

# LEGISLATIVE COUNCIL

## MINUTES

No. 33

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Minutes of the meeting held on Wednesday 21 June 2000 and  
Thursday 22 June 2000 at 9:30 pm respectively

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### Members present:

President

The Hon Mrs Rita FAN, GBS, JP

The Hon Kenneth TING Woo-shou, JP

The Hon David CHU Yu-lin

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 LEE Cheuk-yan

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 (absent on 22.6.2000)

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 Ronald ARCULLI, 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 SIN Chung-kai

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 (absent on 22.6.2000)

**Member absent:**

The Hon James TIEN Pei-chun, JP

**Public officers attending:**

On 21.6.2000 and 22.6.2000

Mr Michael SUEN Ming-yeung, GBS, JP  
The Chief Secretary for Administration

Mr CHAU Tak-hay, JP  
Secretary for Trade and Industry

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

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

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

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

On 21.6.2000 only

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

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

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

Mr Dominic WONG Shing-wah, JP  
Secretary for Housing

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

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

Ms Maria KWAN Sik-ning, JP  
Secretary for Economic Services

On 22.6.2000 only

Mr Nicholas NG Wing-fui, JP  
Secretary for Transport

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

Ms Eva CHENG, JP  
Secretary for Information Technology and Broadcasting

**Clerks in attendance:**

On 21.6.2000 and 22.6.2000

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mr LAW Kam-sang, JP, Deputy Secretary General

On 21.6.2000

Mrs Justina LAM CHENG Bo-ling, Assistant Secretary General (2)

On 22.6.2000

Ms Pauline NG Man-wah, Assistant Secretary General (1)



**Tabling of Papers**

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

<b><u>Subsidiary Legislation / Instruments</u></b>	<b><u>L.N. No.</u></b>
Financial Resources Rules (Exemption) Notice 2000 (gazetted on 20.6.2000)	215/2000

**Other Papers**

- No.105 - Report on the Administration of the Immigration Service Welfare Fund prepared by the Director of Immigration Incorporated in accordance with Regulation 12(b) of the Immigration Service (Welfare Fund) Regulation (published on 12.6.2000)
- No.106 - The Government Minute in response to the Report No. 33B of the Public Accounts Committee dated April 2000 (published on 20.6.2000)
- No.107 - Report of the Public Accounts Committee on Report No. 34 of the Director of Audit on the Results of Value for Money Audits (June 2000 - P.A.C. Report No. 34) (published on 21.6.2000)
- No.108 - 1999 Annual Report by the Commissioner of the Independent Commission Against Corruption Hong Kong Special Administrative Region (published on 21.6.2000)
- No.109 - Sir Robert Black Trust Fund Annual Report for the year 1 April 1999 to 31 March 2000 (published on 15.6.2000)
- No.110 - Sir David Trench Fund for Recreation Trustee's Report 1999-2000 (published on 16.6.2000)
- No.111 - The Twelfth Annual Report of the Ombudsman, Hong Kong (published on 21.6.2000)
- No.112 - Independent Commission Against Corruption Complaints Committee Annual Report 1999 (June 2000) (published on 20.6.2000)
- No.113 - Report of the Independent Police Complaints Council 1999 (published on 21.6.2000)

Committee on Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region  
Progress Report for the period May 1999 to June 2000  
(published on 19.6.2000)

Report of the Panel on Home Affairs 1999/2000 (published on 19.6.2000)

Report of the Panel on Transport 1999/2000 (published on 19.6.2000)

Report of the Panel on Housing 1999/2000 (published on 19.6.2000)

Report of the Panel on Security 1999/2000 (published on 19.6.2000)

Report of the Panel on Constitutional Affairs 1999/2000  
(published on 19.6.2000)

Report of the Panel on Financial Affairs 1999/2000 (published on 15.6.2000)

Report of the Panel on Planning, Lands and Works 1999/2000  
(published on 16.6.2000)

Report of the Panel on Welfare Services 1999/2000 (published on 19.6.2000)

Report of the Panel on Information Technology and Broadcasting 1999/2000 (published on 16.6.2000)

Report of the Panel on Health Services 1999/2000 (published on 19.6.2000)

Report of the Panel on Environmental Affairs 1999/2000  
(published on 19.6.2000)

Report of the Bills Committee on Legal Practitioners (Amendment) Bill 1999 (published on 16.6.2000)

Report of the Bills Committee on Evidence (Amendment) Bill 1999 (published on 15.6.2000)

Report of the Bills Committee on Companies (Amendment) Bill 2000 (published on 19.6.2000)

Report of the Bills Committee on Building Management (Amendment) Bill 2000 (published on 19.6.2000)

Report of the Bills Committee on Human Reproductive Technology Bill (published on 15.6.2000)

Report of the Bills Committee on Broadcasting Bill (published on 15.6.2000)

## Addresses

The Chief Secretary for Administration addressed the Council on the Government Minute in response to Report No. 33B of the Public Accounts Committee dated April 2000.

With the permission of the President, a Member sought elucidation on a point in the Report.

The Chief Secretary for Administration clarified.

Hon Eric LI, Chairman of the Public Accounts Committee, addressed the Council on the Committee's Report of the Director of Audit on the Results of Value for Money Audits (Report No. 34).

Hon Fred LI addressed the Council on the 1999 Annual Report by the Commissioner of the Independent Commission Against Corruption of the Hong Kong Special Administrative Region.

Hon Howard YOUNG addressed the Council on the 1999 Annual Report of the Independent Commission Against Corruption Complaints Committee.

