

立法會
Legislative Council

LC Paper No. FC192/14-15
(These minutes have been
seen by the Administration)

Ref : FC/1/1(1)

Finance Committee of the Legislative Council

Minutes of the 34th meeting
held at Conference Room 1 of the Legislative Council Complex
on Saturday, 14 February 2015, at 8:30 am

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 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 Frederick FUNG Kin-kee, SBS, JP
Hon Vincent FANG Kang, 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 WONG Ting-kwong, SBS, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHAN Hak-kan, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
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 WONG Yuk-man
Hon James TIEN Pei-chun, GBS, JP
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
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Hon IP Kin-yuen
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 James TO Kun-sun
Hon Abraham SHEK Lai-him, GBS, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Cyd HO Sau-lan, JP
Hon Starry LEE Wai-king, JP
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon Claudia MO

Hon Michael TIEN Puk-sun, BBS, JP
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Dr Hon Helena WONG Pik-wan
Hon Martin LIAO Cheung-kong, SBS, JP

Public officers attending:

Professor K C CHAN, GBS, JP	Secretary for Financial Services and the Treasury
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 Gregory SO Kam-leung, GBS, JP	Secretary for Commerce and Economic Development
Mr Joe WONG, JP	Deputy Secretary for Commerce and Economic Development (Communications and Technology)
Miss Janet WONG, JP	Commissioner for Innovation and Technology
Mr Johann WONG, JP	Deputy Commissioner for Innovation and Technology
Mr Victor LAM, JP	Acting Government Chief Information Officer
Miss Joey LAM, JP	Deputy Government Chief Information Officer (Policy and Community)

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
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Mr Daniel SIN	Senior Council Secretary (1)7
Mr Raymond SZETO	Council Secretary (1)5
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Michelle NIEN	Legislative Assistant (1)5
Miss Yannes HO	Legislative Assistant (1)6

Action

**Item No. 1 – FCR(2014-15)36
RECOMMENDATION OF THE ESTABLISHMENT
SUBCOMMITTEE MADE ON 11 JUNE 2014**

**Item No. 2 – FCR(2014-15)37
NEW HEAD "GOVERNMENT SECRETARIAT :
INNOVATION AND TECHNOLOGY BUREAU"**

**HEAD 47 – GOVERNMENT SECRETARIAT :
OFFICE OF THE GOVERNMENT CHIEF
INFORMATION OFFICER**

**HEAD 55 – GOVERNMENT SECRETARIAT :
COMMERCE AND ECONOMIC DEVELOPMENT
BUREAU (COMMUNICATIONS AND
TECHNOLOGY BRANCH)**

**HEAD 155 – GOVERNMENT SECRETARIAT :
INNOVATION AND TECHNOLOGY COMMISSION**

The Committee continued with the deliberation on items FCR(2014-15)36 and FCR(2014-15)37 carried over from the meetings on 6 February 2015.

2. The Chairman advised members that the information note LC Paper No. FC111/14-15(01) provided by the Administration in response to members' enquires about the projects funded under the Innovation and Technology Fund ("ITF") was issued to members on 13 February 2015.

3. The Chairman reminded members that each of the proposed motions submitted by members to be moved under paragraph 37A of the Finance Committee Procedure ("the FC Procedure") to express views on the items FCR(2014-15)36 or FCR(2014-15)37 must clearly state the item, i.e. FCR(2014-15)36 or FCR(2014-15)37, on which the view was to be expressed. The Chairman said that he had received 200 proposed motions from Mr WONG

Yuk-man. As he considered that the motions could be consolidated into not more than 20, all the proposed motions had been returned to Mr WONG.

4. The Chairman said that as at 6:30 pm on 13 February 2015, the Secretariat had also received a total of 280 proposed motions from other members. He would put the motions which he had ruled to be in order to the Committee to decide whether they should be proceeded forthwith, after the Committee had finished discussion on the items.

5. The Chairman reminded members that their questions must be directly related to the items under deliberation. On wider questions of policy, members should raise them either in the full Council or at an appropriate Legislative Council Panel. Members should not repeat his own or other members' arguments in the discussion.

6. Mr Gary FAN sought clarification on members' speaking time on the items. The Chairman directed that as the two items, FCR(2014-15)36 and FCR(2014-15)37, were being discussed jointly, the speaking time of each member including the Administration's reply should be five minutes for the first round of questions and four minutes for the second round of questions.

Contribution of the Innovation and Technology Bureau to development

7. Quoting an open document of the Commission for Strategic Development, Mr Gary FAN commented that the Administration's main motive in establishing the Innovation and Technology Bureau ("ITB") was to serve the Mainland interests rather than supporting innovation and technology development in Hong Kong. Mr FAN queried which policy areas relevant to promoting innovation and technology development required co-ordination and co-operation with the Mainland authorities, and how the establishment of ITB would protect and promote the interests of local innovation and technology industries.

8. Secretary for Commerce and Economic Development ("SCED") said that the proposed ITB would seek co-operation with the Mainland as well as overseas authorities on major research projects. Commissioner for Innovation and Technology ("CIT") supplemented that there had been cases of close co-operation between Hong Kong and the Mainland's research institutions on major research initiatives where mutual benefits were achieved. She added that the proposed ITB could enable these co-operation activities to be more focused.

9. Mr IP Kin-yuen asked what documents pertaining to the establishment of the ITB had been presented to members. SCED advised that relevant discussion papers had been submitted to the Panel on Commerce and Industry as well as the Panel on Information Technology and Broadcasting. The LegCo Brief on the resolution to effect the transfer of relevant statutory functions also contained information related to the establishment of ITB.

10. Mr IP Kin-yuen asked what the Administration's vision was in establishing ITB. SCED said that the Administration expected that ITB would help foster a knowledge-based economy, promote high-value added industries through innovation and research and development ("R&D") efforts, and develop a cadre of highly skilled talents.

11. The Chairman directed that members' speaking time for the third round of questions should not exceed three minutes each, including the Administration's reply.

12. Dr CHIANG Lai-wan said that development in innovation and technologies in Hong Kong could create job opportunities for young people, which would contribute positively to the economy. Dr CHIANG quoted from an article in the Institute of Electrical and Electronics Engineers' publication that Singapore was launching global recruitment for research talents. It was necessary for Hong Kong to catch up or risk losing the competitive edge. She appealed to members to support the proposal to establish ITB, and suggested that the Administration could present detailed initiatives to members after the new Bureau had been in operation.

13. Mr WU Chi-wai asked if the Administration had plans to promote financing of technology start-ups, and, if so, what problems the Administration had encountered. He asked how the proposed ITB could help tackle these difficulties. SCED and Secretary for Financial Services and the Treasury commented that promoting financing of start-ups were not unique to the technology sector, and the proposed ITB would be one party in the Administration's concerted efforts in examining and identifying various measures to promote private sector financing of start-up companies.

Justification for the Innovation and Technology Bureau

14. Mr LEUNG Yiu-chung queried why the Administration needed the ITB in order to be able to focus on promoting innovation and technology development and why CIT could not communicate with other policy bureaux directly instead. SCED explained that the current policy portfolio of the Commerce and Economic Development Bureau ("CEDB") was too broad to

allow it to focus on promoting innovation and technology development and deal with other policy issues at the same time. CIT said that at present, the Innovation and Technology Commission ("ITC") did not have dedicated officers at Permanent Secretary, Deputy Secretary and Principal Assistant Secretary levels to develop policies and deal with other policy bureaux on matters at policy level.

15. Mr LEUNG Yiu-chung considered it illogical that the Administration tried to justify the establishment of a new bureau to oversee innovation and technological development policies, when the objectives could be achieved by creating additional posts under ITC. CIT supplemented that it was necessary for a Director of Bureau with vision in technology development to lead ITC. Besides, ITC did not have officials at the ranks of Permanent Secretary, Deputy Secretary or Principal Assistant Secretary that dealt with policy matters.

16. During Mr LEUNG Yiu-chung's speech, Mr WONG Yuk-man spoke loudly in his seat. The Chairman asked Mr WONG not to interrupt members when they were speaking.

17. Mr WONG Yuk-man said that he did not support the proposal to establish ITB, as he considered the proposed Bureau unnecessary. Mr WONG commented that he did not consider that innovation and technology development in Hong Kong could proceed through channelling more resources to the proposed ITB. Mr WONG Yuk-man commented that quite a lot of the expected benefits of the creation of ITB expressed in the paper FCR(2014-15)36 were rhetoric and were not meaningful in practice.

18. SCED explained that, geographically, Hong Kong was supported by a huge manufacturing hinterland in the Pearl River Delta. Hong Kong had a competitive edge in financing and had a sound intellectual property protection regime. He said that these advantages were useful when researches and development results created in Hong Kong were being commercialized into marketable products.

