

立法會
Legislative Council

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Finance Committee of the Legislative Council

Minutes of the 20th meeting
held at Conference Room 1 of the Legislative Council Complex
on Friday, 19 December 2014, at 3:00 pm

Members present:

Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)
Hon CHAN Kin-por, BBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon LEUNG Yiu-chung
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon WONG Kwok-hing, BBS, MH
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan, JP
Hon Starry LEE Wai-king, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHAN Hak-kan, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon WONG Kwok-kin, SBS
Hon IP Kwok-him, GBS, JP

Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon Claudia MO
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, JP
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu, JP
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon Vincent FANG Kang, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon CHEUNG Kwok-che
Hon WONG Yuk-man
Hon Michael TIEN Puk-sun, BBS, JP

Hon James TIEN Pei-chun, GBS, JP
Hon Kenneth LEUNG
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, SBS, JP

Public officers attending:

Ms Elizabeth TSE Man-ye, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Esther LEUNG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) ¹
Mr Alfred ZHI Jian-hong	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)
Mr WONG Kam-sing, JP	Secretary for the Environment
Mr Howard CHAN Wai-kee, JP	Deputy Director of Environmental Protection (2)
	Environmental Protection Department

Clerk in attendance:

Ms Anita SIT	Assistant Secretary General 1
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Staff in attendance:

Mr Derek LO	Chief Council Secretary (1) ⁵
Mr Daniel SIN	Senior Council Secretary (1) ⁷
Mr Ken WOO	Senior Council Secretary (1) ⁵
Mr Raymond SZETO	Council Secretary (1) ⁵
Mr Frankie WOO	Senior Legislative Assistant (1) ³
Ms Christy YAU	Legislative Assistant (1) ⁷

Action

Item No. 1 – FCR(2014-15)34A
HEAD 705 – CIVIL ENGINEERING
Environmental Protection – Refuse Disposal
177DR – Development of integrated waste management facilities phase 1

The Committee proceeded to deal with the motions proposed by members pursuant to paragraph 37A of the Finance Committee Procedure ("FC Procedure") to express views on the item FCR(2014-15)34A.

Motions proposed by members pursuant to paragraph 37A of the Finance Committee Procedure to express views on FCR(2014-15)34A

2. The Chairman said that among the motions received in respect of the item FCR(2014-15)34A, he had ruled that 178 motions were directly related to the item. These together with the 60 motions submitted by Mr LEUNG Kwok-hung shortly before the meeting totalled 238 motions. The Chairman said that he would put these 238 motions to the Committee to decide whether they should be proceeded forthwith. After all the proposed motions in respect of FCR(2014-15)34A had been dealt with, he would put the item FCR(2014-15)34A to vote.

Disclosure of interest by public officers

3. Mr Albert CHAN mentioned that there appeared to be close connection between one of the possible contenders for the design-build-operate contract of the Integrated Waste Management Facilities ("IWMF") phase 1 and the incumbent Under Secretary for the Environment ("USEN"), but the Administration had not disclosed such interest. He considered that the Administration should disclose interest of officials when the funding proposal was put before the Committee for approval.

4. Deputy Director of Environmental Protection (2) ("DDEP(2)") explained that in the Government, there were established mechanisms for declaration of interest by officials and for safeguarding the integrity of the tendering process. DDEP(2) said that at present, the tendering process for the IWMF phase 1 project had not yet commenced, and when the process started, an independent tender assessment panel (TAP) would be formed comprising representatives of the Environmental Protection Department and other concerned departments to evaluate the bids received. TAP would submit its report on the tender exercise together with its recommendations to the Central Tender Board for approval before the contract was awarded. USEN would not be involved in the tendering process.

Motion proposed by Dr KWOK Ka-ki

5. The Chairman put to vote the question that the motion proposed by Dr KWOK Ka-ki numbered IWMF001 be proceeded forthwith. As requested by members, the Chairman ordered a division, and the division bell was rung for five minutes. With the agreement of the Chairman, Dr KWOK read out his proposed motion during the ringing of the division bell. The question was negatived.

Motion to shorten the division bell from five to one minute

6. Mr IP Kwok-him moved without notice under paragraph 47 of the FC Procedure that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Committee should proceed to each of such divisions immediately after the division bell had been rung for one minute.

7. The Chairman proposed the question on Mr IP Kwok-him's motion. In response to a question raised by Mr LEUNG Kwok-hung, the Chairman said that the one-minute duration of the division bell sought by Mr IP Kwok-him's motion was not amendable.

8. Mr Albert CHAN, Mr LEUNG Kwok-hung, Mr CHAN Chi-chuen and Dr KWOK Ka-ki spoke against the motion. In gist, these members argued that members should be given more time to consider the proposed motions before casting their votes. Some members commented that when the Committee had dealt with all the motions and the item was put to vote, the duration of the division bell should be reverted to five minutes. Mr Andrew LEUNG spoke in support of Mr IP Kwok-him's motion.

