

LEGISLATIVE COUNCIL

MINUTES

No. 18

Minutes of the meeting held on Wednesday 23 February 2011 at 11:00 am

Members present:

President

The Hon Jasper TSANG Yok-sing, GBS, JP

The Hon Albert HO Chun-yan

Ir Dr the Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP

The Hon LEE Cheuk-yan

Dr the Hon David LI Kwok-po, GBM, GBS, JP

The Hon Fred LI Wah-ming, SBS, JP

Dr the Hon Margaret NG

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon CHAN Kam-lam, SBS, JP

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

The Hon LEUNG Yiu-chung

Dr the Hon Philip WONG Yu-hong, GBS

The Hon WONG Yung-kan, SBS, JP

The Hon LAU Kong-wah, JP

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

The Hon Miriam LAU Kin-yee, GBS, JP

The Hon Emily LAU Wai-hing, JP

The Hon Andrew CHENG Kar-foo

The Hon 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 Paul CHAN Mo-po, MH, JP

The Hon CHAN Kin-por, JP

Dr the Hon Priscilla LEUNG Mei-fun

Dr the Hon LEUNG Ka-lau

The Hon CHEUNG Kwok-che

The Hon WONG Sing-chi

The Hon WONG Kwok-kin, BBS

The Hon IP Wai-ming, MH

The Hon IP Kwok-him, GBS, JP

The Hon Mrs Regina IP LAU Suk-ye, GBS, JP

Dr the Hon PAN Pey-chyou

The Hon Paul TSE Wai-chun

Dr the Hon Samson TAM Wai-ho, JP

The Hon Alan LEONG Kah-kit, SC

The Hon LEUNG Kwok-hung

The Hon Tanya CHAN

The Hon Albert CHAN Wai-yip

The Hon WONG Yuk-man

Public officers attending:

The Hon Henry TANG Ying-yen, GBM, GBS, JP
The Chief Secretary for Administration

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

The Hon WONG Yan-lung, SC, JP
The Secretary for Justice

The Hon Michael SUEN Ming-yeung, GBS, JP
Secretary for Education

The Hon Stephen LAM Sui-lung, GBS, JP
Secretary for Constitutional and Mainland Affairs

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

Dr the Hon York CHOW Yat-ngok, GBS, JP
Secretary for Food and Health

The Hon Denise YUE Chung-ye, GBS, JP
Secretary for the Civil Service

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

The Hon Matthew CHEUNG Kin-chung, GBS, JP
Secretary for Labour and Welfare

Prof the Hon K C CHAN, SBS, JP
Secretary for Financial Services and the Treasury

The Hon Mrs Carrie LAM CHENG Yuet-ngor, GBS, JP
Secretary for Development

The Hon Edward YAU Tang-wah, JP
Secretary for the Environment

The Hon Eva CHENG, JP
Secretary for Transport and Housing

The Hon Mrs Rita LAU NG Wai-lan, JP
Secretary for Commerce and Economic Development

Prof LAU Siu-kai, JP
Head, Central Policy Unit

Clerk in attendance:

Ms Pauline NG Man-wah, Secretary General

Tabling of Papers

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

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Securities and Futures Ordinance (Amendment of Schedule 5) Notice 2011 (gazetted on 18.2.2011)	28/2011
2. Securities and Futures (Financial Resources) (Amendment) Rules 2011 (gazetted on 18.2.2011)	29/2011

Other Papers

- No. 64 - Li Po Chun Charitable Trust Fund
Signed and audited financial statements together with the Report of the Director of Audit and Report of the Trustee on the Administration of the Fund for the year ended 31 August 2010 (published on 21.2.2011)
- No. 65 - Education Scholarships Fund
Audited financial statements together with the Report of the Director of Audit and Trustee's Report on the Administration of the Education Scholarships Fund for the year ended 31 August 2010 (published on 22.2.2011)
- No. 66 - Estimates
for the year ending 31 March 2012
Volume IA - General Revenue Account
Volume IB - General Revenue Account
(published on 23.2.2011)
- No. 67 - Estimates
for the year ending 31 March 2012
Volume II - Fund Accounts
(published on 23.2.2011)

Report No. 13/10-11 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (published on 16.2.2011)

Questions

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

Bills

Hon Emily LAU raised a point of order that the placard displayed by Hon Albert CHAN had obstructed her line of sight.

Hon Albert CHAN stood up and spoke aloud. The President ordered him to sit down and stated that the display of placards or objects by any Member during Council meetings must not obstruct the line of sight of other Members. Pursuant to the President's order, Hon Albert CHAN put away the placard.

Hon Emily LAU raised a point of order that the placard being displayed by Hon Albert CHAN still obstructed her line of sight. The President ordered Hon Albert CHAN to put away the placard properly.

The President stated that while he respected the right of Members to express their views, the manner in which they expressed views should not cause obstruction to other Members in their participation of the proceedings of the Council. The President also stated that, in his opinion, the placard displayed by Hon Albert CHAN had obstructed the line of sight of other Members and should be put away properly.

Hon Albert CHAN then held up the placard. Both Hon Emily LAU and Hon WONG Sing-chi said that the placard had obstructed their line of sight.

The President said that he had requested the Committee on Rules of Procedure to study whether provisions should be made to regulate the display of placards at Council meetings. He further said that before a decision was taken to introduce regulation in this regard, he could not prohibit Members from displaying placards at Council meetings. The President appealed to Members for their co-operation in ensuring the smooth conduct of Council meetings.

Dr Hon Margaret NG requested the President to make a ruling on whether the conduct of the Member concerned was disorderly.

The President said that he hoped Members would be co-operative so that the meeting could proceed smoothly.

First Reading

Appropriation Bill 2011

The Bill was read the first time and ordered to be set down for Second Reading pursuant to Rule 53(3) of the Rules of Procedure.

Second Reading

Appropriation Bill 2011

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

While the Financial Secretary was speaking, Hon LEUNG Kwok-hung stood up and spoke aloud. The President ordered him to sit down and stop speaking. Ignoring the President's order, Hon LEUNG Kwok-hung continued to speak aloud and threw a bitter melon and some ginkgo nuts at the Financial Secretary. The President ordered Hon LEUNG Kwok-hung to withdraw immediately from the Council. Hon LEUNG Kwok-hung did not comply with the President's order and continued to speak aloud and throw objects. Assisted by security staff, Hon LEUNG Kwok-hung left the Chamber.

The Financial Secretary then continued to deliver his Budget speech.

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

Next meeting

The President declared that the next meeting of the Council would be held on 2 March 2011 at 11:00 am.

The Council was adjourned at 1:01 pm.

(Jasper TSANG Yok-sing)
President
3 May 2011

Council Chamber
Hong Kong