

LEGISLATIVE COUNCIL

MINUTES

No. 20

Minutes of the meeting held on Wednesday 9 March 2011 at 11:00 am

Members present:

President

The Hon Jasper TSANG Yok-sing, GBS, JP

The Hon Albert HO Chun-yan

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 LEUNG Yiu-chung

The Hon WONG Yung-kan, SBS, JP

The Hon LAU Kong-wah, JP

The Hon Emily LAU Wai-hing, JP

The Hon Andrew CHENG Kar-foo

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 WONG Kwok-hing, MH

The Hon LEE Wing-tat

Dr the Hon Joseph LEE Kok-long, SBS, 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 Starry LEE Wai-king, 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 IP Wai-ming, MH

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

Members absent:

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

The Hon CHAN Kam-lam, SBS, JP

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

Dr the Hon Philip WONG Yu-hong, GBS

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

The Hon Miriam LAU Kin-ye, GBS, JP

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 Vincent FANG Kang, 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 Cyd HO Sau-lan

Dr the Hon LAM Tai-fai, BBS, JP

The Hon Paul CHAN Mo-po, MH, JP

The Hon WONG Kwok-kin, BBS

The Hon IP Kwok-him, GBS, JP

Public officers attending:

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

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

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

Mr Gregory SO Kam-leung, JP
Secretary for Commerce and Economic Development

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

Clerks in attendance:

Ms Pauline NG Man-wah, Secretary General

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

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

Mrs Percy MA, Assistant Secretary General (4)

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. Practising Certificate (Barristers) (Amendment) Rules 2011 (gazetted on 4.3.2011)	37/2011
2. Arbitration Ordinance (Commencement) Notice (gazetted on 4.3.2011)	38/2011

Other Papers

- No. 72 - Employees Retraining Board Annual Report 2009-10 (published on 3.3.2011)
- No. 73 - Employees' Compensation Insurance Levies Management Board Annual Report 2009/10 (published on 4.3.2011)
- No. 74 - Employees Compensation Assistance Fund Board Annual Report 2009-2010 (published on 4.3.2011)
- No. 75 - Occupational Deafness Compensation Board Annual Report 09/10 (published on 4.3.2011)
- No. 76 - Pneumoconiosis Compensation Fund Board Annual Report 2009 (published on 4.3.2011)

Report No. 15/10-11 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (published on 3.3.2011)

Questions

1. Hon WONG Sing-chi asked Question 1.

The Secretary for Development replied.

Four Members asked supplementary questions and the Secretary for Development replied.

2. Hon WONG Ting-kwong asked Question 2.

The Secretary for Labour and Welfare replied.

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

3. Hon Frederick FUNG asked Question 3.

The Secretary for Transport and Housing replied.

Four Members asked supplementary questions and the Secretary for Transport and Housing replied.

4. Hon LEUNG Kwok-hung asked Question 4.

The Secretary for the Environment replied.

Three Members asked supplementary questions and the Secretary for the Environment replied.

5. Hon CHEUNG Kwok-che asked Question 5.

The Secretary for Labour and Welfare replied.

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

6. Hon Paul TSE asked Question 6.

The Secretary for Commerce and Economic Development replied.

Three Members asked supplementary questions and the Secretary for Commerce and Economic Development replied.

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

Bills

First Reading

Inland Revenue (Amendment) (No. 2) Bill 2011

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

Second Reading

Inland Revenue (Amendment) (No. 2) Bill 2011

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

While the Secretary for Financial Services and the Treasury was speaking, the President left the chair at 1:13 pm temporarily and the President's Deputy, Hon Fred LI, took the chair.

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

Motions

Proposed resolution under the Public Finance Ordinance

The Secretary for Financial Services and the Treasury moved the motion in **Appendix I** and spoke on the motion.

Question on the motion proposed.

Four Members and Hon Ronny TONG spoke on the motion.

At 2:05 pm, while Hon Ronny TONG was speaking, the President resumed the chair.

