

**LEGISLATIVE COUNCIL**

**MINUTES**

**No. 10**

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**Minutes of the meeting held on Wednesday 16 December 2015 at 11:00 am,  
Thursday 17 December 2015 at 9:00 am and Friday 18 December 2015 at 9:00 am**

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**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. Pharmacy and Poisons (Amendment) (No. 6) Regulation 2015 (gazetted on 11.12.2015)	234/2015
2. Pharmacy and Poisons (Amendment) (No. 7) Regulation 2015 (gazetted on 11.12.2015)	235/2015
3. Dangerous Drugs Ordinance (Amendment of Second Schedule) Order 2015 (gazetted on 11.12.2015)	236/2015

Subsidiary Legislation / Instruments

L.N. No.

- |    |   |          |
|----|---|----------|
| 4. | Smoking (Public Health) Ordinance (Amendment of Schedule 2) Order 2015<br>(gazetted on 11.12.2015)  | 237/2015 |
| 5. | Legal Practitioners (Amendment) Ordinance 2012<br>(Commencement) Notice<br>(gazetted on 11.12.2015) | 238/2015 |

Other Papers

- |    |        |   |   |
|----|--------|---|---|
| 1. | No. 46 | - | Lotteries Fund<br>The Accounts of the Fund 2014-15<br>(published on 10.12.2015)   |
| 2. | No. 47 | - | Queen Elizabeth Foundation for the Mentally Handicapped<br>Report and Accounts 2014-2015<br>(published on 10.12.2015)                       |
| 3. | No. 48 | - | Social Work Training Fund<br>Fifty-fourth Annual Report by the Trustee for the year ending on<br>31 March 2015<br>(published on 10.12.2015) |
| 4. | No. 49 | - | Equal Opportunities Commission<br>Annual Report 2014/15<br>(published on 10.12.2015)  |
| 5. | No. 50 | - | Hong Kong Tourism Board<br>Annual Report 2014/15<br>(published on 10.12.2015)   |
| 6. | No. 51 | - | Communications Authority<br>Annual Report 2014/15<br>(published on 11.12.2015)  |

7. No. 52 - Police Welfare Fund  
Annual Report 2014/2015  
(published on 14.12.2015)
8. No. 53 - The Police Children's Education Trust and the Police Education  
and Welfare Trust  
Annual Report 2014/2015  
(published on 14.12.2015)
9. No. 54 - The Government Minute in response to The Annual Report of  
The Ombudsman 2015  
(published on 15.12.2015)
10. No. 55 - Brewin Trust Fund  
Report of the Brewin Trust Fund Committee on the  
Administration of the Fund for the year ended 30 June 2015  
(published on 16.12.2015)
11. No. 56 - Grantham Scholarships Fund  
Report of the Grantham Scholarships Fund Committee on the  
Administration of the Fund for the year ended 31 August 2015  
(published on 16.12.2015)
12. No. 57 - The Sir Murray MacLehose Trust Fund  
Trustee's Report for the period of 1 April 2014 to 31 March 2015  
(published on 16.12.2015)
13. No. 58 - Chinese Temples Fund  
Report of the Chinese Temples Committee on the  
Administration of the Fund for the year ended 31 March 2015  
(published on 16.12.2015)
14. No. 59 - General Chinese Charities Fund  
Report of the Chinese Temples Committee on the  
Administration of the Fund for the year ended 31 March 2015  
(published on 16.12.2015)
15. Report of the Committee on Members' Interests on complaints against  
Honourable LEE Cheuk-yan and Honourable LEUNG Kwok-hung  
(published on 16.12.2015)

16. Report No. 8/15-16 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments  
(published on 9.12.2015)
17. Report of the Bills Committee on Bankruptcy (Amendment) Bill 2015  
(published on 14.12.2015)

## **Addresses**

The Chief Secretary for Administration addressed the Council on The Government Minute in response to The Annual Report of The Ombudsman 2015.

Hon IP Kwok-him, Chairman of the Committee on Members' Interests, addressed the Council on the Report of the Committee on Members' Interests on complaints against Honourable LEE Cheuk-yan and Honourable LEUNG Kwok-hung.

## **Motion under Rule 91 of the Rules of Procedure**

### Proposed resolution under Rule 91 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. After Members had spoken, the question on the motion was put. The motion was negatived (details of division in the **Appendix**).

