

LEGISLATIVE COUNCIL

MINUTES

No. 35

Minutes of the meeting held on Monday 26 June 2000,
Tuesday 27 June 2000 and Wednesday 28 June 2000 at 9:30 am
respectively

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 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

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

Public officers attending:

On 26.6.2000, 27.6.2000 and 28.6.2000

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

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

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

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

On 26.6.2000 and 27.6.2000 only

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

On 26.6.2000 and 28.6.2000 only

Mr Nicholas NG Wing-fui, JP
Secretary for Transport

Mr Dominic WONG Shing-wah, JP
Secretary for Housing

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

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

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

Ms Eva CHENG, JP
Secretary for Information Technology and Broadcasting

On 27.6.2000 and 28.6.2000 only

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

On 26.6.2000 only

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

On 28.6.2000 only

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

Miss Denise YUE Chung-yee, 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 LAM Woon-kwong, JP
Secretary for the Civil Service

Mr LEE Shing-see, JP
Secretary for Works

Mr Patrick LAU Lai-chiu, JP
Secretary for Planning and Lands

Dr Edgar CHENG Wai-kin, JP
Head, Central Policy Unit

Clerks in attendance:

On 26.6.2000, 27.6.2000 and 28.6.2000

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mr LAW Kam-sang, JP, Deputy Secretary General

On 26.6.2000

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

On 27.6.2000

Mr Ray CHAN Yum-mou, Assistant Secretary General (3)

On 28.6.2000

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:

Subsidiary Legislation / Instruments

L.N. No.

Legal Aid (Amendment) Ordinance 2000 (26 of 2000) 230/2000
(Commencement) Notice 2000 (gazetted on 24.6.2000)

Other Papers

- No.114 - J.E. Joseph Trust Fund Report for the period 1 April 1999 to 31 March 2000 (published on 19.6.2000)
- No.115 - Kadoorie Agricultural Aid Loan Fund Report for the period 1 April 1999 to 31 March 2000 (published on 19.6.2000)
- No.116 - Audited Statement of Accounts of the Director of Social Welfare Incorporated together with the Director of Audit's Report for the year ended 31 March 1999 (published on 20.6.2000)
- No.117 - Hong Kong Export Credit Insurance Corporation Annual Report 1999-2000 (published on 20.6.2000)
- No.118 - Hong Kong Trade Development Council Annual Report 1999/2000 (published on 22.6.2000)
- No.119 - Airport Authority Hong Kong Annual Report 1999/2000 (published on 26.6.2000)
- No.120 - Statement of Accounts of the Customs and Excise Service Welfare Fund Together with the Director of Audit's Report (1999-2000) (published on 26.6.2000)
- Report of the Committee on Members' Interests 1998-2000 (published on 22.6.2000)
- Report of the Bills Committee on Road Traffic Legislation (Amendment) Bill 1999 (published on 23.6.2000)
- Report of the Bills Committee on Road Traffic Legislation (Amendment) Bill 2000 (published on 26.6.2000)
- Report of the Bills Committee on Employment (Amendment) Bill 2000 (published on 22.6.2000)
- Report of the Bills Committee on Employees' Compensation (Amendment) (No.2) Bill 2000 (published on 22.6.2000)
- Report of the Bills Committee on Dutiable Commodities (Amendment) Bill 1999 (published on 21.6.2000)

Report of the Bills Committee on Securities and Futures Legislation (Provision of False Information) Bill 2000 (published on 21.6.2000)

Report of the Bills Committee on Adaptation of Laws (No.16) Bill 1999 (published on 20.6.2000)

Report of the Bills Committee on Urban Renewal Authority Bill (published on 26.6.2000)

Report of the Bills Committee on Intellectual Property (Miscellaneous Amendments) Bill 2000 (published on 26.6.2000)

Report of the Bills Committee on Witness Protection Bill (published on 21.6.2000)

Report of the Bills Committee on Dangerous Drugs, Independent Commission Against Corruption and Police Force (Amendment) Bill 1999 (published on 23.6.2000)

Questions

1. Hon TSANG Yok-sing asked Question 1.

The Secretary for Information Technology and Broadcasting replied.

Five Members asked supplementaries and the Secretary for Information Technology and Broadcasting replied.

2. Ir Dr Hon HO Chung-tai asked Question 2.

The Secretary for the Environment and Food replied.

Four Members asked supplementaries and the Secretary for the Environment and Food replied.

3. Hon CHEUNG Man-kwong asked Question 3.

The Secretary for Planning and Lands replied.

Six Members asked supplementaries. The Secretary for Planning and Lands and the Secretary for Transport replied.

As Hon LAU Kong-wah, who was to ask Question 4, was not in the Chamber, the President called upon YEUNG Yiu-chung to ask Question 5.

4. Hon YEUNG Yiu-chung asked Question 5.

The Secretary for Housing replied.

Seven Members asked supplementaries. The Secretary for Housing and the Secretary for Financial Services replied.

5. Hon LEUNG Yiu-chung asked Question 6.

The Secretary for Home Affairs replied.

Five Members asked supplementaries and the Secretary for Home Affairs replied.

6. Hon LAU Kong-wah asked Question 4.

The Secretary for Security replied.

Seven Members asked supplementaries and the Secretary for Security replied.

Written replies to Questions 7 to 17 were tabled for Members' information.

Bills

Second Reading

Road Traffic Legislation (Amendment) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 8 December 1999 resumed.

Hon David CHU, Chairman of the Bills Committee on Road Traffic Legislation (Amendment) Bill 1999, addressed the Council on the Report of the Bills Committee on the Bill.

A Member spoke on the Bill.