Dr Hon LEONG Che-hung addressed the Council on the Report of the Independent Police Complaints Council 1999.

Hon Mrs Selina CHOW, Chairman of the Committee on Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region, addressed the Council on the Committee's Progress Report for the period May 1999 to June 2000.

Hon Mrs Miriam LAU, Chairman of the Panel on Transport, addressed the Council on the Panel's report 1999/2000.

Hon LEE Wing-tat, Chairman of the Panel on Housing, addressed the Council on the Panel's report 1999/2000.

Hon James TO, Chairman of the Panel on Security, addressed the Council on the Panel's report 1999/2000.

Hon Andrew WONG, Chairman of the Panel on Constitutional Affairs, addressed the Council on the Panel's report 1999/2000.

Hon Ambrose LAU, Chairman of the Panel on Financial Affairs, addressed the Council on the Panel's report 1999/2000.

Hon Edward HO, Chairman of the Panel on Planning, Lands and Works, addressed the Council on the Panel's report 1999/2000.



Hon CHAN Yuen-han, Chairman of the Panel on Welfare Services, addressed the Council on the Panel's report 1999/2000.

Hon MA Fung-kwok, Chairman of the Panel on Information Technology and Broadcasting, addressed the Council on the Panel's report 1999/2000.

Hon Michael HO, Chairman of the Panel on Health Services, addressed the Council on the Panel's report 1999/2000.

Hon Christine LOH, Chairman of the Panel on Environmental Affairs, addressed the Council on the Panel's report 1999/2000.

Hon CHOY So-yuk, Chairman of the Panel on Home Affairs, addressed the Council on the Panel's report 1999/2000.

Hon LEE Cheuk-yan and the Chief Secretary for Administration addressed the Council consecutively on the Legal Aid (Assessment of Resources and Contributions) (Amendment) Regulation 2000, which is subsidiary legislation laid on the table of the Council on 24 May 2000.

Hon Mrs Miriam LAU addressed the Council on the Road Traffic (Construction and Maintenance of Vehicles) (Amendment) (No.2) Regulation 2000, which is subsidiary legislation laid on the table of the Council on 24 May 2000.

### **Questions**

1. Hon TSANG Yok-sing asked Question 1.

The Secretary for Housing replied.

Seven Members asked supplementaries and the Secretary for Housing replied.

2. Hon LAU Wong-fat asked Question 2.

The Secretary for Economic Services replied.

10 Members asked supplementaries and the Secretary for Economic Services replied.

3. Hon MA Fung-kwok asked Question 3.

The Secretary for Housing replied.

10 Members asked supplementaries and the Secretary for Housing replied.

4. Hon SZETO Wah asked Question 4.

The Secretary for Education and Manpower replied.

Eight Members asked supplementaries and the Secretary for Education and Manpower replied.

5. Hon LAW Chi-kwong asked Question 5.

The Secretary for the Environment and Food replied.

Six Members asked supplementaries. The Secretary for the Environment and Food, the Secretary for Planning and Lands and the Secretary for Housing replied.

6. Dr Hon TANG Siu-tong asked Question 6.

The Secretary for Security replied.

Six Members asked supplementaries and the Secretary for Security replied.

Written replies to Questions 7 to 20 were tabled for Members' information.

## **Bills**

### **Second Reading**

#### **Legal Practitioners (Amendment) Bill 1999**

#### **Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 30 June 1999 resumed.

Hon Margaret NG, Chairman of the Bills Committee on Legal Practitioners (Amendment) Bill 1999, addressed the Council on the Report of the Bills Committee on the Bill.

A Member spoke on the Bill.

At 1:10 pm, the President's Deputy took the chair during the temporary absence of the President.

The Secretary for Justice replied.

At 1:14 pm, the President resumed the chair.

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 **Legal Practitioners (Amendment) Bill 1999**.

Question that clauses 2, 4, 8, 9, 13 and 14 stand part of the Bill proposed, put and agreed to.

Question that clauses 3, 5, 6, 7, 10, 11, 12, 15 and 16 stand part of the Bill proposed.

The Secretary for Justice moved amendments to the aforesaid clauses and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 3, 5, 6, 7, 10, 11, 12, 15 and 16, as amended, stand part of the Bill proposed, put and agreed to.

Council resumed by order of the Chairman. The President then granted leave for the Secretary for Justice to move a motion under Rule 91 of the Rules of Procedure to suspend Rule 58(5) of the Rules of Procedure in order that the Committee of the whole Council could consider new clauses ahead of clause 1 of the Bill.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New clauses 7A, 17, 18 and 19, the heading before new clause 20, new clause 20, the heading before new clause 21, new clauses 21 to 26, the heading before new clause 27, new clause 27, the heading before new clause 28, new clause 28, the heading before new clause 29, new clause 29, the heading before new clause 30 and new clause 30 read the first time.

The Secretary for Justice moved the Second Reading of the aforesaid clauses and headings and addressed the Committee.

Question on the Second Reading of the aforesaid clauses and headings proposed, put and agreed to.

The aforesaid clauses and headings read the second time.

The Secretary for Justice moved the addition of the aforesaid clauses and headings to the Bill.

Question on the addition proposed, put and agreed to.

Question that clause 1 stand part of the Bill proposed.

The Secretary for Justice moved amendments to clause 1 and addressed the Committee.

Question on the amendments put and agreed to.

Question that clause 1, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

### **Third Reading**

The Secretary for Justice reported that

the **Legal Practitioners (Amendment) Bill 1999**

had passed through the Committee with amendments. 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.

