

LEGISLATIVE COUNCIL

MINUTES

No. 25

**Minutes of the meeting held on Wednesday 4 May 2011 at 11:00 am
and Thursday 5 May 2011 at 2:30 pm**

Members present:

President

The Hon Jasper TSANG Yok-sing, GBS, JP

The Hon Albert HO Chun-yan (absent on 4.5.2011)

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 5.5.2011)

The Hon Fred LI Wah-ming, SBS, JP

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 (absent on 5.5.2011)

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 (absent on 5.5.2011)

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 (absent on 5.5.2011)

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 (absent on 5.5.2011)

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

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

Member absent:

Dr the Hon Margaret NG

Public officers attending:

On 4.5.2011

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

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

Prof Gabriel Matthew LEUNG, JP
Secretary for Food and Health

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

Ms Julia LEUNG Fung-ye, JP
Secretary for Financial Services and the Treasury

On 5.5.2011

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

Mr YAU Shing-mu, JP
Under Secretary for Transport and Housing

On 4.5.2011 and 5.5.2011

The Hon Eva CHENG, JP
Secretary for Transport and Housing

Clerks in attendance:

On 4.5.2011

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

Miss Odelia LEUNG Hing-ye, Assistant Secretary General (2)

Mrs Percy MA, Assistant Secretary General (4)

On 4.5.2011 and 5.5.2011

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

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. Employees Retraining Ordinance (Amendment of Schedule 2) Notice 2011 (gazetted on 15.4.2011)	59/2011
2. Food Safety Ordinance (Commencement) Notice (gazetted on 15.4.2011)	60/2011
3. Hong Kong Airport (Control of Obstructions) (Exemption) (Amendment) Order 2011 (gazetted on 29.4.2011)	62/2011

Other Papers

No. 89 - Language Fund
Audited financial statements together with the Report of the Director of Audit for the year ended 31 August 2010 (published on 20.4.2011)

No. 90 - Report by the Trustee of the Correctional Services Children's Education Trust for the period from 1st September 2009 to 31st August 2010 (published on 27.4.2011)

Report No. 20/10-11 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (published on 28.4.2011)

Report of the Bills Committee on Securities and Futures and Companies Legislation (Structured Products Amendment) Bill 2010 (published on 3.5.2011)

Questions

1. Hon CHAN Kam-lam asked Question 1.

The Secretary for Transport and Housing replied.

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

2. Hon Mrs Sophie LEUNG declared that she had served as the chairman or a member of the governing committee of a number of public hospitals, and that she was at present the chairman of the clinical governance committee of a private hospital. She then asked Question 2.

The Secretary for Food and Health replied.

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

3. In accordance with Rule 26(6) of the Rules of Procedure, Hon Alan LEONG asked Question 3 on behalf of Dr Hon Margaret NG, who was not present to ask her question.

The Chief Secretary for Administration replied.

Ten Members asked supplementary questions and the Chief Secretary for Administration replied.

4. Hon Andrew CHENG asked Question 4.

The Secretary for Food and Health replied.

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

5. Hon CHIM Pui-chung asked Question 5.

The Secretary for Transport and Housing replied.

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

6. Hon LEUNG Yiu-chung declared that he had participated in 10 marathons in the past 14 years. He then asked Question 6.

The Secretary for Home Affairs replied.

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

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

Bills

First Reading

Electoral Legislation (Miscellaneous Amendments) Bill 2011
Inland Revenue (Amendment) (No. 3) Bill 2011

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

Second Reading

Electoral Legislation (Miscellaneous Amendments) Bill 2011

The Secretary for Constitutional and Mainland Affairs moved the Second Reading and spoke on the Bill.

While the Secretary for Constitutional and Mainland Affairs was speaking, the President left the chair at 1:15 pm temporarily and the President's Deputy, Hon Miriam LAU, 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.

Inland Revenue (Amendment) (No. 3) Bill 2011

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

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.

Mandatory Provident Fund Schemes (Amendment) Bill 2011

Resumption of Second Reading debate

The debate on the Second Reading which was moved on 2 March 2011 resumed.

Question on the Second Reading put and agreed to.

Bill read the second time and committed to a committee of the whole Council.

Committee stage

The Council went into committee and considered the Mandatory Provident Fund Schemes (Amendment) Bill 2011.

Question that clauses 1 to 4 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Financial Services and the Treasury reported that

the Mandatory Provident Fund Schemes (Amendment) Bill 2011

had passed through Committee stage without amendment. She moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed, put and agreed to.

