

LEGISLATIVE COUNCIL

MINUTES

No. 24

Minutes of the meeting held on Wednesday 5 April 2000 at 2:30 pm

Members present:

President

The Hon Mrs Rita FAN, GBS, JP

The Hon Kenneth TING Woo-shou, JP

The Hon James TIEN Pei-chun, JP

The Hon HO Sai-chu, SBS, JP

The Hon Cyd HO Sau-lan

The Hon Edward HO Sing-tin, SBS, JP

The Hon Albert HO Chun-yan

The Hon Michael HO Mun-ka

Ir Dr the Hon Raymond HO Chung-tai, JP

The Hon LEE Wing-tat

The Hon Martin LEE Chu-ming, SC, JP

The Hon Eric LI Ka-cheung, JP

The Hon LEE Kai-ming, SBS, JP

Dr the Hon David LI Kwok-po, JP

The Hon Fred LI Wah-ming, JP

Dr the Hon LUI Ming-wah, JP

The Hon NG Leung-sing

Prof the Hon NG Ching-fai

The Hon Margaret NG

The Hon Mrs Selina CHOW LIANG Shuk-yee, JP

The Hon MA Fung-kwok

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon HUI Cheung-ching

The Hon Christine LOH

The Hon CHAN Kwok-keung

The Hon CHAN Yuen-han

The Hon Bernard CHAN

The Hon CHAN Wing-chan

The Hon CHAN Kam-lam

Dr the Hon LEONG Che-hung, JP

The Hon Mrs Sophie LEUNG LAU Yau-fun, JP

The Hon LEUNG Yiu-chung

The Hon Gary CHENG Kai-nam, JP

The Hon Andrew WONG Wang-fat, JP

Dr the Hon Philip WONG Yu-hong

The Hon WONG Yung-kan

The Hon Jasper TSANG Yok-sing, JP

The Hon Howard YOUNG, JP

Dr the Hon YEUNG Sum

The Hon YEUNG Yiu-chung

The Hon LAU Chin-shek, JP

The Hon LAU Kong-wah

The Hon LAU Wong-fat, GBS, JP

The Hon Mrs Miriam LAU Kin-yee, JP

The Hon Ambrose LAU Hon-chuen, JP

The Hon Emily LAU Wai-hing, JP

The Hon CHOY So-yuk

The Hon Andrew CHENG Kar-foo

The Hon SZETO Wah

The Hon Timothy FOK Tsun-ting, SBS, JP

The Hon LAW Chi-kwong, JP

The Hon TAM Yiu-chung, GBS, JP

The Hon FUNG Chi-kin

Dr the Hon TANG Siu-tong, JP

Members absent:

The Hon David CHU Yu-lin

The Hon LEE Cheuk-yan

The Hon Ronald ARCULLI, JP

The Hon SIN Chung-kai

Public officers attending:

The Honourable Mrs Anson CHAN, GBM, JP
The Chief Secretary for Administration

The Honourable Donald TSANG Yam-kuen, JP
The Financial Secretary

The Honourable Elsie LEUNG Oi-sie, JP
The Secretary for Justice

Mr Michael SUEN Ming-yeung, GBS, JP
Secretary for Constitutional Affairs

Mr Gordon SIU Kwing-chue, JP
Secretary for Planning and Lands

Mr Dominic WONG Shing-wah, JP

Secretary for Housing

Mr Joseph WONG Wing-ping, GBS, JP
Secretary for Education and Manpower

Miss Denise YUE Chung-yee, JP
Secretary for the Treasury

Mr Stephen IP Shu-kwan, JP
Secretary for Economic Services

Mr David LAN Hong-tsung, JP
Secretary for Home Affairs

Mrs Lily YAM KWAN Pui-ying, JP
Secretary for the Environment and Food

Dr YEOH Eng-kiong, JP
Secretary for Health and Welfare

Mrs Regina IP LAU Suk-yee, JP
Secretary for Security

Mr LEE Shing-see, JP
Secretary for Works

Miss Yvonne CHOI Ying-pik, JP
Secretary for Trade and Industry

Ms Anissa WONG Sean-yee, JP
Secretary for the Civil Service

Clerks in attendance:

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mr LAW Kam-sang, JP, Deputy Secretary General

Tabling of Papers

The following papers were laid on the table pursuant to Rule 21(2) of the Rules of Procedure:

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Tax Reserve Certificates (Rate of Interest) (No.3) Notice 2000 (gazetted on 31.3.2000)	73/2000
2. Port Control (Cargo Working Areas) (Amendment) (No.2) Regulation 1999 (L.N. 279 of 1999) (Commencement) Notice 2000 (gazetted on 31.3.2000)	74/2000
3. Discovery Bay Tunnel Link Regulation (Cap. 520 sub. leg.) (Commencement) Notice 2000 (gazetted on 31.3.2000)	75/2000

Other Papers

- No.86 - Estimates for the year ending 31 March 2001 General Revenue Account Summaries and Revenue Analysis by Heads and Subheads (published on 24.3.2000)
- No.87 - Employees Retraining Board 98-99 Annual Report (published on 28.3.2000)
- No.88 - Audited Statement of Accounts of the Language Fund together with the Director of Audit's Report for the year ended 31 August 1999 (published on 28.3.2000)

Questions

Written replies to Questions 1 to 15 were tabled for Members' information.

