to provide the unemployed with transitional financial assistance; (u) to expedite the construction of public rental housing units; (v) to establish a chronic disease allowance as a supplement to needy chronic patients for purchasing medicine, medical supplies and auxiliary aids and employing home care workers, etc.; and (w) to establish a long-term care allowance to provide assistance for elderly persons requiring long-term care in purchasing residential care and day care services, or providing subsidies to their carers” immediately before the full stop.

Question on Hon CHEUNG Kwok-che's amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO and Hon Ronny TONG proposed, put and agreed to.

As the amendments of Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO, Hon Ronny TONG and Hon CHEUNG Kwok-che had been passed, the President granted leave for Hon CHAN Kin-por to revise the terms of his amendment.

Hon CHAN Kin-por moved the following further amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO, Hon Ronny TONG and Hon CHEUNG Kwok-che:

To add “; and (x) when establishing a universal retirement protection system, to also set making up for the inadequacies of the Mandatory Provident Fund Scheme as an objective” immediately before the full stop.

Question on Hon CHAN Kin-por's amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO, Hon Ronny TONG and Hon CHEUNG Kwok-che proposed, put and agreed to.

As the amendments of Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO, Hon Ronny TONG, Hon CHEUNG Kwok-che and Hon CHAN Kin-por had been passed, the President granted leave for Hon Frederick FUNG to revise the terms of his amendment.

Hon Frederick FUNG moved the following further amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO, Hon Ronny TONG, Hon CHEUNG Kwok-che and Hon CHAN Kin-por:

To add “; and (y) to re-establish the Commission on Poverty to formulate indicators on the population of the poor” immediately before the full stop.

Question on Hon Frederick FUNG's amendment to Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO, Hon Ronny TONG, Hon CHEUNG Kwok-che and Hon CHAN Kin-por proposed, put and agreed to.

Hon Miriam LAU replied.

Question on Hon Miriam LAU's motion as amended by Hon LEE Cheuk-yan, Hon IP Wai-ming, Hon James TO, Hon Ronny TONG, Hon CHEUNG Kwok-che, Hon CHAN Kin-por and Hon Frederick FUNG put and agreed to.

Motion for the adjournment of the Council

Hon Frederick FUNG moved the following motion and spoke on the motion:

That this Council do now adjourn for the purpose of debating the following issue: ZHAO Lianhai, who founded 'Kidney Stone Babies' to help those Mainland children who are victims of tainted formula milk and their parents to defend their rights, was sentenced to two-and-a-half-years' imprisonment by a Beijing court earlier, causing people both inside and outside the country to express serious concern and question whether the sentence is a contravention of the people's rights enshrined in the Constitution.

Question on Hon Frederick FUNG's motion proposed.

Four Members and Hon LEUNG Yiu-chung spoke on the motion.

While Hon LEUNG Yiu-chung was speaking, the President left the chair at 7:33 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Nine other Members and Dr Hon Margaret NG spoke on the motion.

At 9:07 pm, while Dr Hon Margaret NG was speaking, the President resumed the chair.

Four more Members spoke on the motion.

The President suspended the meeting at 9:58 pm.

* * * * *

The Council resumed at 9:00 am on 18 November 2010.

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

Hon LEUNG Kwok-hung commented on the President's ruling on his earlier application for moving a motion for the adjournment of the Council for the purpose of debating the issue of releasing LIU Xiaobo.

The President stated that Rule 16(2) of the Rules of Procedure stipulated that a motion for the adjournment of the Council might be moved with the permission of the President, if the President was satisfied that the adjournment was for the purpose of discussing a specific issue of urgent public importance. The President further stated that the grounds put forward by Hon LEUNG Kwok-hung failed to convince him that the issue on which Mr LEUNG sought for a debate was urgent.

The President added that the reason why he gave permission for Hon Frederick FUNG to move an adjournment motion under Rule 16(2) at this meeting was that Mr FUNG had convinced him of the urgency of the matter, i.e. the need to debate the issue at the Council meeting of 17 November 2010 as the date of deadline for application of appeal by ZHAO Lianhai was 20 November 2010. If the issue was debated the following week, the deadline would have expired.

Hon LEUNG Kwok-hung continued to speak.

Four more Members spoke on the motion.

Question on the motion put and negatived.