Bill read the third time and passed.

Securities and Futures and Companies Legislation (Structured Products Amendment) Bill 2010

Resumption of Second Reading debate

The debate on the Second Reading which was moved on 14 July 2010 resumed.

Hon Starry LEE, Chairman of the Bills Committee on Securities and Futures and Companies Legislation (Structured Products Amendment) Bill 2010, addressed the Council on the Committee's Report. After the address, she spoke on the Bill in her personal capacity as a Member.

A Member spoke on the Bill.

The Secretary for Financial Services and the Treasury replied.

Question on the Second Reading put and agreed to.

Bill read the second time and committed to a committee of the whole Council.

Committee stage

The Council went into committee and considered the Securities and Futures and Companies Legislation (Structured Products Amendment) Bill 2010.

Question that clauses 1, 3, 5 to 14 and 16 to 29 stand part of the Bill proposed, put and agreed to.

Question that clauses 2, 4 and 15 stand part of the Bill proposed.

The Secretary for Financial Services and the Treasury moved amendments to clauses 2, 4 and 15 and spoke on the amendments.

Question on the amendments put and agreed to.

The Chairman's Deputy stated that as the amendment to delete clause 2 had been passed, clause 2 was therefore deleted from the Bill.

Question that clauses 4 and 15 as amended stand part of the Bill proposed, put and agreed to.

The new heading before new clause 30 and new clause 30 read the first time.

The Secretary for Financial Services and the Treasury moved the Second Reading of the new heading before new clause 30 and new clause 30. She then spoke on the new heading and the new clause.

Question on the Second Reading of the new heading before new clause 30 and new clause 30 proposed, put and agreed to.

The new heading before new clause 30 and new clause 30 read the second time.

The Secretary for Financial Services and the Treasury moved the addition of the new heading before new clause 30 and new clause 30 to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Financial Services and the Treasury reported that

the Securities and Futures and Companies Legislation
(Structured Products Amendment) Bill 2010

had passed through Committee stage with amendments. She moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed.

Two Members spoke on the motion.

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

Question on the Third Reading put and agreed to.

Bill read the third time and passed.

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

The President's Deputy stated that Hon Albert CHAN and Hon Vincent FANG had respectively given notices to each move a motion to repeal the Public Revenue Protection (Dutiable Commodities) Order 2011. As the two motions were identical, the President's Deputy said that she would only call upon Hon Albert CHAN to move his motion. After Hon Albert CHAN's motion had been voted upon, irrespective of whether or not it was passed, Hon Vincent FANG might not move his motion. The motions of Hon Albert CHAN and Hon Vincent FANG would be debated together in a joint debate.

Hon Albert CHAN moved the following motion and spoke on the motion:

Resolved that the Public Revenue Protection (Dutiable Commodities) Order 2011, published in the Gazette as Legal Notice No. 32 of 2011 and laid on the table of the Legislative Council on 2 March 2011, be repealed.

Question on the motion proposed.

Hon Vincent FANG spoke on the motion.

At 2:56 pm, while Hon Vincent FANG was speaking, the President resumed the chair.

The Secretary for Food and Health spoke on the motion.

Dr Hon Joseph LEE spoke on the motion as the Chairman of the Subcommittee on Public Revenue Protection (Dutiable Commodities) Order 2011, and then spoke in his personal capacity as a Member.

The President reminded Members that they should speak to the motion under debate, which sought to repeal the Public Revenue Protection (Dutiable Commodities) Order 2011. The President stated that while the motion was closely related to the proposal of increasing tobacco duty under the Dutiable Commodities (Amendment) Bill 2011 the Second Reading debate on which would be resumed at a later date, he hoped that Members would refrain from debating the proposal in this debate.

A Member spoke on the motion.

Hon WONG Yuk-man spoke on the motion and declared that he had been a smoker for 30-odd years but had quitted smoking for eight years.

Ten other Members spoke on the motion.

The Secretary for Food and Health spoke again.

Hon Albert CHAN replied.

Question on the motion put.

Hon Albert CHAN 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, four were in favour of the motion, 19 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, three were in favour of the motion, 21 against it and three abstained (voting record in **Appendix I**). Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the motion was negatived.

Proposed resolution under the Interpretation and General Clauses Ordinance

Hon KAM Nai-wai moved the following motion and spoke on the motion:

Resolved that the Public Revenue Protection (Motor Vehicles First Registration Tax) Order 2011, published in the Gazette as Legal Notice No. 33 of 2011 and laid on the table of the Legislative Council on 2 March 2011, be repealed.

Question on the motion proposed.

The Secretary for Transport and Housing spoke on the motion.

Hon WONG Ting-kwong spoke on the motion as the Chairman of the Subcommittee on Public Revenue Protection (Motor Vehicles First Registration Tax) Order 2011. He declared that he owned a private car. He then spoke in his personal capacity as a Member.

A Member spoke on the motion.

Hon Ronny TONG declared that he was a vehicle owner and then spoke on the motion.

While Hon Ronny TONG was speaking, the President left the chair at 7:05 pm temporarily and the President's Deputy, Hon Miriam LAU, took the chair.

Two other Members spoke on the motion.

Hon Paul CHAN declared that his company had decided to order a new car before the Financial Secretary announced in the Budget the increase of the First Registration Tax for private cars. He then spoke on the motion.

One more Member spoke on the motion.

The Secretary for Transport and Housing spoke again.

Hon KAM Nai-wai replied.

At 7:56 pm, while Hon KAM Nai-wai was speaking, the President resumed the chair.

Question on the motion put.

Hon KAM Nai-wai claimed a division. The President then ordered the Council to proceed to a division under Rule 47(1) of the Rules of Procedure.

While the division bell was ringing, Dr Hon PAN Pey-chyou declared that he had purchased a new car and would vote against the motion.

The President said that according to Rule 84(1) of the Rules of Procedure, a Member should not vote upon any question in which he had a direct pecuniary interest except where his vote was given on a matter of Government policy. The President added that the matter raised in the motion under debate concerned a Government policy.

The President announced that among the Members returned by functional constituencies, 17 were present, one was in favour of the motion, 14 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 23 were present, five were in favour of the motion, 11 against it and six 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 motion was negatived.

Enhancing the My Home Purchase Plan

Hon CHEUNG Hok-ming moved the following motion and spoke on the motion:

That the Government put forward the My Home Purchase Plan ('MHPP') in the Policy Address announced in October last year, under which a total of 5 000 small and medium flats will be made available to eligible people to 'rent-and-buy', yet the community generally considers that there are still inadequacies in MHPP; in this connection, this Council urges the Government to resume the construction of Home Ownership Scheme flats, build additional public rental housing flats and enhance MHPP; the relevant enhancement measures should include:

- (a) to make MHPP more flexible, and enhance the measure of 'rent-and-buy' to become 'rent-or-buy', thereby enabling applicants to purchase their flats at any time;
- (b) to offer discounts on flat prices and impose restrictions on the resale of flats to prevent speculation;
- (c) to increase the quantity of flats to be launched in the first year to 2 000;
- (d) to allocate additional sites, including studying the use of some suitable sites on the Application List for constructing MHPP flats, with a view to increasing the supply of flats; and
- (e) to review and expedite the various procedures of MHPP, so as to shorten the time between the planning and completion of projects.

Question on Hon CHEUNG Hok-ming'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.

Hon Frederick FUNG, Hon Ronny TONG, Hon LEE Wing-tat, Hon WONG Kwok-hing and Hon Paul CHAN, who would move amendments, spoke on the motion and the amendments.

The Secretary for Transport and Housing spoke on the motion and the amendments.

Seven Members spoke on the motion and the amendments.

The President suspended the meeting at 10:04 pm.

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The Council resumed at 2:30 pm on 5 May 2011.

Six other Members spoke on the motion and the amendments.

Hon CHEUNG Hok-ming spoke on the amendments.

The Secretary for Transport and Housing spoke again.

Hon Frederick FUNG moved the following amendment to Hon CHEUNG Hok-ming's motion:

To add “, although” after “That”; and to delete “yet the community generally considers that there are still inadequacies in MHPP; in this connection, this Council urges the Government” after “people to ‘rent-and-buy’,” and substitute with “in the meantime private residential property prices have soared to a level which exceeds the peak in 1997, and the middle and lower classes still face housing difficulties, reflecting that MHPP is unable to satisfy people’s aspiration for acquiring their homes and even fails to resolve the long-term housing demand; in this connection, targeting at the overall housing problem and the inadequacies of MHPP, this Council urges the Government to formulate a stable, sustainable and long-term housing policy, accept the mainstream public opinion as well as the almost unanimous proposal of this Council”.

Question on Hon Frederick FUNG’s amendment to Hon CHEUNG Hok-ming’s motion proposed, put and agreed to.

