

LEGISLATIVE COUNCIL

MINUTES

No. 15

**Minutes of the meeting held on Wednesday 27 January 2016 at 11:00 am,
Thursday 28 January 2016 at 9:00 am and Friday 29 January 2016 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. Antiquities (Excavation and Search) (Amendment) Regulation 2016 (gazetted on 22.1.2016)	9/2016
2. Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) (Amendment) Regulation 2016 (gazetted on 22.1.2016)	10/2016

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
3. Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) (Amendment) Regulation 2016 (gazetted on 22.1.2016)	11/2016
4. Electoral Affairs Commission (Registration of Electors) (Rural Representative Election) (Amendment) Regulation 2016 (gazetted on 22.1.2016)	12/2016
5. Administration of Justice (Miscellaneous Provisions) Ordinance 2014 (Commencement) Notice (gazetted on 22.1.2016)	13/2016
6. Hong Kong Court of Final Appeal Suitors' Funds Rules (Commencement) Notice (gazetted on 22.1.2016)	14/2016
7. High Court Suitors' Funds (Amendment) Rules 2015 (Commencement) Notice (gazetted on 22.1.2016)	15/2016
8. District Court Suitors' Funds (Amendment) Rules 2015 (Commencement) Notice (gazetted on 22.1.2016)	16/2016
9. Lands Tribunal (Suitors' Funds) Rules (Commencement) Notice (gazetted on 22.1.2016)	17/2016
10. Labour Tribunal (Suitors' Funds) (Amendment) Rules 2015 (Commencement) Notice (gazetted on 22.1.2016)	18/2016
11. Small Claims Tribunal (Suitors' Funds) (Amendment) Rules 2015 (Commencement) Notice (gazetted on 22.1.2016)	19/2016

Other Papers

1. No. 61 - Hospital Authority
Annual Report 2014-2015
(published on 22.1.2016)
2. No. 62 - Samaritan Fund
Financial Statements for the year ended 31 March 2015 and
Report on the Fund
(published on 22.1.2016)

Questions

(After completion of Question 4, the meeting was suspended at 12:54 pm and resumed at 1:25 pm on 27 January 2016.)

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 7 to 22 as set out on the Agenda were supplied to Members.

Bills

First Reading and Second Reading

- Securities and Futures (Amendment) : Secretary for Financial Services and
Bill 2016 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's Deputy 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.

Remaining proceedings after the Second Reading

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

Motion under Rule 55(1)(a) of the Rules of Procedure that the Copyright (Amendment) Bill 2014 be committed to a select committee

The debate on the above motion, which was moved on 21 January 2016, continued. After Members and the public officer had respectively spoken, the question on the motion was put. The motion was negatived (details of division in **Appendix 1**).

(The meeting was suspended at 7:55 pm on 27 January and resumed at 9:00 am on 28 January 2016.)

Committee stage

The Council went into committee to consider the Copyright (Amendment) Bill 2014. The question that clauses 4, 6, 8, 9, 13, 18, 19, 21 to 27, 30 to 35, 37, 41, 42, 43, 47, 48, 50, 52, 75, 76, 78 to 81, 83, 84, 86 and 89 stand part of the Bill was proposed. The committee proceeded to the first debate. Hon CHAN Kam-lam moved his first group of amendments as set out in the Official Record of Proceedings and spoke on the amendments. The Chairman ordered a joint debate on the relevant parts of clauses 18, 19, 24, 75 and 78, the original clause 76 and Hon CHAN Kam-lam's amendments. Members spoke in the debate. Hon WONG Yuk-man then moved a motion under Rule 40(4) of the Rules of Procedure that further proceedings of the committee of the whole Council be now adjourned.

Copyright (Amendment) Bill 2014: motion under Rule 40(4) of the Rules of Procedure that further proceedings of the committee of the whole Council be now adjourned

(During the debate on this motion, the meeting was suspended at 12:46 pm and resumed at 1:15 pm on 28 January, suspended at 2:28 pm and resumed at 2:35 pm on 28 January, and was suspended at 7:49 pm on 28 January and resumed at 9:00 am on 29 January 2016.)

The Chairman proposed the question on the motion. After Members and the public officer had respectively spoken, the question on the motion was put. The motion was negatived (details of division in **Appendix 2**).

The committee continued with the first debate. A Member spoke.

Next meeting

The Council resumed. The President declared that the next Council meeting would be held on 3 February 2016 at 11:00 am.

The Council was adjourned at 12:48 pm on 29 January 2016.



(Jasper TSANG Yok-sing)
President
Legislative Council

Council Chamber
Hong Kong

16 March 2016

投票 VOTE: 1
 日期 DATE: 27/01/2016
 時間 TIME: 07:54:34 下午 PM

附錄 1
 Appendix 1

動議 MOTION: 根據《議事規則》第55(1)(a)條，動議‘將《2014年版權(修訂)條例草案》付委予一個專責委員會’的議案
 MOTION UNDER RULE 55(1)(a) OF THE RULES OF PROCEDURE THAT THE COPYRIGHT (AMENDMENT) BILL 2014 BE COMMITTED TO A SELECT COMMITTEE

動議人 MOVED BY: 何秀蘭 Cyd HO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	29	32	
投票 Vote	29	31	
贊成 Yes	7	16	
反對 No	22	15	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	否決 Negatived	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
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	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	反對 NO	梁美芬 Dr Priscilla LEUNG	反對 NO
黃定光 WONG Ting-kwong	反對 NO	黃國健 WONG Kwok-kin	反對 NO
李慧琼 Stary 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	
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	贊成 YES
姚思榮 YIU Si-wing	反對 NO	胡志偉 WU Chi-wai	贊成 YES
馬逢國 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	陳恒鎮 CHAN Han-pan	反對 NO
梁繼昌 Kenneth LEUNG		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	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	反對 NO
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

投票 VOTE: 2
 日期 DATE: 29/01/2016
 時間 TIME: 12:31:16 下午 PM

動議 MOTION: 《2014年版權(修訂)條例草案》：根據《議事規則》第40(4)條，動議‘全體委員會現即休會待續’的議案
 COPYRIGHT (AMENDMENT) BILL 2014: MOTION UNDER RULE 40(4) OF THE RULES OF PROCEDURE THAT FURTHER PROCEEDINGS OF THE COMMITTEE OF THE WHOLE COUNCIL BE NOW ADJOURNED

動議人 MOVED BY: 黃毓民 WONG Yuk-man

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	29	31	
投票 Vote	29	30	
贊成 Yes	7	16	
反對 No	22	14	
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
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
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		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
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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
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姚思榮 YIU Si-wing	反對 NO	胡志偉 WU Chi-wai	贊成 YES
馬逢國 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	陳恒鎮 CHAN Han-pan	反對 NO
梁繼昌 Kenneth LEUNG	贊成 YES	陳家洛 Dr Kenneth CHAN	贊成 YES
郭偉強 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
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葉建源 IP Kin-yuen		張超雄 Dr Fernando CHEUNG	贊成 YES
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
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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	反對 NO	鍾樹根 Christopher CHUNG	反對 NO
謝偉銓 Tony TSE	反對 NO		