### **Evidence (Amendment) Bill 1999**

#### **Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 7 July 1999 resumed.

Hon Albert HO, Chairman of the Bills Committee on Evidence (Amendment) Bill 1999, addressed the Council on the Report of the Bills Committee on the Bill.

Four Members spoke on the Bill.

The Secretary for Justice replied.

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 **Evidence (Amendment) Bill 1999**.

Question that clauses 1, 2 and 3 stand part of the Bill proposed.

Question that clause 2 stand part of the Bill put and agreed to.

Question that clause 3 stand part of the Bill put and agreed to.

Question that clause 1 stand part of the Bill put and agreed to.

The Council then resumed.

**Third Reading**

The Secretary for Justice reported that

the **Evidence (Amendment) Bill 1999**

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.

**Adaptation of Laws (No.3) Bill 1999**

**Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 10 February 1999 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 **Adaptation of Laws (No.3) Bill 1999**.

Question that clauses 1, 2 and 3 stand part of the Bill proposed, put and agreed to.

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

Question that schedules 1, 3, 4 and 5 stand part of the Bill proposed.

The Secretary for Housing moved amendments to the aforesaid schedules and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedules 1, 3, 4 and 5, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

### **Third Reading**

The Secretary for Housing reported that

the **Adaptation of Laws (No.3) Bill 1999**

had passed through the Committee with amendments. 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.

### **Supplementary Appropriation (1999-2000) Bill 2000**

#### **Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 7 June 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 **Supplementary Appropriation (1999-2000) Bill 2000**.

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

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

The Council then resumed.

### **Third Reading**

The Secretary for the Treasury reported that

the **Supplementary Appropriation (1999-2000) 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.

### **Companies (Amendment) Bill 2000**

#### **Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 19 January 2000 resumed.

Hon Ronald ARCULLI, Chairman of the Bills Committee on Companies (Amendment) Bill 2000, addressed the Council on the Report of the Bills Committee on the Bill.

At 2:43 pm, the President's Deputy took the chair during the temporary absence of the President.

Five Members spoke on the Bill.

The Secretary for Financial Services replied.

At 3:24 pm, the President resumed the chair.

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 **Companies (Amendment) Bill 2000**.

Question that clauses 3 to 8, 10 to 13, 15, 20, 23, 25 to 29, 31, 32, 34 to 37, 46 to 50 and 54 stand part of the Bill proposed, put and agreed to.

Question that clause 39 stand part of the Bill proposed.

The Chairman stated that the Secretary for Financial Services and Hon Eric LI had separately given notice to move amendments to clause 39. She ordered that the proposed amendments be debated together in a joint debate.

The Chairman invited the Secretary for Financial Services to move his amendment first as he was the Public Officer in charge of the Bill.

The Secretary for Financial Services moved an amendment to clause 39 and addressed the Committee.

The Chairman invited Hon Eric LI to speak on the Secretary for Financial Services' amendment as well as his own proposed amendment.

Hon Eric LI spoke on the Secretary for Financial Services' amendment as well as his own proposed amendment.

A Member spoke on the amendment and the proposed amendment.

Hon Eric LI spoke on the amendments a second time.

The Secretary for Financial Services spoke again.

Question on the amendment moved by the Secretary for Financial Services put and agreed to.

The Chairman stated that as the Secretary for Financial Services' amendment to clause 39 had been agreed, Hon Eric LI might not move his amendment as it was inconsistent with the decision already taken.

Question that clause 39, as amended, stand part of the Bill proposed, put and agreed to.

Question that clauses 1, 2, 9, 14, 16 to 19, 21, 22, 24, 30, 33, 38, 40 to 45, 51, 52 and 53 stand part of the Bill proposed.

The Secretary for Financial Services moved amendments to clauses 1, 9, 14, 30, 33 and 51, the deletion of paragraph (b) of clause 2, clauses 16, 17, 18, paragraphs (b), (c)(i) and (d) of clause 19, clauses 21, 22, 24, 38, 40 and 41, paragraph (b)(iii) of clause 42, clauses 43, 44, 45, 52 and 53 and addressed the Committee.

Question on the amendments put and agreed to.



The Chairman stated that as the amendments to clauses 16, 17, 18, 21, 22, 24, 38, 40, 41, 43, 44, 45, 52 and 53, which dealt with deletion, had been agreed, the said clauses were deleted from the Bill.

Question that clauses 1, 2, 9, 14, 19, 30, 33, 42 and 51, as amended, stand part of the Bill proposed, put and agreed to.

Question that the schedule stand part of the Bill proposed.

The Secretary for Financial Services moved an amendment to the schedule and addressed the Committee.

Question on the amendment put and agreed to.

Question that the schedule, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

### **Third Reading**

The Secretary for Financial Services reported that

#### **the Companies (Amendment) Bill 2000**

had passed through the Committee with amendments. 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.

### **Building Management (Amendment) Bill 2000**

#### **Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 26 January 2000 resumed.

Hon CHAN Kam-lam, Chairman of the Bills Committee on Building Management (Amendment) Bill 2000, addressed the Council on the Report of the Bills Committee on the Bill.

Four Members spoke on the Bill.

The Secretary for Home Affairs replied.

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 **Building Management (Amendment) Bill 2000**.

Question that clauses 1, 2, 5, 8, 9, 10, 12 and 13 stand part of the Bill proposed, put and agreed to.

Question that clause 3 stand part of the Bill proposed.

The Chairman stated that the Secretary for Home Affairs and Hon LEE Wing-tat had separately given notice to move amendments to clause 3. She ordered that the proposed amendments be debated together in a joint debate.

