

立法會
Legislative Council

Urgent by fax
LC Paper No. CB(3) 320/10-11

Ref : CB(3)/M/MM
Tel : 2869 9205
Date : 13 December 2010
From : Clerk to the Legislative Council
To : All Members of the Legislative Council

Council meeting of 15 December 2010

**Proposed amendments to motion on
“Report of the Select Committee”**

Further to LC Paper Nos. CB(3) 264 and 312/10-11 issued on 2 and 9 December 2010 respectively, four Members (Hon CHEUNG Man-kwong, Hon Audrey EU Yuet-mee, Hon Albert CHAN Wai-yip and Hon Ronny TONG Ka-wah) have respectively given notice of their intention to move separate amendments to Hon LI Fung-ying’s motion on “Report of the Select Committee” scheduled for the Council meeting of 15 December 2010. As directed by the President, the respective proposed amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and amendments. To assist Members in debating the motion and amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon LI Fung-ying to speak and move her motion;
- (b) the President proposes the question on Hon LI Fung-ying’s motion;
- (c) the President calls upon the four Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon CHEUNG Man-kwong;
 - (ii) Hon Audrey EU;

- (iii) Hon Albert CHAN; and
- (iv) Hon Ronny TONG;
- (d) the President calls upon the designated public officer(s) to speak;
- (e) the President invites other Members to speak;
- (f) the President gives leave to Hon LI Fung-ying to speak for the second time on the amendments;
- (g) the President calls upon the designated public officer(s) again to speak;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the four Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon CHEUNG Man-kwong to move his amendment to the motion, and forthwith proposes and puts to vote the question on Hon CHEUNG Man-kwong's amendment;
- (i) after Hon CHEUNG Man-kwong's amendment has been voted upon, the President deals with the other three amendments; and
- (j) after all amendments have been dealt with, the President calls upon Hon LI Fung-ying to reply. Thereafter, the President puts to vote the question on Hon LI Fung-ying's motion, or her motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

4. The President has also directed that the deadline for giving notice of amendment to an amendment to the motion is **5:00 pm today (13 December 2010)**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Report of the Select Committee”
to be held at the Legislative Council meeting
of Wednesday, 15 December 2010**

1. Hon LI Fung-ying’s original motion

That this Council endorses the Report of the Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man.

2. Motion as amended by Hon CHEUNG Man-kwong

That, *as the LEUNG Chin-man incident has aroused public concern*, this Council endorses the Report of the Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man, *and demands that the Chief Executive follow up the Report’s criticisms against the relevant government officials and the Secretary for the Civil Service by taking disciplinary actions, assume responsibility for the grave errors committed by the various government departments in the LEUNG Chin-man incident, and review the disciplinary mechanism under the accountability system for principal officials, so as to allay public resentment.*

Note: Hon CHEUNG Man-kwong’s amendment is marked in *bold and italic type*.

3. Motion as amended by Hon Audrey EU Yuet-mee

That, *as the LEUNG Chin-man incident has aroused strong public concern*, this Council endorses the Report of the Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man, *and urges the Chief Executive to take punitive action against Mr LEUNG Chin-man, and the relevant organizations to investigate the incident and take follow-up actions.*

Note: Hon Audrey EU Yuet-mee's amendment is marked in *bold and italic type*.

4. Motion as amended by Hon Albert CHAN Wai-yip

That this Council endorses the Report of the Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man, *and expresses strong condemnation at LEUNG Chin-man's dishonest acts, such as his attempt to play down his role and participation in the Hunghom Peninsula case in the course of giving evidence to the Select Committee; this Council deeply regrets that when making the application to the Civil Service Bureau for employment with New World China Land Limited, LEUNG Chin-man gave the evasive answer of 'a family friend' to hide the fact that the job offer had come directly from the top management of New World Development Company Limited ('NWDCL'); this Council also requests the Independent Commission Against Corruption to conduct a fresh investigation into LEUNG Chin-man's employment with NWDCL; moreover, given that in the incident of LEUNG Chin-man's employment with NWDCL, the Secretary for the Civil Service made a grave error of judgment, there was an obvious gap between her assessment and the views of the public, and she also failed to grasp public sentiments and understand public expectations and concerns, failed to discharge her role as the final gatekeeper of the Control Regime, failed to give precedence to the protection of the public interest and failed to uphold the approval criteria of the Control Regime, resulting in the Government's credibility being damaged; and that in handling the incident of LEUNG Chin-man's employment with NWDCL, the Secretary for the Civil Service and various senior officials had problems such as collective memory loss, which is unacceptable, this Council demands that the Secretary for the Civil Service assume political responsibility, take the blame and resign.*

Note: Hon Albert CHAN Wai-yip's amendment is marked in *bold and italic type*.

5. Motion as amended by Hon Ronny TONG Ka-wah

That this Council endorses the Report of the Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man, *and urges the Chief Executive to review the control measures governing the post-service work of the officials under the accountability system on the basis of the*

Report's recommendations on the control measures regarding the post-service work of civil servants.

Note: Hon Ronny TONG Ka-wah's amendment is marked in ***bold and italic type***.