

立法會
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cleared with the Chairman)

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**Public Works Subcommittee of the Finance Committee
of the Legislative Council**

**Minutes of the 10th meeting
held in Conference Room 1 of the Legislative Council Complex
on Wednesday, 22 February 2017, at 8:30 am**

Members present:

Ir Dr Hon LO Wai-kwok, SBS, MH, JP (Chairman)
Hon Charles Peter MOK, JP (Deputy Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP

Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Elizabeth QUAT, JP
Dr Hon CHIANG Lai-wan, JP
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon Wilson OR Chong-shing, MH
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, MH, JP
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim
Dr Hon LAU Siu-lai

Members absent:

Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Steven HO Chun-yin, BBS
Dr Hon Helena WONG Pik-wan
Hon Jimmy NG Wing-ka, JP
Hon SHIU Ka-chun

Public officers attending:

Mr Raistlin LAU Chun, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) ³
Mr HON Chi-keung, JP	Permanent Secretary for Development (Works)
Mr Michael WONG Wai-lun, JP	Permanent Secretary for Development (Planning and Lands)
Mr Donald TONG Chi-keung, JP	Permanent Secretary for the Environment
Ms Jasmine CHOI Suet-yung	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works)
Mr Tony MOYUNG Hon	Assistant Director of Lands (Acquisition)
Ms Joyce NG Suet-ye	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)
Mr Edwin TONG Ka-hung, JP	Director of Drainage Services
Mr LAM Sai-hung, JP	Director of Civil Engineering and Development
Ms Betty CHEUNG Miu-han	Assistant Director of Environmental Protection (Environmental Infrastructure)
Mr Samson LAI Yiu-kei	Assistant Director of Environmental Protection (Waste Management Policy)
Mr CHUI Wing-wah	Deputy Director of Highways
Mr Kelvin LO Kwok-wah	Project Manager (Major Works) Highways Department

Miss Charmaine WONG Hoi-wan, JP	Assistant Director of Home Affairs (2)
Mr Martin KWAN Wai-cheong	Chief Engineer (Works) Home Affairs Department
Miss Winnie WONG Ming-wai	Deputy Secretary-General (1) University Grants Committee Secretariat
Mr LEE Kam-yuen	Chief Maintenance Surveyor (School Premises Maintenance) Education Bureau
Ms PING Tak-wai	Senior Maintenance Surveyor (School Premises Maintenance) Education Bureau
Mr KOK Che-leung	Assistant Director of Social Welfare (Subventions)
Ms PANG Kit-ling	Assistant Director of Social Welfare (Elderly)
Mr Kenneth WOO Chi-man	Chief Executive Officer (Subventions/ Planning) Social Welfare Department
Mr WONG Chung-leung, JP	Deputy Director of Water Supplies
Mr Dominic KWONG Kam-keung	Chief Systems Manager (Governance and Resources) Office of the Government Chief Information Officer
Mr Kenneth LEUNG Tak-yan	Chief Civil Engineer (Public Works Programme) Transport and Housing Bureau
Mr IP Shing-tim	Chief Civil Engineer (2) Housing Department
Clerk in attendance:	
Ms Sharon CHUNG	Chief Council Secretary (1)2

Staff in attendance:

Ms Anita SIT	Assistant Secretary General 1
Miss Rita YUNG	Senior Council Secretary (1)2
Mr Raymond CHOW	Senior Council Secretary (1)6
Ms Mandy LI	Council Secretary (1)2
Ms Christina SHIU	Legislative Assistant (1)2
Ms Christy YAU	Legislative Assistant (1)7
Ms Haley CHEUNG	Legislative Assistant (1)9

Action

The Chairman advised that there were eight funding proposals on the agenda for the meeting. The eight items were carried over from the previous meeting of the Subcommittee. He reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP") of the Legislative Council, they should disclose the nature of any direct or indirect pecuniary interests relating to the funding proposals under discussion at the meeting before they spoke on the proposals. He also drew members' attention to Rule 84 of RoP on voting in case of direct pecuniary interest.

Capital Works Reserve Fund Block Allocations

PWSC(2016-17)37

**Block allocations for Heads 701 to 711
under the Capital Works Reserve Fund**

2. The Chairman advised that the proposal, i.e. PWSC(2016-17)37, was to seek approval for an allocation of \$12,420.2 million for 2017-2018 for the block allocations under the Capital Works Reserve Fund ("CWRF"), the increase of the approved allocation for Subhead 9100WX under Head 709 for 2016-2017 by \$68.2 million, and revising the ambit of Subhead 6101TX under Head 706 with effect from 2017-2018. The Subcommittee commenced deliberation on the proposal at the meeting on 25 January 2017, and continued the deliberation at the meetings on 3, 15 and 18 February 2017.