The Chairman invited the Secretary for Home Affairs to move his amendments first as he was the Public Officer in charge of the Bill.

The Secretary for Home Affairs moved an amendment to proposed section 3(3) in and the addition of new section 3(4) to para (b) of clause 3 and addressed the Committee.

The Chairman invited Hon LEE Wing-tat to speak on the Secretary for Home Affairs' amendments as well as his own proposed amendments.

Hon LEE Wing-tat spoke on the Secretary for Home Affairs' amendments and his own proposed amendments.

Two Members spoke on the amendments and the proposed amendments.

The Secretary for Home Affairs spoke again.

Question on the amendments moved by the Secretary for Home Affairs put.

Hon LEE Wing-tat claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that 55 Members were present, 27 were in favour of the amendments and 27 against them. (Voting record in Appendix I.) Since the question was not agreed by a majority of the Members present, she declared that the amendments were negatived.

Dr Hon LEONG Che-hung rose to move the following motion without notice:

That in the event of further divisions being claimed in respect of the remaining motions to be moved at the Committee Stage of the Building Management (Amendment) Bill 2000 at this meeting, Rule 47(1)(c) of the Rules of Procedure be suspended so that the Chairman may order that the Committee do proceed to each of such divisions immediately after the division bell has been rung for one minute.

Question on the motion proposed, put and agreed to.

Hon LEE Wing-tat moved amendments to proposed section 3(3) in and the addition of new section 3(4) to para (b) of clause 3 and addressed the Committee.

At 5:42 pm, Hon Edward HO requested the Chairman to suspend the meeting so as to allow Members to discuss how to vote on the amendments. The Chairman acceded to the request.

At 6:08 pm, the Committee resumed.

A Member and the Secretary for Home Affairs spoke on the amendments.

Hon Lee Wing-tat spoke again.

Another three Members, a Member who had spoken earlier and the Secretary for Home Affairs spoke on the amendments.

At 6:38 pm, Hon CHENG Kai-nam requested the Chairman to suspend the meeting so as to allow Members to discuss how to vote on the amendments. The Chairman acceded to the request.

At 6:57 pm, the Committee resumed.

Question on the amendments moved by Hon LEE Wing-tat put.

Hon LEE Wing-tat claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 26 were present, seven were in favour of the amendments and 19 against them; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 29 were present, 21 were in favour of the amendments and seven against them. (Voting record in the Appendix II.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendments were negatived.

The Chairman stated that the Secretary for Home Affairs might move the other amendments to clause 3.

The Secretary for Home Affairs replied that he did not wish to move other amendments to clause 3.

The Chairman remarked that the Committee would then have to deliberate on the question that clause 3 stand part of the Bill.

10 Members and the Secretary for Home Affairs spoke.

The Chairman stated that she would suspend the meeting in order to let Members and the Secretary for Home Affairs have time to consider how to proceed with the Committee Stage of the Bill.

The Chairman then suspended the meeting at 7:40 pm.

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The Council resumed at 9:30 am on 22 June 2000.

The Council went into Committee again.

The Secretary for Home Affairs moved a motion, under Rule 40(4) of the Rules of Procedure, to adjourn the further proceedings of the Committee in respect of the Building Management (Amendment) Bill 2000 to the Council meeting of 26 June 2000. He explained that the Administration required more time to deal with matters relating to Committee Stage amendments to clause 3 and to seek legal advice.

Question on the motion proposed.

Three Members sought elucidation and the Chairman clarified.

Question on the motion put and agreed to.

### **Human Reproductive Technology Bill**

#### **Resumption of Second Reading debate**

The debate on the Second Reading which had been moved on 9 September 1998 resumed.

Hon Cyd HO, Chairman of the Bills Committee on Human Reproductive Technology Bill, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill as a Member.

Five Members spoke on the Bill.

The Secretary for Health and Welfare replied.

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 **Human Reproductive Technology Bill**.

Question that clauses 1, 5, 6, 9, 10, 11, 18, 19, 20, 23, 24, 26, 28, 29, 33, 34, 35, 37 to 40, 44 and 45 stand part of the Bill proposed, put and agreed to.

Question that clause 3 stand part of the Bill proposed.

The Secretary for Health and Welfare moved amendments to subclause (2)(a) and (b) of and the deletion of subclause (3)(a)(ii) from clause 3 and addressed the Committee.

Three Members spoke on the amendments.

The Secretary for Health and Welfare spoke again.

Question on the amendments to subclause (2)(a) and (b) of clause 3 put.

Hon CHAN Yuen-han claimed a division. The Chairman then ordered the Committee to divide under Rule 47(1) of the Rules of Procedure.

The Chairman announced that 48 Members were present, 37 were in favour of the amendments and 10 against them. (Voting record in Appendix III.) Since the question was agreed by a majority of the Members present, she declared that the amendments were agreed.

Dr Hon LEONG Che-hung rose to move the following motion without notice:

That in the event of further divisions being claimed in respect of the remaining motions to be moved at the Committee Stage of the Human Reproductive Technology Bill at this meeting, Rule 47(1)(c) of the Rules of Procedure be suspended so that the Chairman may order that the Committee do proceed to each of such divisions immediately after the division bell has been rung for one minute.

Question on the motion proposed, put and agreed to.

Question on the deletion of subclause (3)(a)(ii) from clause 3 put and agreed to.

Question that clause 3, as amended, stand part of the Bill proposed, put and agreed to.

Question that clauses 7, 8, 21, 22, 25, 27, 30, 31, 32, 41 and 42 stand part of the Bill proposed.

