

# **立法會**

## ***Legislative Council***

LC Paper No. FC258/15-16

(These minutes have been  
seen by the Administration)

Ref : FC/1/1(24)

### **Finance Committee of the Legislative Council**

#### **Minutes of the 51<sup>st</sup> meeting held at Conference Room 1 of the Legislative Council Complex on Saturday, 19 March 2016, at 11:12 am**

#### **Members present:**

Hon CHAN Kin-por, BBS, JP (Chairman)  
Hon CHAN Kam-lam, SBS, JP (Deputy Chairman)  
Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Hon LEUNG Yiu-chung  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon Cyd HO Sau-lan, JP  
Hon Starry LEE Wai-king, JP  
Hon CHAN Hak-kan, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Dr Hon LEUNG Ka-lau  
Hon CHEUNG Kwok-che  
Hon WONG Kwok-kin, SBS  
Hon IP Kwok-him, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung

Hon Albert CHAN Wai-yip  
Hon WONG Yuk-man  
Hon James TIEN Pei-chun, GBS, JP  
Hon NG Leung-sing, SBS, JP  
Hon Steven HO Chun-yin, BBS  
Hon WU Chi-wai, MH  
Hon YIU Si-wing, BBS  
Hon Gary FAN Kwok-wai  
Hon MA Fung-kwok, SBS, JP  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, JP  
Hon CHAN Yuen-han, SBS, JP  
Hon LEUNG Che-cheung, BBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon KWOK Wai-keung  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, JP  
Hon CHUNG Kwok-pan  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP  
Hon Tony TSE Wai-chuen, BBS  
Hon Alvin YEUNG Ngok-kiu

**Members absent:**

Hon James TO Kun-sun  
Dr Hon LAU Wong-fat, GBM, GBS, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN  
Dr Hon LAM Tai-fai, SBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Frankie YICK Chi-ming, JP  
Dr Hon Kenneth CHAN Ka-lok  
Hon Kenneth LEUNG

Dr Hon KWOK Ka-ki  
Hon Dennis KWOK  
Hon SIN Chung-kai, SBS, JP  
Dr Hon Helena WONG Pik-wan  
Hon TANG Ka-piu, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP

**Public officers attending:**

Ms Elizabeth TSE Man-yee, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Esther LEUNG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) 1
Mr Alfred ZHI Jian-hong	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)
Mr Raistlin LAU Chun, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) 3
Ms Jasmine CHOI Suet-yung	Principal Assistant Secretary for Financial Services and the Treasury (Treasury)(Works)
Mr Joseph LO Kwok-kuen	Chief Assistant Secretary for Development (Works) 1, Development Bureau
Mr Tony MOYUNG Hon	Assistant Director of Lands (Acquisition), Lands Department
Ms Joyce NG Suet-yee	Chief Estate Surveyor (Acquisition), Lands Department
Mr LEUNG Koon-kee, JP	Director of Architectural Services
Mr HUI Chiu-kin	Assistant Director of Architectural Services (Property Services), Architectural Services Department
Mr Edwin TONG Ka-hung, JP	Director of Drainage Services
Mr Samson LAI Yiu-kei	Assistant Director of Environmental Protection (Waste Management Policy)
Ms Betty CHEUNG Miu-han	Assistant Director of Environmental Protection (Environmental Infrastructure)
Mr Daniel CHUNG Kum-wah, JP	Director of Civil Engineering and Development
Mr CHUI Wing-wah	Deputy Director of Highways

Mr Raymond KONG Tai-wing	Deputy Project Manager/Major Works (1), Highways Department
Mr Ivan CHUNG Man-kit	Principal Assistant Secretary for Development (Planning and Lands) 5, Development Bureau
Miss Charmaine WONG Hoi-wan, JP	Assistant Director of Home Affairs (2)
Mr Martin KWAN Wai-cheong	Chief Engineer (Works), Home Affairs Department
Ms Maggie CHIN Man-yi	District Planning Officer (Fanling, Sheung Shui and Yuen Long East), Planning Department
Mr LAM Ka-tai, JP	Deputy Director of Social Welfare (Services)
Mr KOK Che-leung	Assistant Director of Social Welfare (Subventions)
Mr Kelvin SIU Yun-piu	Assistant Secretary-General (Capital), University Grants Committee Secretariat
Mr LEE Kam-yuen	Chief Maintenance Surveyor (School Premises Maintenance), Education Bureau
Mr Murphy CHIU Hon-fai	Senior Maintenance Surveyor (School Premises Maintenance), Education Bureau
Dr LAI Shu-ming	Head of Estates, Health and Safety Division, Vocational Training Council
Mr LEUNG Wing-lim, JP	Assistant Director of Water Supplies (New Works)
Mr Timothy CHENG Leung-kit	Chief Systems Manager (Governance and Resources), Office of the Government Chief Information Officer
Mr LO Kwok-kong	Chief Civil Engineer (Public Works Programme), Housing Department

