

LEGISLATIVE COUNCIL

MINUTES

No. 27

Minutes of the meeting held on Wednesday 9 May 2001 at 2:30 pm

Members present:

President

The Hon Mrs Rita FAN HSU Lai-tai, GBS, JP

The Hon Kenneth TING Woo-shou, JP

The Hon James TIEN Pei-chun, JP

The Hon David CHU Yu-lin

The Hon Cyd HO Sau-lan

The Hon Albert HO Chun-yan

Ir Dr the Hon Raymond HO Chung-tai, JP

The Hon LEE Cheuk-yan

The Hon Martin LEE Chu-ming, SC, JP

The Hon Eric LI Ka-cheung, 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 James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon HUI Cheung-ching

The Hon CHAN Kwok-keung

The Hon CHAN Yuen-han

The Hon Bernard CHAN

The Hon CHAN Kam-lam

The Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP

The Hon LEUNG Yiu-chung

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 LAW Chi-kwong, JP

The Hon TAM Yiu-chung, GBS, JP

Dr the Hon TANG Siu-tong, JP

The Hon Abraham SHEK Lai-him, JP

The Hon LI Fung-ying, JP

The Hon Henry WU King-cheong, BBS

The Hon Tommy CHEUNG Yu-yan, JP

The Hon Michael MAK Kwok-fung

The Hon Albert CHAN Wai-yip

The Hon LEUNG Fu-wah, MH, JP

Dr the Hon LO Wing-lok

The Hon WONG Sing-chi

The Hon Frederick FUNG Kin-kee

The Hon IP Kwok-him, JP

The Hon LAU Ping-cheung

The Hon Audrey EU Yuet-mee, SC, JP

Member absent:

The Hon Timothy FOK Tsun-ting, SBS, JP

Public officers attending:

The Honourable Antony LEUNG Kam-chung, GBS, JP
The Financial Secretary

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

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

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

Mr Dominic WONG Shing-wah, GBS, JP
Secretary for Housing

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

Dr YE0H 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

Mrs Carrie YAU TSANG Ka-lai, JP
Secretary for Information Technology and Broadcasting

Mrs Fanny LAW FAN Chiu-fun, JP
Secretary for Education and Manpower

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 / Instruments</u>	<u>L.N. No.</u>
1. Specification of Public Office (gazetted on 4.5.2001)	93/2001
2. Protection of Children and Juveniles (Places of Refuge) (Amendment) Order 2001 (gazetted on 4.5.2001)	94/2001
3. Places of Detention (Juvenile Offenders) Appointment (Consolidation) (Amendment) Order 2001 (gazetted on 4.5.2001)	95/2001
4. Remand Home (Amendment) Rules 2001 (gazetted on 4.5.2001)	96/2001

Questions

1. Hon CHAN Yuen-han asked Question 1.

The Secretary for Housing replied.

Eight Members asked supplementaries and the Secretary for Housing replied.

2. Hon Ambrose LAU asked Question 2.

The Secretary for Commerce and Industry replied.

Seven Members asked supplementaries. The Secretary for Commerce and Industry and the Secretary for Works replied.

3. Hon WONG Yung-kan asked Question 3.

The Secretary for Security replied.

Four Members asked supplementaries and the Secretary for Security replied.

4. Hon IP Kwok-him asked Question 4.

The Secretary for Security replied.

Eight Members asked supplementaries and the Secretary for Security replied.

5. Ir Dr Hon HO Chung-tai asked Question 5.

The Secretary for Works replied.

Five Members asked supplementaries and the Secretary for Works replied.

6. Hon LAU Ping-cheung asked Question 6.

The Secretary for Planning and Lands replied.

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

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

Bills

First Reading

Boilers and Pressure Vessels (Amendment) Bill 2001

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

Second Reading

Boilers and Pressure Vessels (Amendment) Bill 2001

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.

Members' Motions

Mechanism for handling complaints concerning medical incidents

Hon Andrew CHENG moved the following motion and addressed the Council:

That, as the credibility of the existing mechanism for handling complaints concerning medical incidents is being questioned by various sectors of the community, and the public have no confidence in the ability of the mechanism to handle complaints in a fair and independent manner, this Council urges the Government to immediately take measures to improve the existing mechanism, including reforming the Medical Council of Hong Kong's composition, operation and procedures for handling complaints; this Council also urges the Government to set up an independent mechanism for handling complaints concerning medical incidents.

Question on Hon Andrew CHENG's motion proposed.

The President stated that Hon Howard YOUNG 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 Howard YOUNG moved the following amendment to Hon Andrew CHENG's motion and addressed the Council:

To add "in the wake of the 'mobile phone doctor' incident" after "various sectors of the community"; and to delete "set up an independent" after "this Council also urges the Government to" and substitute with "expeditiously complete the work on reforming the".

Question on Hon Howard YOUNG's amendment to Hon Andrew CHENG's motion proposed.

19 Members spoke on the motion and the amendment.

Hon Andrew CHENG spoke on the amendment.

The Secretary for Health and Welfare spoke on the motion and the amendment.

Question on Hon Howard YOUNG's amendment to Hon Andrew CHENG's motion put.

Dr Hon YEUNG Sum 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, 24 were present, 15 were in favour of the amendment, seven against it and two abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 27 were present, six were in favour of the amendment and 20

against it. (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 Andrew CHENG replied.

Question on Hon Andrew CHENG's motion put.

Hon Andrew CHENG 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, 25 were present, seven were in favour of the motion, nine against it and nine abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 28 were present, 22 were in favour of the motion and five 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 motion was negatived.

Landscaped development and greening policy

Hon LAU Ping-cheung moved the following motion and addressed the Council:

That this Council urges the Government to immediately review the distribution of the natural and landscape resources in Hong Kong for the purpose of formulating a territory-wide landscaped development and greening policy, and to designate a policy bureau to monitor and co-ordinate the effective implementation of the policy by various government departments in carrying out town planning and infrastructural projects, in order to achieve the goal of sustainable development; at the same time, the Government should improve the existing conditions of the urban areas through re-planning and other measures so as to enhance the quality of the living environment.

At 6:57 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 7:25 pm, the President resumed the chair.

Another nine Members and the Secretary for Planning and Lands spoke on the motion.

Hon LAU Ping-cheung replied.

Question on the motion put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 16 May 2001 at 2:30 pm.

The Council was adjourned at 8:34 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong