

LEGISLATIVE COUNCIL

MINUTES

No. 29

Minutes of the meeting held on Wednesday 8 June 2016 at 11:00 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:

1. No. 101 - The 27th Report on the Work of the Advisory Committee on Post-service Employment of Civil Servants
(1 January - 31 December 2015)
(published on 2.6.2016)
2. Report No. 20/15-16 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(published on 2.6.2016)
3. Report of the Bills Committee on Inland Revenue (Amendment) Bill 2016
(published on 3.6.2016)

Questions

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.

Government Bill

Committee stage and Third Reading

- Interception of Communications and Surveillance (Amendment) Bill 2015 : Secretary for Security

(During the Committee stage of the Bill, the meeting was adjourned at 8:00 pm on 8 June 2016. The remaining proceedings on the Bill would continue at the next Council meeting.)

The Council went into committee to continue the debate on clauses 1 to 5, 7, 11, 14 and 15 standing part of the Bill. After Members and the public officer had respectively spoken, the question that the above clauses stand part of the Bill was put and agreed to (details of division in **Appendix 1**).

Hon Andrew LEUNG moved a motion without notice to shorten the duration of the division bell for further divisions in respect of the clauses of or amendments to the Bill. The question was proposed, put and agreed to.

The question that clauses 6, 8, 16 and 17 stand part of the Bill was proposed. Hon James TO had given notice to move his first group of amendments to amend clauses 6, 8, 16 and 17 of and add new clause 8A to the Bill. The Chairman ordered a joint debate on the original clauses 6 and 8, the relevant parts of clauses 16 and 17, Hon James TO's amendments and the new clause. Hon James TO moved his amendments to amend clauses 6, 8, 16 and 17 and spoke on the amendments. After Members and the public officer had respectively spoken, the question on Hon James TO's amendments was put and not agreed to (details of division in **Appendix 2**). As Hon James TO's first group of amendments to clauses 6, 8, 16 and 17 had been negatived, he withdrew his amendment to add new clause 8A to the Bill.

The question that clauses 6 and 8 stand part of the Bill was put and agreed to.

The question that clauses 9, 10 and 12 stand part of the Bill was proposed. The public officer moved his first group of amendments to amend clauses 9, 10, 12 and 17 and spoke on the amendments. After Members had spoken, the question on the amendments was put and agreed to (details of division in **Appendix 3**). The question that clauses 9, 10, 12 and 17 as amended stand part of the Bill was proposed, put and agreed to.

The question that clause 13 stand part of the Bill was proposed. Hon James TO moved his second group of amendments to amend clause 13. The Chairman ordered a joint debate on the original clause and the amendments thereto. After Members and the public officer had respectively spoken, the question on the amendments was put and not agreed to (details of division in **Appendix 4**). The question that clause 13 stand part of the Bill was put and agreed to.

Next meeting

The Council resumed. The President declared that the next Council meeting would be held on 15 June 2016 at 11:00 am.

The Council was adjourned at 8:00 pm on 8 June 2016.



(Jasper TSANG Yok-sing)
President
Legislative Council

Council Chamber
Hong Kong

14 July 2016

投票 VOTE: 1
日期 DATE: 08/06/2016
時間 TIME: 04:08:19 下午 PM

動議 MOTION: 《2015年截取通訊及監察（修訂）條例草案》－全體委員會審議階段－第1至5、7、11、14及15條納入條例草案
INTERCEPTION OF COMMUNICATIONS AND SURVEILLANCE (AMENDMENT) BILL 2015 - COMMITTEE STAGE - CLAUSES 1 TO 5, 7, 11, 14 AND 15 STAND PART OF THE BILL