Hon Albert CHAN spoke on the motion.

The President reminded Hon Albert CHAN that his speech should be focused on the proposed resolution under discussion.

While Hon Albert CHAN was speaking, Dr Hon Margaret NG raised a point of order that according to Rule 41(1) of the Rules of Procedure, a Member should restrict his observations to the subject under discussion and should not introduce matter irrelevant to that subject. Dr NG said that clarification should be sought from the Administration on whether the expenditure relating to the proposal of “handing out money”, which was put forward by the Administration after the delivery of the Budget and hence not included in the Estimates, would be met by the funds on account set out in the proposed resolution. She considered that if the Administration’s answer was in the affirmative, the proposed resolution should be debated by Members; otherwise, she did not see the need for such a debate. She invited the President to rule whether the Administration should make clear this point before other Members spoke so as to achieve effective use of Council’s time.

The President said that he would invite the Secretary for Financial Services and the Treasury to speak after Hon Albert CHAN had spoken. The President considered that the explanation to be given by the Secretary on the matter would assist Members in debating the proposed resolution.

Hon Albert CHAN continued to speak.

With the President’s permission, Hon Ronny TONG elucidated a point he had made earlier which he considered to be misunderstood by Hon Albert CHAN.

At the invitation of the President, the Secretary for Financial Services and the Treasury clarified the point raised by Dr Hon Margaret NG.

Seven Members spoke on the motion.

The Secretary for Financial Services and the Treasury replied.

At the request of Hon Albert HO, the President suspended the meeting at 3:07 pm for 10 minutes to allow Members to consider how they would vote on the proposed resolution.

At 3:17 pm, the Council resumed.

Question on the motion put.

Hon Albert HO claimed a division. The President then ordered the Council to proceed to a division under Rule 47(1) of the Rules of Procedure.

The President announced that 36 Members were present, 17 were in favour of the motion and 14 abstained (voting record in **Appendix II**). Since the question was not agreed by a majority of the Members present, he declared that the motion was negatived.

Members' Motions

Establishing a communication mechanism between China and Hong Kong

Hon Ronny TONG moved the following motion and spoke on the motion:

That this Council urges the authorities to study establishing expeditiously a direct, effective and permanent communication mechanism, so as to enable the three sides of Beijing, the Hong Kong Government and Hong Kong's elected representatives to, on basis of not violating the principle of 'one country, two systems', exchange views on issues relating to constitutional arrangements, people's livelihood, economy, planning, environmental protection, transportation and tourism, etc., thereby materializing the unique political, economic and social status of the HKSAR under the Basic Law, and building the foundation of long-term mutual understanding and trust among Beijing, Hong Kong and its people; particularly under the aforesaid principles, this Council urges the authorities to establish:

- (a) a formal channel to enable council representatives to, outside of the Executive Authorities, exchange views with Mainland officials on relevant issues;
- (b) a permanent liaison mechanism between representative councils and the Mainland's municipal and provincial governments, so as to facilitate discussion on issues of concern to both sides; and
- (c) a mechanism for regular exchange of visits to enable Hong Kong's elected representative councils to exchange views directly with the Mainland's law-making bodies and other relevant departments.

Question on Hon Ronny TONG's motion proposed.

The President stated that Hon Albert HO would move an amendment to the motion. In accordance with the Rules of Procedure, the motion and the amendment would be debated together in a joint debate.