As Hon Frederick FUNG’s amendment 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 CHEUNG Hok-ming’s motion as amended by Hon Frederick FUNG, and explained the revised terms of his amendment to the Council:

To delete “enhancement” after “relevant”; to delete “and” after “supply of flats;”; and to add “; (f) to appropriately increase the annual supply of public rental housing flats, so as to truly implement the pledge of three-year waiting time for public rental housing allocation; review the public rental housing allocation system for single persons, and set the time by which they may be allocated public rental housing flats at the latest; and (g) to re-launch the construction plan of Home Ownership Scheme flats, so as to also enable persons with low and middle income to have opportunities of acquiring their homes” immediately before the full stop.

Question on Hon Ronny TONG's amendment to Hon CHEUNG Hok-ming's motion as amended by Hon Frederick FUNG 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, 18 were present, seven were in favour of the amendment, two against it and nine abstained; while among the Members returned by geographical constituencies through direct elections, 21 were present, 14 were in favour of the amendment and six 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 negatived.

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

That in the event of further divisions in relation to the motion on "Enhancing the My Home Purchase Plan" 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, put and agreed to.

As Hon Frederick FUNG'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 Hon CHEUNG Hok-ming's motion as amended by Hon Frederick FUNG:

To add ", re-launch the Tenants Purchase Scheme" after "public rental housing flats"; to add "(c) to offer home mortgage guarantees, enabling applicants to obtain 90% bank mortgage and purchase a flat with only 10% down payment;" after "speculation;"; to delete the original "(c)" and substitute with "(d)"; to delete the original "(d)" and substitute with "(e)"; and to delete the original "(e)" and substitute with "(f)".

Question on Hon LEE Wing-tat's amendment to Hon CHEUNG Hok-ming's motion as amended by Hon Frederick FUNG proposed, put and agreed to.

As Hon Frederick FUNG's and Hon LEE Wing-tat's amendments had been passed, the President granted leave for Hon WONG Kwok-hing to revise the terms of his amendment.

Hon WONG Kwok-hing moved the following further amendment to Hon CHEUNG Hok-ming's motion as amended by Hon Frederick FUNG and Hon LEE Wing-tat:

To add “; (g) to make available 3 000 to 5 000 flats annually after the first year; and (h) to make reference to the effective systems of green forms and white forms under Home Ownership Scheme, enabling both public rental housing tenants and private housing residents to have opportunities of making applications” immediately before the full stop.

Question on Hon WONG Kwok-hing's amendment to Hon CHEUNG Hok-ming's motion as amended by Hon Frederick FUNG and Hon LEE Wing-tat proposed, put and agreed to.

As the amendments of Hon Frederick FUNG, Hon LEE Wing-tat and Hon WONG Kwok-hing had been passed, the President granted leave for Hon Paul CHAN to revise the terms of his amendment.

Hon Paul CHAN moved the following further amendment to Hon CHEUNG Hok-ming's motion as amended by Hon Frederick FUNG, Hon LEE Wing-tat and Hon WONG Kwok-hing:

To add “; and (i) to stipulate in the Conditions of Sale in the future that only Hong Kong citizens are permitted to purchase MHPP flats, and that such flats can only be resold to Hong Kong citizens” immediately before the full stop.

Question on Hon Paul CHAN's amendment to Hon CHEUNG Hok-ming's motion as amended by Hon Frederick FUNG, Hon LEE Wing-tat and Hon WONG Kwok-hing proposed, put and agreed to.

Hon CHEUNG Hok-ming replied.

Question on Hon CHEUNG Hok-ming's motion as amended by Hon Frederick FUNG, Hon LEE Wing-tat, Hon WONG Kwok-hing and Hon Paul CHAN put and agreed to.

Promoting regional economic integration between Guangdong and Hong Kong

Hon Andrew LEUNG moved the following motion and spoke on the motion:

That our country's Twelfth Five-Year Plan proposes to promote joint regional economic development, intensify exchanges and co-operation between the Mainland and Hong Kong, continue to materialize the Framework Agreement on Hong Kong/Guangdong Co-operation, and implement the Mainland and Hong Kong Closer Economic Partnership Arrangement and its seven Supplements; with the construction and completion of cross-boundary transport networks between the two places, the SAR Government must adopt a forward-looking attitude and formulate policies and measures which are conducive to promoting the development of the two places; in this connection, this Council urges the SAR Government:

