

LEGISLATIVE COUNCIL

MINUTES

No. 4

**Minutes of the meeting held on Wednesday 4 November 2015 at 11:00 am
and Thursday 5 November 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 / Instrument</u>	<u>L.N. No.</u>
Post Office (Amendment) Regulation 2015 (gazetted on 30.10.2015)	214/2015

Other Papers

1. No. 18 - Environment and Conservation Fund
Trustee Report 2014-2015
(published on 29.10.2015)

2. No. 19 - Hong Kong Science and Technology Parks Corporation Annual Report, Report of the Directors and Financial Statements 2014-2015
(published on 29.10.2015)
3. No. 20 - Hong Kong Productivity Council Annual Report, Independent Auditor's Report and Financial Statements 2014-2015
(published on 29.10.2015)
4. No. 21 - Consumer Council Annual Report 2014-15
(published on 29.10.2015)
5. No. 22 - Traffic Accident Victims Assistance Fund Annual Report for the year from 1 April 2014 to 31 March 2015
(published on 30.10.2015)
6. Report of the Bills Committee on Inland Revenue (Amendment) (No. 3) Bill 2015
(published on 29.10.2015)
7. Report of the Bills Committee on Clearing and Settlement Systems (Amendment) Bill 2015
(published on 29.10.2015)
8. Report of the Bills Committee on Securities and Futures (Amendment) Bill 2015
(published on 30.10.2015)

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 supplied to Members.

Bills

Resumption of Second Reading debate, Committee stage and Third Reading

- Inland Revenue (Amendment) (No. 3) : Secretary for Financial Services and Bill 2015 the Treasury

The debate on the Second Reading of the above Bill, which was moved on 24 June 2015, resumed. After a Member and the public officer had respectively spoken, the President put the question on the Second Reading of the Bill, and the question was agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council went into committee and considered the Bill. The question that clauses 1 to 14 stand part of the Bill was proposed, put and agreed to.

The Council then resumed. The public officer reported that the Bill had passed through the Committee stage without amendment. The Bill was ordered to be set down for Third Reading under Rule 59 of the Rules of Procedure. The question on the Third Reading of the Bill was proposed, put and agreed to. The Bill was read the third time and passed.

— Clearing and Settlement Systems : Secretary for Financial Services and
(Amendment) Bill 2015 the Treasury

The Second Reading debate on the above Bill, which was moved on 4 February 2015, resumed. After Members and the public officer had respectively spoken, the President put the question on the Second Reading of the Bill, and the question was agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council went into committee and considered the Bill. The question that clauses 1 to 4, 6 to 11, 13, 15, 16, 18, 19, 20, 22, 24, 25, 26, 30, 31, 32, 34, 35, 39, 42, 45 to 51, 55 to 63, 65, 66 and 67 stand part of the Bill was proposed, put and agreed to.

The question that clauses 5, 12, 14, 17, 21, 23, 27, 28, 29, 33, 36, 37, 38, 40, 41, 43, 44, 52, 53, 54 and 64 stand part of the Bill was proposed. The public officer moved amendments to the above clauses and spoke on the amendments. After Members had spoken, the question on the amendments was put and agreed to. The question that the above clauses as amended stand part of the Bill was proposed, put and agreed to.

New clauses 43A, 53A, 62A and 63A, and the new Division headings before new clauses 53A and 63A were read the first time. The public officer moved the Second Reading of the above new clauses and new Division headings and spoke on them. The question on the Second Reading of the above new clauses and new Division headings was proposed, put and agreed to.

New clauses 43A, 53A, 62A and 63A, and the new Division headings before new clauses 53A and 63A were read the second time. The public officer moved the addition of the above new clauses and new Division headings. The question on the addition was proposed, put and agreed to.

The Council then resumed. The public officer reported that the Bill had passed through the Committee stage with amendments. The Bill was ordered to be set down for Third Reading under Rule 59 of the Rules of Procedure. The question on the Third Reading of the Bill was proposed, put and agreed to (details of division in **Appendix 1**). The Bill was read the third time and passed.

— Securities and Futures (Amendment) : Secretary for Financial Services and
Bill 2015 the Treasury

(During the Second Reading debate on the Bill, the meeting was suspended at 8:01 pm on 4 November and resumed at 9:00 am on 5 November 2015)

The Second Reading debate on the above Bill, which was moved on 24 June 2015, resumed. After Members and the public officer had respectively spoken, the President put the question on the Second Reading of the Bill, and the question was agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council went into committee and considered the Bill. The question that clauses 1 to 34 stand part of the Bill was proposed, put and agreed to.

The question that the Schedule stand part of the Bill was proposed, put and agreed to.

The Council then resumed. The public officer reported that the Bill had passed through the Committee stage without amendment. The Bill was ordered to be set down for Third Reading under Rule 59 of the Rules of Procedure. The question on the Third Reading of the Bill was proposed, put and agreed to. The Bill was read the third time and passed.