Hon Albert HO moved the following amendment to Hon Ronny TONG's motion and spoke on the motion and the amendment:

To add “, given that the exchanges between China and Hong Kong have turned increasingly frequent,” after “That”; to delete “three sides of Beijing, the Hong Kong Government and Hong Kong's elected representatives to, on basis of not violating the principle of ‘one country, two systems’, exchange views on issues relating to constitutional arrangements,” after “enable the” and substitute with “various sides comprising the Central Government, the SAR Government, Hong Kong's elected representatives and the various sectors of Hong Kong to, on basis of upholding the principles of ‘one country, two systems’, ‘Hong Kong people ruling Hong Kong’ and ‘a high degree of autonomy’, exchange views on issues relating to the SAR's constitutional arrangements, democracy, human rights and those issues involving both the SAR and the Mainland in respect of”; to delete “Beijing, Hong Kong and its people” after “among” and substitute with “the various sides”; to delete “to establish” after “aforesaid principles, this Council urges the authorities”; to add “to establish” after “(a)”; to add “to establish” after “(b)”; to delete “and” after “both sides;”; to add “to establish” after “(c)”; and to add “; and (d) to urge the Central Government to respect the right of the Chinese nationals in Hong Kong to freely travel to and from the Mainland and reinstate the right of those Hong Kong residents and Members of the Legislative Council who have been barred from entering the Mainland to return to their hometown, so as to implement the aforesaid mechanisms” immediately before the full stop.

While Hon Albert HO was speaking, the President left the chair at 3:41 pm temporarily and the President's Deputy, Hon Fred LI, took the chair.

Question on Hon Albert HO's amendment to Hon Ronny TONG's motion proposed.

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

Two Members and Hon Tanya CHAN spoke on the motion and the amendment.

At 4:14 pm, while Hon Tanya CHAN was speaking, the President resumed the chair.

Seven other Members spoke on the motion and the amendment.

Hon Ronny TONG spoke on the amendment.

The Secretary for Constitutional and Mainland Affairs spoke again.

Question on Hon Albert HO's amendment to Hon Ronny TONG's motion put.

Hon Ronny TONG 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, 16 were present, five were in favour of the amendment, five against it and six abstained; while among the Members returned by geographical constituencies through direct elections, 20 were present, 11 were in favour of the amendment, four against it and four abstained (voting record in **Appendix III**). Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the amendment was negated.

Hon Ronny TONG replied.

Question on Hon Ronny TONG's motion put.

Hon Ronny TONG 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, 16 were present, four were in favour of the motion, one against it and 11 abstained; while among the Members returned by geographical constituencies through direct elections, 21 were present, 11 were in favour of the motion, one against it and eight abstained (voting record in **Appendix IV**). Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the motion was negated.

Reforming the Hospital Authority

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

That during the 20 years since the establishment of the Hospital Authority ('HA'), its annual spending of public money has increased from \$7.7 billion to \$33 billion, yet due to its unsatisfactory management, the morale of frontline

healthcare personnel is low and the quality of care varies; the distribution of resources among various clusters is uneven, and the per capita share of hospital beds, healthcare personnel and funding can vary by as much as 200%; its administrative structure is cumbersome, and the annual salaries of the Chief Executive as well as the 33 Directors, Cluster Chief Executives and Hospital Chief Executives are as high as \$2 million to over \$4 million; the working condition for its employees is poor, and the working hours of healthcare personnel are long, and it is common to be on duty for 28 consecutive hours; the waiting time for specialist services is too long, thus causing delay in treatment, and the subsidies to patients for using outsourced services are on the low side, thus failing to divert them to the private medical system; the transparency of the HA Drug Formulary is inadequate, and hence patients and the public are unable to find out the drug assessment criteria; and the means test under the Samaritan Fund is too harsh, making many patients fall outside the safety net and unable to receive due protection; in this connection, this Council urges the Government to thoroughly review the operation of HA and put forward reform proposals, including:

- (a) using disease treatment costs and service volume as the basis, to formulate objective funding criteria for each hospital cluster, and to allocate appropriate resources to hospitals in busy districts so as to avoid wastage or shortage of resources for developing services in individual hospital clusters; through the Internet or enquiry hotlines, to make public information about making appointments of various hospitals, and proactively advise patients of hospitals in busy districts to seek cross-district medical treatment, so as to balance the supply of and demand for healthcare services in various districts;
- (b) to review whether the management structure of the Head Office overlaps with those of hospital clusters, so as to streamline the relevant structure;
- (c) to formulate manpower indicators based on workload, and to set standard working hours for healthcare personnel and provide them with half-time job options, with a view to reducing medical blunders and staff wastage;
- (d) to reorganize specialist services, reduce unnecessary internal referrals, strengthen primary medical care, and increase the subsidies to patients for using outsourced services, so as to divert patients to the private medical system;