**Clerk in attendance:**

Ms Anita SIT	Assistant Secretary General 1
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**Staff in attendance:**

Mr Derek LO	Chief Council Secretary (1)5
Mr Ken WOO	Senior Council Secretary (1)5
Mr Raymond SZETO	Council Secretary (1)6
Mr Keith WONG	Council Secretary (1)5
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Michelle NIEN	Legislative Assistant (1)5

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Action

**Item No. 1 – FCR(2015-16)48**

**BLOCK ALLOCATIONS UNDER THE CAPITAL WORKS RESERVE FUND FOR 2016-17**

**HEAD 701 – LAND ACQUISITION**

**HEAD 702 – PORT AND AIRPORT DEVELOPMENT**

**HEAD 703 – BUILDINGS**

**HEAD 704 – DRAINAGE**

**HEAD 705 – CIVIL ENGINEERING**

**HEAD 706 – HIGHWAYS**

**HEAD 707 – NEW TOWNS AND URBAN AREA DEVELOPMENT**

**HEAD 708 (PART) – CAPITAL SUBVENTIONS**

**HEAD 709 – WATERWORKS**

**HEAD 710 – COMPUTERISATION**

**HEAD 711 – HOUSING**

The Chairman said that the Committee would continue with the deliberation of the motion moved by Mr Albert CHAN to adjourn discussion of the agenda paper FCR(2015-16)48 in accordance with paragraph 39 of the Finance Committee Procedure ("FC Procedure").

2. Mr LEUNG Kwok-hung and Mr Alvin YEUNG spoke in support of the motion. Ms Cyd HO and Mr CHEUNG Kwok-che said that if the Administration was willing to deal with the controversial and non-controversial items in the agenda paper FCR(2015-16)48 separately, both of them would choose not to support Mr Albert CHAN's motion. Mr TAM Yiu-chung and Mr WU Chi-wai spoke against the motion. Mr WU Chi-wai concurred that there was a need to conduct feasibility studies on major works projects.

3. In response to Mr Albert CHAN's motion, the Permanent Secretary for Financial Services and the Treasury (Treasury) pointed out that if the Finance Committee ("FC") adjourned discussion of the agenda paper

FCR(2015-16)48, more than 7 000 public works projects which had commenced would come to a halt from 1 April 2016 onwards, and more than 1 000 new projects would be put on hold. Numerous public services would be affected, resulting in serious consequences. She said that quite a number of small and medium enterprises had told the Government that they had cash flow problems. Therefore, she called upon FC to make a decision as soon as possible on the agenda item relating to block allocations for 2016-2017. She indicated that even if the Government acceded to the request of members and removed the item on land acquisition in Shek Tsai Leng, it would not help the Government to expedite the reprovisioning of elderly care facilities. She further pointed out that FC had approved the commissioning of the preliminary feasibility study on the extension of cable car system of Ngong Ping 360 in 2014-2015. The study, which was in its final stage, would be completed in the third quarter of 2016. Some \$4 million had been incurred. If FC rejected the funding application, the Government would risk breaching the contract. Noting that some members and residents in Tai O were concerned about the extension of cable car system of Ngong Ping 360, the Government would give prudent consideration to the impact of the project on local environment and the views of the residents. However, she reiterated that even if the preliminary feasibility study on the extension of the cable car system of Ngong Ping 360 was completed, it did not mean that the Government had decided to launch the project.

