

**立法會**  
***Legislative Council***

LC Paper No. FC301/15-16

Ref : FC/1/1

**Finance Committee of the Legislative Council**

**Minutes of the special meeting  
held at Conference Room 1 of the Legislative Council Complex  
on Friday, 15 April 2016, at 5:45 pm**

**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 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 Frederick FUNG Kin-kee, SBS, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon Starry LEE Wai-king, JP  
Dr Hon LAM Tai-fai, SBS, JP  
Hon CHAN Hak-kan, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon WONG Kwok-kin, SBS  
Hon IP Kwok-him, GBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Hon Albert CHAN Wai-yip

Hon WONG Yuk-man  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon NG Leung-sing, SBS, JP  
Hon Steven HO Chun-yin, BBS  
Hon Frankie YICK Chi-ming, JP  
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 Dennis KWOK  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon SIN Chung-kai, SBS, JP  
Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon POON Siu-ping, BBS, MH  
Hon TANG Ka-piu, JP  
Dr Hon CHIANG Lai-wan, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
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  
Hon LEUNG Yiu-chung  
Dr Hon LAU Wong-fat, GBM, GBS, JP  
Hon Cyd HO Sau-lan, JP  
Dr Hon LEUNG Ka-lau  
Hon CHEUNG Kwok-che  
Hon Paul TSE Wai-chun, JP

Hon James TIEN Pei-chun, GBS, JP  
Dr Hon Kenneth CHAN Ka-lok  
Hon Kenneth LEUNG  
Dr Hon KWOK Ka-ki  
Hon CHUNG Kwok-pan

**Clerk in attendance:**

Ms Anita SIT

Assistant Secretary General 1

**Staff in attendance:**

Mr Ken WOO

Senior Council Secretary (1)5

Mr Keith WONG

Council Secretary (1)5

Mr Raymond SZETO

Council Secretary (1)6

Miss Queenie LAM

Senior Legislative Assistant (1)2

Ms Michelle NIEN

Legislative Assistant (1)5

Miss Yannes HO

Legislative Assistant (1)6

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Action

**Item No. 3 – MOTION SEEKING THE FINANCE COMMITTEE TO EXPRESS NO CONFIDENCE IN THE DEPUTY CHAIRMAN: "THAT THIS COMMITTEE HAS NO CONFIDENCE IN THE DEPUTY CHAIRMAN OF THE COMMITTEE, HON CHAN KAM-LAM"**

Mr Andrew LEUNG, the member who presided at the meeting, said that the Finance Committee ("FC") would continue to deal with the motion of no confidence in the Deputy Chairman, Mr CHAN Kam-lam, moved by Dr Fernando CHEUNG.

2. Mr Alvin YEUNG, Mr CHAN Chi-chuen, Mr Albert CHAN, Mr LEE Cheuk-yan and Ms Emily LAU spoke in support of the motion moved by Dr Fernando CHEUNG. These members suspected that the Deputy Chairman, Mr CHAN Kam-lam, had been given a political task of approving the application for additional funding for the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("XRL"). This could be demonstrated by his decision to limit the number of questions on the item that could be raised by members and the number of motions that could be proposed by members under paragraph 37A of the Finance Committee Procedure ("37A motions") as well as the hasty manner in approving the funding application

despite the fact that some members had raised their hands both in support of and in opposition to the funding proposal. These members considered that the FC should express no confidence in the Deputy Chairman because he failed to adopt an impartial approach in presiding at the deliberation of the additional funding application for the Hong Kong section of the XRL and he distorted the interpretation of the Rules of Procedure and the Finance Committee Procedure, thereby depriving members of their rights to monitor the Government. Mr Alvin YEUNG pointed out that after gaining a seat in the Legislative Council through the by-election in March 2016 and becoming a member of the FC, he had written a letter to the Deputy Chairman and requested to raise questions on the item, and the Deputy Chairman replied that he would only be given seven minutes to ask questions when the FC finished dealing with the 37A motions. He was dissatisfied with the decision made by the Deputy Chairman as well as the Deputy Chairman's failure to provide justification for imposing the relevant time limit.