- (e) in respect of decisions to add any drugs to or remove any drugs from the HA Drug Formulary, to publish drug efficacy reports and financial implication assessments, and include patients' quality of living as a criterion of evaluation, so as to maximize the social effectiveness of drug subsidies, and even drugs 'which have preliminary medical evidence only' should be included in the safety net of subsidies, and their removal should only be considered when their efficacy is negated, so as to reduce disputes; and
- (f) to relax the application threshold of the Samaritan Fund, and set a fixed ceiling for patients' co-payment.

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

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

Dr Hon PAN Pey-chyou, who would move an amendment, declared that he was currently employed as a consultant in the Hospital Authority. He then spoke on the motion and the amendments.

Dr Hon Joseph LEE, who would move an amendment, declared that he was a board member of the Hospital Authority. He then spoke on the motion and the amendments.

Hon CHAN Hak-kan and Hon CHEUNG Man-kwong, who would move amendments, spoke on the motion and the amendments.

While Hon CHEUNG Man-kwong was speaking, the President left the chair at 6:08 pm temporarily and the President's Deputy, Hon Fred LI, took the chair.

Hon Alan LEONG, who would move an amendment, spoke on the motion and the amendments.

At 6:21 pm, while Hon Alan LEONG was speaking, the President resumed the chair.

The Secretary for Food and Health spoke on the motion and the amendments.

Sixteen Members spoke on the motion and the amendments.

Dr Hon LEUNG Ka-lau spoke on the amendments.

The Secretary for Food and Health spoke again.

Dr Hon PAN Pey-chyou moved the following amendment to Dr Hon LEUNG Ka-lau's motion:

To add “, with population ageing, the healthcare issue has become a great challenge currently faced by society;” after “That”; to delete “its unsatisfactory management” after “yet due to” and substitute with “the failure of its management to progress with the times and its disregard of various unreasonable phenomena”; to add “, staff wastage is serious,” after “healthcare personnel is low”; to delete “and service volume” after “disease treatment costs” and substitute with “, service volume and the distribution of population and age groups in the districts concerned”; to add “and fair” after “formulate objective”; to add “, on the one hand,” after “hospital cluster, and”; to delete “so as to avoid” after “hospitals in busy districts” and substitute with “while avoiding”; to add “, so that the types and quantity of services of the various clusters can better suit the needs of people in their districts, thereby alleviating the plight of elderly and physically weak persons in seeking cross-district medical treatment” after “individual hospital clusters”; to add “(b) with a view to optimizing as much as possible the utilization of precious healthcare resources and services, HA should” before “through the Internet”; to delete “, to” after “enquiry hotlines”; to add “where their capabilities and clinical conditions permit” after “seek cross-district medical treatment”; to delete the original “(b)” and substitute with “(c)”; to add “(d) to comprehensively review and reasonably improve the pay and promotion ladder of frontline healthcare personnel, and offer reasonable remuneration for their duty hours, so as to retain talents;” after “the relevant structure;”; to delete the original “(c)” and substitute with “(e)”; to delete the original “(d)” and substitute with “(f)”; to delete the original “(e)” and substitute with “(g)”; to add “HA, when procuring drugs, should not base its consideration solely on the financial principles, but should also take account of drugs quality and supply stability;” before “in respect of”; to delete “and” after “to reduce disputes;”; to delete the original “(f)” and substitute with “(h)”; and to add “; (i) to allocate additional resources to provide more healthcare personnel with local and overseas training opportunities; (j) to reorganize the grade structures of General Services Assistants and Technical Services Assistants, set up a unified system of ranks, pay and fringe benefits, and formulate uniform employment terms, so as to rectify the unfair situation of different remunerations for the same post in different clusters; and (k) to strengthen the Chinese medicine services in HA hospitals, and consider establishing Chinese medicine hospitals to provide the public with more comprehensive Chinese medicine services and promote the development of Chinese medicine” immediately before the full stop.