The Secretary for Health and Welfare moved amendments to the aforesaid clauses and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 7, 8, 21, 22, 25, 27, 30, 31, 32, 41 and 42, as amended, stand part of the Bill proposed, put and agreed to.

Council resumed by order of the Chairman. The President then granted leave for the Secretary for Health and Welfare to move a motion under Rule 91 of the Rules of Procedure to suspend Rule 58(5) of the Rules of Procedure in order that the Committee of the whole Council could consider new clause 29A, ahead of remaining clauses and new clauses, as it was related to clause 36.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New clause 29A read the first time.

The Secretary for Health and Welfare moved the Second Reading of new clause 29A and addressed the Committee.

Question on the Second Reading of new clause 29A proposed, put and agreed to.

New clause 29A read the second time.

The Secretary for Health and Welfare moved the addition of new clause 29A to the Bill.

Question on the addition proposed, put and agreed to.

Question that clauses 2, 4, 12, 14 to 17 and 36 stand part of the Bill proposed.

Hon CHAN Yuen-han moved amendments to clauses 2, 4, 14, 17 and 36 and the deletion of clauses 12, 15 and 16 and addressed the Committee.

Four Members spoke on the amendments.

Hon CHAN Yuen-han spoke again.

A Member who had spoken earlier, another Member and the Secretary for Health and Welfare spoke on the amendments.

Hon CHAN Yuen-han spoke another time.

Question on the amendments put.

Hon CHAN Yuen-han claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that among the Members returned by functional constituencies, 20 were present, three were in favour of the amendments and 17 against them; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 25 were present, seven were in favour of the amendments and 17 against them. (Voting record in Appendix IV.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendments were negatived.

Question that clauses 16 and 17 stand part of the Bill put and agreed to.

The Secretary for Health and Welfare moved amendments to clauses 2, 4, 12, 14, 15 and 36 and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 2, 4, 12, 14, 15 and 36, as amended, stand part of the Bill proposed, put and agreed to.

Question that clauses 13 and 43 stand part of the Bill proposed.

Council resumed by order of the Chairman. The President then granted leave for the Secretary for Health and Welfare to move a motion under Rule 91 of the Rules of Procedure to suspend Rule 58(7) of the Rules of Procedure in order that the Committee of the whole Council could consider new schedule 1A, ahead of remaining clauses, new clauses and schedules, as it was related to clauses 13 and 43.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New schedule 1A read the first time.

The Secretary for Health and Welfare moved the Second Reading of new schedule 1A and addressed the Committee.

Question on the Second Reading of new schedule 1A proposed, put and agreed to.

New schedule 1A read the second time.

The Secretary for Health and Welfare moved the addition of new schedule 1A to the Bill.

Question on the addition proposed, put and agreed to.

The Secretary for Health and Welfare moved amendments to clauses 13 and 43 and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 13 and 43, as amended, stand part of the Bill proposed, put and agreed to.

New clauses 2A and 10A read the first time.

The Secretary for Health and Welfare moved the Second Reading of the aforesaid clauses and addressed the Committee.

Question on the Second Reading of the aforesaid clauses proposed, put and agreed to.

New clauses 2A and 10A read the second time.

The Secretary for Health and Welfare moved the addition of the aforesaid clauses to the Bill.

Question on the addition proposed, put and agreed to.

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

Question that schedule 2 stand part of the Bill proposed.

The Secretary for Health and Welfare moved amendments to schedule 2 and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedule 2, as amended, stand part of the Bill proposed, put and agreed to.

Question that the long title stand part of the Bill proposed.

The Secretary for Health and Welfare moved an amendment to the long title and addressed the Committee.

Question on the amendment put and agreed to.

The Council then resumed.

### **Third Reading**

The Secretary for Health and Welfare reported that



the **Human Reproductive Technology Bill**

had passed through the Committee with amendments. 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.

**Broadcasting Bill**

**Resumption of Second Reading debate**

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

Hon Mrs Selina CHOW, Chairman of the Bills Committee on Broadcasting Bill, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill as a Member.

At 12:50 pm, the President's Deputy took the chair during the temporary absence of the President.

Four Members spoke on the Bill.

At 1:42 pm, the President resumed the chair.

Another two Members spoke on the Bill.

The Secretary for Information Technology and Broadcasting replied.

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 **Broadcasting Bill**.

Question that clauses 5, 8, 15, 17, 19, 22, 28, 32, 34, 36, 38, 39 and 43 stand part of the Bill proposed, put and agreed to.

Question that clauses 1 to 4, 6, 7, 9 to 14, 16, 18, 20, 21, 23 to 27, 29, 30, 31, 33, 35, 37, 40, 41 and 42 stand part of the Bill proposed.

The Secretary for Information Technology and Broadcasting moved amendments to the aforesaid clauses and addressed the Committee.

A Member spoke on the amendments.

The Secretary for Information Technology and Broadcasting spoke again.

Question on the amendments put and agreed to.

Question that clauses 1 to 4, 6, 7, 9 to 14, 16, 18, 20, 21, 23 to 27, 29, 30, 31, 33, 35, 37, 40, 41 and 42, as amended, stand part of the Bill proposed, put and agreed to.

New clause 14A read the first time.

The Secretary for Information Technology and Broadcasting moved the Second Reading of new clause 14A and addressed the Committee.

Question on the Second Reading of new clause 14A proposed, put and agreed to.

New clause 14A read the second time.

The Secretary for Information Technology and Broadcasting moved the addition of new clause 14A to the Bill.

Question on the addition proposed, put and agreed to.