9. The Chairman said that he had already explained at the previous meeting that he would alert members when the Committee was about to deal with the last 10 motions proposed under paragraph 37A of the FC Procedure and proceed to vote on the funding proposal under an agenda item. He reiterated that such arrangement would be effective only if members did not keep on putting forward additional motions during the meeting or otherwise, he could not determine when he might put the item to vote. The Chairman referred members to the note (i.e. LC Paper FC67/14-15 dated 10 December 2014) prepared by the Secretariat and distributed to members regarding the procedure on the duration of division bell.

10. The Chairman put Mr IP Kwok-him's motion to vote. At the request of members, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman announced that 32 members voted in favour of and 15 members voted against Mr IP Kwok-him's motion. The voting results of individual members were as follows –

For:

Mr CHAN Kam-lam
Mr TAM Yiu-chung
Mr WONG Kwok-hing
Mr Andrew LEUNG Kwan-yuen
Ms Starry LEE Wai-king

Dr LAU Wong-fat
Mr Abraham SHEK Lai-him
Mr Jeffrey LAM Kin-fung
Mr WONG Ting-kwong
Dr LAM Tai-fai

Mr CHAN Hak-kan
Mr WONG Kwok-kin
Mr Paul TSE Wai-chun
Mr NG Leung-sing
Mr YIU Si-wing
Mr CHAN Han-pan
Miss Alice MAK Mei-kuen
Mr Christopher CHEUNG Wah-fung
Mr POON Siu-ping
Dr CHIANG Lai-wan
Mr Christopher CHUNG Shu-kun
(32 members)

Dr Priscilla LEUNG Mei-fun
Mr IP Kwok-him
Mr LEUNG Kwok-hung
Mr Steven HO Chun-yin
Mr MA Fung-kwok
Mr LEUNG Che-cheung
Mr KWOK Wai-keung
Dr Elizabeth QUAT
Mr TANG Ka-piu
Ir Dr LO Wai-kwok
Mr Tony TSE Wai-chuen

Against:

Mr Albert HO Chun-yan
Mr James TO Kun-sun
Mr Frederick FUNG Kin-kee
Mr Alan LEONG Kah-kit
Ms Claudia MO
Mr CHAN Chi-chuen
Dr KWOK Ka-ki
Dr Helena WONG Pik-wan
(15 members)

Mr LEE Cheuk-yan
Ms Emily LAU Wai-hing
Ms Cyd HO Sau-lan
Mr Albert CHAN Wai-yip
Mr Gary FAN Kwok-wai
Dr Kenneth CHAN Ka-lok
Dr Fernando CHEUNG Chiu-hung

11. The Chairman declared that Mr IP Kwok-him's motion was carried.

Motions proposed by members pursuant to paragraph 37A of the Finance Committee Procedure to express views on FCR(2014-15)34A

Motions proposed by Dr KWOK Ka-ki

12. The Chairman put to vote the questions, one by one, that the motions proposed by Dr KWOK Ka-ki numbered IWWMF002 to IWWMF005 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Dr KWOK read out her proposed motions during the ringing of the division bell. All the questions were negatived.

Motions proposed by Mr Gary FAN

13. The Chairman put to vote the questions, one by one, that the motions proposed by Mr Gary FAN numbered IWWMF006 to IWWMF016 and IWWMF025 to IWWMF027 be proceeded forthwith. As requested by members,

the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Mr FAN read out his proposed motions during the ringing of the division bell. All the questions were negatived.

Motions proposed by Mr Albert CHAN

14. The Chairman put to vote the questions, one by one, that the motions proposed by Mr Albert CHAN numbered IW MF028 to IW MF072 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Mr CHAN read out his proposed motions during the ringing of the division bell. All the questions were negatived.

Motion proposed by Ms Cyd HO

15. The Chairman put to vote the question that the motion proposed by Ms Cyd HO numbered IW MF120 be proceeded forthwith. As requested by members, the Chairman ordered a division, and the division bell was rung for one minute. With the agreement of the Chairman, Ms HO read out her proposed motion before members voted on the question. The question was negatived.

Motions proposed by Dr Fernando CHEUNG

16. The Chairman put to vote the questions, one by one, that the motions proposed by Dr Fernando CHEUNG numbered IW MF121 to IW MF128 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Dr CHEUNG read out his proposed motions during the ringing of the division bell. All the questions were negatived.

17. The Chairman declared that the meeting was adjourned, and that the Committee would continue to deal with the remaining motions from Dr Fernando CHEUNG and other members at the next meeting.

18. The meeting was adjourned at 5:00 pm.