Question on Dr Hon PAN Pey-chyou's amendment to Dr Hon LEUNG Ka-lau's motion proposed, put and agreed to.

As Dr Hon PAN Pey-chyou's amendment had been passed, the President granted leave for Dr Hon Joseph LEE to revise the terms of his amendment.

Dr Hon Joseph LEE moved the following further amendment to Dr Hon LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou,:

To add “; (l) to set a nurse-patient ratio to improve the quality of nursing care, so as to effectively safeguard patients' safety; (m) to review the manpower establishment of allied health staff and re-examine the service volume and manpower demand, so as to improve allied healthcare services, thereby reducing the chances of patients' re-hospitalization; (n) to introduce direct referral services by optometrists, so as to reduce unnecessary referrals and shorten waiting time, and to strengthen primary healthcare; (o) to introduce chiropractic services to meet patients' needs; and (p) to review the pay and grade policies on nurses and allied health staff, so as to resolve the problem of severe wastage of talents” immediately before the full stop.

Question on Dr Hon Joseph LEE's amendment to Dr Hon LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou proposed, put and agreed to.

As Dr Hon PAN Pey-chyou's and Dr Hon Joseph LEE's amendments had been passed, the President granted leave for Hon CHAN Hak-kan to revise the terms of his amendment.

Hon CHAN Hak-kan moved the following further amendment to Dr Hon LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou and Dr Hon Joseph LEE:

To add “; and (q) to provide sufficient funding to strengthen primary medical care, expedite the implementation of the strategy for developing primary care, including establishing community health centres to improve public primary healthcare” immediately before the full stop.

Question on Hon CHAN Hak-kan's amendment to Dr Hon LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou and Dr Hon Joseph LEE proposed, put and agreed to.

As the amendments of Dr Hon PAN Pey-chyou, Dr Hon Joseph LEE and Hon CHAN Hak-kan had been passed, the President granted leave for Hon CHEUNG Man-kwong to revise the terms of his amendment.

Hon CHEUNG Man-kwong moved the following further amendment to Dr Hon LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou, Dr Hon Joseph LEE and Hon CHAN Hak-kan:

To add “; (r) to provide administrative and logistic support, so as to prevent imposing additional administrative work on frontline healthcare personnel; (s) to face up to the healthcare manpower wastage problem in public hospitals, review the impact of the Government's measures on promoting the development of medical services industry and encouraging the development of the private medical sector on the demand for healthcare personnel, and to increase the supply of healthcare personnel; (t) due to factors such as population growth, population ageing and the development in medical science and technology, and the problem of inadequate resources of HA, the Government should value the contributions of frontline healthcare personnel in public hospitals, and targeting at the serious staff wastage and low morale problems in some public hospitals and specialties, allocate additional resources to recruit sufficient manpower, improve the management and resource allocation of hospitals and clusters, and train more specialist healthcare personnel; and (u) as the Legislative Council does not have sufficient power to monitor HA, according to the Hospital Authority Ordinance, HA is not required to seek the Legislative Council's approval for creating posts with high pay, and the various public hospitals even have the authority to set the levels of fees for their services; furthermore, there are insufficient channels for patient groups and the public to participate in HA's decision-making and push HA to make improvements, the Government should explore amending the Hospital Authority Ordinance to enhance the Legislative Council's regulatory control over HA in creating posts with high pay and determining its service charges, and enable patient groups and the Legislative Council to elect representatives to serve as members on the HA Board, so as to enhance patient groups' participation and the Legislative Council's regulatory control over HA” immediately before the full stop.

