

**LEGISLATIVE COUNCIL**

**MINUTES**

**No. 1**

---

**Minutes of the meeting held on Wednesday 14 October 2015 at 11:00 am and  
Friday 16 October 2015 at 9:00 am**

---

**Attendance**

The attendance of Members, public officers and Clerks is in the Official Record of Proceedings.

**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. Competition (Fees) Regulation (gazetted on 17.7.2015)	155/2015
2. Competition Ordinance (Commencement) (No. 2) Notice 2015 (gazetted on 17.7.2015)	156/2015

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
3. Competition Tribunal Rules (Commencement) Notice (gazetted on 17.7.2015)	157/2015
4. Competition Tribunal Fees Rules (Commencement) Notice (gazetted on 17.7.2015)	158/2015
5. Competition Tribunal Suitors' Funds Rules (Commencement) Notice (gazetted on 17.7.2015)	159/2015
6. Rules of the High Court (Amendment) Rules 2015 (Commencement) Notice (gazetted on 17.7.2015)	160/2015
7. Solicitors' Accounts (Amendment) Rules 2012 (Commencement) Notice (gazetted on 17.7.2015)	161/2015
8. Accountant's Report (Amendment) Rules 2012 (Commencement) Notice (gazetted on 17.7.2015)	162/2015
9. Solicitors (Professional Indemnity) (Amendment) Rules 2012 (Commencement) Notice (gazetted on 17.7.2015)	163/2015
10. Solicitors' Practice (Amendment) Rules 2012 (Commencement) Notice (gazetted on 17.7.2015)	164/2015
11. Foreign Lawyers Practice (Amendment) Rules 2012 (Commencement) Notice (gazetted on 17.7.2015)	165/2015
12. Trainee Solicitors (Amendment) Rules 2015 (gazetted on 4.9.2015)	174/2015

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
13. Rules of the High Court (Amendment) (No. 3) Rules 2015 (gazetted on 18.9.2015)	175/2015
14. Rules of the District Court (Amendment) Rules 2015 (gazetted on 18.9.2015)	176/2015
15. Consular Relations (Additional Privileges and Immunities) (Cambodia) Order (gazetted on 25.9.2015)	177/2015
16. Administration of Estates by Consular Officers Ordinance (Amendment of Schedule: Cambodia) Order 2015 (gazetted on 25.9.2015)	178/2015
17. Consular Conventions (Application of Section 3) (Amendment of Schedule: Cambodia) Order 2015 (gazetted on 25.9.2015)	179/2015
18. Consular Relations (Additional Privileges and Immunities) (Philippines) Order (gazetted on 25.9.2015)	180/2015
19. Administration of Estates by Consular Officers Ordinance (Amendment of Schedule: Philippines) Order 2015 (gazetted on 25.9.2015)	181/2015
20. Consular Conventions (Application of Section 3) (Amendment of Schedule: Philippines) Order 2015 (gazetted on 25.9.2015)	182/2015
21. Inland Revenue (Exchange of Information relating to Taxes) (Kingdom of Denmark) Order (gazetted on 2.10.2015)	183/2015

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
22. Inland Revenue (Exchange of Information relating to Taxes) (Faroes) Order (gazetted on 2.10.2015)	184/2015
23. Inland Revenue (Exchange of Information relating to Taxes) (Greenland) Order (gazetted on 2.10.2015)	185/2015
24. Inland Revenue (Exchange of Information relating to Taxes) (Iceland) Order (gazetted on 2.10.2015)	186/2015
25. Inland Revenue (Exchange of Information relating to Taxes) (Kingdom of Norway) Order (gazetted on 2.10.2015)	187/2015
26. Inland Revenue (Exchange of Information relating to Taxes) (Kingdom of Sweden) Order (gazetted on 2.10.2015)	188/2015
27. Specification of Arrangements (The Mainland of China) (Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income) (Fourth Protocol) Order (gazetted on 2.10.2015)	189/2015
28. Port Control (Public Cargo Working Area) Order 2015 (Commencement) Notice (gazetted on 2.10.2015)	190/2015
29. Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 (gazetted on 9.10.2015)	191/2015

Subsidiary Legislation / Instruments

L.N. No.