- (a) to assist Hong Kong businessmen with manufacturing businesses in the Pearl River Delta Region in upgrading and restructuring;
- (b) to set up funds for promoting Hong Kong brand names, products and professional services on the Mainland market, so as to assist local small and medium enterprises in expanding into the Mainland domestic market;
- (c) to provide support to local enterprises for developing small-scale technology industries and commercializing the achievements of their scientific research;
- (d) to formulate appropriate policies to help Hong Kong businessmen on the Mainland enhance their innovation and scientific research capability, and assist enterprises in undertaking technological innovation and developing green economy in Guangdong Province;
- (e) to jointly develop Qianhai New District in Shenzhen into a 'Hong Kong/Guangdong modern service industry innovation and co-operation exemplary zone';
- (f) to strengthen financial co-operation and innovation by fostering on all fronts intensive co-operation between Guangdong and Hong Kong in financial markets, financial institutions and financial businesses, etc.;
- (g) to jointly promote the formulation of an exchange mechanism for developing the logistics industry, with a view to establishing an international logistics centre and building a modern economic circulation sphere;
- (h) to expand the scope of Guangdong-Hong Kong-Macao tourism co-operation; and

- (i) to introduce tax provisions for cross-border workers and encourage Hong Kong's talents who are engaged in service industries as well as scientific and technological research to work on the Mainland, so as to support the development of high-end service sectors, manufacturing industries and technologies on the Mainland,

thereby enabling Hong Kong's professional services to radiate into the entire Guangdong Province, assisting in the rapid development of the high value-added Mainland economy, and developing Guangdong and Hong Kong into a world-class urban agglomeration to grasp the new opportunities of the regional economy.

Question on Hon Andrew LEUNG's motion proposed.

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

Dr Hon Samson TAM, Hon WONG Kwok-hing, Hon Miriam LAU and Hon CHAN Kam-lam, who would move amendments, spoke on the motion and the amendments.

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

Nine Members spoke on the motion and the amendments.

Hon Andrew LEUNG spoke on the amendments.

The Secretary for Constitutional and Mainland Affairs spoke again.

Dr Hon Samson TAM moved the following amendment to Hon Andrew LEUNG's motion:

To add “, given that” after “That”; and to add “the SAR Government, while assisting Hong Kong enterprises in going north to open up the Mainland market, must formulate a long-term and sustainable policy to attract more enterprises on the Mainland to establish international headquarters in Hong Kong, facilitate the inflow of Mainland and overseas capital to Hong Kong and create more employment opportunities for Hong Kong; therefore,” after “two places,”.

Question on Dr Hon Samson TAM's amendment to Hon Andrew LEUNG's motion proposed, put and agreed to.

As Dr Hon Samson TAM's amendment had been passed, the President granted leave for Hon WONG Kwok-hing to revise the terms of his amendment.

Hon WONG Kwok-hing moved the following further amendment to Hon Andrew LEUNG's motion as amended by Dr Hon Samson TAM:

To delete "and" after "tourism co-operation;"; to add "; (j) to expeditiously conduct studies on establishing a fourth industrial estate and formulate an implementation timetable, with a view to creating better conditions for expanding local industries with competitive edge, so as to dovetail with the Twelfth Five-Year Plan and regional economic integration between Guangdong and Hong Kong, thus creating more new employment opportunities for Hong Kong; and (k) to expeditiously and comprehensively review and reform Hong Kong's schemes for investment immigrants, draw on the successful experience of Singapore or the United States in introducing entrepreneurial investment immigration, enhance the entrepreneurial environment in Hong Kong for increasing employment opportunities, and formulate a review timetable in this regard," after "technologies on the Mainland"; and to add ", while at the same time raising Hong Kong's level and enhancing its value-adding" after "Mainland economy".

Question on Hon WONG Kwok-hing's amendment to Hon Andrew LEUNG's motion as amended by Dr Hon Samson TAM proposed, put and agreed to.

As Dr Hon Samson TAM's and Hon WONG Kwok-hing's amendments had been passed, the President granted leave for Hon Miriam LAU to revise the terms of her amendment.

