

LEGISLATIVE COUNCIL

MINUTES

No. 12

Minutes of the meeting held on Wednesday 15 December 1999 at 2:30 pm

Members present:

President

The Hon Mrs Rita FAN, GBS, JP

The Hon Kenneth TING Woo-shou, JP

The Hon James TIEN Pei-chun, JP

The Hon 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 Mrs Selina CHOW LIANG Shuk-yee, JP

The Hon Ronald ARCULLI, JP

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon Ambrose CHEUNG Wing-sum, JP

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

Members absent:

The Hon Margaret NG
The Hon MA Fung-kwok

Public officers attending:

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

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

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

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

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 KWONG Ki-chi, GBS, JP
Secretary for Information Technology and Broadcasting

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

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

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

Mr LEE Shing-see, JP
Secretary for Works

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

Clerks in attendance:

Mr Ricky FUNG Choi-cheung, JP, Secretary General

Mr LAW Kam-sang, JP, Deputy Secretary General

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

Tabling of Papers

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

<u>Subsidiary Legislation</u>	<u>L.N. No.</u>
1. Electoral Affairs Commission (Printing of Name of Organization and Emblem on Ballot Paper) (Legislative Council) Regulation (gazetted on 10.12.1999)	306/99
2. Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) (Amendment) Regulation 1999 (gazetted on 10.12.1999)	307/99
3. Clubs (Safety of Premises) (Exclusion) (Amendment) (No. 2) Order 1999 (gazetted on 10.12.1999)	308/99
4. Designation of Libraries (Regional Council Area) Order 1999 (gazetted on 10.12.1999)	309/99
5. Road Traffic (Traffic Control) (Designation of Prohibited and Restricted Zones) Notice (gazetted on 10.12.1999)	310/99
6. Social Workers Registration (Specification of Relevant Matter) Notice (gazetted on 10.12.1999)	311/99
7. Tate's Cairn Tunnel Ordinance (Amendment of Schedule) Notice 1999 (gazetted on 10.12.1999)	312/99
8. Midwives Registration (Amendment) Ordinance 1997 (61 of 1997) (Commencement) (No.2) Notice 1999 (gazetted on 10.12.1999)	313/99
9. Midwives Registration (Fees) Regulation (L.N. 281 of 1999) (Commencement) Notice 1999 (gazetted on 10.12.1999)	314/99
10. Midwives (Registration and Disciplinary Procedure) Regulation (L.N. 300 of 1999) (Commencement) Notice 1999 (gazetted on 10.12.1999)	315/99
11. Midwives Registration (Miscellaneous Provisions) Regulation (L.N. 301 of 1999) (Commencement) Notice 1999 (gazetted on 10.12.1999)	316/99

Other Papers

- No.43 - Queen Elizabeth Foundation for the Mentally Handicapped Report and Accounts 1998-99 (published on 6.12.1999)
- No.44 - Emergency Relief Fund Annual Report by the Trustee for the year ending on 31 March 1999 (published on 6.12.1999)
- No.45 - Social Work Training Fund Thirty-eighth Annual Report by the Trustee for the year ending on 31 March 1999 (published on 6.12.1999)
- No.46 - The Accounts of the Lotteries Fund 1998-99 (published on 7.12.1999)
- No.47 - Report of changes to the approved Estimates of Expenditure approved during the second quarter of 1999-2000 (Public Finance Ordinance : Section 8) (published on 7.12.1999)
- No.48 - Consumer Council Annual Report 1998-99 (published on 7.12.1999)
- No.49 - Hong Kong Housing Authority Annual Report 1998/99 (published on 9.12.1999)
- No.50 - Hong Kong Housing Authority Financial Statements for the year ended 31 March 1999 (published on 9.12.1999)
- No.51 - Equal Opportunities Commission Annual Report 1998/99 (published on 9.12.1999)
- No.52 - Grantham Scholarships Fund Annual Report for the year 1 September 1998 to 31 August 1999 (published on 10.12.1999)
- No.53 - Report of the Brewin Trust Fund Committee on the Administration of the Fund for the year ended 30 June 1999 (published on 10.12.1999)
- No.54 - The Sir Murray MacLehose Trust Fund Trustee's Report for the period 1 April 1998 to 31 March 1999 (published on 10.12.1999)
- No.55 - Report of the Chinese Temples Committee on the administration of the Chinese Temples Fund for the year ended 31 March 1999 (published on 10.12.1999)

- No.56 - Report of the Chinese Temples Committee on the administration of the General Chinese Charities Fund for the year ended 31 March 1999 (published on 10.12.1999)
- No.57 - Revised list of works of the Provisional Regional Council for the 1999/2000 financial year (during the second quarter ended 30 September 1999) (published on 13.12.1999)
- No.58 - Revised list of works of the Provisional Urban Council for the 1999/2000 financial year (during the second quarter ended 30 September 1999) (published on 13.12.1999)
- Report of the Bills Committee on Adaptation of Laws (No.10) Bill 1999 (published on 13.12.1999)

Questions

1. Hon LEUNG Yiu-chung asked Question 1.

The Secretary for Home Affairs replied.