4. Mr Albert CHAN gave his concluding remarks on the motion. The Chairman put Mr CHAN's motion to vote. At the request of members, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman declared that nine members voted in favour of and 34 members voted against the motion. The votes of individual members were as follows –

*For:*

Mr LEE Cheuk yan  
Ms Cyd HO Sau-lan  
Mr LEUNG Kwok-hung  
Mr Gary FAN Kwok-wai  
Dr Fernando CHEUNG Chiu-hung  
(9 members)

Mr LEUNG Yiu-chung  
Mr CHEUNG Kwok-che  
Mr Albert CHAN Wai-yip  
Mr CHAN Chi-chuen

*Against:*

Mr Albert HO Chun-yan  
Ms Emily LAU Wai-hing  
Mr Abraham SHEK Lai-him  
Mr Jeffrey LAM Kin-fung  
Mr WONG Ting-kwong

Mr CHAN Kam-lam  
Mr TAM Yiu-chung  
Mr Tommy CHEUNG Yu-yan  
Mr Andrew LEUNG Kwan-yuen  
Mr CHAN Hak-kan

Dr Priscilla LEUNG Mei-fun	Mr WONG Kwok-kin
Mr IP Kwok-him	Mr Paul TSE Wai-chun
Mr James TIEN Pei-chun	Mr NG Leung-sing
Mr Steven HO Chun-yin	Mr WU Chi-wai
Mr YIU Si-wing	Mr MA Fung-kwok
Mr Charles Peter MOK	Mr CHAN Han-pan
Miss CHAN Yuen-han	Mr LEUNG Che-cheung
Miss Alice MAK Mei-kuen	Mr KWOK Wai-keung
Mr Christopher CHEUNG Wah-fung	Mr IP Kin-yuen
Dr Elizabeth QUAT	Mr Martin LIAO Cheung-kong
Mr POON Siu-ping	Dr CHIANG Lai-wan
Mr Christopher CHUNG Shu-kun	Mr Tony TSE Wai-chuen
(34 members)	

5. The Chairman declared that the motion was negatived. When the Chairman declared the voting results, Mr Alvin YEUNG requested to record that his voting preference was in favour of the motion in question.

6. The Chairman declared that he had received a total of 41 motions proposed by members in accordance with paragraph 37A of the FC Procedure. Among them, 40 motions were proposed by Mr Alvin YEUNG, and one by Dr Fernando CHEUNG. The Chairman suggested that Mr YEUNG consolidate the five motions on the development plan for Wang Chau and the 22 motions on the development plan for Kwu Tung North into two motions for each development plan. In addition, the Chairman ruled that the remaining 13 motions were not directly relevant to the agenda item, so he returned them to Mr YEUNG. He ruled that Dr Fernando CHEUNG's motion was in order, and it would be dealt with later. Mr Alvin YEUNG said that he would not consolidate the motions he had submitted as suggested by the Chairman.

#### Continuation of discussion on agenda item FCR(2015-16)48

7. The meeting continued with the deliberation of the agenda item FCR(2015-16)48.

#### Head 701 Subhead 1100CA – Site formation and associated infrastructure works for purpose-built complex of residential care homes for the elderly in Area 29 of Kwu Tung North New Development Area

8. Mr Alvin YEUNG and Mr WU Chi-wai were concerned that if the funding application for the works in relation to the residential care homes for the elderly ("RCHEs") in Shek Tsai Leng was approved by FC, but the development proposal of the North East New Territories was rejected by the

Council, whether the Administration would still seek funding from FC for the construction of the RCHE complex. Mr CHAN Chi-chuen requested the Administration to commit to the Panel on Welfare Services in writing that the new RCHE complex would be completed by 2021 with a seamless handover. In the relevant document, the Administration should state clearly the conditions under which the back-up plan mentioned at the meeting would be implemented, and should also promise that the affected elderly persons at Dills Corner Garden would be rehoused in-situ.

9. The Principal Assistant Secretary for Development (Planning and Lands) 5, Development Bureau said that the works in relation to RCHEs were part of the Kwu Tung North New Development Area ("NDA") project. The funding applied this time would be used for land acquisition and site formation works. As regards the subsequent development of the NDA (including the new RCHE complex) and its progress, it would depend on the deliberation of FC on the relevant funding applications in future. He reiterated that in order to achieve a seamless handover in 2021, the Administration had to obtain funding for land acquisition and site formation first, and the funding for the construction of the new RCHE complex in due course. The Deputy Director of Social Welfare (Services) said that the Administration would seek funding from FC for the construction of the RCHE complex after site formation was completed.