Question on Hon CHEUNG Man-kwong's amendment to Dr Hon LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou, Dr Hon Joseph LEE and Hon CHAN Hak-kan proposed, put and agreed to.

As the amendments of Dr Hon PAN Pey-chyou, Dr Hon Joseph LEE, Hon CHAN Hak-kan and Hon CHEUNG Man-kwong 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 LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou, Dr Hon Joseph LEE, Hon CHAN Hak-kan and Hon CHEUNG Man-kwong:

To add “; (v) in respect of individual hospital clusters with smaller amounts of funding, including the New Territories West and Kowloon East Clusters, to offer sufficient resources to improve their services; (w) to enhance the transparency of approving drugs to be included in the HA Drug Formulary, regularly publish the approval results and grounds; (x) to explain the funding criteria adopted by various hospital clusters, so as to avoid uneven resource distribution; and (y) to expedite the progress of hospital redevelopment and medical equipment renewal, so as to cope with growing medical demands” immediately before the full stop.

Question on Hon Alan LEONG's amendment to Dr Hon LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou, Dr Hon Joseph LEE, Hon CHAN Hak-kan and Hon CHEUNG Man-kwong proposed, put and agreed to.

Dr Hon LEUNG Ka-lau replied.

Question on Dr Hon LEUNG Ka-lau's motion as amended by Dr Hon PAN Pey-chyou, Dr Hon Joseph LEE, Hon CHAN Hak-kan, Hon CHEUNG Man-kwong and Hon Alan LEONG put and agreed to.

Next meeting

The President declared that the next meeting of the Council would be held on 16 March 2011 at 11:00 am.

The Council was adjourned at 9:13 pm.

(Jasper TSANG Yok-sing)
President
2 June 2011

Council Chamber
Hong Kong

Public Finance Ordinance

Resolution

(Under section 7(1) of the Public Finance Ordinance (Cap. 2))

Resolved that—

1. Authority is hereby given for a sum not exceeding \$60,220,429,000 to be charged on the general revenue for expenditure on the services of the Government in respect of the financial year commencing on 1 April 2011.
2. Subject to this Resolution, the sum so charged may be expended against the heads of expenditure as shown in the Estimates of Expenditure 2011–12 laid before the Legislative Council on 23 February 2011 or, if the Estimates are changed under the provisions of the Public Finance Ordinance (Cap. 2) as applied by section 7(2) of that Ordinance, as shown in the Estimates as so changed.
3. Expenditure in respect of any head of expenditure must not exceed the aggregate of the amounts authorized by paragraph 4 to be expended in respect of the subheads in that head of expenditure.
4. Expenditure in respect of each subhead in a head of expenditure must not exceed—
 - (a) for an Operating Account Recurrent subhead of expenditure, an amount equivalent to—
 - (i) except if the subhead is listed in Schedule 1 to this Resolution, 20% of the provision shown in the Estimates in respect of that subhead;

- (ii) if the subhead is listed in Schedule 1 to this Resolution, the percentage of the provision shown in the Estimates in respect of that subhead that is specified in that Schedule in relation to that subhead; and
 - (b) for an Operating Account Non-Recurrent subhead of expenditure or a Capital Account subhead of expenditure, an amount equivalent to—
 - (i) except if the subhead is listed in Schedule 2 to this Resolution, 100% of the provision shown in the Estimates in respect of that subhead;
 - (ii) if the subhead is listed in Schedule 2 to this Resolution, the amount that is specified in that Schedule in relation to that subhead,

or such other amount, not exceeding an amount equivalent to 100% of the provision shown in the Estimates in respect of that subhead, as may in any case be approved by the Financial Secretary.