— Supplementary Appropriation : Secretary for Financial Services and
(2014-2015) Bill the Treasury

The Second Reading debate on the above Bill, which was moved on 8 July 2015, resumed. The President put the question on the Second Reading of the Bill, and the question was agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council went into committee and considered the Bill. The question that clauses 1 to 2 stand part of the Bill was proposed, put and agreed to.

The question that the Schedule stand part of the Bill was proposed, put and agreed to.

The Council then resumed. The public officer reported that the Bill had passed through the Committee stage without amendment. The Bill was ordered to be set down for Third Reading under Rule 59 of the Rules of Procedure. The question on the Third Reading of the Bill was proposed, put and agreed to. The Bill was read the third time and passed.

Members' Motions

Proposed resolutions under section 34(4) of the Interpretation and General Clauses Ordinance

Dr Hon Priscilla LEUNG moved the motion as set out on the Agenda. The President proposed and put the question on the motion. The motion was passed.

Hon Dennis KWOK moved the two motions as set out on the Agenda. The President proposed and put the questions on the motions respectively. The motions were passed (details of the division on the second motion in **Appendix 2**).

Hon James TO, Hon Kenneth LEUNG and Hon Alice MAK moved the three motions as set out on the Agenda respectively. The questions on the three motions were proposed, put and agreed to respectively.

Motion on "Extending the application of sections 3 and 8 of the Prevention of Bribery Ordinance to the Chief Executive"

(During the debate on this motion, the meeting was adjourned at 11:10 am on 5 November 2015 due to the lack of a quorum. The debate would continue at the next Council meeting of 11 November 2015.)

Dr Hon Helena WONG moved the motion as set out on the Agenda. The President proposed the question on the motion and ordered a joint debate on the motion and the amendments. After the movers of the amendments had spoken, Hon LEUNG Kwok-hung drew the attention of the President to the absence of a quorum. The President then directed the Members to be summoned.

Next meeting

After 15 minutes had expired, a quorum was not present. The President's Deputy adjourned the Council in accordance with Rule 17(2) of the Rules of Procedure until 11:00 am on 11 November 2015.

The Council was adjourned at 11:10 am on 5 November 2015.

A handwritten signature in black ink, appearing to read 'Jasper Tsang', with a long horizontal stroke extending to the right.

(Jasper TSANG Yok-sing)
President
Legislative Council

Council Chamber
Hong Kong

7 January 2016

投票 VOTE: 1
 日期 DATE: 04/11/2015
 時間 TIME: 06:04:13 下午 PM

動議 MOTION: 《2015年結算及交收系統（修訂）條例草案》 - 三讀
 CLEARING AND SETTLEMENT SYSTEMS (AMENDMENT) BILL 2015 - THIRD READING

動議人 MOVED BY: 財經事務及庫務局局長 Secretary for Financial Services and the Treasury

出席 Present : 45
 投票 Vote : 44
 贊成 Yes : 43
 反對 No : 0
 棄權 Abstain : 1
 結果 Result : 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
曾鈺成	TSANG Yok-sing	出席	PRESENT	田北辰	Michael TIEN		
何俊仁	Albert HO	贊成	YES	田北俊	James TIEN		
李卓人	LEE Cheuk-yan			吳亮星	NG Leung-sing	贊成	YES
涂謹申	James TO	贊成	YES	何俊賢	Steven HO	贊成	YES
陳鑑林	CHAN Kam-lam	贊成	YES	易志明	Frankie YICK		
梁耀忠	LEUNG Yiu-chung	贊成	YES	胡志偉	WU Chi-wai		
劉皇發	Dr LAU Wong-fat			姚思榮	YIU Si-wing	贊成	YES
劉慧卿	Emily LAU	贊成	YES	范國威	Gary FAN		
譚耀宗	TAM Yiu-chung			馬逢國	MA Fung-kuok	贊成	YES
石禮謙	Abraham SHEK	贊成	YES	莫乃光	Charles Peter MOK	贊成	YES
張宇人	Tommy CHEUNG			陳志全	CHAN Chi-chuen	贊成	YES
馮檢基	Frederick FUNG	贊成	YES	陳恒鎮	CHAN Han-pan	贊成	YES
方剛	Vincent FANG			陳家洛	Dr Kenneth CHAN		
王國興	WONG Kwok-hing	贊成	YES	陳婉嫻	CHAN Yuen-han	贊成	YES
李國麟	Prof Joseph LEE	贊成	YES	梁志祥	LEUNG Che-cheung	贊成	YES
林健鋒	Jeffrey LAM			梁繼昌	Kenneth LEUNG	贊成	YES
梁君彥	Andrew LEUNG	贊成	YES	麥美娟	Alice MAK	贊成	YES
黃定光	WONG Ting-kwong	贊成	YES	郭家麒	Dr KWOK Ka-ki		
何秀蘭	Cyd HO	贊成	YES	郭偉強	KWOK Wai-keung	贊成	YES
李慧琼	Starry LEE			郭榮鏗	Dennis KWOK		
林大輝	Dr LAM Tai-fai			張華峰	Christopher CHEUNG	贊成	YES
陳克勤	CHAN Hak-kan	贊成	YES	張超雄	Dr Fernando CHEUNG	贊成	YES
陳健波	CHAN Kin-por	贊成	YES	單仲偕	SIN Chung-kai	贊成	YES
梁美芬	Dr Priscilla LEUNG			黃碧雲	Dr Helena WONG		
梁家驩	Dr LEUNG Ka-lau			葉建源	IP Kin-yuen	贊成	YES
張國柱	CHEUNG Kwok-che	贊成	YES	葛珮帆	Dr Elizabeth QUAT	贊成	YES
黃國健	WONG Kwok-kin	贊成	YES	廖長江	Martin LIAO	贊成	YES
葉國謙	IP Kwok-him	贊成	YES	潘兆平	POON Siu-ping	贊成	YES
葉劉淑儀	Mrs Regina IP	贊成	YES	鄧家彪	TANG Ka-piu		
謝偉俊	Paul TSE			蔣麗芸	Dr CHIANG Lai-wan		
梁家傑	Alan LEONG	贊成	YES	盧偉國	Ir Dr LO Wai-kuok	贊成	YES
梁國雄	LEUNG Kwok-hung	棄權	ABSTAIN	鍾國斌	CHUNG Kwok-pan	贊成	YES
陳偉業	Albert CHAN	贊成	YES	鍾樹根	Christopher CHUNG		
黃毓民	WONG Yuk-man			謝偉銓	Tony TSE	贊成	YES
毛孟靜	Claudia MO	贊成	YES				