19. Mr WONG Yuk-man said that Hong Kong's system of Government and the structure of the economy were not conducive to the development of innovation and technology. The economy was biased towards real estate development and financial services, and the Government even tampered with academic autonomy. Mr WONG criticized the Administration for not providing sufficient support to R&D and he did not consider the proposed ITB under the auspices of the current term Government could turn the tide.

20. Mr WONG Yuk-man commented that CEDB was now responsible for co-ordinating with the Environment Bureaux and other bureaux to support the waste recovery and recycling trade. However, the sector had been facing many difficulties but had received scant support from the Government. Mr WONG commented that the proposed ITB could not change waste disposal habits of commercial operators and could not create a market for recycled products. He considered that the proposed ITB would unlikely be able to perform the tasks as set out in Enclosure 9 to the discussion paper EC(2014-15)7.

21. Mr Alan LEONG commented that it was not appropriate for the Administration to seek the approval of the Finance Committee ("FC") for setting up the proposed ITB when a plan for promoting innovation and technology development had not been formulated. If the Administration indeed intended to appoint Mr Nicholas YANG to the Steering Committee on Innovation and Technology to help develop a strategy on innovation and technological development for Hong Kong, then there was no need for FC to approve the proposal at this stage. Mr Alan LEONG queried whether the Administration's motive in establishing the ITB was to facilitate Mainland companies to set up a base in Hong Kong for developing overseas markets instead of supporting local technology industries.

22. Dr Fernando CHEUNG noted from the Director of Audit's Report No. 61 that, during the period from 2009-2010 to 2012-2013, ITC had managed a total of 344 projects funded under the Innovation and Technology Support Programme ("ITSP") of ITF. Those projects were carried out by institutions other than ITC's R&D Centres ("non-R&D Centres"). ITF's expenditure on ITSP non-R&D Centre projects managed by ITC directly amounted to \$2.8 billion. However, ITC had indicated to the Audit Commission that since the setting up of ITF, only 12 ITSP non-R&D Centre projects which were completed in the period from September 2004 to August 2012 had been commercialized. The Director of Audit had selected five of the 12 projects to be reviewed. The Audit Commission subsequently found out that three of the projects were not, in fact, commercialized, and for one of the projects which was purported to have been marketed through three overseas companies, ITC had not followed up with the licensees to ascertain whether the results had actually been sold in these markets.

23. Dr Fernando CHEUNG criticized ITC for the ineffective management of ITF and he considered that the Administration did not have the credibility to be entrusted with the additional resources for establishing the proposed ITB.

24. Mr LEUNG Kwok-hung said that the Administration had launched a number of major initiatives such as the Cyberport development and the Hong Kong Science and Technology Parks which aimed to promote advanced technology industries in Hong Kong. These initiatives had failed and had become nothing more than real estate developments. The Administration should learn from these failed initiatives before embarking on establishing the ITB.

25. Mr Frederick FUNG queried whether the portfolio of innovation and technology alone could justify the setting up of one policy bureau. He also commented the Administration's vision of innovation and technology development as being too broad-brushed. SCED said that the development of innovation and technology would benefit many other sectors, and provide employment opportunities and facilitate upward mobility of young people. SCED added that the Administration had been putting a lot of efforts in promoting R&D and facilitating commercialization of R&D results.

Role of Hong Kong in promoting technology development

26. Mr LEE Cheuk-yan noted that there had been suggestions from the Commission on Strategic Development that Hong Kong should play a "super-connector" role in the Mainland's technology development. Mr LEE questioned the need to establish ITB if Hong Kong was to play a mere intermediary role in promoting the Mainland's technology development. SCED explained that Hong Kong could benefit from the business opportunities generated by being an intermediary between the Mainland and overseas markets in promoting new technology products. CIT added that there would be new employment opportunities for local scientists when overseas companies set up their R&D operations in Hong Kong.

27. Mr LEE Cheuk-yan queried the value of Hong Kong being a "super-connector" linking the Mainland and the world in innovation and technology development. He said that in practice, Hong Kong would only play an intermediary role rather than develop its own technology industry. SCED responded that many overseas companies were pleased to base their operations in Hong Kong because of its R&D infrastructure, supply of talents and the system of governance. These strengths would offer competitive advantage for Hong Kong to support Mainland companies to develop overseas markets.