The Secretary for Transport 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 **Road Traffic Legislation (Amendment) Bill 1999**.

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

Question that clause 1 and the heading of Part IV stand part of the Bill proposed.

The Secretary for Transport moved amendments to clause 1 and the heading of Part IV and addressed the Committee.

Question on the amendments put and agreed to.

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

The heading before new clause 13A and new clause 13A read the first time.

The Secretary for Transport moved the Second Reading of the aforesaid heading and clause and addressed the Committee.

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

The aforesaid heading and clause read the second time.

The Secretary for Transport moved the addition of the aforesaid heading and clause to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Transport reported that

the Road Traffic Legislation (Amendment) 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.

Road Traffic Legislation (Amendment) Bill 2000

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 1 March 2000 resumed.

Hon CHAN Kwok-keung, Chairman of the Bills Committee on Road Traffic Legislation (Amendment) Bill 2000, addressed the

Council on the Report of the Bills Committee on the Bill. After the address, he spoke on the Bill as a Member.

Five other Members spoke on the Bill.

The Secretary for Transport 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 **Road Traffic Legislation (Amendment) Bill 2000**.

Question that clauses 1, 3 and 5 stand part of the Bill proposed, put and agreed to.

Question that clauses 2, 4 and 6 stand part of the Bill proposed.

Hon LAU Kong-wah moved the deletion of paragraph (a) from clause 2 and paragraphs (a) and (b)(i) from clause 6 and addressed the Committee.

A Member spoke on the amendments.

At 12:40 pm, the Chairman's Deputy took the chair during the temporary absence of the Chairman.

Another two Members spoke on the amendments.

Hon LAU Kong-wah spoke again.

The Secretary for Transport spoke on the amendments.

At 12:48 pm, the Chairman resumed the chair.

Hon LAU Kong-wah spoke another time.

Question on the amendments put.

Hon LAU Kong-wah 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, 22 were present, five 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, eight were in favour of the amendments and 16 against them. (Voting record in Appendix 1.) 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.

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 Road Traffic Legislation (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.

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

The Chairman stated that Hon Mrs Miriam LAU and Hon LAU Kong-wah had separately given notice to move amendments to clause 4(a) and paragraph (b)(iii) of clause 6. She also stated that since the amendments proposed by both Members were identical and had the same effect, in accordance with the Rules of Procedure, she would only invite Hon Mrs Miriam LAU, who had given an earlier notice, to move the amendments.

The Chairman invited Hon Mrs Miriam LAU to move her amendments.

Hon Mrs Miriam LAU moved the deletion of paragraph (a) from clause 4 and paragraph (b)(iii) from clause 6 and addressed the Committee.

Hon LAU Kong-wah, four other Members and the Secretary for Transport spoke on the amendments.

Hon Mrs Miriam LAU replied.

Question on the amendments put.

Hon Mrs Miriam LAU 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, 23 were present, 16 were in favour of the amendments and seven against them; while among the

Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 15 were in favour of the amendments, nine against them and one abstained. (Voting record in Appendix 2.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the amendments were agreed.

Question that clauses 4 and 6, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Transport reported that

the Road Traffic Legislation (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.

Employment (Amendment) Bill 2000

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 23 February 2000 resumed.

Hon LEE Kai-ming, Chairman of the Bills Committee on Employment (Amendment) Bill 2000, addressed the Council on the Report of the Bills Committee on the Bill.

Five Members spoke on the Bill.

The Secretary for Education and Manpower replied.

Question on the Second Reading put.

Hon CHAN Wing-chan claimed a division. The President then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that 43 Members were present and 42 were in favour of the motion. (Voting record in Appendix 3.) 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 **Employment (Amendment) Bill 2000**.

Question that clauses 1 to 5 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 **Employment (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.

Employees' Compensation (Amendment) (No.2) Bill 2000

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 1 March 2000 resumed.

Hon Kenneth TING, Chairman of the Bills Committee on Employees' Compensation (Amendment) (No.2) Bill 2000, addressed the Council on the Report of the Bills Committee on the Bill.

Four Members spoke on the Bill.

The Secretary for Education and Manpower 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 **Employees' Compensation (Amendment) (No.2) Bill 2000**.

Question that clauses 1 to 5, 7 to 12, 14, 16 to 25 and 27 to 43 stand part of the Bill proposed, put and agreed to.

Question that clauses 6, 13, 15 and 26 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 6, 13, 15 and 26, as amended, stand part of the Bill proposed, put and agreed to.

New clause 14A read the first time.

The Secretary for Education and Manpower 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 Education and Manpower moved the addition of new clause 14A to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Education and Manpower reported that

the **Employees' Compensation (Amendment) (No.2) 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.

Adaptation of Laws (No.2) 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.2) Bill 1999**.

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

Question that schedules 2, 4, 10 and 12 stand part of the Bill proposed, put and agreed to.

Question that schedules 1, 3, 5 to 9 and 11 stand part of the Bill proposed.

The Secretary for Education and Manpower moved amendments to schedules 1, 5 to 9 and 11 and the deletion of schedule 3 and addressed the Committee.

Question on the amendments put and agreed to.

The Chairman stated that as the amendment to schedule 3, which dealt with deletion, had been agreed, schedule 3 was therefore deleted from the Bill.

Question that schedules 1, 5 to 9 and 11, as amended, 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 **Adaptation of Laws (No.2) 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.

Adaptation of Laws (No.19) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 7 July 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.19) Bill 1999**.

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

Question that schedules 2 to 6 and 9 stand part of the Bill proposed, put and agreed to.