Territory-wide participation in building the West Kowloon Cultural District

Dr Hon Priscilla LEUNG moved the following motion and spoke on the motion:

That, as the West Kowloon Cultural District ('WKCD'), which costs \$21.6 billion to develop, is a cultural entity belonging to Hong Kong people and should be shared by every member of the public, and not be a sight-seeing spot solely for tourists, the Government should examine the WKCD project from a more macro perspective, including local community economy and employment, support facilities in surrounding areas, easy accessibility as well as art and cultural software, etc.; in this connection, this Council urges the Government to adopt measures on the following fronts:

Local community economy and employment —

- (a) to provide more opportunities for local professionals and workers to participate in the construction works of WKCD, so as to ensure that the Hong Kong economy can really benefit from the development of WKCD;

Support facilities in surrounding areas —

- (b) with low-carbon and low emission as the objectives, to develop WKCD as a project blending artistic and cultural development and green concepts;
- (c) to expeditiously improve the water quality of the Victoria Harbour in the vicinity of WKCD, especially the water quality of the New Yau Ma Tei Typhoon Shelter, so as to upgrade the overall planning profile;

Accessibility —

- (d) to expeditiously implement the construction of a waterfront promenade extending from Kai Tak to Sham Shui Po and cutting through WKCD, making it more convenient for residents to have direct access to WKCD via the waterfront promenade;
- (e) to enhance the external transport facilities for WKCD, and improve the accessibility of the surrounding roads, so as to foster a feeling of alignment with WKCD among the residents of Kowloon district;

Cultural software —

- (f) to attach importance to the development of cultural software, implement a macro art policy, and promote and popularize art education at the levels of tertiary and basic education, so as to avoid WKCD becoming a hardware facility in form; and
- (g) to pay heed to the unique cultural characteristics of ethnic minorities and the local community, so as to enhance and capitalize on Hong Kong's geo-cultural advantage.

While Dr Hon Priscilla LEUNG was speaking, Hon CHIM Pui-chung drew the attention of the President to the absence of the public officer attending this item. The President suspended the meeting at 10:40 am.

The Council resumed at 10:49 am.

The Secretary for Home Affairs apologized to the Council for being late.

Dr Hon Priscilla LEUNG continued to speak.

Question on Dr Hon Priscilla LEUNG's motion proposed.

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

Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO, Hon Alan LEONG, Hon Starry LEE, Prof Hon Patrick LAU and Hon Cyd HO, who intended to move amendments, spoke on the motion and the amendments.

The Secretary for Home Affairs spoke on the motion and the amendments.

Five Members spoke on the motion and the amendments.

Hon Jeffrey LAM declared that he was a board member of the West Kowloon Cultural District Authority. He then spoke on the motion and the amendments.

Dr Hon Priscilla LEUNG spoke on the amendments.

The Secretary for Home Affairs spoke again.

Hon Miriam LAU moved the following amendment to Dr Hon Priscilla LEUNG's motion:

To delete “,” after “That” and substitute with “in recent years more and more people are concerned about the cultural and artistic development in Hong Kong, and”; to delete “promote and popularize” after “art policy, and” and substitute with “start with the young generations by nurturing their cultural and artistic qualities, so that they may become audience of various cultural and artistic activities in the future; the relevant measures should include promoting and popularizing”; to add “etc.,” after “basic education,”; and to add “, thereby upgrading the overall cultural and artistic qualities of the public” after “hardware facility in form”.

Question on Hon Miriam LAU's amendment to Dr Hon Priscilla LEUNG's motion proposed, put and agreed to.

As Hon Miriam LAU's amendment had been passed, the President granted leave for Hon LEE Wing-tat to revise the terms of his amendment.

Hon LEE Wing-tat moved the following further amendment to Dr Hon Priscilla LEUNG's motion as amended by Hon Miriam LAU:

To add “; this Council also urges the Government to adopt measures on the following fronts: Local community economy and employment— (h) to train local administrative talents engaged in culture and arts, and offer scholarships for them to pursue overseas studies in art administration and venue management, so as to meet the demand for administrative talents after the completion of WKCD; (i) to develop local cultural and creative industries and attract private organizations to participate in the development of local culture and arts; (j) by making reference to overseas experience, to explore the allocation of 1% to 3% of the proceeds from land auctions in WKCD for financing the general public, students and non-profit-making cultural and arts operators with financial difficulties to launch activities to promote and develop culture and arts; Cultural policies— (k) to adopt a proactive policy stance on the development of culture and arts; (l) to enhance support for young arts workers by providing them with venues and sponsorship funds, including setting up arts studios in WKCD and renting out the studios to arts workers at lower rents, so as to encourage more young people to join the cultural and artistic industries; (m) to open more public space to street performers, so as to enable performing arts to enrich streets in Hong Kong, and relax the existing legislation on street performances, so as to encourage public arts to enter the communities; (n) to establish an independent policy bureau to handle cultural and arts affairs, co-ordinate the policies and resources presently scattered among other government departments, and explore and formulate territory-wide and regional policies as well as development strategies for culture and arts; and (o) to attract arts talents and operators from the Mainland and the Asian region through due planning, so as to enhance Hong Kong's status as an international city and nurture more arts talents” immediately before the full stop.