Motions proposed under paragraph 32A of the Public Works Subcommittee Procedure

Proposed motions which had yet to be dealt with at the meeting on 18 February 2017

3. The Chairman said that regarding the motions proposed by members under paragraph 32A of the Public Works Subcommittee ("PWSC")

Procedure which were not yet referred to the Subcommittee for voting to decide whether they should be dealt with at the last meeting on 18 February 2017, the Subcommittee would continue to consider them one by one and decide whether they should be proceeded forthwith.

4. The Chairman declared that due to the absence of Mr SHIU Ka-chun, the member proposing the motions numbered 101 and 102, the Subcommittee would not deal with his motions. The Chairman considered that proposed motions numbered [057 to 061](#), [063 to 065](#), [066](#), [067](#), [069](#), [070](#), [080](#), [081](#), [084](#), [086](#), [088](#), [090](#), [093](#), [096](#), [098](#), [103](#) and [107](#) were directly related to the agenda item. For each of the above proposed motions, the Chairman put to vote the question that the motion be proceeded forthwith.

5. At the request of members, the Chairman ordered a division. The division bell was rung for one minute before members' voting on individual questions. With the agreement of the Chairman, the members proposing the relevant motions read out their motions during the ringing of the division bell. All the aforesaid 23 questions were voted down by a majority of members.

6. When members were considering whether proposed motions numbered 066 and 067 should be proceeded forthwith, Mr LEUNG Kwok-hung, the member proposing the two motions, read out proposed motion numbered 068 which had been ruled by the Chairman to be outside the purview of the Subcommittee and hence inadmissible. Despite being corrected by the Chairman, Mr LEUNG continued to read out proposed motion numbered 068. Mr LEUNG said that he read out proposed motion numbered 068 in protest of the Chairman's ruling.

7. The Chairman said that he allowed members to read out the motions only because it was a usual practice. It was not stipulated under the PWSC Procedure that a member who proposed a motion must read out his or her motion. He directed that members were only required to consider whether proposed motions numbered 066 and 067 be proceeded forthwith respectively.

8. At 8:54 am, the Chairman said that during the meeting, he had received 73 proposed motions from Mr CHU Hoi-dick and three from Ms Claudia MO to be moved under paragraph 32A of the PWSC Procedure. Since members had had ample time to submit motions, he would not accept new proposed motions from members, lest the Subcommittee should go on handling such procedural motions endlessly.

[At this juncture, Mr CHU Hoi-dick submitted another 54 proposed motions to the Chairman. Mr Nathan LAW submitted 10 proposed motions.]

9. At 9:06 am, the Chairman said that during the meeting, he had received a total of 140 proposed motions from members to be moved under paragraph 32A of the PWSC Procedure. These included 127 proposed motions from Mr CHU Hoi-dick, 10 from Mr Nathan LAW and three from Ms Claudia MO. The Chairman announced that the meeting be suspended so that he could peruse the 140 proposed motions.

(At 9:06 am, the meeting was suspended for 35 minutes.)

Proposed motions from Mr Nathan LAW and Ms Claudia MO

10. The meeting resumed at 9:41 am. The Chairman considered that the contents of the proposed motions from Mr CHU Hoi-dick, Mr Nathan LAW and Ms Claudia MO were centered around several common themes. He suggested that the three members might select representative ones from the motions or consolidate the motions into a fewer number. Mr LAW and Ms MO accepted the Chairman's suggestion of selecting representative motions.

11. The Chairman considered that proposed motions numbered [181](#) and [182](#) from Ms Claudia MO and proposed motions numbered [239](#), [243](#), [245](#) and [247](#) from Mr Nathan LAW were directly related to the agenda item. For each of the above proposed motions, he put to vote the question that the motion be proceeded forthwith.

12. The division bell was rung for one minute before members' voting on individual questions. With the agreement of the Chairman, the members proposing the relevant motions read out their motions during the ringing of the division bell. All the aforesaid six questions were voted down by a majority of members.

Proposed motions from Mr CHU Hoi-dick

13. Mr CHU Hoi-dick said that he did not accept the Chairman's suggestion that he select 10 out of the 127 proposed motions or consolidate them into 10 motions. He queried what criteria the Chairman had used to set limits on the number of motions that each member might propose, and whether the Chairman had applied different criteria in deciding on the

number of motions that he and two other members (i.e. Mr Nathan LAW and Ms Claudia MO) might propose respectively.

14. Mr HUI Chi-fung sought explanation from the Chairman on the meeting procedure which he followed to reject new proposed motions from members and set limits on the number of motions that each member might propose.

15. The Chairman said that he must ensure the orderly, fair and proper conduct of the meetings of the Subcommittee. The Subcommittee could not endlessly continue with the procedure in respect of the motions proposed by members under paragraph 32A of the PWSC Procedure. He therefore suggested that the members concerned select representative ones from the motions or consolidate them into a fewer number.