Schedule 1		[para. 4(a)]	
Head of Expenditure	Subhead	Percentage of provision shown in Estimates	
90 Labour Department	280 Contribution to the Occupational Safety and Health Council	30	
	295 Contribution to the Occupational Deafness Compensation Board	30	
106 Miscellaneous Services	284 Compensation	40	
120 Pensions	026 Employees' compensation, injury, incapacity and death related payments and expenses	40	
170 Social Welfare Department	157 Assistance for patients and their families	100	
	176 Criminal and law enforcement injuries compensation	25	
	177 Emergency relief	100	
	179 Comprehensive social security assistance scheme	30	
	180 Social security allowance scheme	30	

Schedule 2		[para. 4(b)]	
Head of Expenditure	Subhead	Amount	\$
106 Miscellaneous Services	689 Additional commitments	0	
	789 Additional commitments	1,000,000,000	
184 Transfers to Funds	984 Payment to the Capital Works Reserve Fund	0	

投票 VOTE: 1
 日期 DATE: 09/03/2011
 時間 TIME: 03:23:54 下午pm

動議 MOTION: 根據《公共財政條例》動議的擬議決議案
 PROPOSED RESOLUTION UNDER THE PUBLIC FINANCE ORDINANCE

動議人 MOVED BY: 財經事務及庫務局局長 Secretary for Financial Services and the Treasury

出席 Present :36
 投票 Vote :31
 贊成 Yes :17
 反對 No :0
 棄權 Abstain :14
 結果 Result :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
曾鈺成	TSANG Yok-sing	出席	PRESENT	林健鋒	Jeffrey LAM		
何俊仁	Albert HO	棄權	ABSTAIN	梁君彥	Andrew LEUNG		
何鍾泰	Dr Raymond HO			張學明	CHEUNG Hok-ming		
李卓人	LEE Cheuk-yan	出席	PRESENT	黃定光	WONG Ting-kwong	贊成	YES
李國寶	Dr David LI			湯家驊	Ronny TONG	棄權	ABSTAIN
李華明	Fred LI	棄權	ABSTAIN	詹培忠	CHIM Pui-chung	贊成	YES
吳靄儀	Dr Margaret NG	棄權	ABSTAIN	劉秀成	Prof Patrick LAU	贊成	YES
涂謹申	James TO	棄權	ABSTAIN	甘乃威	KAM Nai-wai	棄權	ABSTAIN
張文光	CHEUNG Man-kwong	棄權	ABSTAIN	何秀蘭	Cyd HO		
陳鑑林	CHAN Kam-lam			李慧琼	Starry LEE	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG			林大輝	Dr LAM Tai-fai		
梁耀忠	LEUNG Yiu-chung	出席	PRESENT	陳克勤	CHAN Hak-kan	贊成	YES
黃宜弘	Dr Philip WONG			陳茂波	Paul CHAN		
黃容根	WONG Yung-kan	贊成	YES	陳健波	CHAN Kin-por	贊成	YES
劉江華	LAU Kong-wah	贊成	YES	梁美芬	Dr Priscilla LEUNG	贊成	YES
劉皇發	LAU Wong-fat			梁家騮	Dr LEUNG Ka-lau	贊成	YES
劉健儀	Miriam LAU			張國柱	CHEUNG Kwok-che	出席	PRESENT
劉慧卿	Emily LAU	棄權	ABSTAIN	黃成智	WONG Sing-chi	棄權	ABSTAIN
鄭家富	Andrew CHENG			黃國健	WONG Kwok-kin		
霍震霆	Timothy FOK			葉偉明	IP Wai-ming	贊成	YES
譚耀宗	TAM Yiu-chung			葉國謙	IP Kwok-him		
石禮謙	Abraham SHEK			葉劉淑儀	Mrs Regina IP		
李鳳英	LI Fung-ying	贊成	YES	潘佩璆	Dr PAN Pey-chyau	贊成	YES
張宇人	Tommy CHEUNG	贊成	YES	謝偉俊	Paul TSE	贊成	YES
馮檢基	Frederick FUNG	出席	PRESENT	譚偉豪	Dr Samson TAM	贊成	YES
余若薇	Audrey EU	棄權	ABSTAIN	梁家傑	Alan LEONG	棄權	ABSTAIN
方剛	Vincent FANG			梁國雄	LEUNG Kwok-hung		
王國興	WONG Kwok-hing	贊成	YES	陳淑莊	Tanya CHAN	棄權	ABSTAIN
李永達	LEE Wing-tat	棄權	ABSTAIN	陳偉業	Albert CHAN		
李國麟	Dr Joseph LEE	棄權	ABSTAIN	黃毓民	WONG Yuk-man		