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

The Secretary for Education and Manpower moved amendments to schedules 1, 7 and 8 and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedules 1, 7 and 8, as amended, 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 **Adaptation of Laws (No.19) 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.

Adaptation of Laws (No.32) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 14 July 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.32) Bill 1999**.

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

Question that schedules 1 to 21 stand part of the Bill proposed, put and agreed to.

Question that schedule 22 stand part of the Bill proposed.

The Secretary for Education and Manpower moved an amendment to schedule 22 and addressed the Committee.

Question on the amendment put and agreed to.

Question that schedule 22, as amended, 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 **Adaptation of Laws (No.32) Bill 1999**

had passed through the Committee with 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.

Adaptation of Laws (No.33) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 14 July 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.33) Bill 1999**.

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

Question that schedules 1 to 6 stand part of the Bill proposed, put and agreed to.

Question that schedules 7 to 10 stand part of the Bill proposed.

The Secretary for Education and Manpower moved amendments to schedules 7 to 10 and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedules 7 to 10, as amended, 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 **Adaptation of Laws (No.33) 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.

Dutiable Commodities (Amendment) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 17 November 1999 resumed.

Hon James TO, Chairman of the Bills Committee on Dutiable Commodities (Amendment) Bill 1999, addressed the Council on the Report of the Bills Committee on the Bill.

At 2:59 pm, the President's Deputy took the chair during the temporary absence of the President.

Two Members spoke on the Bill.

At 3:12 pm, the President resumed the chair.

The Secretary for the Treasury 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 **Dutiable Commodities (Amendment) Bill 1999**.

Question that clauses 1, 5, 6, 8 and 10 stand part of the Bill proposed, put and agreed to.

Question that clauses 2, 3, 4, 7 and 9 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 2, 3, 4, 7 and 9, as amended, stand part of the Bill proposed, put and agreed to.

New clause 5A read the first time.

The Secretary for the Treasury moved the Second Reading of new clause 5A and addressed the Committee.

Question on the Second Reading of new clause 5A proposed, put and agreed to.

New clause 5A read the second time.

The Secretary for the Treasury moved the addition of new clause 5A to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for the Treasury reported that

the Dutiable Commodities (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.

Securities and Futures Legislation (Provision of False Information) Bill 2000

Resumption of Second Reading debate

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

Hon Ronald ARCULLI, Chairman of the Bills Committee on Securities and Futures Legislation (Provision of False Information) Bill 2000, addressed the Council on the Report of the Bills Committee on the Bill.

Three Members spoke on the Bill.

The Secretary for Financial Services 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 **Securities and Futures Legislation (Provision of False Information) Bill 2000**.

Question that clauses 4, 6 and 9 stand part of the Bill proposed, put and agreed to.

Question that clauses 1, 2, 3, 5, 7, 8 and 10 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 1, 2, 3, 5, 7, 8 and 10, 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 Securities and Futures Legislation (Provision of
False Information) 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.

Adaptation of Laws (No.16) Bill 1998

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 6 January 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.16) Bill 1998**.

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

Question that clause 2 stand part of the Bill proposed.

The Secretary for Security moved an amendment to clause 2 and addressed the Committee.

Question on the amendment put and agreed to.

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

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

Question that schedules 3, 4, 6, 7, 11, 12 and 14 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that schedules 3, 4, 6, 7, 11, 12 and 14, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Home Affairs reported that

the **Adaptation of Laws (No.16) Bill 1998**

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.

Adaptation of Laws (No.16) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 16 June 1999 resumed.

Hon Margaret NG, Chairman of the Bills Committee on Adaptation of Laws (No.16) Bill 1999, addressed the Council on the Report of the Bills Committee 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 **Adaptation of Laws (No.16) Bill 1999**.

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

Question that schedules 1 to 9 and 12 stand part of the Bill proposed, put and agreed to.

Question that schedules 10, 11 and 13 stand part of the Bill proposed.

The Secretary for Health and Welfare moved amendments to schedules 10, 11 and 13 and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedules 10, 11 and 13, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Health and Welfare reported that

the **Adaptation of Laws (No.16) 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.

Adaptation of Laws (No.34) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 14 July 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.34) Bill 1999**.

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

Question that schedules 1 to 7 and 9 to 12 stand part of the Bill proposed, put and agreed to.

Question that schedule 8 stand part of the Bill proposed.

The Secretary for Economic Services moved amendments to schedule 8 and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedule 8, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Economic Services reported that

the **Adaptation of Laws (No.34) 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.

Adaptation of Laws (No.11) Bill 1998

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 6 January 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.11) Bill 1998**.

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

Question that schedules 2 to 9 stand part of the Bill proposed, put and agreed to.

Question that schedule 1 stand part of the Bill proposed.

The Secretary for Planning and Lands moved amendments to schedule 1 and addressed the Committee.

Question on the amendments put and agreed to.

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

The Council then resumed.

Third Reading

The Secretary for Planning and Lands reported that

the **Adaptation of Laws (No.11) Bill 1998**

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.

Urban Renewal Authority Bill

Resumption of Second Reading debate

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

Hon Edward HO, Chairman of the Bills Committee on Urban Renewal Authority Bill, addressed the Council on the Report of the Bills Committee on the Bill. After the address, he spoke on the Bill as a Member.

Two other Members spoke on the Bill.

At 5:35 pm, the President's Deputy took the chair during the temporary absence of the President.

Another nine Members spoke on the Bill.

At 6:50 pm, the President resumed the chair.

The Secretary for Planning and Lands replied.

Question on the Second Reading put.

Hon LEE Wing-tat claimed a division. The President then order the Council to divide under Rule 47(1) of the Rules of Procedure.