投票 VOTE: 2
日期 DATE: 05/11/2015
時間 TIME: 09:50:53 上午 AM

動議 MOTION: 延展《2015年高等法院規則（修訂）（第3號）規則》及《2015年區域法院規則（修訂）規則》的修訂期限的擬議決議案
PROPOSED RESOLUTION TO EXTEND THE PERIOD FOR AMENDING THE RULES OF THE HIGH COURT (AMENDMENT) (NO. 3) RULES 2015 AND THE RULES OF THE DISTRICT COURT (AMENDMENT) RULES 2015

動議人 MOVED BY: 郭榮鏗 Dennis KWOK

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	21	
投票 Vote	22	20	
贊成 Yes	22	20	
反對 No	0	0	
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	
何俊仁 Albert HO		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	贊成 YES
石禮謙 Abraham SHEK		梁耀忠 LEUNG Yiu-chung	贊成 YES
張宇人 Tommy CHEUNG		劉慧卿 Emily LAU	贊成 YES
馮檢基 Frederick FUNG		譚耀宗 TAM Yiu-chung	贊成 YES
方剛 Vincent FANG		王國興 WONG Kwok-hing	贊成 YES
李國麟 Prof Joseph LEE	贊成 YES	何秀蘭 Cyd HO	贊成 YES
林健鋒 Jeffrey LAM	贊成 YES	陳克勤 CHAN Hak-kan	
梁君彥 Andrew LEUNG	贊成 YES	梁美芬 Dr Priscilla LEUNG	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	黃國健 WONG Kwok-kin	
李慧琼 Starry LEE		葉劉淑儀 Mrs Regina IP	
林大輝 Dr LAM Tai-fai		謝偉俊 Paul TSE	
陳健波 CHAN Kin-por		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	贊成 YES	黃毓民 WONG Yuk-man	
吳亮星 NG Leung-sing	贊成 YES	毛孟靜 Claudia MO	
何俊賢 Steven HO	贊成 YES	田北辰 Michael TIEN	贊成 YES
易志明 Frankie YICK		田北俊 James TIEN	
姚思榮 YIU Si-wing	贊成 YES	胡志偉 WU Chi-wai	贊成 YES
馬達國 MA Fung-kwok	贊成 YES	范國威 Gary FAN	
莫乃光 Charles Peter MOK	贊成 YES	陳志全 CHAN Chi-chuen	
陳婉嫻 CHAN Yuen-han		陳恒鏞 CHAN Han-pan	贊成 YES
梁繼昌 Kenneth LEUNG	贊成 YES	陳家洛 Dr Kenneth CHAN	
郭偉强 KWOK Wai-keung	贊成 YES	梁志祥 LEUNG Che-cheung	贊成 YES
郭榮鏗 Dennis KWOK	贊成 YES	麥美娟 Alice MAK	贊成 YES
張華峰 Christopher CHEUNG	贊成 YES	郭家麒 Dr KWOK Ka-ki	
葉建源 IP Kin-yuen	贊成 YES	張超雄 Dr Fernando CHEUNG	贊成 YES
廖長江 Martin LIAO	贊成 YES	單仲偕 SIN Chung-kai	贊成 YES
潘兆平 POON Siu-ping	贊成 YES	黃碧雲 Dr Helena WONG	贊成 YES
鄧家彪 TANG Ka-piu	贊成 YES	葛珮帆 Dr Elizabeth QUAT	贊成 YES
盧偉國 Ir Dr LO Wai-kwok	贊成 YES	蔣麗芸 Dr CHIANG Lai-wan	
鍾國斌 CHUNG Kwok-pan	贊成 YES	鍾樹根 Christopher CHUNG	
謝偉銓 Tony TSE			

秘書 CLERK