28. Mr Gary FAN noted that the Chief Executive had indicated, at a meeting of the Commission for Strategic Development, that the proposed ITB could contribute towards the Mainland by developing an accreditation and

certification system for high-technology products, and could help reinforce Hong Kong's position as a platform for Mainland enterprises to expand to overseas markets. Mr FAN asked if CEDB had implemented policies that fostered co-operation between local and Mainland companies, or measures to promote Mainland products in international markets. SCED explained that there had been close co-operation between ITC's R&D centres and overseas companies; some of the R&D results had been commercialized. There were also examples where new technologies developed in Hong Kong had been sold to overseas markets for adoption in manufacturing processes.

Choice of bureau director for the Innovation and Technology Bureau

29. Ms Emily LAU said that Executive Council member, Mrs Fanny LAW had conveyed a message to her explaining that ITB required an expert with technology background, market experience and strong leadership as the Bureau Director. Ms LAU quoted Mrs LAW's comment that civil servants might not be suitable to fill the position. Ms LAU asked if the Administration had any response to Mrs LAW's comments. SCED said that the head of the proposed ITB would be a political appointee rather than a civil servant. There would be clear delineation of functions and responsibilities between the Bureau Director and the civil servants underpinning the proposed ITB.

30. Dr KWOK Ka-ki commented that the Administration was only keen to establish ITB to accommodate the Chief Executive's cronies. He found this practice unacceptable and would only encourage favouritism. Dr KWOK said that Hong Kong's innovation industries and technology development could thrive by the practitioners' efforts and did not depend entirely on a new bureau. Dr KWOK commented that ITB would be just another channel for collusion between the Government and selected business sectors. Dr KWOK also commented that the Chief Executive had failed to deliver many of his pledges and people had no faith that the proposed ITB could achieve its purported mission.

31. The Chairman directed that the members' speaking time for the fourth round of questions should not exceed two minutes each, including the Administration's response.

32. Dr KWOK Ka-ki commented that Hong Kong's achievement in technological development was attributed to the efforts of the sector, and not to the support from the Administration. Dr KWOK said that the Administration's interference in other sectors had been counterproductive as it created many inequitable practices and favouritism in the system and in the allocation of resources.

Operation of the proposed Innovation and Technology Bureau

33. Ms Emily LAU asked when the proposed ITB could come into operation if the proposed creation of ITB was approved by FC. She asked whether the resources to be deployed to support the work of ITB would be wasted if the following term of Government to be formed in 2017 decided not to adopt the same organizational arrangement for this area of work. SCED advised that the relevant heads of expenditure and the establishment of posts would become effective on the 14th day after the day on which the Committee approved the items FCR(2014-15)36 and FCR(2014-15)37. The new Bureau would be able to operate for about two years before the end of the current term of Government. Permanent Secretary for Financial Services and the Treasury (Treasury) supplemented the proposed posts and head of expenditure for the new Bureau would continue to exist notwithstanding a change in the political appointments. If the Administration intended to reduce the establishment of ITB it would have to seek FC's approval for the change in establishment.

34. Mr CHAN Chi-chuen queried whether the office accommodation was in place and the civil servant posts would be created in time to support the work of the new Bureau, even if FC were to approve the two items FCR(2014-15)36 and FCR(2014-15)37 at the meeting. Mr CHAN also asked whether the remuneration of the Director of Bureau as mentioned in the discussion paper EC(2014-15)7 had already taken into account the recent Administration's announcement to restore the salary levels of the Chief Executive and politically appointed officials to the level as approved in 2002 by FC.

35. Deputy Secretary for Commerce and Economic Development (Communications and Technology) ("DS(C&T")) explained that temporary office accommodation would be available for the initial operation of the proposed ITB, and the necessary civil servants would be redeployed within the Administration accordingly once the proposed new Bureau was set up. DS(C&T) further advised that the remuneration for the Director of Bureau was based on the level as approved by FC and as effective before the voluntary pay cut in 2009.

36. Mr Albert HO commented that the Administration should have followed the previous practice to set up a dedicated committee responsible for formulating detailed proposals on the work and scope of the proposed ITB before seeking funding and staffing approval from FC. SCED responded that the proposal to establish ITB had been discussed at length in the relevant Panels and the Establishment Subcommittee ("ESC"), the organization and scope of the proposed ITB as well as the job description of posts had been described in detail in the submission to ESC.