Question on Hon LEE Wing-tat's amendment to Dr Hon Priscilla LEUNG's motion as amended by Hon Miriam LAU proposed, put and agreed to.

As Hon Miriam LAU's and Hon LEE Wing-tat's amendments had been passed, the President granted leave for Hon James TO to revise the terms of his amendment.

Hon James TO moved the following further amendment to Dr Hon Priscilla LEUNG's motion as amended by Hon Miriam LAU and Hon LEE Wing-tat:

To add “; this Council also urges the Government to adopt measures on the following fronts: Support facilities in surrounding areas— (p) to expeditiously improve the air quality of the Victoria Harbour in the vicinity of WKCD, and the ageing problems in the surrounding old districts, including environmental hygiene and building safety, etc., as well as encourage the development of relevant cultural and artistic industries in the surrounding old districts, so as to give impetus to old district renewal and industry support, and at the same time improve the air quality of the New Yau Ma Tei Typhoon Shelter, relocate the outlets of flood relief channels far away from the Victoria Harbour, eliminate the odour emitted from the Stonecutters Island Sewage Treatment Works and the West Kowloon Refuse Transfer Station, and improve the problem of illegal connections of flood relief channels in the urban area; (q) to tie in with the environment in the areas surrounding WKCD and avoid the construction of massive and high-density buildings, so that WKCD can integrate with the neighbouring communities or old districts socially, culturally and economically; and Accessibility— (r) to explore the connection of WKCD with MTR stations in Jordan, Yau Ma Tei and Tsim Sha Tsui by trams, electrified buses or travellers” immediately before the full stop.

Question on Hon James TO's amendment to Dr Hon Priscilla LEUNG's motion as amended by Hon Miriam LAU and Hon LEE Wing-tat proposed, put and agreed to.

As the amendments of Hon Miriam LAU, Hon LEE Wing-tat and Hon James TO had been passed, the President granted leave for Hon Alan LEONG to revise the terms of his amendment.

Hon Alan LEONG moved the following further amendment to Dr Hon Priscilla LEUNG's motion as amended by Hon Miriam LAU, Hon LEE Wing-tat and Hon James TO:

To add “; this Council also urges the Government to adopt measures on the following fronts: Cultural software— (s) to conduct continuous dialogues on arts with the local cultural and arts sector, seek to understand the characteristics of local arts organizations, draw on the collective wisdom, search for a direction for cultural and arts development with international vision for WKCD, and implement such a direction through artistic responsibility, so as to

make WKCD a bright spot on the world map of arts; (t) to strengthen the connection between WKCD and other local cultural rendezvous, so as to avoid WKCD becoming a cultural dark hole; Ratio of commercial properties to residential properties — (u) to respond to the aspirations regarding urban development and design in society and drastically reduce the ratio of commercial properties to residential properties in WKCD, so as to avoid turning it into a project of shopping arcades and luxurious flats, and to provide culture workers with affordable workplaces or living places, so that the project can be more in line with the theme of WKCD; Accessibility — (v) to ensure the accessibility of the surrounding roads of WKCD after the completion of the Guangzhou-Shenzhen-Hong Kong Express Rail Link, so as to enable Hong Kong people to share the cultural facilities in WKCD through the well-planned transport network; Financial arrangements — (w) to prudently use the public money of \$21.6 billion, enhance the transparency of financial operation, release expenditure estimates to the public, and formulate a contingency strategy for possible over-spending; and (x) to review the existing pay and fringe benefit arrangements of the WKCD Authority, so as to alleviate the impact of manpower wastage on the development of WKCD” immediately before the full stop.

Question on Hon Alan LEONG’s amendment to Dr Hon Priscilla LEUNG’s motion as amended by Hon Miriam LAU, Hon LEE Wing-tat and Hon James TO proposed, put and agreed to.