Question that schedule 6 stand part of the Bill proposed, put and agreed to.

Question that schedules 1 to 5, 7, 8 and 9 stand part of the Bill proposed.

The Secretary for Information Technology and Broadcasting moved amendments to the aforesaid schedules and addressed the Committee.

A Member spoke on the amendments.

The Secretary for Information Technology and Broadcasting spoke again.

Question on the amendments put and agreed to.

Question that schedules 1 to 5, 7, 8 and 9, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

**Third Reading**

The Secretary for Information Technology and Broadcasting reported that

the **Broadcasting Bill**

had passed through the Committee with amendments. 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 Hong Kong Court of Final Appeal Ordinance**

The Chief Secretary for Administration moved the following motion and addressed the Council:

Resolved that -

(1) the appointment of -

- (a) the Honourable Mr Justice Patrick Chan Siu Oi; and
- (b) the Honourable Mr Justice Roberto Alexandre Vieira Ribeiro,

as permanent judges of the Hong Kong Court of Final Appeal pursuant to section 7 of the Hong Kong Court of Final Appeal Ordinance be endorsed;

(2) the appointment of -

- (a) the Honourable Mr Justice Henry Denis Litton; and
- (b) the Honourable Mr Justice Charles Ching,

as non-permanent Hong Kong judges of the Hong Kong Court of Final Appeal pursuant to section 8 of the Hong Kong Court of Final Appeal Ordinance be endorsed;

(3) the appointment of -

- (a) the Honourable Sir Gerard Brennan;
- (b) the Right Honourable Sir Thomas Eichelbaum; and
- (c) the Right Honourable the Lord Millett,

as judges of the Hong Kong Court of Final Appeal from

other common law jurisdictions pursuant to section 9 of the Hong Kong Court of Final Appeal Ordinance be endorsed.

Question on the motion proposed.

Four Members spoke on the motion.

The Chief Secretary for Administration replied.

Question on the motion put and agreed to.

**Proposed resolution under the Interpretation and General Clauses Ordinance**

The Chief Secretary for Administration moved the following motion and addressed the Council:

Resolved that the Rules of the District Court, published as Legal Notice No. 186 of 2000 and laid on the table of the Legislative on 24 May 2000, be amended -

- (a) in Order 11, rule 6(6), by repealing "具備" and substitution "以";
- (b) in Order 13, rule 7A(1), by repealing "State" and substituting "state";
- (c) in Order 18 -
  - (i) in rule 2(1), by repealing "the plaintiff" and substituting "every other party to the action who may be affected thereby";
  - (ii) in rule 22, by repealing "On making an order under rule 21 or at" and substituting "At";
- (d) in Order 24, rule 7A, by adding -

"(7) In this rule, "a claim for personal injuries" (就人身傷害提出申索) means a claim for personal injuries or arising out of the death of a person.";
- (e) in Order 33, rule 4(2), by repealing "或以不同的方式";
- (f) in Order 37, rule 10(5), by repealing "聆訊要求作指示的傳票" and substituting "進行指示聆訊";
- (g) in Order 52, rule 3(4), by repealing "it thinks he" and substituting "he thinks it";
- (h) in Order 62, rule 9, by adding -

"(4) The Court in awarding costs to any person may direct that, instead of taxed costs, that person shall be entitled -

- (a) to a proportion specified in the direction of the taxed costs or to the taxed costs from or up to a stage of the proceedings so specified; or
- (b) to a gross sum so specified in lieu of taxed costs, but where the person entitled to such a gross sum is a litigant in person, rule 28A shall apply with the necessary modifications to the assessment of the gross sum as it applies to the taxation of the costs of a litigant in person."

Question on the motion proposed.

A Member spoke on the motion.

The Chief Secretary for Administration replied.

Question on the motion put and agreed to.

**Proposed resolution under the Interpretation and General Clauses Ordinance**

The Secretary for Trade and Industry moved the following motion and addressed the Council:

Resolved that with effect from 1 July 2000 -

- (1) the functions exercisable by the Secretary for Trade and Industry (title to be changed to Secretary for Commerce and Industry on the date this Resolution takes effect) by virtue of -
  - (a) section 50(1) of the Travel Agents Ordinance (Cap. 218);
  - (b) sections 4, 6, 14(3), 15(1) and (3), 16(1) and 35(1) of the Toys and Children's Products Safety Ordinance (Cap. 424); and
  - (c) sections 5, 13(2), 14(1) and (3), 15(1) and 30(1) of the Consumer Goods Safety Ordinance (Cap. 456),be transferred to the Secretary for Economic Services;
- (2) section 50(1) of the Travel Agents Ordinance (Cap. 218) be amended by repealing "Secretary for Trade and Industry" and substituting "Secretary for Economic Services";
- (3) sections 4, 6, 14(3), 15(1) and (3), 16(1) and 35(1) of the Toys and Children's Products Safety Ordinance (Cap. 424) be amended by repealing "Secretary for Trade and Industry" and substituting "Secretary for Economic Services";

- (4) section 2 (in the definition of "Secretary") of the Consumer Goods Safety Ordinance (Cap. 456) be amended by repealing "Secretary for Trade and Industry" and substituting "Secretary for Economic Services";
- (5) the functions exercisable by the Director-General of Industry by virtue of -
- (a) section 8(3) of the Weights and Measures Ordinance (Cap. 68);
  - (b) section 9(1) of the Toys and Children's Products Safety Ordinance (Cap. 424); and
  - (c) section 11 of the Consumer Goods Safety Ordinance (Cap. 456),
- be transferred to the Commissioner for Innovation and Technology;
- (6) section 8(3) of the Weights and Measures Ordinance (Cap. 68) be amended by repealing "Director-General of Industry" and substituting "Commissioner for Innovation and Technology";
- (7) section 9(1) of the Toys and Children's Products Safety Ordinance (Cap. 424) be amended by repealing "Director-General of Industry" and substituting "Commissioner for Innovation and Technology";
- (8) sections 2 (in the definition of "approved laboratory") and 11 of the Consumer Goods Safety Ordinance (Cap. 456) be amended by repealing "Director-General of Industry" and substituting "Commissioner for Innovation and Technology".