The President announced that 51 Members were present, 47 were in favour of the motion, one against it and two abstained. (Voting record in Appendix 4.) 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 **Urban Renewal Authority Bill**.

Question that clauses 3, 5, 8, 10, 11, 13, 14, 15, 17, 22, 23, 27, 28, 30, 31 and 33 stand part of the Bill proposed, put and agreed to.

Question that clause 1 stand part of the Bill proposed.

Hon James TO moved an amendment to clause 1 and addressed the Committee.

Seven Members and the Secretary for Planning and Lands spoke on the amendment.

A Member who had spoken on the amendment spoke again.

Hon James TO spoke again.

Three Members who had spoken on the amendment spoke again.

Hon James TO spoke another time.

The Secretary for Planning and Lands and another Member spoke again on the amendment.

Question on the amendment 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 among the Members returned by functional constituencies, 25 were present, eight were in favour of the amendment and 17 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 29 were present, 20 were in favour of the amendment and eight against it. (Voting record in Appendix 5.) 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.

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 Urban Renewal Authority 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 that clause 1 stand part of the Bill put and agreed to.

Question that clause 4 stand part of the Bill proposed.

The Chairman stated that the Secretary for Planning and Lands had given notice to move an amendment to clause 4(1), Hon LEE Cheuk-yan had given notice to move amendments to clause 4(1) and (2) and the addition of clause 4(7) to (11), and Hon LEE Wing-tat had also given notice to move an amendment to clause 4(2). She ordered that the proposed amendments be debated together in a joint debate.

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

The Secretary for Planning and Lands moved an amendment to clause 4(1) and addressed the Committee.

Hon LEE Cheuk-yan and Hon LEE Wing-tat spoke on the Secretary for Planning and Lands's amendment and their own proposed amendments.

Five Members spoke on the amendment and the proposed amendments.

Hon LEE Wing-tat, one Member who had spoken earlier and the Secretary for Planning and Lands spoke again.

Question on the amendment moved by the Secretary for Planning and Lands 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 51 Members were present, 34 were in favour of the amendment and 16 against it. (Voting record in Appendix 6.) Since the question was agreed by a majority of the Members present, she declared that the amendment was agreed.

The Chairman stated that as the amendment moved by the Secretary for Planning and Lands had been agreed, Hon LEE Cheuk-yan might not move his amendments to clause 4 which were inconsistent with the decision already taken.

Hon LEE Wing-tat moved an amendment to clause 4(2).

Question on the amendment 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, 24 were present, four were in favour of the amendment and 20 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 12 were in favour of the amendment and 14 against it. (Voting record in Appendix 7.) 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.

The Secretary for Planning and Lands moved amendments to clause 4(3) and (5) and addressed the Committee.

Five Members spoke on the amendments.

The Secretary for Planning and Lands spoke again.

Question on the amendments put and agreed to.

The Chairman suspended the meeting at 9:50 pm.

* * * * *

The Council resumed at 9:30 am on 27 June 2000.

The Council went into Committee again.

Council resumed by order of the Chairman. The President then granted leave for Hon LEE Wing-tat to move a motion under Rule 91 of the Rules of Procedure to suspend Rule 58(5) and 58(7) of the Rules of Procedure in order that the Committee of the whole Council could consider new clause 25A and new schedule 2 ahead of remaining clauses, new clauses and the schedule.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New clause 25A and new schedule 2 read the first time.

Hon LEE Wing-tat moved the Second Reading of the aforesaid clause and schedule and addressed the Committee.

Question on the Second Reading of the aforesaid clause and schedule proposed.

Six Members spoke on the motion.

Hon LEE Wing-tat spoke again.

Two Members who had spoken, another two Members and the Secretary for Planning and Lands spoke on the motion.

Hon LEE Wing-tat spoke another time.

Five Members who had spoken on the motion spoke again.

Hon LEE Wing-tat spoke another time.

The Secretary for Planning and Lands and two Members who had spoken on the motion spoke again.

Question on the Second Reading of the aforesaid clause and schedule 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, five were in favour of the motion and 21 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 12 were in favour of the motion, 13 against it and one abstained. (Voting record in Appendix 8.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the motion was negatived.

The Chairman stated that as Hon LEE Wing-tat's motion had been negatived, Hon LEE Wing-tat might not move his amendment to clause 4(6) and the schedule.

Question that clause 4, as amended by the Secretary for Planning and Lands, stand part of the Bill proposed, put and agreed to.

Question that clause 9 stand part of the Bill proposed.

The Secretary for Planning and Lands moved an amendment to clause 9 and addressed the Committee.

12 Members spoke on the amendment.

The Secretary for Planning and Lands spoke again and requested the Chairman to suspend the meeting to allow him to consider the views expressed by Members and the stance to be taken by the Government. The Chairman acceded to the request and suspended the meeting at 12:17 pm.

At 12:30 pm, the Committee resumed.

The Secretary for Planning and Lands requested to withdraw his amendment to clause 9 under Rule 58(11) of Rules of Procedure.

As no Member raised objection to the withdrawal, the Chairman stated that the amendment to clause 9 moved by the Secretary for Planning and Lands was withdrawn.

Question that clause 9 stand part of the Bill put and agreed to.

Question that clause 12 stand part of the Bill proposed.

Hon LEE Wing-tat moved amendments to clause 12 and addressed the Committee.

At 12:34 pm, the Chairman's Deputy took the chair during the temporary absence of the Chairman.

Two Members and the Secretary for Planning and Lands spoke on the amendments.

At 12:38 pm, the Chairman resumed the chair.

Question on the amendments put and agreed to.