As the amendments of Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO and Hon Alan LEONG had been passed, the President granted leave for Hon Starry LEE to revise the terms of her amendment.

Hon Starry LEE moved the following further amendment to Dr Hon Priscilla LEUNG’s motion as amended by Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO and Hon Alan LEONG:

To add “; this Council also urges the Government to adopt measures on the following fronts: Support facilities in surrounding areas — (y) to plan afresh the neighbouring areas, enhance the cultural features of the respective districts, and establish a regional network of cultural facilities with WKCD as the centre, so as to build an environment blending new and old cultures; Cultural software — (z) within the commercial facilities in WKCD, to reserve space for and invite some operators of unique businesses which have been affected by redevelopment to move in, so as to carry on the Hong Kong culture; (aa) to

explore the formulation of legislation on museums to deal with the lack of mechanism for monitoring the composition and operation of museums in Hong Kong at present, and to make up for the deficiencies of existing laws on heritage conservation, so as to assist the long-term development of museums and heritage conservation in Hong Kong; (ab) apart from the Xiqu Centre in WKCD, to also give full expression to the fine essence of the Chinese culture in regard to exhibition venues and performance projects, so as to step up the promotion of the Chinese culture; Support for local arts and cultural organizations — (ac) to make flexible use of the resources in the areas surrounding WKCD to provide more performance venues for local organizations, including offering incentives to encourage schools to open their venues for use by organizations, optimizing the use of vacant school premises, opening some parks and waterfront promenades on a periodic basis, and expediting the construction of community halls; and (ad) to establish resource centres on culture and traditions to display the origins and characteristics of local historic buildings and festivals for the purpose of education, promotion and passing on traditions, thereby nurturing arts professionals for WKCD and cultivating the cultural qualities of the public, as well as building the basis of territory-wide participation in WKCD” immediately before the full stop.

Question on Hon Starry LEE’s amendment to Dr Hon Priscilla LEUNG’s motion as amended by Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO and Hon Alan LEONG proposed, put and agreed to.

As the amendments of Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO Hon Alan LEONG and Hon Starry LEE had been passed, the President granted leave for Prof Hon Patrick LAU to revise the terms of his amendment.

Prof Hon Patrick LAU moved the following further amendment to Dr Hon Priscilla LEUNG’s motion as amended by Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO, Hon Alan LEONG and Hon Starry LEE:

To add “; this Council also urges the Government to adopt measures on the following fronts: Local community economy and employment— (ae) through the building of WKCD, to inject fresh impetus into the creative industries by capitalizing on Hong Kong’s unique cultural characteristics, so as to facilitate the development of a creative economy; (af) to require that open architecture and design competitions of varying scales must be organized for all major construction works within WKCD, be they large, medium or small in scale, and ensure that both award-winning architects and other design professionals have opportunities to participate in the construction process to implement the

designs of their works; (ag) to invite members of the public who have expressed their views on WKCD to give their responses again for reference by the WKCD Authority, and the Authority should expeditiously finalize the overall design blueprint; Support facilities in surrounding areas – (ah) to immediately commence the construction of infrastructural facilities in WKCD and the support facilities in surrounding areas; and (ai) to formulate legislation or design guidelines on the building of a healthy and refreshing community” immediately before the full stop.

Question on Prof Hon Patrick LAU’s amendment to Dr Hon Priscilla LEUNG’s motion as amended by Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO, Hon Alan LEONG and Hon Starry LEE proposed, put and agreed to.

As the amendments of Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO Hon Alan LEONG, Hon Starry LEE and Prof Hon Patrick LAU had been passed, the President granted leave for Hon Cyd HO to revise the terms of her amendment.

Hon Cyd HO moved the following further amendment to Dr Hon Priscilla LEUNG’s motion as amended by Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO, Hon Alan LEONG, Hon Starry LEE and Prof Hon Patrick LAU:

To add “; and Joint administration with the people – (aj) to establish a ‘Metropolitan Cultural Think-tank’ with the tripartite collaboration among the Government, the business sector and the public to foster co-operation and partnership with the relevant policy bureaux, government departments, public sector organizations, various district councils and the cultural and arts sector, and hold public consultation meetings on the governance and operation of WKCD at least once a year” immediately before the full stop.

Question on Hon Cyd HO’s amendment to Dr Hon Priscilla LEUNG’s motion as amended by Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO, Hon Alan LEONG, Hon Starry LEE and Prof Hon Patrick LAU proposed, put and agreed to.