Hon Miriam LAU moved the following further amendment to Hon Andrew LEUNG's motion as amended by Dr Hon Samson TAM and Hon WONG Kwok-hing:

To add "; this Council also urges the SAR Government: (l) to expeditiously review the existing support arrangements and tax concessions; (m) to set up funds for the upgrading and restructuring of small and medium enterprises; (n) to discuss with the Mainland to further improve the situation of 'Big doors are open, but small doors are shut', including further relaxing the threshold of market access and strengthening mutual recognition of professional qualifications, so as to facilitate Hong Kong's small and medium enterprises to

expand their business on the Mainland; (o) to provide tax concessions for scientific research; (p) to provide financing channels and professional advice to help Hong Kong businessmen on the Mainland enhance their innovation and scientific research capability; (q) to strive to ensure that cross-boundary infrastructures, including the Hong Kong-Zhuhai-Macao Bridge project, etc., can be completed as scheduled, and avoid incompatibility with Mainland transport networks; (r) to streamline the customs clearance procedures of both Guangdong and Hong Kong, and actively conduct studies on establishing additional control points with the co-location of immigration and customs facilities or on adopting additional measures to facilitate immigration and customs clearance, so as to facilitate the smooth and unobstructed two-way flows of people and goods; (s) to strive for the adoption of more early and pilot implementation policies in Qianhai New District; and (t) to avoid double taxation” immediately before the full stop.

Question on Hon Miriam LAU’s amendment to Hon Andrew LEUNG’s motion as amended by Dr Hon Samson TAM and Hon WONG Kwok-hing proposed, put and agreed to.

As the amendments of Dr Hon Samson TAM, Hon WONG Kwok-hing and Hon Miriam LAU had been passed, the President granted leave for Hon CHAN Kam-lam to revise the terms of his amendment.

Hon CHAN Kam-lam moved the following further amendment to Hon Andrew LEUNG’s motion as amended by Dr Hon Samson TAM, Hon WONG Kwok-hing and Hon Miriam LAU:

To add “(u) to encourage Guangdong enterprises to invest in Hong Kong, and use Hong Kong for going global and making overseas investments; and (v) to improve the co-operation mechanisms to jointly develop a Greater Pearl River Delta metropolitan area” immediately before the full stop.

Question on Hon CHAN Kam-lam’s amendment to Hon Andrew LEUNG’s motion as amended by Dr Hon Samson TAM, Hon WONG Kwok-hing and Hon Miriam LAU proposed, put and agreed to.

Hon Andrew LEUNG replied.

Question on Hon Andrew LEUNG’s motion as amended by Dr Hon Samson TAM, Hon WONG Kwok-hing, Hon Miriam LAU and Hon CHAN Kam-lam put.

Hon Albert CHAN 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, 18 were present and 18 were in favour of the motion as amended; while among the Members returned by geographical constituencies through direct elections, 20 were present, 17 were in favour of the motion as amended and two against it (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 motion as amended was passed.

Next meeting

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

The Council was adjourned at 6:14 pm.

(Jasper TSANG Yok-sing)
President
22 August 2011

Council Chamber
Hong Kong

投票 VOTE: 1
日期 DATE: 04/05/2011
時間 TIME: 06:14:24 下午pm

動議 MOTION: 廢除《2011年公共收入保障(應課稅品)令》的擬議決議案
PROPOSED RESOLUTION TO REPEAL THE PUBLIC REVENUE PROTECTION (DUTIABLE COMMODITIES) ORDER 2011

動議人 MOVED BY: 陳偉業 Albert CHAN

	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	4	3	
反對 No	19	21	
棄權 Abstain	2	3	
結果 Result	否決 Negatived	否決 Negatived	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	反對 NO	何俊仁 Albert HO	
吳靄儀 Dr Margaret NG		李卓人 LEE Cheuk-yan	反對 NO
張文光 CHEUNG Man-kwong	反對 NO	李華明 Fred LI	反對 NO
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	涂謹申 James TO	反對 NO
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
黃容根 WONG Yung-kan	反對 NO	梁耀忠 LEUNG Yiu-chung	
劉皇發 LAU Wong-fat	反對 NO	劉江華 LAU Kong-wah	反對 NO
劉健儀 Miriam LAU	贊成 YES	劉慧卿 Emily LAU	反對 NO
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	反對 NO
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	棄權 ABSTAIN
張宇人 Tommy CHEUNG	贊成 YES	余若薇 Audrey EU	反對 NO
方剛 Vincent FANG	贊成 YES	王國興 WONG Kwok-hing	棄權 ABSTAIN
李國麟 Dr Joseph LEE	反對 NO	李永達 LEE Wing-tat	反對 NO
林健鋒 Jeffrey LAM	反對 NO	張學明 CHEUNG Hok-ming	反對 NO
梁君彥 Andrew LEUNG	反對 NO	湯家驊 Ronny TONG	反對 NO
黃定光 WONG Ting-kwong	反對 NO	甘乃威 KAM Nai-wai	反對 NO
詹培忠 CHIM Pui-chung		何秀蘭 Cyd HO	反對 NO
劉秀成 Prof Patrick LAU	反對 NO	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	反對 NO	梁美芬 Dr Priscilla LEUNG	反對 NO
陳健波 CHAN Kin-por	反對 NO	黃成智 WONG Sing-chi	反對 NO
梁家駒 Dr LEUNG Ka-lau	反對 NO	黃國健 WONG Kwok-kin	棄權 ABSTAIN
張國柱 CHEUNG Kwok-che	反對 NO	葉劉淑儀 Mrs Regina IP	反對 NO
葉偉明 IP Wai-ming	棄權 ABSTAIN	梁家傑 Alan LEONG	反對 NO
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	棄權 ABSTAIN	陳淑莊 Tanya CHAN	反對 NO
謝偉俊 Paul TSE		陳偉業 Albert CHAN	贊成 YES
譚偉豪 Dr Samson TAM		黃毓民 WONG Yuk-man	贊成 YES