Question that clause 12, as amended, stand part of the Bill proposed, put and agreed to.

Question that clauses 2, 6, 7, 16, 19, 20, 21, 24, 25, 26, 29 and 32 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 2, 6, 7, 16, 19, 20, 21, 24, 25, 26, 29 and 32, as amended, stand part of the Bill proposed, put and agreed to.

Question that clause 18 stand part of the Bill proposed.

Council resumed by order of the Chairman. The President then granted leave for the Secretary for Planning and Lands 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 17A ahead of the remaining clauses and the schedule.

Question on the motion proposed, put and agreed to.

The Council went into Committee again.

New clause 17A read the first time.

The Secretary for Planning and Lands moved the Second Reading of new clause 17A and addressed the Committee.

Question on the Second Reading of new clause 17A proposed, put and agreed to.

New clause 17A read the second time.

The Secretary for Planning and Lands moved the addition of new clause 17A to the Bill.

Question on the addition proposed, put and agreed to.

The Secretary for Planning and Lands moved amendments to clause 18 and addressed the Committee.

Question on the amendments put and agreed to.

Question that clause 18, as amended, stand part of the Bill proposed, put and agreed to.

New clause 23A read the first time.

The Secretary for Planning and Lands moved the Second Reading of new clause 23A and addressed the Committee.

Question on the Second Reading of new clause 23A proposed.

Two Members spoke on the motion.

The Secretary for Planning and Lands spoke again.

Question on the Second Reading of new clause 23A put and agreed to.

New clause 23A read the second time.

The Secretary for Planning and Lands moved the addition of new clause 23A to the Bill.

Question on the addition proposed, put and agreed to.

New clause 23B read the first time.

Hon LEE Wing-tat moved the Second Reading of new clause 23B and addressed the Committee.

Question on the Second Reading of new clause 23B proposed.

Two Members and the Secretary for Planning and Lands spoke on the motion.

Question on the Second Reading of new clause 23B put and agreed to.

New clause 23B read the second time.

Hon LEE Wing-tat moved the addition of new clause 23B to the Bill.

Question on the addition proposed, put and agreed to.

Question that the schedule stand part of the Bill proposed.

The Secretary for Planning and Lands moved amendments to the schedule and addressed the Committee.

Question on the amendments put and agreed to.

Hon LEE Wing-tat moved a further amendment to the schedule and addressed the Committee.

Seven Members and the Secretary for Planning and Lands spoke on the amendment.

Question on the amendment 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, 23 were present, eight were in favour of the amendment and 15 against it; while among the

Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 17 were in favour of the amendment and nine against it. (Voting record in Appendix 9.) 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 schedule, as amended by the Secretary for Planning and Lands, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Planning and Lands reported that

the Urban Renewal Authority 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 and 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 51 Members were present, 48 were in favour of the motion and two against it. (Voting record in Appendix 10.) 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.

Intellectual Property (Miscellaneous Amendments) Bill 2000

Resumption of Second Reading debate

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

Hon SIN Chung-kai, Chairman of the Bills Committee on Intellectual Property (Miscellaneous Amendments) Bill 2000, addressed the Council on the Report of the Bills Committee on the Bill. After the address, he spoke on the Bill as a Member.

One other Member spoke on the Bill.

At 1:50 pm, the President's Deputy took the chair during the temporary absence of the President.

Another Member spoke on the Bill.

The Secretary for Trade and Industry replied.

At 1:55 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 **Intellectual Property (Miscellaneous Amendments) Bill 2000**.

Question that clauses 13 to 24, 27, 28 and 30 stand part of the Bill proposed, put and agreed to.

Question that clauses 1 to 12, 25, 26 and 29 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 1 to 12, 25, 26 and 29, as amended, stand part of the Bill proposed, put and agreed to.

New clauses 7A, 8A, 8B, 11A, 11B, 12A and 28A read the first time.

The Secretary for Trade and Industry 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.

The aforesaid clauses read the second time.

The Secretary for Trade and Industry moved the addition of the aforesaid clauses to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Trade and Industry reported that

**the Intellectual Property (Miscellaneous Amendments)
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.

Adaptation of Laws (No.12) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 19 May 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.12) Bill 1999**.

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

Question that schedules 1, 2, 3, 5 to 10 and 12 to 16 stand part of the Bill proposed, put and agreed to.

Question that schedules 4 and 11 stand part of the Bill proposed.

The Secretary for Trade and Industry moved amendments to schedules 4 and 11 and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedules 4 and 11, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Trade and Industry reported that

the **Adaptation of Laws (No.12) 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.

Adaptation of Laws (No.13) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 19 May 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.13) Bill 1999**.

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

Question that schedules 1 and 4 to 7 stand part of the Bill proposed, put and agreed to.

Question that schedules 2 and 3 stand part of the Bill proposed.

The Secretary for Trade and Industry moved amendments to schedules 2 and 3 and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedules 2 and 3, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Trade and Industry reported that

the **Adaptation of Laws (No.13) 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.

Witness Protection Bill

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 26 May 1999 resumed.

Hon James TO, Chairman of the Bills Committee on Witness Protection Bill, addressed the Council on the Report of the Bills Committee on the Bill. After the address, he spoke on the Bill as a Member.

The Secretary for Security 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 **Witness Protection Bill**.

Question that clauses 1, 3, 7, 16, 18 and 20 stand part of the Bill proposed, put and agreed to.

Question that clauses 2, 4, 5, 6, 8 to 15, 17 and 19 stand part of the Bill proposed.

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

Question on the amendments put and agreed to.

Question that clauses 2, 4, 5, 6, 8 to 15, 17 and 19, as amended, stand part of the Bill proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Security reported that

the **Witness Protection 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.