Dr Hon Priscilla LEUNG replied.

Question on Dr Hon Priscilla LEUNG’s motion as amended by Hon Miriam LAU, Hon LEE Wing-tat, Hon James TO, Hon Alan LEONG, Hon Starry LEE, Prof Hon Patrick LAU and Hon Cyd HO put and agreed to.

Next meeting

The President declared that the next meeting of the Council would be held on 24 November 2010 at 11:00 am.

The Council was adjourned at 1: pm.

(Jasper TSANG Yok-sing)
President
28 January 2011

Council Chamber
Hong Kong

Appendix I

投票 VOTE: 1
日期 DATE: 17/11/2010
時間 TIME: 06:10:33 下午pm

動議 MOTION: 李卓人議員對劉健儀議員的「檢討安全網保障範疇」議案作出的修正案
AMENDMENT BY HON LEE CHEUK-YAN TO HON MIRIAM LAU'S MOTION ON
"REVIEWING THE COVERAGE OF THE SAFETY NET"

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 | 25 | 27 | |
| 投票 Vote | 25 | 26 | |
| 贊成 Yes | 13 | 20 | |
| 反對 No | 8 | 6 | |
| 棄權 Abstain | 4 | 0 | |
| 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 | 反對 NO | 曾鈺成 TSANG Yok-sing | 出席 PRESENT |
| 李國寶 Dr David LI | | 何俊仁 Albert HO | 贊成 YES |
| 吳靄儀 Dr Margaret NG | 贊成 YES | 李卓人 LEE Cheuk-yan | 贊成 YES |
| 張文光 CHEUNG Man-kwong | 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 | |
| 黃容根 WONG Yung-kan | | 梁耀忠 LEUNG Yiu-chung | |
| 劉皇發 LAU Wong-fat | 棄權 ABSTAIN | 劉江華 LAU Kong-wah | 反對 NO |
| 劉健儀 Miriam LAU | 贊成 YES | 劉慧卿 Emily LAU | 贊成 YES |
| 霍震霆 Timothy FOK | 棄權 ABSTAIN | 鄭家富 Andrew CHENG | 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 | 贊成 YES | 馮檢基 Frederick FUNG | 贊成 YES |
| 張宇人 Tommy CHEUNG | 贊成 YES | 余若薇 Audrey EU | 贊成 YES |
| 方剛 Vincent FANG | 贊成 YES | 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 | 反對 NO | 甘乃威 KAM Nai-wai | 贊成 YES |
| 詹培忠 CHIM Pui-chung | 棄權 ABSTAIN | 何秀蘭 Cyd HO | 贊成 YES |
| 劉秀成 Prof Patrick LAU | | 李慧琼 Starry LEE | 反對 NO |
| 林大輝 Dr LAM Tai-fai | 棄權 ABSTAIN | 陳克勤 CHAN Hak-kan | 反對 NO |
| 陳茂波 Paul CHAN | | 梁美芬 Dr Priscilla LEUNG | 反對 NO |
| 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 | 贊成 YES | 葉劉淑儀 Mrs Regina IP | 反對 NO |
| 葉偉明 IP Wai-ming | 贊成 YES | 梁家傑 Alan LEONG | 贊成 YES |
| 葉國謙 IP Kwok-him | 反對 NO | 梁國雄 LEUNG Kwok-hung | 贊成 YES |
| 潘佩璆 Dr PAN Pey-chyou | 贊成 YES | 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 | 贊成 YES | 黃毓民 WONG Yuk-man | 贊成 YES |

秘書 CLERK



Appendix II

投票 VOTE: 2
日期 DATE: 17/11/2010
時間 TIME: 06:15:07 下午pm

動議 MOTION: 黃成智議員對劉健儀議員就「檢討安全網保障範疇」所提，經李卓人議員修正的議案，作出的修正案
AMENDMENT BY HON WONG SING-CHI TO HON MIRIAM LAU'S MOTION ON "REVIEWING THE COVERAGE OF THE SAFETY NET" AS AMENDED BY HON LEE CHEUK-YAN