Question on the motion proposed, put and agreed to.

**Proposed resolution under the Fixed Penalty (Criminal Proceedings) Ordinance**

The Secretary for Transport moved the following motion and addressed the Council:

Resolved that, with effect from 1 January 2001, the Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance be amended -

- (a) in the Chinese text, by repealing items 37, 38 and 39 and substituting -

"37. 第3(1)條	在沒有戴上防護頭盔的情況下駕駛電單車	\$320
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38.	第 7(1)(a)條	在沒有穩妥繫上安全帶的情況下駕駛私家車	\$320
39.	第 7(3)條	在前排座位乘客沒有穩妥繫上安全帶的情況下駕駛私家車	\$230";
(b)	by repealing items 50 to 55 inclusive and substituting -		
"50.	Regulation 7A(1)(a)	Driving taxi without being securely fastened with seat belt	\$320
51.	Regulation 7A(1)(a)	Driving light bus without being securely fastened with seat belt	\$320
52.	Regulation 7A(1)(a)	Driving goods vehicle without being securely fastened with seat belt	\$320
53.	Regulation 7A(3)	Driving light bus when front seat passenger under 15 years of age not securely fastened with seat belt	\$230
54.	Regulation 7A(3)	Driving goods vehicle when front seat passenger under 15 years of age not securely fastened with seat belt	\$230
55.	Regulation 7B(2)	Driving private car when rear seat passenger not securely fastened with seat belt	\$230
55A.	Regulation 7B(3)	Driving private car when rear seat passenger under 15 years of age not securely fastened with seat belt	\$230
55B.	Regulation 7B(6)	Driving private car when rear seat passenger occupies rear seat without seat belt when there is vacant rear seat with seat belt	\$230".

Question on the motion proposed, put and agreed to.

**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 (Asbestos) (Amendment) Regulation 2000, made by the Commissioner for Labour on 13 May 2000, be approved.

Question on the motion proposed, put and agreed to.

**Proposed resolution under the Mandatory Provident Fund Schemes Ordinance and the Interpretation and General Clauses Ordinance**

The Secretary for Financial Services moved the motion in Appendix V and addressed the Council.

Question on the motion proposed.

Two Members spoke on the motion.

The Secretary for Financial Services replied.

Question on the motion put and agreed to.

**Proposed resolution under the Mandatory Provident Fund Schemes Ordinance and the Interpretation and General Clauses Ordinance**

The Secretary for Financial Services moved the following motion and addressed the Council:

Resolved that the Mandatory Provident Fund Schemes Ordinance (Amendment of Schedule 1) Notice 2000, made by the Chief Executive in Council on 21 March 2000, be approved, subject to the following amendment - in section 1(a), in the proposed item 7(1), by deleting "is terminated" and substituting "ceases".

Question on the motion proposed.

Two Members spoke on the motion.

The Secretary for Financial Services replied.

Question on the motion put and agreed to.

**Proposed resolution under the Mandatory Provident Fund Schemes Ordinance**

The Secretary for Financial Services moved the following motion and addressed the Council:

Resolved that the Mandatory Provident Fund Schemes Rules, made by the Mandatory Provident Fund Schemes Authority on 8 May 2000, be approved.

Question on the motion proposed.



A Member 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 following motion and addressed the Council:

Resolved that the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be amended -

(1) in Rule 23(3), by repealing "with no" and substituting "not intended to have";

(2) in Rule 25 -

(a) by repealing subrule (1)(e);

(b) by adding -

"(3) If the President is of the opinion that the subject matter of a question or any part thereof notice of which is given under Rule 24(2) (Notice of Questions) is substantially the same as that of any matter -

(a) raised in another question notice of which has been given earlier for the same Council meeting; or

(b) raised in a motion, or a bill, notice of which has been given earlier for a specific Council meeting; or

(c) being considered by a standing committee or a select committee, or a committee authorized by the Council to conduct an inquiry into that matter,

the President may direct that the Member be informed that the question or the part thereof is out of order.";

(3) in Rule 30, by adding -

"(4) If more than one notice is received by the Clerk for the same amendment, the Member who gave the earliest notice which has not been withdrawn shall be the mover

of the amendment.";

(4) in Rule 31 -

(a) by renumbering it as Rule 31(1);

(b) by adding -

"(2) If the subject matter of a motion (not being a motion proposed to be moved by a designated public officer) not intended to have legislative effect and notice of which is given is substantially the same as that of -

(a) a motion intended to have legislative effect, or a bill, notice of which has been given earlier for a specific Council meeting; or

(b) any matter being considered by a standing committee or a select committee, or a committee authorized by the Council to conduct an inquiry into that matter,

the President shall direct that the notice be returned to the Member who signed it, as being in his opinion out of order.";

(5) in Rule 35(1), by repealing "mover" and substituting "Member";

(6) in Rule 51 -

(a) in subrule (7)(a), by adding "subrule (7A) and" before "Rule 66";

(b) by adding -

"(7A) Where the motion for the second or third reading of an Appropriation Bill is negatived, another Appropriation Bill containing the same or substantially the same provisions may be presented within the same session.";

(7) by repealing Rule 61(5);

(8) in Rule 66(6), by adding "(and if considered necessary, in conjunction with any referred bill as may have been presented for the purpose of amending the returned bill)" after "arrange".