秘書 CLERK

投票 VOTE: 2
日期 DATE: 04/05/2011
時間 TIME: 08:04:05 下午pm

動議 MOTION: 廢除《2011年公共收入保障（汽車首次登記稅）令》的擬議決議案
PROPOSED RESOLUTION TO REPEAL THE PUBLIC REVENUE PROTECTION (MOTOR VEHICLES FIRST REGISTRATION TAX) ORDER 2011

動議人 MOVED BY: 甘乃威KAM Nai-wai

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	17	23	
投票 Vote	17	22	
贊成 Yes	1	5	
反對 No	14	11	
棄權 Abstain	2	6	
結果 Result	否決 Negatived	否決 Negatived	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	
吳靄儀 Dr Margaret NG		李卓人 LEE Cheuk-yan	
張文光 CHEUNG Man-kwong	贊成 YES	李華明 Fred LI	
梁劉柔芬 Mrs Sophie LEUNG	反對 NO	徐謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
黃容根 WONG Yung-kan	反對 NO	梁耀忠 LEUNG Yiu-chung	
劉皇發 LAU Wong-fat	反對 NO	劉江華 LAU Kong-wah	反對 NO
劉健儀 Miriam LAU	反對 NO	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK	反對 NO	鄭家富 Andrew CHENG	反對 NO
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	反對 NO
李鳳英 Li Fung-ying	棄權 ABSTAIN	馮檢基 Frederick FUNG	棄權 ABSTAIN
張宇人 Tommy CHEUNG		余若薇 Audrey EU	棄權 ABSTAIN
方剛 Vincent FANG		王國興 WONG Kwok-hing	反對 NO
李國麟 Dr Joseph LEE		李永達 LEE Wing-tat	贊成 YES
林健鋒 Jeffrey LAM		張學明 CHEUNG Hok-ming	反對 NO
梁君彥 Andrew LEUNG	反對 NO	湯家驊 Ronny TONG	棄權 ABSTAIN
黃定光 WONG Ting-kwong	反對 NO	甘乃威 KAM Nai-wai	贊成 YES
詹培忠 CHIM Pui-chung		何秀蘭 Cyd HO	棄權 ABSTAIN
劉秀成 Prof Patrick LAU		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	反對 NO
陳健波 CHAN Kin-por	反對 NO	黃成智 WONG Sing-chi	贊成 YES
梁家驛 Dr LEUNG Ka-lau	反對 NO	黃國健 WONG Kwok-kin	反對 NO
張國柱 CHEUNG Kwok-che	棄權 ABSTAIN	葉劉淑儀 Mrs Regina IP	反對 NO
葉偉明 IP Wai-ming		梁家傑 Alan LEONG	棄權 ABSTAIN
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	棄權 ABSTAIN
謝偉俊 Paul TSE		陳偉業 Albert CHAN	
譚偉豪 Dr Samson TAM	反對 NO	黃毓民 WONG Yuk-man	

秘書 CLERK

投票 VOTE: 3
 日期 DATE: 05/05/2011
 時間 TIME: 03:32:14 下午pm

動議 MOTION: 湯家驊議員對張學明議員就「優化置安心資助房屋計劃」所提，經馮檢基議員修正的議案，作出的修正案
 AMENDMENT BY HON RONNY TONG TO HON CHEUNG HOK-MING'S MOTION ON "ENHANCING THE MY HOME PURCHASE PLAN" AS AMENDED BY HON FREDERICK FUNG