Dangerous Drugs, Independent Commission Against Corruption and Police Force (Amendment) Bill 1999

Resumption of Second Reading debate

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

Hon James TO, Chairman of the Bills Committee on Dangerous Drugs, Independent Commission Against Corruption and Police Force (Amendment) Bill 1999, addressed the Council on the Report of the Bills Committee on the Bill.

Three Members spoke on the Bill.

At 3:17 pm, the President's Deputy took the chair during the temporary absence of the President.

Another two Members spoke on the Bill.

At 3:34 pm, the President resumed the chair.

The Secretary for Security 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 **Dangerous Drugs, Independent Commission Against Corruption and Police Force (Amendment) Bill 1999**.

Question that clauses 1 and 7 stand part of the Bill proposed, put and agreed to.

Question that clauses 2, 4 and 6 stand part of the Bill proposed.

Hon James TO moved amendments to proposed sections 54AA and subsections (1), (2), (4) and (6) of and addition of subsection (3A) to section 54AB in clause 2, proposed section 10E, subsections (1) and (2) of and addition of subsection (4) to proposed section 10F and the amendments to proposed section 10G in clause 4, proposed sections 59A(4)(e), 59C, and subsections (1) and (2) of and addition of subsections (4) and (5) to proposed section 59D, the amendments to subsection (2)(i) of proposed section 59G and subsections (1) and (4) of proposed section 59H in clause 6 and addressed the Committee.

Two Members and the Secretary for Security spoke on the amendments.

Hon James TO spoke again.

Another two Members spoke on the amendments.

Hon James TO spoke another time.

The Secretary for Security spoke again on the amendments.

Hon James TO spoke once more.

Question on the amendments 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, 28 were present, five were in favour of the amendments and 23 against them; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 28 were present, 12 were in favour of the amendments and 15 against them. (Voting record in Appendix 11.) 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 Secretary for Security moved amendments to clauses 2, 4 and 6 and addressed the Committee.

Question on the amendments put and agreed to.

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

Hon James TO moved the addition of subsection (5) to proposed section 10F in clause 4, subsection (6) to proposed section

59D and subsection (4) to proposed section 59G in clause 6 and addressed the Committee.

The Secretary for Security spoke on the amendments.

Hon James TO spoke again.

Two Members spoke and the Secretary for Security spoke again on the amendments.

Question on the amendments put.

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

Before the voting result was declared, Hon CHAN Yuen-han informed the Chairman that she had cast her vote incorrectly and she intended to vote against the amendments.

Having taken account of Hon CHAN Yuen-han's declared voting intention, the Chairman announced that among the Members returned by functional constituencies, 25 were present, four were in favour of the amendments and 21 against them; 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 amendments and 13 against them. (Voting record in Appendix 12.) 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 4 and 6, as amended by the Secretary for Security, stand part of the Bill proposed, put and agreed to.

Question that clauses 3, 5 and 8 stand part of the Bill proposed.

The Secretary for Security moved amendments to clauses 3, 5 and 8 and addressed the Committee.

Question on the amendments put and agreed to.

Question that clauses 3, 5 and 8, as amended, stand part of the Bill proposed, put and agreed to.

New clauses 5A and 7A read the first time.

The Secretary for Security 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.

The aforesaid clauses read the second time.

The Secretary for Security moved the addition of the aforesaid clauses to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Security reported that

the **Dangerous Drugs, Independent Commission Against
Corruption and Police Force (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.

Building Management (Amendment) Bill 2000

Committee Stage

The Council went into Committee and continued to deal with clause 3 of the **Building Management (Amendment) Bill 2000**.

The President stated that she had given permission for the Secretary for Home Affairs to move amendments to clause 3 without notice.

The Secretary for Home Affairs moved amendment to para (a) of clause 3 in order to add subparagraph (i), the addition of paragraph (aa) to clause 3, and the addition of subsections (4) and (5) to paragraph (b) of clause 3 and addressed the Committee.

Seven Members spoke on the amendments.

The Secretary for Home affairs spoke again.

Question on the amendments put.

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

The Chairman announced that 51 Members were present, 16 were in favour of the amendments and 34 against them. (Voting record in Appendix 13.) 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.

As the Secretary for Home Affairs' amendments had been negatived, the Chairman granted leave for the Secretary for Home Affairs to revise the terms of his new clause 17.

Question that clause 3(b) stand part of the Bill put.

Three Members and the Secretary for Home Affairs spoke on the motion.

Hon Albert HO claimed a division. The Chairman then ordered the Committee to divide under Rule 49(5) of the Rules of Procedure.

The Chairman announced that 49 Members were present, 15 were in favour of the motion and 33 against it. (Voting record in Appendix 14.) Since the question was not agreed by a majority of the Members present, she declared that the motion was negatived.

The Chairman stated that as the motion that paragraph (b) of clause 3 stand part of the Bill had been negatived, paragraph (b) was deleted from clause 3 of the Bill. The Chairman also stated that she had granted leave for the Secretary for Home Affairs to revise the terms of his new clauses 4A and 17.

The Secretary for Home Affairs moved a further amendment to paragraph (a) of clause 3 and addressed the Committee.

Two Members spoke on the amendment.

Question on the amendment put and agreed to.

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

Question that clauses 4, 6, 7 and 11 stand part of the Bill proposed.

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

Two Members spoke on the amendments.

Question on the amendments put and agreed to.

Question that clauses 4, 6, 7 and 11, as amended, stand part of the Bill proposed, put and agreed to.

Question that clause 14 stand part of the Bill proposed.