#### Head 701 Subhead 1100CA – Penny's Bay reclamation

10. Dr Fernando CHEUNG noted that the Penny's Bay reclamation project was to be carried out in two stages, which were completed in 2002 and 2009 respectively. He enquired about the use of \$1 billion funds applied by the Administration at present and the stage of reclamation involved, as well as whether the funds would be used in connection with Cheoy Lee Shipyard. Dr CHEUNG noted that illegal burning of waste by Cheoy Lee Shipyard on the relevant site had caused serious contamination of the soil, and the Administration had to spend \$400 to \$500 million to conduct decontamination. He enquired whether the Administration had recovered the cost from Cheoy Lee Shipyard.

11. The Assistant Director of Lands (Acquisition), Lands Department ("AD(Acquisition)/LD") confirmed that the land resumption exercise was completed. However, negotiation between the Administration and the land owner (i.e. Cheoy Lee Shipyard) on the amount of compensation was still in progress. As the case was being dealt with by the Lands Tribunal, it would not be appropriate for him to disclose other details in relation to the question raised by Dr Fernando CHEUNG.



12. Mr Albert CHAN criticized that the Administration had failed to improve the land acquisition procedures over the past years. As a result, the small owners with weaker financial abilities were not treated and compensated fairly. Mr Abraham SHEK held a different view, and requested the Administration to state clearly the criteria for land resumption and the calculation of compensation.

13. AD(Acquisition)/LD responded that the Administration offered compensation in relation to land acquisition in accordance with the Lands Resumption Ordinance (Cap 124). Before reaching an agreement with the owners, the Administration would offer provisional payments to them pursuant to the established mechanism in order to cater for their financial needs. As regards compensation for land titles, professional surveyors of the Government would conduct assessments in accordance with the Lands Resumption Ordinance. For the business operators, compensation would be made after a further evaluation to check the amount of the lost turnover declared by the operators. In the event that the claimants disagreed with the amount of compensation offered by the Administration, they could lodge an appeal or bring the case to the Lands Tribunal for determination.

Head 707 Subhead 7017CX – Pre-construction works for improving the tourist facilities at Lam Tsuen Wishing Square

14. Dr Fernando CHEUNG was concerned about the hasty approval of the Signature Project Scheme by Tai Po District Council ("TPDC") in May 2013 after the Scheme was proposed by the Chief Executive in his Policy Address on 16 January 2013. Referring to media reports that Mr CHEUNG Hok-ming, the Chairman of TPDC, and Mr LI Kwok-ying, a TPDC member, were directors of the companies awarded the tenders of the projects under the Scheme, he considered that there was conflict of interest in this case. Therefore, he suggested that the funding application under this subhead should be removed from the agenda. Mr LEUNG Kwok-hung queried why the Administration had not explained to the potential tenderers that charity bodies were more suitable than non-profit-making organizations in similar projects. Mr Alvin YEUNG enquired how the Administration would deal with the case if it was proved that there was serious conflict of interest in connection with the companies which has been awarded the tenders.

15. The Assistant Director of Home Affairs (2) said that the item on improving the facilities at Lam Tsuen Wishing Square was proposed after consultation with local residents by TPDC and was supported by the Panel on Home Affairs. As the main works of Lam Tsuen project were still under deliberation at the Public Works Subcommittee, the Administration considered it inappropriate to remove this item from the agenda, and would not do so. In fact, a set of guidelines on the Signature Project Scheme had been drawn up for District Councils ("DCs"). It was necessary for DCs to adopt a fair, equitable and open tendering system should they select non-government organizations as partners for their projects under the Scheme. The tendering exercise for Lam Tsuen project was conducted in accordance with this set of guidelines. The organization which was awarded the Lam Tsuen Wishing Square project had been registered as a charitable institution under Section 88 of the Inland Revenue Ordinance (Cap 112).