Five Members asked supplementaries. The Secretary for Health and Welfare and the Secretary for Planning, Environment and Lands replied.

2. Hon SIN Chung-kai asked Question 2.

The Secretary for Health and Welfare replied.

Six Members asked supplementaries. The Secretary for Information Technology and Broadcasting and the Secretary for Health and Welfare replied.

3. Hon CHEUNG Man-kwong asked Question 3.

The Secretary for Education and Manpower replied.

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

4. Hon Bernard CHAN asked Question 4.

The Secretary for Home Affairs replied.

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

5. Hon CHENG Kai-nam asked Question 5.

The Secretary for Works replied.

Seven Members asked supplementaries and the Secretary for Works replied.

6. Hon YEUNG Yiu-chung asked Question 6.

The Secretary for Education and Manpower replied.

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

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

Bills

First Reading

Landlord and Tenant (Consolidation) (Amendment) Bill 1999

Education (Amendment) Bill 1999

Drug Trafficking and Organized Crimes (Amendment) Bill 1999

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

Second Reading

Landlord and Tenant (Consolidation) (Amendment) Bill 1999

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

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

Education (Amendment) Bill 1999

The Secretary for Education and Manpower moved the Second Reading and addressed the Council.

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

Drug Trafficking and Organized Crimes (Amendment) Bill 1999

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

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

Adaptation of Laws (No.10) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 21 April 1999 resumed.

Hon Andrew WONG, Chairman of the Bills Committee on Adaptation of Laws (No.10) Bill 1999, addressed the Council on the Report of the Bills Committee on the Bill.

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.10) Bill 1999**.

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

Question that schedules 1 and 3 to 6 stand part of the Bill proposed, put and agreed to.

Question that schedule 2 stand part of the Bill proposed.

The Chief Secretary for Administration 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.

The Council then resumed.

Third Reading

The Chief Secretary for Administration reported that

the **Adaptation of Laws (No.10) Bill 1999**

had passed through 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.

Industrial Training (Clothing Industry) (Amendment) Bill 1999

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 24 November 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 **Industrial Training (Clothing Industry) (Amendment) Bill 1999**.

Question that clauses 1, 2 and 3 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 **Industrial Training (Clothing Industry) (Amendment) Bill 1999**

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

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

Bill read the third time and passed.

Motions

Proposed resolution under the Import and Export Ordinance

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

Resolved that the Import and Export (Registration) (Amendment) Regulation 1999, made by the Chief Executive in Council on 16 November 1999, 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 the Interpretation and General Clauses Ordinance

Hon Ronald ARCULLI moved the following motion and addressed the Council:

Resolved that in relation to the -

- (a) Legislative Council (Registration of Electors) (Appeals) (Amendment) Regulation 1999, published as Legal Notice No. 282 of 1999;
- (b) Declaration of Geographical Constituencies (Legislative Council) Order 1999, published as Legal Notice No. 283 of 1999; and
- (c) Electoral Affairs Commission (Registration of Electors) (Geographical Constituencies) (Legislative Council) (Amendment) Regulation 1999, published as Legal Notice No. 284 of 1999,

and laid on the table of the Legislative Council on 24 November 1999, the period referred to in section 34(2) of the

Interpretation and General Clauses Ordinance (Cap. 1) for amending subsidiary legislation be extended under section 34(4) of that Ordinance to the meeting of 5 January 2000.

Question on the motion proposed, put and agreed to.

Long-term transport strategy for Hong Kong

Hon Mrs Miriam LAU moved the following motion and addressed the Council:

That, in order to develop a safe, comfortable, environmentally-friendly and efficient transport system which matches the growth of Hong Kong's population and economy in the 21st century, this Council urges the Government, in implementing the various proposals contained in 'Hong Kong Moving Ahead: A Transport Strategy For The Future', to provide a new transport infrastructure in a timely manner to match population growth; to conduct people-oriented transport and town planning to promote harmony between people and the environment; to optimize the use of space to achieve separation of pedestrian and vehicular traffic; to provide sufficient support facilities to facilitate freight movements; to maximize the functions of various public transport means and ensure that they have room for development individually; to promote fair competition among different means of public transport to provide choices for the public; and to formulate a timetable for implementing the proposals in the transport strategy, as well as to further explore other forward-looking and innovative initiatives to complement the inadequacies in the existing proposals.

At 4:46 pm, the President's Deputy took the chair during the temporary absence of the President.