The Chairman stated that Hon CHENG Kai-nam and the Secretary for Home Affairs had separately given notice to move amendments to clause 14. She ordered that the proposed amendments be debated together in a joint debate.

The Chairman invited Hon CHENG Kai-nam to move his amendment.

Hon CHENG Kai-nam moved an amendment to clause 14 and addressed the Committee.

The Secretary for Home Affairs spoke on Hon CHENG Kai-nam's amendment and his own proposed amendments.

Two Members spoke on the amendment and the proposed amendments.

Hon CHENG Kai-nam spoke again.

Another Member spoke on the amendment and the proposed amendments.

Question on the amendment moved by Hon CHENG Kai-nam put.

Hon CHENG Kai-nam 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, 21 were present, seven were in favour of the amendment and 14 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 18 were in favour of the amendment and eight against it. (Voting record in Appendix 15.) 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.

The Secretary for Home Affairs moved amendments to clause 14.

Question on the amendments put and agreed to.

Question that clause 14, as amended, stand part of the Bill proposed, put and agreed to.

Question that clause 15 stand part of the Bill proposed.

The Chairman stated that Hon CHENG Kai-nam, Hon Albert HO and the Secretary for Home Affairs had separately given notice to move amendments to clause 15. She ordered that the proposed amendments be debated together in a joint debate.

The Chairman invited Hon CHENG Kai-nam to move his amendment.

Hon CHENG Kai-nam moved an amendment to clause 15 and addressed the Committee.

Hon Albert HO and the Secretary for Home Affairs spoke on Hon CHENG Kai-nam's amendment as well as their own proposed amendments.

A Member spoke on the amendment and the proposed amendments.

Hon CHENG Kai-nam spoke again.

Question on the amendment moved by Hon CHENG Kai-nam put.

Hon CHENG Kai-nam 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, seven were in favour of the amendment and 13 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 18 were in favour of the amendment and eight against it. (Voting record in Appendix 16.) 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 Albert HO moved an amendment to clause 15.

Question on the amendment moved by Hon Albert HO put.

Hon Albert HO 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, 21 were present, nine were in favour of the amendment and 12 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, 21 were in favour of the amendment and five against it. (Voting record in Appendix 17.) 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.

The Secretary for Home Affairs moved amendments to clause 15.

Question on the amendments put and agreed to.

Question that clause 15, as amended, stand part of the Bill proposed, put and agreed to.

New clauses 3A, 3B, 4A, 4B, 4C, 7A, 7B, 7C, 13A, 16 and 17 read the first time.

The Secretary for Home Affairs moved the Second Reading of the aforesaid clauses and addressed the Committee.

A Member spoke on the motion.

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

The aforesaid clauses read the second time.

The Secretary for Home Affairs moved the addition of the aforesaid clauses to the Bill.

Question on the addition proposed, put and agreed to.

New clause 5A read the first time.

Hon CHENG Kai-nam moved the Second Reading of new clause 5A and addressed the Committee.

Question on the Second Reading of new clause 5A proposed.

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

Question on the Second Reading of new clause 5A put.

Hon CHENG Kai-nam 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, 21 were present, four were in favour of the motion and 17 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 23 were present, eight were in favour of the motion and 14 against it. (Voting record in Appendix 18.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the motion was negatived.

New clause 7BA read the first time.

Hon Albert HO moved the Second Reading of new clause 7BA and addressed the Committee.

Question on the Second Reading of new clause 7BA proposed.

Two Members spoke on the motion.

Hon Albert HO spoke again.

Another Member and the Secretary for Home Affairs spoke on the motion.

Hon Albert HO spoke another time.

Question on the Second Reading of new clause 7BA put.

Hon Albert HO 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, 23 were present, three were in favour of the motion, 15 against it and five abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were present, 12 were in favour of the motion, five against it and four abstained. (Voting record in Appendix 19.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the motion was negatived.

New clause 13B read the first time.

The Secretary for Home Affairs moved the Second Reading of new clause 13B and addressed the Committee.

Question on the Second Reading of new clause 13B proposed, put and agreed to.

New clause 13B read the second time.

The Chairman stated that as the motion on the second reading of new clause 13B had been carried, there was no need for Hon Albert HO to move the second reading of his new clause 13B, but he might move amendment to it.

Hon Albert HO moved an amendment to new clause 13B and addressed the Committee.

The Secretary for Home Affairs spoke on the amendment.

Hon Albert HO spoke again.

Question on the amendment put.

Hon Albert HO 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, 23 were present, eight were in favour of the amendment and 15 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were present, 15 were in favour of the amendment and six against it. (Voting record in Appendix 20.) 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.

The Secretary for Home Affairs moved the addition of new clause 13B to the Bill.

Question on the addition proposed, put and agreed to.

The Council then resumed.

Third Reading

The Secretary for Home Affairs reported that

the **Building Management (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.

Motions

Proposed resolution under the Dutiable Commodities Ordinance

The Secretary for the Environment and Food moved the following motion and addressed the Council:

Resolved that the Dutiable Commodities Ordinance be amended, in Part III of Schedule 1 -

- (a) in paragraph 1, by repealing "Duty" and substituting "Subject to paragraph 1A, duty";
- (b) by adding -

"1A. Duty shall be payable on ultra low sulphur diesel at the following rates -

- (a) from 7 July 2000 to 31 December 2000 (both dates inclusive), at \$1.11 per litre;
- (b) from 1 January 2001 to 31 December 2001 (both dates inclusive), at \$2.00 per litre"; and
- (c) from 1 January 2002, at \$2.89 per litre.";

(c) by adding -

"5. For the purposes of paragraph 1A, "ultra low sulphur diesel" (超低含硫量柴油) means a light diesel oil which -

- (a) contains not more than 0.005% by weight of sulphur as determined by ISO 14596;
- (b) has a cetane number of not less than 51.0 as determined by ISO 5165;
- (c) has a viscosity at 40°C of not less than 2.00 mm²/s and not more than 4.50 mm²/s as determined by ISO 3104;
- (d) has a 95% distillation temperature of not more than 345°C as determined by ISO 3405;
- (e) has a specific gravity at 15°C of not more than 0.835 as determined by ISO 3675; and
- (f) has a distillation percentage recovered at 250°C not more than 65% by volume as determined by ISO 3405.