Head 705 Subhead 5101DX – Development of community green station

16. Mr CHAN Chi-chuen noted that each Community Green Station ("CGS") would be built at an estimated capital expenditure of \$20 million with an operating cost of \$3 million per year. Noting that the number of visitors to Shatin CGS and Eastern CGS were only 46 and 60 respectively, he was doubtful about the effectiveness of the project. He enquired about the time required for establishing a CGS under the project, how the Administration would assess the effectiveness of CGSs in addition to the number of visitors as an indicator, and how it would deal with the CGSs which failed to meet the target. Given that the Administration had applied for funding to establish CGSs in 11 other districts, but the annual estimates of these CGSs varied, he further asked about the reasons for such a difference. Mr LEUNG Kwok-hung enquired about the number of persons expected by the Administration to visit CGSs per day, and whether the target had been met, if not, whether the Administration had any remedial measures.

17. The Assistant Director of Environmental Protection (Waste Management Policy) pointed out that the numbers of visitors referred by Mr CHAN Chi-chuen were the figures collected at the commencement stage of the project. The Administration had expected that the number of daily visitors received by each CGS under the project could achieve 100 in average, and this target was already achieved. About a year and a half would be required for the construction of a CGS. As the works would be implemented in phases, the amount of funding required for the project in each district would vary from one year to the next according to the progress of construction. Apart from providing environmental education service, the project also provided logistics support to communities for recycling of materials with low economic value.

The relevant performance indicator was to achieve the target of recovering 250 tonnes of recyclables per year within the contractual period, and the Administration would review the achievement status regularly. Mr LEUNG Kwok-hung opined that as far as Shatin CGS and Eastern CGS were concerned, each of them required \$20 million for establishment and \$3 million for annual operation. If the target number of visitors was only 100 persons per day, the cost effectiveness of the project was quite low. He queried whether the project should be continued.

Head 707 Subhead 7100CX – Preliminary feasibility study of a cable car system from Ngong Ping to Tai O

18. Mr LEUNG Yiu-chung enquired whether the Administration had conducted conservation works, baseline assessment and remedial actions following the announcement of the Concept Plan for Lantau in 2007. He further enquired whether the Administration could, upon completion of the preliminary feasibility study subject to the approval of the funding, disclose the study results to the local residents and communities in Tai O and hold discussions with them.

19. The Director of Civil Engineering and Development said that the preliminary feasibility study would be completed in the third quarter of 2016, and the findings would be made public. He reiterated that the Administration had maintained dialogue with the residents and local organizations when drawing up the overall development plan for Lantau and would be willing to discuss with the residents on the study findings.

Head 706 Subhead 6100TX – Reconstruction of footpath at Nathan Road outside Park Lane Boulevard

20. Mr Albert CHAN was concerned whether the old banyan trees at the relevant road section would be affected by the proposed works. The Deputy Director of Highways ("DD/Hy") responded that the works only involved resurfacing of the pavement at Park Lane Boulevard. The banyan trees at the road section would not be affected.

21. At 12:19 pm, the Chairman said that as the Committee had been discussing the item for nearly eight hours, and some members had repeated the contents of their speeches, he directed that each member could speak the last time for not more than two minutes. After members had made their speeches, the Committee would deal with the motions proposed by members pursuant to paragraph 37A of the FC Procedure.

Motion to adjourn further proceedings of the Committee

22. At 12:21 pm, Mr LEUNG Kwok-hung moved, without notice, a motion under paragraph 39 of the FC Procedure that further proceedings of the Committee should be then adjourned.

23. The Chairman thereupon put the question on Mr LEUNG's motion to adjourn further proceedings of the Committee. He said that each member, when speaking on the question, could speak once for not more than three minutes.

24. Mr LEUNG Kwok-hung introduced his motion. He was dissatisfied that the Administration failed to reply to members' questions properly. Members could not support non-cost-effective items. Therefore, the Committee should then adjourn further proceedings.

25. Mr CHAN Chi-chuen, Mr Gary FAN, and Mr Albert CHAN spoke in support of the motion. These members criticized that it was groundless for the Chairman to end the question session after directing members to speak the last time for not more than two minutes. It deprived members of their right to speak. Dr CHIANG Lai-wan and Mr LEE Cheuk-yan spoke against the motion.