Transfer of policy responsibilities

37. Mr Dennis KWOK queried whether the policies on telecommunications and broadcasting should also be transferred to the proposed ITB. Mr KWOK considered that the current legislation on telecommunications and broadcasting was outdated and could not keep up with the latest trend of technological development. Given the close connection between telecommunications/broadcasting and technological development, Mr KWOK considered that the portfolio of the proposed ITB should cover these two major policy areas. SCED explained that the Administration recognized the need to review the Telecommunications Ordinance (Cap. 106) ("TO") and the Broadcasting Ordinance (Cap. 562) ("BO"), and would separately seek FC's approval for creation of posts to conduct a review of the two Ordinances. SCED added that whether policies related to telecommunications and broadcasting should be put under ITB's purview could be reviewed in future. In the meantime, since the review of TO and BO was expected to be resource intensive and time consuming, CEDB should continue to carry out the task so that the proposed ITB could focus on promoting innovation and technology development.

38. Mr Dennis KWOK asked what major areas of change might potentially be introduced to TO and BO and when the review was expected to be completed. DS(C&T) advised that during the legislative exercise of the Communications Authority Bill, some Members had identified certain provisions in TO and BO that needed updating. The Administration had undertaken to conduct a review to determine whether and how the provisions should be revised. After initial examination of TO and BO, the Administration considered that a thorough review of the two Ordinances was necessary. Given the amount of workload involved, the Administration considered that a dedicated team should be set up to undertake the review.

Other views

39. Dr LO Wai-kwok read from an open letter from the Unity of HKSME (香港中小型企業大聯盟) and said that many community organizations supported the early establishment of the proposed ITB. He urged members to approve the items as early as possible.

40. During Dr LO Wai-kwok's speech, Mr LEUNG Kwok-hung spoke loudly in his seat. The Chairman told Mr LEUNG not to interrupt when another member was speaking.

41. Mr WONG Kwok-hing read a passage from an editorial in Ming Pao and criticized some members of the pan-democratic camp for delaying the approval of the two agenda items FCR(2014-15)36 and FCR(2014-15)37. Mr WONG suggested that Mr Charles MOK, being a Member returned from the Information Technology functional constituency, should make an effort to lobby the support of other Members of the pan-democratic camp to stop the filibusters and to approve the items expeditiously.

42. Dr Priscilla LEUNG said that members of the public whom she met had expressed concern about the delay in giving approval to the creation of the proposed ITB. She said that many people in the community hoped to see ITB established as early as possible. Dr LEUNG appealed to the opposition members to give the proposed bureau a chance and suggested that opposition members should express their objection to the proposal through their votes.

43. Mr Charles MOK expressed support for the proposed ITB. Mr MOK said that he had made efforts to lobby other members of the pan-democrat camp and had spoken to his constituents on the proposal. He observed that the majority of practitioners in the information technology ("IT") sector supported the proposal. Even among those who did not favour the establishment of ITB, they expected the Administration to carry out more thorough planning in the promotion of innovation and technology in Hong Kong.

44. Mr Charles MOK commented that the community might not fully appreciate the importance of innovation and technology to Hong Kong. He suggested that the Administration should prepare a more comprehensive consultation document which set out the Administration's policy, plans and the performance indicators developed for monitoring the development of innovation and technology in Hong Kong.

45. Mr Charles MOK quoted from a group of the IT sector which suggested that the Administration should develop long-term policy on technological development and to implement a fair mechanism in appointing principal officials to lead the proposed new Bureau. SCED responded that the Administration would continue to listen to the views of the sector and the community. He added that the appointment of principal officials was a matter for the Central People's Government.

Motion to adjourn further proceedings of the Committee

46. Mr Albert CHAN said that there were no ministries or agencies in other technologically advanced countries that were specifically designated to

co-ordinate policies and measures within government to promote innovation and technologies. However, governments in these countries had a vision and comprehensive strategies in training and development of talents, provision of land and implementation of other support measures. Mr CHAN commented that the facilities managed by the Hong Kong Science and Technology Parks Corporation were already fully occupied and did not have extra capacity to accommodate a manufacturing base for new technology industries. Mr CHAN expected that ITB would not be able to support local technology industries in any tangible manner.

47. Mr Albert CHAN then moved, without notice, a motion under paragraph 39 of the FC Procedure that further proceedings of the Committee should be then adjourned.

48. The Chairman put the question on Mr Albert CHAN's motion to adjourn further proceedings of the Committee. He directed that each member, when speaking on the question, could speak once for not more than three minutes.

49. The Chairman said that he would invite Mr CHAN to introduce his motion at the next meeting after a break of 10 minutes.

50. The meeting was adjourned at 10:29 am.

Legislative Council Secretariat

12 June 2015