- |     |   |          |
|-----|---|----------|
| 30. | Building (Administration) (Amendment) (No. 2) Regulation 2015<br>(gazetted on 9.10.2015)                                  | 192/2015 |
| 31. | Pharmacy and Poisons (Amendment) (No. 5) Regulation 2015<br>(gazetted on 9.10.2015)                                       | 193/2015 |
| 32. | Electronic Transactions (Exclusion) (Amendment) Order 2015<br>(gazetted on 9.10.2015)                                     | 194/2015 |
| 33. | Road Traffic Ordinance (Amendment of Schedule 3) (No. 2) Order 2015<br>(gazetted on 9.10.2015)                            | 195/2015 |
| 34. | Road Traffic Ordinance (Amendment of Schedule 8) Order 2015<br>(gazetted on 9.10.2015)                                    | 196/2015 |
| 35. | Electronic Health Record Sharing System Ordinance (Commencement) Notice 2015<br>(gazetted on 9.10.2015)                   | 197/2015 |
| 36. | Insurance Companies (Amendment) Ordinance 2015 (Commencement) Notice 2015<br>(gazetted on 9.10.2015)                      | 198/2015 |
| 37. | Mandatory Provident Fund Schemes (Amendment) Ordinance 2015 (Commencement) (No. 2) Notice 2015<br>(gazetted on 9.10.2015) | 199/2015 |

Other Papers

1. No. 1 - Protection of Wages on Insolvency Fund Board Annual Report 2014-15  
(published on 6.10.2015)

2. No. 2 - Report of changes made to the approved Estimates of Expenditure during the first quarter of 2015-16  
Public Finance Ordinance : Section 8  
(published on 6.10.2015)
3. No. 3 - The Land Registry Trading Fund Hong Kong  
Annual Report 2014-15  
(published on 7.10.2015)
4. No. 4 - Companies Registry Trading Fund  
Annual Report 2014-15  
(published on 8.10.2015)
5. No. 5 - Vegetable Marketing Organization  
Financial statements for the year ended 31 March 2015  
(published on 9.10.2015)
6. No. 6 - Fish Marketing Organization  
Financial statements for the year ended 31 March 2015  
(published on 9.10.2015)
7. No. 7 - Marine Fish Scholarship Fund  
Report for the period from 1 April 2014 to 31 March 2015  
(published on 9.10.2015)
8. No. 8 - Agricultural Products Scholarship Fund  
Report for the period from 1 April 2014 to 31 March 2015  
(published on 9.10.2015)
9. No. 9 - Urban Renewal Authority  
Annual Report 2014-2015  
(published on 12.10.2015)
10. No. 10 - Competition Commission  
Annual Report 2014/2015  
(published on 13.10.2015)

11. No. 11 - Electoral Affairs Commission  
Report on the Recommended Geographical Constituency  
Boundaries for the 2016 Legislative Council General Election  
(published on 14.10.2015)
12. Report No. 1/15-16 of the House Committee on Consideration of Subsidiary  
Legislation and Other Instruments  
(published on 12.10.2015)

## **Questions**

Six oral questions as set out on the Agenda (i.e. Questions 1 to 6) were put by Members and oral replies were given by the public officers.

Written replies to Questions 7 to 22 as set out on the Agenda were tabled.

## **Bill**

### First Reading and Second Reading

- Companies (Winding Up and Miscellaneous Provisions) (Amendment) Bill 2015 : Secretary for Financial Services and the Treasury

After the above Bill was read the first time and ordered to be set down for Second Reading under Rule 53(3) of the Rules of Procedure, the public officer moved the Second Reading of the Bill. The President proposed the question on the Second Reading of the Bill and referred the Bill to the House Committee in accordance with Rule 54(4) of the Rules of Procedure. The debate on the Bill was adjourned.

## **Members' Motions**

### Motion under Rule 49E(2) of the Rules of Procedure

Hon Andrew LEUNG moved the motion as set out on the Agenda. The President proposed the question on the motion. Members and the public officer spoke respectively. In accordance with Rule 49E(9) of the Rules of Procedure, the President's Deputy did not put the question on the motion.

Motions under the Legislative Council (Powers and Privileges) Ordinance

(During the debate on this motion, the meeting was suspended at 8:03 pm on 14 October and resumed at 9:00 am on 16 October 2015.)

Hon Gary FAN moved the motion as set out on the Agenda. Hon Cyd HO had also given notice to move a motion under the Legislative Council (Powers and Privileges) Ordinance. As the contents of the two motions were substantially the same, the President's Deputy ordered a joint debate on the two motions, and stated that irrespective of whether Hon Gary FAN's motion was passed or not, Hon Cyd HO might not move her motion. The President's Deputy then proposed the question on Hon Gary FAN's motion. After Members and the public officers had respectively spoken, the question on the motion was put. The motion was negatived (details of division in **Appendix**).