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 | 25 | 27 | |
| 投票 Vote | 25 | 26 | |
| 贊成 Yes | 11 | 20 | |
| 反對 No | 10 | 2 | |
| 棄權 Abstain | 4 | 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 | 出席 PRESENT |
| 李國寶 Dr David LI | | 何俊仁 Albert HO | 贊成 YES |
| 吳靄儀 Dr Margaret NG | 贊成 YES | 李卓人 LEE Cheuk-yan | 贊成 YES |
| 張文光 CHEUNG Man-kgwong | 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 | |
| 黃容根 WONG Yung-kan | | 梁耀忠 LEUNG Yiu-chung | |
| 劉皇發 LAU Wong-fat | 反對 NO | 劉江華 LAU Kong-wah | 棄權 ABSTAIN |
| 劉健儀 Miriam LAU | 贊成 YES | 劉慧卿 Emily LAU | 贊成 YES |
| 霍震霆 Timothy FOK | 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 | 棄權 ABSTAIN |
| 李鳳英 LI Fung-ying | 贊成 YES | 馮檢基 Frederick FUNG | 贊成 YES |
| 張宇人 Tommy CHEUNG | 贊成 YES | 余若薇 Audrey EU | 贊成 YES |
| 方剛 Vincent FANG | 贊成 YES | 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-kgwong | 棄權 ABSTAIN | 甘乃威 KAM Nai-wai | 贊成 YES |
| 詹培忠 CHIM Pui-chung | 棄權 ABSTAIN | 何秀蘭 Cyd HO | 贊成 YES |
| 劉秀成 Prof Patrick LAU | | 李慧琼 Starry LEE | 棄權 ABSTAIN |
| 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 | 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 | 贊成 YES |
| 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 | 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 | 贊成 YES |
| 潘佩珍 Dr PAN Pey-chyau | 贊成 YES | 陳淑莊 Tanya CHAN | 贊成 YES |
| 謝偉俊 Paul TSE | 棄權 ABSTAIN | 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 |

秘書 CLERK

Appendix III

投票 VOTE: 3
 日期 DATE: 17/11/2010
 時間 TIME: 06:17:28 下午pm

動議 MOTION: 葉偉明議員對劉健儀議員就「檢討安全網保障範疇」所提，經李卓人議員及黃成智議員修正的議案，作出的修正案
 AMENDMENT BY HON IP WAI-MING TO HON MIRIAM LAU'S MOTION ON "REVIEWING THE COVERAGE OF THE SAFETY NET" AS AMENDED BY HON LEE CHEUK-YAN AND HON WONG SING-CHI

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 | 25 | 27 | |
| 投票 Vote | 25 | 26 | |
| 贊成 Yes | 15 | 21 | |
| 反對 No | 0 | 0 | |
| 棄權 Abstain | 10 | 5 | |
| 結果 Result | 通過 Passed | 通過 Passed | 通過 Passed |

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

| 議員 MEMBER | 投票 VOTE | 議員 MEMBER | 投票 VOTE |
|---------------------------------------|------------|---|------------|
| 功能團體 Functional Constituencies | | 地方選區 Geographical Constituencies | |
| 何鍾泰 Dr Raymond HO | 棄權 ABSTAIN | 曾鈺成 TSANG Yok-sing | 出席 PRESENT |
| 李國寶 Dr David LI | | 何俊仁 Albert HO | 贊成 YES |
| 吳靄儀 Dr Margaret NG | 贊成 YES | 李卓人 LEE Cheuk-yan | 贊成 YES |
| 張文光 CHEUNG Man-kwong | 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 | |
| 黃容根 WONG Yung-kan | | 梁耀忠 LEUNG Yiu-chung | |
| 劉皇發 LAU Wong-fat | 棄權 ABSTAIN | 劉江華 LAU Kong-wah | 棄權 ABSTAIN |
| 劉健儀 Miriam LAU | 贊成 YES | 劉慧卿 Emily LAU | 贊成 YES |
| 霍震霆 Timothy FOK | 棄權 ABSTAIN | 鄭家富 Andrew CHENG | 贊成 YES |
| 石禮謙 Abraham SHEK | 棄權 ABSTAIN | 譚耀宗 TAM Yiu-chung | 棄權 ABSTAIN |
| 李鳳英 LI Fung-ying | 贊成 YES | 馮檢基 Frederick FUNG | 贊成 YES |
| 張宇人 Tommy CHEUNG | 贊成 YES | 余若薇 Audrey EU | 贊成 YES |
| 方剛 Vincent FANG | 贊成 YES | 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 | 棄權 ABSTAIN | 甘乃威 KAM Nai-wai | 贊成 YES |
| 詹培忠 CHIM Pui-chung | 棄權 ABSTAIN | 何秀蘭 Cyd HO | 贊成 YES |
| 劉秀成 Prof Patrick LAU | | 李慧琼 Starry LEE | 棄權 ABSTAIN |
| 林大輝 Dr LAM Tai-fai | 贊成 YES | 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 | 贊成 YES | 葉劉淑儀 Mrs Regina IP | 贊成 YES |
| 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 | 贊成 YES |
| 潘佩璆 Dr PAN Pey-chyau | 贊成 YES | 陳淑莊 Tanya CHAN | 贊成 YES |
| 謝偉俊 Paul TSE | 贊成 YES | 陳偉業 Albert CHAN | 贊成 YES |
| 譚偉豪 Dr Samson TAM | 贊成 YES | 黃毓民 WONG Yuk-man | 贊成 YES |