動議人 MOVED BY: 保安局局長 Secretary for Security

出席 Present : 50
投票 Vote : 49
贊成 Yes : 48
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	贊成	YES
李卓人	LEE Cheuk-yan	贊成	YES	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			胡志偉	WU Chi-wai	贊成	YES
劉皇發	Dr LAU Wong-fat			姚思榮	YTU Si-wing	贊成	YES
劉慧卿	Emily LAU			范國威	Gary FAN	贊成	YES
譚耀宗	TAM Yiu-chung	贊成	YES	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	贊成	YES	陳志全	CHAN Chi-chuen		
馮檢基	Frederick FUNG			陳恒鎮	CHAN Han-pan		
方剛	Vincent FANG			陳家洛	Dr Kenneth CHAN	贊成	YES
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	贊成	YES
何秀蘭	Cyd HO			郭偉強	KWOK Wai-keung	贊成	YES
李慧琼	Starry LEE	贊成	YES	郭榮鏗	Dennis KWOK	贊成	YES
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	贊成	YES	黃碧雲	Dr Helena WONG	贊成	YES
梁家驩	Dr LEUNG Ka-lau			葉建源	IP Kin-yuen		
張國柱	CHEUNG Kwok-che	贊成	YES	葛珮帆	Dr Elizabeth QUAT		
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			鄧家彪	TANG Ka-piu		
謝偉俊	Paul TSE			蔣麗芸	Dr CHIANG Lai-wan	贊成	YES
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	贊成	YES	鍾國斌	CHUNG Kwok-pan	贊成	YES
陳偉業	Albert CHAN			鍾樹根	Christopher CHUNG	贊成	YES
黃毓民	WONG Yuk-man	棄權	ABSTAIN	謝偉銓	Tony TSE	贊成	YES
毛孟靜	Claudia MO	贊成	YES	楊岳橋	Alvin YEUNG		

投票 VOTE: 2
日期 DATE: 08/06/2016
時間 TIME: 04:57:00 下午 PM

動議 MOTION: 《2015年截取通訊及監察(修訂)條例草案》— 全體委員會審議階段— 涂謹申議員的第一組修正案— 第6、8、16及17條
INTERCEPTION OF COMMUNICATIONS AND SURVEILLANCE (AMENDMENT) BILL 2015 - COMMITTEE STAGE - HON JAMES TO'S 1ST GROUP OF AMENDMENTS - CLAUSES 6, 8, 16 AND 17

動議人 MOVED BY: 涂謹申 James TO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	24	24	
投票 Vote	24	23	
贊成 Yes	5	10	
反對 No	19	13	
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	
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	
張宇人 Tommy CHEUNG	反對 NO	劉慧卿 Emily LAU	
馮檢基 Frederick FUNG		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	
林健鋒 Jeffrey LAM		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 Starry LEE	反對 NO	葉劉淑儀 Mrs Regina IP	
林大輝 Dr LAM Tai-fai	反對 NO	謝偉俊 Paul TSE	
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	
張國柱 CHEUNG Kwok-che	贊成 YES	陳偉業 Albert CHAN	
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		田北辰 Michael TIEN	
易志明 Frankie YICK		田北俊 James TIEN	反對 NO
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	
莫乃光 Charles Peter MOK		陳志全 CHAN Chi-chuen	贊成 YES
陳婉嫻 CHAN Yuen-han		陳恒鑄 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
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	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
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	楊岳橋 Alvin YEUNG	

投票 VOTE: 3
 日期 DATE: 08/06/2016
 時間 TIME: 06:28:25 下午 PM

動議 MOTION: 《2015年截取通訊及監察(修訂)條例草案》 - 全體委員會審議階段 - 保安局局長的第一組修正案 - 第9、10、12及17條
 INTERCEPTION OF COMMUNICATIONS AND SURVEILLANCE (AMENDMENT) BILL 2015 - COMMITTEE STAGE - THE SECRETARY FOR SECURITY'S 1ST GROUP OF AMENDMENTS - CLAUSES 9, 10, 12 AND 17