**Next meeting**

The President declared that the next Council meeting would be held on 22 October 2015 at 9:30 am.

The Council was adjourned at 1:12 pm on 16 October 2015.



(Jasper TSANG Yok-sing)  
President  
Legislative Council

Council Chamber  
Hong Kong

7 January 2016



投票 VOTE: 1  
 日期 DATE: 16/10/2015  
 時間 TIME: 01:12:10 下午 PM

動議 MOTION: 范國威議員根據《立法會（權力及特權）條例》動議的議案  
 MOTION MOVED BY HON GARY FAN UNDER THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) ORDINANCE

動議人 MOVED BY: 范國威 Gary FAN

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	32	30	
投票 Vote	32	29	
贊成 Yes	9	16	
反對 No	23	13	
棄權 Abstain	0	0	
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
<b>功能團體 Functional Constituencies</b>		<b>地方選區 Geographical Constituencies</b>	
何俊仁 Albert HO	贊成 YES	曾鈺成 TSANG Yok-sing	出席 PRESENT
涂謹申 James TO	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
劉皇發 Dr LAU Wong-fat		陳鑑林 CHAN Kam-lam	反對 NO
石禮謙 Abraham SHEK	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	劉慧卿 Emily LAU	贊成 YES
馮檢基 Frederick FUNG	贊成 YES	譚耀宗 TAM Yiu-chung	反對 NO
方剛 Vincent FANG	反對 NO	王國興 WONG Kwok-hing	反對 NO
李國麟 Prof Joseph LEE	贊成 YES	何秀蘭 Cyd HO	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	陳克勤 CHAN Hak-kan	反對 NO
梁君彥 Andrew LEUNG	反對 NO	Dr Priscilla LEUNG	
黃定光 WONG Ting-kwong	反對 NO	黃國健 WONG Kwok-kin	反對 NO
李慧琼 Starry LEE	反對 NO	葉劉淑儀 Mrs Regina IP	反對 NO
林大輝 Dr LAM Tai-fai		謝偉俊 Paul TSE	反對 NO
陳健波 CHAN Kin-por	反對 NO	梁家傑 Alan LEONG	贊成 YES
梁家驩 Dr LEUNG Ka-lau		梁國雄 LEUNG Kwok-hung	贊成 YES
張國柱 CHEUNG Kwok-che	贊成 YES	陳偉業 Albert CHAN	贊成 YES
葉國謙 IP Kwok-him	反對 NO	黃毓民 WONG Yuk-man	贊成 YES
吳亮星 NG Leung-sing	反對 NO	毛孟靜 Claudia MO	贊成 YES
何俊賢 Steven HO	反對 NO	田北辰 Michael TIEN	反對 NO
易志明 Frankie YICK	反對 NO	田北俊 James TIEN	
姚思榮 YIU Si-wing	反對 NO	胡志偉 WU Chi-wai	贊成 YES
馬達國 MA Fung-kwok	反對 NO	范國威 Gary FAN	贊成 YES
莫乃光 Charles Peter MOK	贊成 YES	陳志全 CHAN Chi-chuen	贊成 YES
陳婉嫻 CHAN Yuen-han	反對 NO	陳恒鏞 CHAN Han-pan	反對 NO
梁繼昌 Kenneth LEUNG	贊成 YES	陳家洛 Dr Kenneth CHAN	贊成 YES
郭偉强 KWOK Wai-keung	反對 NO	梁志祥 LEUNG Che-cheung	反對 NO
郭榮鏗 Dennis KWOK	贊成 YES	麥美娟 Alice MAK	反對 NO
張華峰 Christopher CHEUNG	反對 NO	郭家麒 Dr KWOK Ka-ki	贊成 YES
葉建源 IP Kin-yuen	贊成 YES	張超雄 Dr Fernando CHEUNG	
廖長江 Martin LIAO	反對 NO	單仲偕 SIN Chung-kai	贊成 YES
潘兆平 POON Siu-ping	反對 NO	黃碧雲 Dr Helena WONG	贊成 YES
鄧家彪 TANG Ka-piu	反對 NO	葛珮帆 Dr Elizabeth QUAT	反對 NO
盧偉國 Ir Dr LO Wai-kwok	反對 NO	蔣麗芸 Dr CHIANG Lai-wan	
鍾國斌 CHUNG Kwok-pan	反對 NO	鍾樹根 Christopher CHUNG	反對 NO
謝偉銓 Tony TSE	反對 NO		

秘書 CLERK