16. The Chairman further said that after he had received the first batch of proposed motions from members at this meeting, he had announced that he would not accept new proposed motions from members. However, Mr CHU Hoi-dick submitted another batch of proposed motions after his aforesaid announcement. He had examined the two batches of proposed motions from Mr CHU Hoi-dick during the suspension of meeting moments ago. Given the large number of proposed motions submitted by Mr CHU today, he suggested that Mr CHU select 10 of them or consolidate them into 10. If Mr CHU did not accept his suggestion, he would make a decision to select 10 proposed motions that were in order for the Subcommittee to decide whether they should be proceeded forthwith. Mr LEUNG Kwok-hung disagreed with the Chairman's decision on the proposed motions from Mr CHU Hoi-dick.

17. At 9:55 am, the Chairman announced that the meeting be suspended, so that he could decide which of the 10 proposed motions submitted by Mr CHU Hoi-dick on the day could be referred to the Subcommittee for deciding whether they should be proceeded forthwith.

(At 9:55 am, the meeting was suspended for 10 minutes.)

18. The meeting resumed at 10:05 am. Mr CHU Hoi-dick reiterated that he would not select from or consolidate his proposed motions as suggested by the Chairman. He said that if the Chairman suggested him to select from his 127 proposed motions or consolidate them, it would mean that these motions were all related to the agenda item. Under such circumstances, Mr CHU queried the meeting procedure which the Chairman followed to request him to select from or consolidate his motions.

19. The Chairman advised that after Mr CHU Hoi-dick made the selection or consolidation, he still had to examine if the selected or consolidated motions were in order. Since Mr CHU refused to select from or consolidate his motions, he would put to vote 10 of the proposed motions which he had ruled to be in order. The Chairman then put to vote the question that proposed motion numbered [112](#) (from Mr CHU Hoi-dick) be proceeded forthwith. The division bell was rung for one minute. The question was voted down by a majority of members.

20. While the division bell was ringing, Mr CHU Hoi-dick moved forward to the Chairman's podium to protest against the Chairman's decision. The Chairman asked Mr CHU to return to his seat, or he would order Mr CHU to leave the conference room. Mr CHU did not return to his seat.

Voting on PWSC(2016-17)37

21. The Chairman said that since Mr CHU Hoi-dick declined to refer his 10 proposed motions which the Chairman had ruled to be in order to the Subcommittee for considering whether they should be proceeded forthwith, he would put PWSC(2016-17)37 to vote.

22. At 10:07 am, after asking members whether they had further questions on the item, the Chairman put PWSC(2016-17)37 to vote. The Chairman ordered that the division bell be rung for one minute.

23. While the division bell was ringing, Mr Jeremy TAM indicated his wish to raise a point of order. The Chairman advised that the agenda item had entered the voting stage. During the division, a number of members (including Ms Claudia MO, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Mr Andrew WAN, Mr CHU Hoi-dick, Mr HUI Chi-fung, Mr KWONG Chun-yu, Mr Nathan LAW and Dr YIU Chung-yim) left their seats in protest of the Chairman putting PWSC(2016-17)37 to vote.

24. The Chairman said that 18 members voted for, one member voted against the funding proposal and no one abstained. The votes of individual members were as follows:

For:

Mr WONG Ting-kwong
Mr CHAN Hak-kan
Mr WONG Kwok-kin
Mr YIU Si-wing
Mr LEUNG Che-cheung
Mr KWOK Wai-keung

Ms Starry LEE
Dr Priscilla LEUNG
Mr YICK Chi-ming
Mr CHAN Han-pan
Ms Alice MAK
Dr Elizabeth QUAT

Dr Junius HO
Mr CHAN Chun-ying
Mr LAU Kwok-fan
(18 members)

Mr Holden CHOW
Mr CHEUNG Kwok-kwan
Mr Kenneth LAU

Against:
Mr MA Fung-kwok
(1 member)

Abstain:
(0 member)

25. The Chairman declared that the item was endorsed by the Subcommittee.

(Post-meeting note: After the meeting, Mr MA Fung-kwok wrote to the Chairman on the same day (i.e. 22 February 2017) that he had mistakenly voted against the item when he cast his vote. Mr MA indicated in his letter that he was in support of the proposal PWSC(2016-17)37.)

26. At 10:09 am, the Chairman declared that the meeting be suspended due to problems of order which made it impossible for the meeting to continue.

(At 10:09 am, the meeting was suspended for seven minutes.)

27. The Chairman entered the conference room at 10:16 am and declared the meeting close.

[During the meeting, some observers spoke loudly in the public gallery and sounds of applause were heard. The Chairman repeatedly reminded observers that they must behave themselves, and must not shout or applaud.]