秘書 CLERK _____

Appendix IV

投票 VOTE: 4
 日期 DATE: 17/11/2010
 時間 TIME: 06:20:01 下午pm

動議 MOTION: ~~涂謹申議員對劉健儀議員就「檢討安全網保障範疇」所提，經李卓人議員及黃成智議員及葉偉明議員修正的議案，作出的修正案~~
 AMENDMENT BY HON JAMES TO TO HON MIRIAM LAU'S MOTION ON "REVIEWING THE COVERAGE OF THE SAFETY NET" AS AMENDED BY HON LEE CHEUK-YAN AND HON WONG SING CHI AND HON IP WAI-MING

動議人 MOVED BY: 涂謹申 James TO

| | 功能團體 Functional Constituencies | 地方選區 Geographical Constituencies | 最後結果 Final Result |
|------------|-----------------------------------|-------------------------------------|----------------------|
| 出席 Present | 25 | 28 | |
| 投票 Vote | 25 | 27 | |
| 贊成 Yes | 21 | 23 | |
| 反對 No | 0 | 0 | |
| 棄權 Abstain | 4 | 4 | |
| 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 | 贊成 | YES | 曾鈺成 | TSANG Yok-sing | 出席 | PRESENT |
| 李國寶 | Dr David LI | | | 何俊仁 | Albert HO | 贊成 | YES |
| 吳靄儀 | Dr Margaret NG | 贊成 | YES | 李卓人 | LEE Cheuk-yan | 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 | 贊成 | YES | 涂謹申 | James TO | 贊成 | YES |
| 黃宜弘 | Dr Philip WONG | | | 陳鑑林 | CHAN Kam-lam | | |
| 黃容根 | WONG Yung-kan | | | 梁耀忠 | LEUNG Yiu-chung | 贊成 | YES |
| 劉皇發 | LAU Wong-fat | 贊成 | YES | 劉江華 | LAU Kong-wah | 棄權 | ABSTAIN |
| 劉健儀 | Miriam LAU | 贊成 | YES | 劉慧卿 | Emily LAU | 贊成 | YES |
| 霍震霆 | Timothy FOK | 贊成 | YES | 鄭家富 | Andrew CHENG | 贊成 | YES |
| 石禮謙 | Abraham SHEK | 棄權 | ABSTAIN | 譚耀宗 | TAM Yiu-chung | 棄權 | ABSTAIN |
| 李鳳英 | LI Fung-ying | 贊成 | YES | 馮檢基 | Frederick FUNG | 贊成 | YES |
| 張宇人 | Tommy CHEUNG | 贊成 | YES | 余若薇 | Audrey EU | 贊成 | YES |
| 方剛 | Vincent FANG | 贊成 | YES | 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 | 贊成 | YES | 張學明 | CHEUNG Hok-ming | | |
| 梁君彥 | Andrew LEUNG | 贊成 | YES | 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 | 棄權 | ABSTAIN | 何秀蘭 | Cyd HO | 贊成 | YES |
| 劉秀成 | Prof Patrick LAU | | | 李慧琼 | Starry LEE | 棄權 | ABSTAIN |
| 林大輝 | Dr LAM Tai-fai | 贊成 | YES | 陳克勤 | CHAN Hak-kan | 棄權 | ABSTAIN |
| 陳茂波 | Paul CHAN | | | 梁美芬 | Dr Priscilla LEUNG | 贊成 | YES |
| 陳健波 | CHAN Kin-por | 贊成 | YES | 黃成智 | WONG Sing-chi | 贊成 | YES |
| 梁家駒 | Dr LEUNG Ka-lau | 贊成 | YES | 黃國健 | WONG Kwok-kin | 贊成 | YES |
| 張國柱 | CHEUNG Kwok-che | 贊成 | YES | 葉劉淑儀 | Mrs Regina IP | 贊成 | YES |
| 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 | 贊成 | YES |
| 潘佩璆 | Dr PAN Pey-chyau | 贊成 | YES | 陳淑莊 | Tanya CHAN | 贊成 | YES |
| 謝偉俊 | Paul TSE | 贊成 | YES | 陳偉業 | Albert CHAN | 贊成 | YES |
| 譚偉豪 | Dr Samson TAM | 贊成 | YES | 黃毓民 | WONG Yuk-man | 贊成 | YES |