3. Ms Starry LEE, Mr YIU Si-wing, Mr TAM Yiu-chung, Mr IP Kwok-him, Mr WONG Ting-kwong and Ir Dr LO Wai-kwok spoke against the motion moved by Dr Fernando CHEUNG. These members said that during the deliberation of the additional funding application for the Hong Kong section of the XRL, members from the opposition camp had clearly indicated that they would drag on and defeat the item and these members, therefore, suspected that there would be criticisms from members from the opposition camp regardless of who presided at the deliberation of that item and no matter how sufficient time was given to the deliberation process. These members commended the Deputy Chairman, Mr CHAN Kam-lam, for showing dedication and courage in face of the highly controversial item as well as the personal attacks made by members from the opposition camp. They also gave recognition to the impartiality of the Deputy Chairman in presiding at meetings and his judgment.

4. In response to the remarks of members, the Deputy Chairman, Mr CHAN Kam-lam, reiterated that he had acted in full compliance with the Rules of Procedure and the Finance Committee Procedure when presiding at the deliberation of the additional funding application for the Hong Kong section of the XRL. He was disappointed that some members had made unreasonable accusations against him. He indicated that he would continue to discharge his duty as the Deputy Chairman in a fearless manner and he would continue to safeguard the justice and order of the Council.

5. Dr Fernando CHEUNG criticized in his concluding remarks that the pro-establishment members who had spoken on the motion were confounding right with wrong. He also criticized the Deputy Chairman, Mr CHAN Kam-lam, again for imposing restrictions on members to speak when presiding at the deliberation of the additional funding application for the Hong Kong section of the XRL, which seriously deprived members of their rights to monitor the use of public money by the Government.

6. Mr Andrew LEUNG put the motion of no confidence in the Deputy Chairman, Mr CHAN Kam-lam, moved by Dr Fernando CHEUNG, to vote. At the request of Dr CHEUNG, Mr LEUNG ordered a division and the division bell was rung for five minutes. Mr LEUNG announced that 17 members voted in favour of and 33 members voted against the motion. The votes of individual members were as follows –

*For:*

Mr LEE Cheuk-yan  
Mr Frederick FUNG Kin-kee  
Mr Alan LEONG Kah-kit  
Mr Albert CHAN Wai-yip  
Ms Claudia MO  
Mr Gary FAN Kwok-wai  
Mr CHAN Chi-chuen  
Dr Helena WONG Pik-wan  
Mr Alvin YEUNG Ngok-kiu  
(17 members)

Ms Emily LAU Wai-hing  
Prof Joseph LEE Kok-long  
Mr LEUNG Kwok-hung  
Mr WONG Yuk-man  
Mr WU Chi-wai  
Mr Charles Peter MOK  
Dr Fernando CHEUNG Chiu-hung  
Mr IP Kin-yuen

*Against:*

Mr TAM Yiu-chung  
Mr Tommy CHEUNG Yu-yan  
Mr WONG Kwok-hing  
Mr WONG Ting-kwong  
Mr CHAN Hak-kan  
Mr WONG Kwok-kin  
Mrs Regina IP LAU Suk-yee  
Mr NG Leung-sing  
Mr Frankie YICK Chi-ming  
Mr MA Fung-kwok  
Miss CHAN Yuen-han  
Miss Alice MAK Mei-kuen  
Mr Christopher CHEUNG Wah-fung  
Mr Martin LIAO Cheung-kong  
Mr TANG Ka-piu  
Ir Dr LO Wai-kwok

Mr Abraham SHEK Lai-him  
Mr Vincent FANG Kang  
Mr Jeffrey LAM Kin-fung  
Ms Starry LEE Wai-king  
Dr Priscilla LEUNG Mei-fun  
Mr IP Kwok-him  
Mr Michael TIEN Puk-sun  
Mr Steven HO Chun-yin  
Mr YIU Si-wing  
Mr CHAN Han-pan  
Mr LEUNG Che-cheung  
Mr KWOK Wai-keung  
Dr Elizabeth QUAT  
Mr POON Siu-ping  
Dr CHIANG Lai-wan  
Mr Christopher CHUNG Shu-kun

Mr Tony TSE Wai-chuen  
(33 members)

7. Mr Andrew LEUNG announced that the motion moved by Dr Fernando CHEUNG was negated by the FC and that the meeting be adjourned.
8. The meeting was adjourned at 6:26 pm.

Legislative Council Secretariat  
1 September 2016