Question on the motion proposed, put and agreed to.

**Reducing plastic waste**

Hon TAM Yiu-chung moved the following motion and addressed the Council:

That, as plastic waste keeps increasing in Hong Kong and the incineration of such waste generates a considerable amount of dioxin, causing serious damage to the environment and posing a threat to the health of the public, this Council urges the Government to adopt the following measures:

- (a) promoting researches on and the use of environmentally-friendly cutlery and utensils and packaging materials;
- (b) exploring the feasibility of legislating against the use of styrofoam lunch boxes;
- (c) encouraging industrial and commercial enterprises to reduce the use of non-biodegradable plastic bags, as well as implementing an accountability system whereby producers (manufacturers and importers) are required to set and achieve targets for reducing plastic waste;
- (d) requiring manufacturers to introduce a coding system for plastic packaging and products to facilitate the segregation, recovery and recycling of plastic waste;
- (e) enlarging and providing additional government refuse collection points, and enhancing their waste-segregation function to facilitate the recovery of plastic waste;
- (f) exploring and developing other methods for the disposal of plastic waste as alternatives to incineration and landfilling; and
- (g) stepping up publicity and promotional efforts to enhance public awareness of the need to reduce plastic waste,

so as to reduce the production of waste, increase the recycling and re-use of non-renewable resources, promote sustainable development in Hong Kong and safeguard the health of the public.

At 4:48 pm, the President's Deputy took the chair during the temporary absence of the President.

Question on Hon TAM Yiu-chung's motion proposed.

The President's Deputy stated that Hon LEE Cheuk-yan would move an amendment to the motion. In accordance with the Rules of Procedure, the motion and the amendment would be debated together in a joint debate.

Hon LEE Cheuk-yan moved the following amendment to Hon TAM Yiu-chung's motion and addressed the Council:

To delete "exploring the feasibility of" after "(b)"; to delete "encouraging industrial and commercial enterprises to reduce"

after “(c)” and substitute with “restricting by legislation”; to delete “non-biodegradable” after “the use of”; to add “by industrial and commercial enterprises” after “plastic bags”; to add “by legislation” after “(d) requiring”; to delete “enlarging” after “(e)” and substitute with “extending”; to delete “collection points” from “providing additional government refuse collection points” and substitute with “recovery systems”; to delete “exploring and” after “(f)”; and to delete “public awareness” after “(g) stepping up publicity and promotional efforts to enhance” and substitute with “the awareness of government departments and the public”.

Question on Hon LEE Cheuk-yan's amendment to Hon TAM Yiu-chung's motion proposed.

Seven Members spoke on the motion and the amendment.

At 6:00 pm, the President resumed the chair.

Another Member spoke on the motion and the amendment.

Hon TAM Yiu-chung spoke on the amendment.

The Secretary for the Environment and Food spoke on the motion and the amendment.

Question on Hon LEE Cheuk-yan's amendment to Hon TAM Yiu-chung's motion put.

Hon LEUNG Yiu-chung claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that among the Members returned by functional constituencies, 16 were present, four were in favour of the amendment, eight against it and four abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 24 were present, 10 were in favour of the amendment, six against it and seven abstained. (Voting record in Appendix VI.) 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 TAM Yiu-chung replied.

Question on Hon TAM Yiu-chung's motion put and agreed to.

**Assisting the financial services sector in seeking business opportunities in the Mainland market**

Hon FUNG Chi-kin moved the following motion and addressed the Council:

That, as Hong Kong's financial services sector will face intense competition and challenges with a large number of foreign multi-national securities companies entering the Mainland market on a large scale following China's accession to the World Trade Organization and the further integration of the Mainland market leading to the emergence of a huge stock market, this Council urges the Government to implement the following measures to actively strengthen and promote Hong Kong's status as an international financial centre and its role as the bridge between the Mainland and overseas markets, so as to increase the business opportunities of the local securities sector:

- (a) to strengthen the link between the financial infrastructure of Hong Kong and of the Mainland by :
  - (i) attracting more quality enterprises to list on Hong Kong's Main Board or the Growth Enterprise Market, with a view to developing Hong Kong as the main channel for facilitating the flow of venture capital to the Mainland;
  - (ii) facilitating co-operation in the form of inter-market listing; and
  - (iii) encouraging the stock exchanges of the two places to conduct feasibility studies on the joint development of on-line securities trading;
- (b) apart from the continuous efforts to enhance the communication and co-operation between the stock exchanges and regulatory bodies of Hong Kong and of the Mainland, to broaden exchanges between the market participants of the two places, so that local small and medium-sized market participants and Mainland official and trade organizations can establish comprehensive and permanent co-operative mechanisms in areas such as market information, human resources and technology; and
- (c) to strengthen the promotion of the professionalism and resourcefulness of Hong Kong's financial services sector to Mainland and international investors.

Question on the motion proposed.

Seven Members and the Secretary for Financial Services spoke on the motion.

Hon FUNG Chi-kin replied.

Question on the motion put and agreed to.

**Next Meeting**

The President declared that the next meeting of the Council would be held on 23 June 2000 at 11:30 am.

The Council was adjourned at 7:35 pm.

(Mrs Rita FAN)  
President

Council Chamber  
Hong Kong