秘書 CLERK



Appendix V

投票 VOTE: 5
日期 DATE: 17/11/2010
時間 TIME: 06:23:01 下午pm

動議 MOTION: 湯家驊議員對劉健儀議員就「檢討安全網保障範疇」所提，經李卓人議員、~~及黃成智議員、及葉偉明議員、及涂謹申議員、及譚耀宗議員修正的議案~~，作出的修正案
AMENDMENT BY HON RONNY TONG TO HON MIRIAM LAU'S MOTION ON "REVIEWING THE COVERAGE OF THE SAFETY NET" AS AMENDED BY HON LEE CHEUK-YAN, ~~HON HON-WONG-SING-CHI, AND HON IP WAI-MING, AND HON JAMES TO AND HON TAM-YIU-CHUNG~~

動議人 MOVED BY: 湯家驊 Ronny TONG

| | 功能團體 Functional Constituencies | 地方選區 Geographical Constituencies | 最後結果 Final Result |
|------------|-----------------------------------|-------------------------------------|----------------------|
| 出席 Present | 25 | 27 | |
| 投票 Vote | 25 | 26 | |
| 贊成 Yes | 16 | 23 | |
| 反對 No | 0 | 0 | |
| 棄權 Abstain | 9 | 3 | |
| 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 | 贊成 | YES | 曾鈺成 | TSANG Yok-sing | 出席 | PRESENT |
| 李國寶 | Dr David LI | | | 何俊仁 | Albert HO | 贊成 | YES |
| 吳靄儀 | Dr Margaret NG | 贊成 | YES | 李卓人 | LEE Cheuk-yan | 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 | | |
| 黃容根 | WONG Yung-kan | | | 梁耀忠 | LEUNG Yiu-chung | 贊成 | YES |
| 劉皇發 | LAU Wong-fat | 棄權 | ABSTAIN | 劉江華 | LAU Kong-wah | | |
| 劉健儀 | Miriam LAU | 贊成 | YES | 劉慧卿 | Emily LAU | 贊成 | YES |
| 霍震霆 | Timothy FOK | 棄權 | ABSTAIN | 鄭家富 | Andrew CHENG | 贊成 | YES |
| 石禮謙 | Abraham SHEK | 棄權 | ABSTAIN | 譚耀宗 | TAM Yiu-chung | 棄權 | ABSTAIN |
| 李鳳英 | LI Fung-ying | 贊成 | YES | 馮檢基 | Frederick FUNG | 贊成 | YES |
| 張宇人 | Tommy CHEUNG | 贊成 | YES | 余若薇 | Audrey EU | 贊成 | YES |
| 方剛 | Vincent FANG | 贊成 | YES | 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 | 棄權 | ABSTAIN | 甘乃威 | KAM Nai-wai | 贊成 | YES |
| 詹培忠 | CHIM Pui-chung | 棄權 | ABSTAIN | 何秀蘭 | Cyd HO | 贊成 | YES |
| 劉秀成 | Prof Patrick LAU | | | 李慧琼 | Starry LEE | 棄權 | ABSTAIN |
| 林大輝 | Dr LAM Tai-fai | 贊成 | YES | 陳克勤 | CHAN Hak-kan | 棄權 | ABSTAIN |
| 陳茂波 | Paul CHAN | | | 梁美芬 | Dr Priscilla LEUNG | 贊成 | YES |
| 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 | 贊成 | YES | 葉劉淑儀 | Mrs Regina IP | 贊成 | YES |
| 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 | 贊成 | YES |
| 潘佩珍 | 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 | 贊成 | YES |
| 譚偉豪 | Dr Samson TAM | 贊成 | YES | 黃毓民 | WONG Yuk-man | 贊成 | YES |

秘書 CLERK _____