Note: In this Part, "ISO" followed by a numerical symbol ("ISO number") means the test procedures of the International Organization for Standardization commonly known by that ISO number."

At 8:45 pm, the President's Deputy took the chair during the temporary absence of the President.

Question on the motion proposed.

Three Members spoke on the motion.

At 8:55 pm, the President resumed the chair.

Another Member spoke on the motion.

The Secretary for the Environment and Food replied.

Question on the motion put and agreed to.

Proposed resolution under the Pharmacy and Poisons Ordinance

The Secretary for Health and Welfare moved the following motion and addressed the Council:

Resolved that the following Regulations, made by the Pharmacy and Poisons Board on 10 June 2000, be approved -

- (a) the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2000; and
- (b) the Poisons List (Amendment) (No. 3) Regulation 2000.

Question on the motion proposed, put and agreed to.

Proposed resolution under the Mutual Legal Assistance in Criminal Matters Ordinance

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

Resolved that the Mutual Legal Assistance in Criminal Matters (Switzerland) Order, made by the Chief Executive in Council on 14 September 1999, be approved.

Question on the motion proposed.

A Member spoke on the motion.

Question on the motion put and agreed to.

The President suspended the meeting at 9:19 pm.

* * * * *

The Council resumed at 9:30 am on 28 June 2000.

Members' Motions

Vote of no confidence in the Chairman of the Housing Authority and the Director of Housing

Hon Fred LI moved the following motion and addressed the Council:

That, in view of the recent successive scandals on public housing involving substandard piling and construction works, this Council has no confidence in the Chairman of the Housing Authority and the Director of Housing.

Question on Hon Fred LI's motion proposed.

The President stated that Hon LEUNG Yiu-chung 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 LEUNG Yiu-chung moved the following amendment to Hon Fred LI's motion and addressed the Council:

To add "and asks for their immediate resignation" after "this Council has no confidence in the Chairman of the Housing Authority and the Director of Housing".

Question on Hon LEUNG Yiu-chung's amendment to Hon Fred LI's motion proposed.

32 Members spoke on the motion and the amendment.

Hon Fred LI spoke on the amendment.

The Secretary for Housing and the Chief Secretary for Administration spoke on the motion and the amendment.

Question on Hon LEUNG Yiu-chung's amendment to Hon Fred LI'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, 26 were present and 26 were against the amendment; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 29 were present, five were in favour of the amendment and 23 against it. (Voting record in Appendix 21.) 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 Fred LI replied.

Question on Hon Fred LI's motion put.

Hon Fred LI 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, 26 were present, 17 were in favour of the motion, five against it and four abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 29 were present, 22 were in favour of the motion, four against it and two abstained. (Voting record in Appendix 22.) Since the question was agreed by a majority of each of the two groups of Members present, she declared that the motion was carried.

The President suspended the meeting at 2:00 pm.

The Council resumed at 2:20 pm and the President's Deputy took the chair during the temporary absence of the President.

The Government not requiring the two power companies to increase their interconnection capacity and approving their financial plans

Dr Hon YEUNG Sum moved the following motion and addressed the Council:

That, as the Government has not required the Hongkong Electric Company Limited ("HEC") and the CLP Power Hong Kong Limited ("CLP") to increase their interconnection capacity and has approved the financial plans of HEC and CLP to invest a total of \$57 billion up to 2004 for the extension and refurbishment of their electricity generation and supply facilities, thereby increasing the territory's electricity tariffs and the burden on the public in the coming years, this Council regrets the Government's decisions.

Question on the motion proposed.

A Member declared his interest.

11 Members spoke on the motion and the Secretary for Economic Services spoke on the motion.

Dr Hon YEUNG Sum replied.

Question on the motion put.

Dr Hon YEUNG Sum claimed a division. The President's Deputy then ordered the Council to divide under Rule 47(1) of the Rules of Procedure.

The President's Deputy announced that among the Members returned by functional constituencies, 24 were present, nine were in favour of the motion and 14 against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were

present, 17 were in favour of the motion, four against it and one abstained. (Voting record in Appendix 23.) Since the question was not agreed by a majority of each of the two groups of Members present, he declared that the motion was negatived.

The President's Deputy suspended the meeting at 4:10 pm.

The Council resumed at 4:18 pm and the President resumed the chair.

Valedictory Motion

Dr Hon LEONG Che-hung moved the following motion and addressed the Council:

That this Council concludes its work at the completion of its term of office in accordance with the provision of the Basic Law and wishes for the smooth formation of the second Legislative Council to continue to serve the people of the Hong Kong Special Administrative Region.

Question on the motion proposed.

34 Members and the Chief Secretary for Administration spoke on the motion.

Dr Hon LEONG Che-hung replied.

Question on the motion put and agreed to.

Close of Session

The President made a closing statement and announced that the session was concluded. She then adjourned the Council.

The Council was adjourned accordingly at 8:06 pm.

(Mrs Rita FAN)
President

Council Chamber
Hong Kong