26. The Administration did not respond to the motion. Mr LEUNG Kwok-hung gave his concluding remarks. The Chairman thereupon put the motion to vote. At the request of members, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman declared that five members voted in favour of and 35 members voted against the motion. The votes of individual members were as follows –

*For:*

Mr LEUNG Kwok-hung  
Mr WONG Yuk-man  
Mr CHAN Chi-chuen  
(5 members)

Mr Albert CHAN Wai-yip  
Mr Gary FAN Kwok-wai

*Against:*

Mr Albert HO Chun-yan  
Mr CHAN Kam-lam  
Mr TAM Yiu-chung  
Mr Jeffrey LAM Kin-fung  
Mr WONG Ting-kwong

Mr LEE Cheuk yan  
Ms Emily LAU Wai-hing  
Mr Abraham SHEK Lai-him  
Mr Andrew LEUNG Kwan-yuen  
Ms Cyd HO Sau-lan

Ms Starry LEE Wai-king	Mr CHAN Hak-kan
Dr Priscilla LEUNG Mei-fun	Mr WONG Kwok-kin
Mr IP Kwok-him	Mr Paul TSE Wai-chun
Mr Alan LEONG Kah-kit	Mr NG Leung-sing
Mr Steven HO Chun-yin	Mr WU Chi-wai
Mr YIU Si-wing	Mr MA Fung-kwok
Mr Charles Peter MOK	Mr CHAN Han-pan
Mr LEUNG Che-cheung	Miss Alice MAK Mei-kuen
Mr Christopher CHEUNG Wah-fung	Dr Elizabeth QUAT
Mr Martin LIAO Cheung-kong	Mr POON Siu-ping
Dr CHIANG Lai-wan	Mr CHUNG Kwok-pan
Mr Christopher CHUNG Shu-kun	Mr Tony TSE Wai-chuen
Mr Alvin YEUNG Ngok-kiu	
(35 members)	

27. The Chairman declared that the motion was negatived.

Continuation of discussion on agenda item FCR(2015-16)48

28. The meeting continued with the deliberation of the agenda item FCR(2015-16)48.

Head 706 Subhead 6100TX – Reconstruction of footpath at Nathan Road outside Park Lane Boulevard

29. Mr Albert CHAN enquired whether the department responsible for the project would liaise with the Leisure and Cultural Services Department ("LCSD") in order to protect the banyan trees during the implementation of the project. He requested the Administration to provide information later to explain the implementation arrangements and measures to protect the banyan trees.

30. DD/Hy confirmed that the department had communicated with LCSD on the project. He explained that the working area involved a block-surfaced pavement section without banyan tree planters. During the implementation of the project, the pavement section would be resurfaced with blocks which would not affect air circulation in the soil or the health of the tree roots. During the implementation of the project, department staff would monitor the conditions of the trees concerned.

31. At 12:54 pm, the Chairman declared that the Committee would proceed to deal with the proposed motions moved under paragraph 37A of the FC Procedure by members. He said that the Committee had to deal with two motions at present, and he called upon members to submit their proposed motions. Mr LEUNG Kwok-hung queried the right and justification of the Chairman to discontinue his speech. The Chairman explained that according to the judgement of the court, he was responsible for chairing the meeting. As such, he could set a time limit for the discussion of an agenda items in order to ensure that the business of the Committee was conducted orderly, efficiently and fairly.

Motions submitted by members pursuant to paragraph 37A of the FC Procedure

*Motion proposed by Dr Fernando CHEUNG*

32. The Chairman put to vote the question that the motion proposed by Dr Fernando CHEUNG numbered [41](#) be proceeded forthwith. As requested by members, the Chairman ordered a division, and the division bell was rung for five minutes. With the agreement of the Chairman, Dr Fernando CHEUNG read out his proposed motion during the ringing of the division bell. The question was negatived.

*Motion moved by Mr IP Kwok-him pursuant to paragraph 47 of the FC Procedure*

33. Under paragraph 47 of the FC Procedure, Mr IP Kwok-him moved without notice that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Committee should proceed to each of such divisions immediately after the division bell had been rung for one minute.

34. The Chairman thereupon proposed the question on Mr IP Kwok-him's motion. He directed that a member, when speaking on the question, might speak once for not more than three minutes. Mr LEUNG Kwok-hung criticized that Mr IP Kwok-him's motion was unreasonable and arbitrary.

35. At 1:05 pm, the Chairman announced the close of the meeting and advised that the Committee would continue to discuss the motion at the next meeting.

36. The meeting was adjourned at 1:05 pm.

Legislative Council Secretariat

21 June 2016