投票 VOTE: 2
日期 DATE: 09/03/2011
時間 TIME: 05:19:07 下午pm

動議 MOTION: 何俊仁議員對湯家驊議員的「建立中港溝通機制」議案作出的修正案
AMENDMENT BY HON ALBERT HO TO HON RONNY TONG'S MOTION ON
"ESTABLISHING A COMMUNICATION MECHANISM BETWEEN CHINA AND HONG KONG"

動議人 MOVED BY: 何俊仁 Albert HO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	16	20	
投票 Vote	16	19	
贊成 Yes	5	11	
反對 No	5	4	
棄權 Abstain	6	4	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

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

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投票 VOTE: 3
 日期 DATE: 09/03/2011
 時間 TIME: 05:23:05 下午pm

動議 MOTION: 「建立中港溝通機制」議案
 MOTION ON "ESTABLISHING A COMMUNICATION MECHANISM BETWEEN CHINA AND HONG KONG"

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	16	21	
投票 Vote	16	20	
贊成 Yes	4	11	
反對 No	1	1	
棄權 Abstain	11	8	
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		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	
張文光 CHEUNG Man-kwong	贊成 YES	李華明 Fred LI	贊成 YES
梁劉柔芬 Mrs Sophie LEUNG		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	棄權 ABSTAIN	梁耀忠 LEUNG Yiu-chung	棄權 ABSTAIN
劉皇發 LAU Wong-fat		劉江華 LAU Kong-wah	棄權 ABSTAIN
劉健儀 Miriam LAU		劉慧卿 Emily LAU	
霍震霆 Timothy FOK		鄭家富 Andrew CHENG	
石禮謙 Abraham SHEK		譚耀宗 TAM Yiu-chung	
李鳳英 LI Fung-ying	棄權 ABSTAIN	馮檢基 Frederick FUNG	贊成 YES
張宇人 Tommy CHEUNG	棄權 ABSTAIN	余若薇 Audrey EU	贊成 YES
方剛 Vincent FANG		王國興 WONG Kwok-hing	棄權 ABSTAIN
李國麟 Dr Joseph LEE	贊成 YES	李永達 LEE Wing-tat	贊成 YES
林健鋒 Jeffrey LAM		張學明 CHEUNG Hok-ming	
梁君彥 Andrew LEUNG		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	反對 NO	何秀蘭 Cyd HO	
劉秀成 Prof Patrick LAU	棄權 ABSTAIN	李慧琼 Starry LEE	棄權 ABSTAIN
林大輝 Dr LAM Tai-fai		陳克勤 CHAN Hak-kan	棄權 ABSTAIN
陳茂波 Paul CHAN		梁美芬 Dr Priscilla LEUNG	棄權 ABSTAIN
陳健波 CHAN Kin-por	棄權 ABSTAIN	黃成智 WONG Sing-chi	贊成 YES
梁家駒 Dr LEUNG Ka-lau	棄權 ABSTAIN	黃國健 WONG Kwok-kin	
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	棄權 ABSTAIN	梁家傑 Alan LEONG	贊成 YES
葉國謙 IP Kwok-him		梁國雄 LEUNG Kwok-hung	
潘佩璆 Dr PAN Pey-chyou	棄權 ABSTAIN	陳淑莊 Tanya CHAN	贊成 YES
謝偉俊 Paul TSE	棄權 ABSTAIN	陳偉業 Albert CHAN	棄權 ABSTAIN
譚偉豪 Dr Samson TAM	棄權 ABSTAIN	黃毓民 WONG Yuk-man	棄權 ABSTAIN

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