Bills

First Reading

Revenue (No.2) Bill 2000

The Bill was read the first time and ordered to be set down for Second Reading pursuant to Rule 53(3) of the Rules of Procedure.

Second Reading

Revenue (No.2) Bill 2000

The Secretary for the Treasury moved the Second Reading and addressed the Council.

Question on the Second Reading proposed. The President stated that in accordance with Rule 54(4) of the Rules of Procedure, the debate was adjourned and the Bill was referred to the House Committee.

Appropriation Bill 2000

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 8 March 2000 resumed.

The Chief Secretary for Administration, the Secretary for the Environment and Food, the Secretary for Health and Welfare, the Secretary for Education and Manpower, the Secretary for Trade and Industry and the Secretary for Planning and Lands spoke on the motion.

The Financial Secretary replied.

Question on the Second Reading put.

Hon Emily LAU claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that 52 Members were present, 48 were in favour of the motion and three against it. (Voting record in Appendix I.) Since the question was agreed by a majority of the Members present, she declared that the motion was carried.

Bill read the second time and committed to a Committee of the whole Council.

Committee Stage

The Council went into Committee and considered the **Appropriation Bill 2000**.

In accordance with Rule 68 of the Rules of Procedure, the Committee first considered the schedule to the Bill.

Question that the sums for heads 21 to 31, 35, 37, 39, 40, 42 to 51, 53, 55, 56, 58, 60, 62, 63, 70, 72, 73, 74, 76, 78, 80, 82, 90, 91, 92, 94, 95, 96, 98, 100, 106, 110, 112, 114, 115, 116, 118, 120, 121, 130, 136, 142 to 154, 160, 162, 163, 166, 168, 170, 173 to 177, 180, 181, 184, 186, 188, 190 and 194 stand part of the schedule proposed, put and agreed to.

Question that head 122 stand part of the Bill proposed.

Hon James TO moved that head 122 be reduced by \$64,040,000 in respect of subhead 000 and addressed the Committee.

Eight Members and the Secretary for Security spoke on the amendment.

Hon James TO spoke again.

Question on the amendment put.

Hon James TO claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 26 were present, four were in favour of the amendment and 22 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 28 were present, 13 were in favour of the amendment and 14 against it. (Voting record in Appendix II.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Hon James TO moved that head 122 be reduced by \$105,621,000 in respect of subhead 103 and addressed the Committee.

Six Members and the Secretary for Security spoke on the amendment.

Hon James TO spoke again.

Question on the amendment put.

Hon James TO claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 26 were present, four were in favour of the amendment and 22 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 13 were in favour of the amendment and 13 against it. (Voting record in Appendix III.) Since the question was not agreed by

a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Question that the sum for head 122 stand part of the schedule proposed, put and agreed to.

Question that the schedule stand part of the Bill put and agreed to.

Question that clauses 1 and 2 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Financial Secretary reported that

the Appropriation Bill 2000

had passed through Committee without amendment. He moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed and put.

Hon Emily LAU claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that 52 Members were present, 48 were in favour of the motion and three against it. (Voting record in Appendix IV.) Since the question was agreed by a majority of the Members present, she declared that the motion was carried.

Bill read the third time and passed.

Employees' Compensation (Amendment) Bill 2000

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 16 February 2000 resumed.

Question on the Second Reading put and agreed to.

Bill read the second time and committed to a Committee of the whole Council.

Committee Stage

The Council went into Committee and considered the **Employees' Compensation (Amendment) Bill 2000**.

Question that clauses 1 and 2 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Education and Manpower reported that

the **Employees' Compensation (Amendment) Bill 2000**

had passed through the Committee without amendment. He moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed, put and agreed to.

Bill read the third time and passed.

Revenue Bill 2000

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 15 March 2000 resumed.

Question on the Second Reading put and agreed to.

Bill read the second time and committed to a Committee of the whole Council.

Committee Stage

The Council went into Committee and considered the **Revenue Bill 2000**.

Question that clauses 1 and 2 stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for the Treasury reported that

the **Revenue Bill 2000**

had passed through the Committee without amendment. She moved that the Bill be read the third time and do pass.

Question on the Third Reading proposed, put and agreed to.

Bill read the third time and passed.

Motions

Proposed resolution under the Factories and Industrial Undertakings Ordinance

The Secretary for Education and Manpower moved the following motion and addressed the Council:

Resolved that the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation, made by the Commissioner for Labour on 25 February 2000, be approved.

Question on the motion proposed.

Three Members spoke on the motion.

Question on the motion put and agreed to.

Members' Motions

Proposed resolution under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

Hon Mrs Selina CHOW moved the motion in Appendix V and addressed the Council.

Question on the motion proposed, put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 12 April 2000 at 2:30 pm.

The Council was adjourned at 7:00 pm.

(Mrs Rita FAN)
President

Council Chamber
Hong Kong