Question on Hon Mrs Miriam LAU's motion proposed.

The President's Deputy stated that Hon Christine LOH and Hon Albert HO would move amendments to the motion. In accordance with the Rules of Procedure, the motion and the two amendments would be debated together in a joint debate.

Hon Christine LOH and Hon Albert HO spoke respectively on the motion and their amendments.

14 Members spoke on the motion and the amendments.

Hon Mrs Miriam LAU spoke on the amendments.

The Secretary for Transport spoke on the motion and the amendments.

At 6:43 pm, the President resumed the chair.

Hon Christine LOH moved the following amendment to Hon Mrs Miriam LAU's motion:

To delete “, in implementing the various proposals contained in ‘Hong Kong Moving Ahead: A Transport Strategy For The Future’, to provide a new transport infrastructure in a timely manner to match population growth;” and substitute with “to truly promote a rail-based transport system by fairly evaluating roads versus railways on an economic as well as financial basis and transferring the responsibility for railway development out of Highways Department;”; to delete “conduct” from “conduct people-oriented transport and town planning” and substitute with “promote”; to delete “to promote harmony between people and the environment; to optimize the use of space to achieve” and substitute with “by increasing”; to add “through provision of more street level pedestrianization schemes; to optimize the use of space by putting roads underground wherever possible” after “separation of pedestrian and vehicular traffic”; and to delete “provide sufficient support facilities to facilitate freight movements to maximize the functions of various public transport means and ensure that they have room for development individually; to promote fair competition among different means of public transport to provide choices for the public; and to formulate a timetable for implementing the proposals in the transport strategy, as well as to further explore other forward-looking and innovative initiatives to complement the inadequacies in the existing proposals” and substitute with “promote environmentally-friendlier modes of freight transport such as rail and off-peak hour road deliveries; to manage road traffic growth through road pricing or other traffic management measures; to promote public transport through the use of Intelligent Transport Systems; and to implement the recommendations of the Strategic Environmental Impact Assessment for the Third Comprehensive Transport Study to avoid the projected deteriorating environmental quality resulting from the current transport strategy”.

Question on Hon Christine LOH's amendment to Hon Mrs Miriam LAU's motion proposed and put.

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

The President announced that among the Members returned by functional constituencies, 27 were present, 18 were against the amendment and nine abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 24 were present, two

were in favour of the amendment, eight against it and 13 abstained. (Voting record in Appendix I.) 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 the following amendment to Hon Mrs Miriam LAU's motion:

To add “; this Council also urges the Government to play a more proactive monitoring role in Hong Kong's transport strategy to ensure that the quality of public transport services and the levels of fares are reasonable, so as to safeguard the interests of the public” after “to complement the inadequacies in the existing proposals”.

Question on Hon Albert HO's amendment to Hon Mrs Miriam LAU's motion proposed, put and agreed to.

Hon Mrs Miriam LAU replied.

Question on Hon Mrs Miriam LAU's motion as amended by Hon Albert HO put and agreed to.

Opposing the legalization of gambling on football matches

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

That this Council opposes the legalization of gambling on football matches, and urges the Government to step up enforcement actions and enhance public education, so as to effectively combat illegal gambling on football matches.

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

The President stated that Hon CHOY So-yuk 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 CHOY So-yuk moved the following amendment to Hon YEUNG Yiu-chung's motion and addressed the Council:

To delete “opposes” and substitute with “urges the Government to carefully study and consider the views of the public, including conducting opinion surveys to gauge public opinion, before deciding on”; and to delete “, and” after “gambling on football matches” and substitute with “; in the meantime, this Council”.

Question on Hon CHOY So-yuk's amendment to Hon YEUNG Yiu-chung's motion proposed.

12 Members spoke on the motion and the amendment.

Hon YEUNG Yiu-chung spoke on the amendment.

The Secretary for Home Affairs spoke on the motion and the amendment.

Question on Hon CHOY So-yuk's amendment to Hon YEUNG Yiu-chung's motion put.

Hon YEUNG 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, 21 were present, 12 were in favour of the amendment and nine against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 21 were present, four were in favour of the amendment and 16 against it. (Voting record in Appendix II.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the amendment was negatived.

Hon YEUNG Yiu-chung replied.

Question on Hon YEUNG Yiu-chung's motion put.

Hon CHOY So-yuk 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, 21 were present, 10 were in favour of the motion, one against it and 10 abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 20 were present, 15 were in favour of the motion and four abstained. (Voting record in Appendix III.) Since the question was not agreed by a majority of each of the two groups of Members present, she declared that the motion was negatived.

Next Meeting

The President declared that the next meeting of the Council would be held on 5 January 2000 at 2:30 pm.

The Council was adjourned at 9:16 pm.

(Mrs Rita FAN)
President

Council Chamber
Hong Kong