動議人 MOVED BY: 保安局局長 Secretary for Security

出席 Present : 35
 投票 Vote : 34
 贊成 Yes : 34
 反對 No : 0
 棄權 Abstain : 0
 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
梁君彥	Andrew LEUNG	出席	PRESENT	田北辰	Michael TIEN	贊成	YES
管錫成	TSANG Yok-sing			田北俊	James TIEN		
何俊仁	Albert HO			吳亮星	NG Leung-sing	贊成	YES
李卓人	LEE Cheuk-yan	贊成	YES	何俊賢	Steven HO		
涂謹申	James TO	贊成	YES	易志明	Frankie YICK		
陳鑑林	CHAN Kam-lam	贊成	YES	胡志偉	WU Chi-wai		
梁耀忠	LEUNG Yiu-chung			姚思榮	YIU Si-wing	贊成	YES
劉皇發	Dr LAU Wong-fat			范國威	Gary FAN	贊成	YES
劉慧卿	Emily LAU			馬逢國	MA Fung-kwok		
譚耀宗	TAM Yiu-chung	贊成	YES	莫乃光	Charles Peter MOK		
石禮謙	Abraham SHEK	贊成	YES	陳志全	CHAN Chi-chuen		
張宇人	Tommy CHEUNG			陳恒鏞	CHAN Han-pan	贊成	YES
馮檢基	Frederick FUNG			陳家洛	Dr Kenneth CHAN		
方剛	Vincent FANG			陳婉嫻	CHAN Yuen-han	贊成	YES
王國興	WONG Kwok-hing			梁志祥	LEUNG Che-cheung		
李國麟	Prof Joseph LEE			梁繼昌	Kenneth LEUNG	贊成	YES
林健鋒	Jeffrey LAM	贊成	YES	麥美娟	Alice MAK		
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		
李慧琼	Starry LEE	贊成	YES	郭榮鏗	Dennis KWOK	贊成	YES
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		
梁美芬	Dr Priscilla LEUNG			黃碧雲	Dr Helena WONG		
梁家驊	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	贊成	YES
謝偉俊	Paul TSE			蔣麗芸	Dr CHIANG Lai-wan		
梁家傑	Alan LEONG			盧偉國	Ir Dr LO Wai-kwok	贊成	YES
梁國雄	LEUNG Kwok-hung	贊成	YES	鍾國斌	CHUNG Kwok-pan		
陳偉業	Albert CHAN			鍾樹根	Christopher CHUNG		
黃毓民	WONG Yuk-man	贊成	YES	謝偉銓	Tony TSE		
毛孟靜	Claudia MO	贊成	YES	楊岳橋	Alvin YEUNG		

投票 VOTE: 4
日期 DATE: 08/06/2016
時間 TIME: 07:59:36 下午 PM

動議 MOTION: 《2015年截取通訊及監察（修訂）條例草案》－全體委員會審議階段－涂謹申議員的第二組修正案－第13條
INTERCEPTION OF COMMUNICATIONS AND SURVEILLANCE (AMENDMENT) BILL 2015 - COMMITTEE STAGE - HON JAMES TO' S 2ND GROUP OF AMENDMENTS - CLAUSE 13

動議人 MOVED BY: 涂謹申 James TO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	22	17	
投票 Vote	22	16	
贊成 Yes	6	7	
反對 No	16	9	
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	
劉皇發 Dr LAU Wong-fat		陳鑑林 CHAN Kam-lam	
石禮謙 Abraham SHEK	反對 NO	梁耀忠 LEUNG Yiu-chung	
張宇人 Tommy CHEUNG		劉慧卿 Emily LAU	
馮檢基 Frederick FUNG		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	
黃定光 WONG Ting-kwong	反對 NO	黃國健 WONG Kwok-kin	反對 NO
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	反對 NO	梁家傑 Alan LEONG	
梁家驊 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	
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		田北辰 Michael TIEN	反對 NO
易志明 Frankie YICK		James TIEN	
姚思榮 YIU Si-wing	反對 NO	胡志偉 WU Chi-wai	贊成 YES
馬逢國 MA Fung-kuok	反對 NO	范國威 Gary FAN	
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	陳恒鑄 CHAN Han-pan	反對 NO
梁繼昌 Kenneth LEUNG	贊成 YES	陳家洛 Dr Kenneth CHAN	
郭偉強 KWOK Wai-keung		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		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	反對 NO	單仲偕 SIN Chung-kai	
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-kuok	反對 NO	蔣麗芸 Dr CHIANG Lai-wan	
鍾國斌 CHUNG Kwok-pan	反對 NO	鍾樹根 Christopher CHUNG	
謝偉銓 Tony TSE	反對 NO	楊岳橋 Alvin YEUNG	

秘書 CLERK