## **Questions**

(As the motion under Rule 91 of the Rules of Procedure was negatived, in accordance with Rule 23(2) and (3) of the Rules of Procedure, not more than 22 questions were asked at this Council meeting.)

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

Written replies to Questions 10 to 25 as set out on the Agenda were supplied to Members.

## **Bills**

### First Reading and Second Reading

- Eastern Harbour Crossing Legislation (Amendment) Bill 2015 : Secretary for Transport and Housing
- Inland Revenue (Amendment) (No. 4) Bill 2015 : Secretary for Financial Services and the Treasury
- Electoral Legislation (Miscellaneous Amendments) (No. 2) Bill 2015 : Secretary for Constitutional and Mainland Affairs
- Fire Services (Amendment) Bill 2015 : Secretary for Security

After the above Bills were read the first time and ordered to be set down for Second Reading under Rule 53(3) of the Rules of Procedure, the public officers moved the Second Reading of the Bills respectively. The President and President's Deputy respectively proposed the questions on the Second Reading of the Bills and referred the Bills to the House Committee in accordance with Rule 54(4) of the Rules of Procedure. The debates on the Bills were adjourned.

(The meeting was suspended at 7:53 pm on 16 December and resumed at 9:00 am on 17 December 2015.)

### Resumption of Second Reading debate

- Copyright (Amendment) Bill 2014 : Secretary for Commerce and Economic Development

The Second Reading debate on the above Bill, which was moved on 18 June 2014, resumed. After a Member had spoken, Hon Cyd HO moved a motion under Rule 40(1) of the Rules of Procedure that the debate on the Second Reading of the Bill be now adjourned.

Motion under Rule 40(1) of the Rules of Procedure on adjournment of the Second Reading debate on the Copyright (Amendment) Bill 2014

(During the debate on this motion, the meeting was suspended at 8:00 pm on 17 December, and resumed at 9:00 am and was adjourned at 12:58 pm on 18 December 2015. The debate would continue at the next Council meeting of 6 January 2016.)

The President proposed the question on the motion. Members and the public officer respectively spoke on the motion.

**Next meeting**

The President declared that the next Council meeting would be held on 6 January 2016 at 11:00 am.

The Council was adjourned at 12:58 pm on 18 December 2015.



(Jasper TSANG Yok-sing)  
President  
Legislative Council

Council Chamber  
Hong Kong

3 February 2016

投票 VOTE: 1  
 日期 DATE: 16/12/2015  
 時間 TIME: 02:18:13 下午 PM

附錄  
 Appendix

動議 MOTION: 根據《議事規則》第91條動議的擬議決議案  
 PROPOSED RESOLUTION UNDER RULE 91 OF THE RULES OF PROCEDURE

動議人 MOVED BY: 梁君彥 Andrew LEUNG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	26	27	
投票 Vote	26	26	
贊成 Yes	8	16	
反對 No	17	10	
棄權 Abstain	1	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		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	贊成 YES	梁美芬 Dr Priscilla LEUNG	反對 NO
黃定光 WONG Ting-kwong		黃國健 WONG Kwok-kin	反對 NO
李慧琼 Starry LEE	反對 NO	葉劉淑儀 Mrs Regina IP	
林大輝 Dr LAM Tai-fai		謝偉俊 Paul TSE	贊成 YES
陳健波 CHAN Kin-por	反對 NO	梁家傑 Alan LEONG	
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	
何俊賢 Steven HO	反對 NO	田北辰 Michael TIEN	贊成 YES
易志明 Frankie YICK		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	
梁繼昌 Kenneth LEUNG	贊成 YES	陳家洛 Dr Kenneth CHAN	贊成 YES
郭偉強 KWOK Wai-keung	反對 NO	梁志祥 LEUNG Che-cheung	反對 NO
郭榮鏗 Dennis KWOK		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		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	棄權 ABSTAIN	黃碧雲 Dr Helena WONG	贊成 YES
鄧家彪 TANG Ka-piu	反對 NO	葛珮帆 Dr Elizabeth QUAT	
盧偉國 Ir Dr LO Wai-kwok	反對 NO	蔣麗芸 Dr CHIANG Lai-wan	反對 NO
鍾國斌 CHUNG Kwok-pan		鍾樹根 Christopher CHUNG	反對 NO
謝偉銓 Tony TSE	反對 NO		

秘書 CLERK