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	18	21	
投票 Vote	18	20	
贊成 Yes	7	14	
反對 No	2	0	
棄權 Abstain	9	6	
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	
吳靄儀 Dr Margaret NG		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	
黃宜弘 Dr Philip WONG	棄權 ABSTAIN	陳鑑林 CHAN Kam-lam	棄權 ABSTAIN
黃容根 WONG Yung-kan		梁耀忠 LEUNG Yiu-chung	
劉皇發 LAU Wong-fat		劉江華 LAU Kong-wah	
劉健儀 Miriam LAU	棄權 ABSTAIN	劉慧卿 Emily LAU	贊成 YES
霍震霆 Timothy FOK		鄭家富 Andrew CHENG	
石禮謙 Abraham SHEK	反對 NO	譚耀宗 TAM Yiu-chung	棄權 ABSTAIN
李鳳英 Li Fung-ying		馮檢基 Frederick FUNG	贊成 YES
張宇人 Tommy CHEUNG		余若薇 Audrey EU	贊成 YES
方剛 Vincent FANG	棄權 ABSTAIN	王國興 WONG Kwok-hing	贊成 YES
李國麟 Dr Joseph LEE		李永達 LEE Wing-tat	贊成 YES
林健鋒 Jeffrey LAM	棄權 ABSTAIN	張學明 CHEUNG Hok-ming	棄權 ABSTAIN
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	贊成 YES	何秀蘭 Cyd HO	贊成 YES
劉秀成 Prof Patrick LAU		李慧琼 Starry LEE	
林大輝 Dr LAM Tai-fai		陳克勤 CHAN Hak-kan	棄權 ABSTAIN
陳茂波 Paul CHAN	贊成 YES	梁美芬 Dr Priscilla LEUNG	
陳健波 CHAN Kin-por	贊成 YES	黃成智 WONG Sing-chi	
梁家驩 Dr LEUNG Ka-lau		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	
潘佩璆 Dr PAN Pey-chyou		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	贊成 YES	黃毓民 WONG Yuk-man	棄權 ABSTAIN

秘書 CLERK



投票 VOTE: 4
 日期 DATE: 05/05/2011
 時間 TIME: 06:12:45 下午pm

動議 MOTION: 由梁君彥議員動議，經譚偉豪議員／王國興議員／劉健儀議員／陳鑑林議員修正的「推動粵港區域經濟融合」議案
 MOTION MOVED BY HON ANDREW LEUNG ON "PROMOTING REGIONAL ECONOMIC INTEGRATION BETWEEN GUANGDONG AND HONG KONG" AS AMENDED BY DR HON SAMSON TAM / HON WONG KWOK-HING / HON MIRIAM LAU / HON CHAN KAM-LAM

動議人 MOVED BY: 梁君彥 Andrew LEUNG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	18	20	
投票 Vote	18	19	
贊成 Yes	18	17	
反對 No	0	2	
棄權 Abstain	0	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	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		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	贊成 YES	涂謹申 James TO	贊成 YES
黃宜弘 Dr Philip WONG	贊成 YES	陳鑑林 CHAN Kam-lam	贊成 YES
黃容根 WONG Yung-kan	贊成 YES	梁耀忠 LEUNG Yiu-chung	
劉皇發 LAU Wong-fat		劉江華 LAU Kong-wah	贊成 YES
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	
石禮謙 Abraham SHEK		譚耀宗 TAM Yiu-chung	贊成 YES
李鳳英 Li Fung-ying	贊成 YES	馮檢基 Frederick FUNG	贊成 YES
張宇人 Tommy CHEUNG		余若薇 Audrey EU	贊成 YES
方剛 Vincent FANG		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	
黃定光 WONG Ting-kwong		甘乃威 KAM Nai-wai	贊成 YES
詹培忠 CHIM Pui-chung		何秀蘭 Cyd HO	
劉秀成 Prof Patrick LAU		李慧琼 Starry LEE	贊成 YES
林大輝 Dr LAM Tai-fai	贊成 YES	陳克勤 CHAN Hak-kan	贊成 YES
陳茂波 Paul CHAN	贊成 YES	梁美芬 Dr Priscilla LEUNG	
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		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	贊成 YES	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-chyau	贊成 YES	陳淑莊 Tanya CHAN	贊成 YES
謝偉俊 Paul TSE		陳偉業 Albert CHAN	反對 NO
譚偉豪 Dr Samson TAM	贊成 YES	黃毓民 WONG Yuk-man	反對 NO