

LEGISLATIVE COUNCIL

MINUTES

No. 3

Minutes of the meeting held on Wednesday 16 October 2002 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, GBS, JP

Dr the Hon David CHU Yu-lin, JP

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

The Hon Fred LI Wah-ming, JP

Dr the Hon LUI Ming-wah, JP

The Hon NG Leung-sing, JP

The Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP

The Hon James TO Kun-sun

The Hon CHEUNG Man-kwong

The Hon HUI Cheung-ching, JP

The Hon CHAN Kwok-keung

The Hon CHAN Yuen-han, JP

The Hon Bernard CHAN, JP

The Hon CHAN Kam-lam, JP

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, GBS, JP

The Hon Howard YOUNG, JP

Dr the Hon YEUNG Sum

The Hon YEUNG Yiu-chung, BBS

The Hon LAU Chin-shek, JP

The Hon LAU Kong-wah

The Hon LAU Wong-fat, GBS, JP

The Hon Miriam LAU Kin-yee, JP

The Hon Ambrose LAU Hon-chuen, GBS, 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

Dr 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, JP
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 Audrey EU Yuet-mee, SC, JP

Members absent:

Dr the Hon David LI Kwok-po, GBS, JP
The Hon Margaret NG
The Hon LAU Ping-cheung
The Hon MA Fung-kwok, JP

Public officers attending:

The Hon Donald TSANG Yam-kuen, GBM, JP
The Chief Secretary for Administration

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

The Hon Elsie LEUNG Oi-sie, GBM, JP
The Secretary for Justice

The Hon Michael SUEN Ming-yeung, GBS, JP
Secretary for Housing, Planning and Lands

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

Dr the Hon Patrick HO Chi-ping, JP

Secretary for Home Affairs

The Hon Mrs Regina IP LAU Suk-yea, GBS, JP
Secretary for Security

The Hon Stephen IP Shu-kwan, GBS, JP
Secretary for Economic Development and Labour

Dr the Hon Sarah LIAO Sau-tung, JP
Secretary for the Environment, Transport and Works

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. Commodities Trading (Trading Limits and Position Limits) (Amendment) (No. 2) Rules 2002 (gazetted on 11.10.2002)	142/2002
2. Securities (Exchange – Traded Stock Options) (Amendment) Rules 2002 (gazetted on 11.10.2002)	143/2002
3. Securities (Miscellaneous) (Amendment) Rules 2002 (gazetted on 11.10.2002)	144/2002
4. Drug Trafficking and Organized Crimes (Amendment) Ordinance 2002 (26 of 2002) (Commencement) Notice 2002 (gazetted on 11.10.2002)	145/2002

Other Papers

- No. 2 - Urban Renewal Authority
Annual Report 2001-2002 (published on 9.10.2002)
- No. 3 - Companies Registry
Annual Report 2001-02 (published on 10.10.2002)
- No. 4 - Electrical and Mechanical Services Trading Fund
Annual Report 2001/02 (published on 10.10.2002)
- No. 5 - The Government Minute in response to the Report
No. 38 of the Public Accounts Committee dated July
2002 (published on 16.10.2002)

Addresses

The Chief Secretary for Administration addressed the Council on the Government Minute in response to the Report No. 38 of the Public Accounts Committee dated July 2002.

Questions

1. Hon Howard YOUNG asked Question 1.

The Secretary for the Environment, Transport and Works replied.

Six Members asked supplementaries and the Secretary for the Environment, Transport and Works replied.

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

The Secretary for Housing, Planning and Lands replied.

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

3. Hon LAU Kong-wah asked Question 3.

The Secretary for Security replied.

Five Members asked supplementaries and the Secretary for Security replied.

4. Hon Fred LI asked Question 4.

The Secretary for Housing, Planning and Lands replied.

Three Members asked supplementaries and the Secretary for Housing, Planning and Lands replied.

5. Hon LEUNG Yiu-chung asked Question 5.

The Secretary for Home Affairs replied.

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

6. Hon HUI Cheung-ching asked Question 6.

The Secretary for the Environment, Transport and Works replied.

Eight Members asked supplementaries and the Secretary for the Environment, Transport and Works replied.

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

Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

The Secretary for Economic Development and Labour moved the following motion and addressed the Council:

Resolved that the Airport Authority (Permitted Airport-related Activities) Order, published in the Gazette as Legal Notice No. 127 of 2002 and laid on the table of the Legislative Council on 10 July 2002, be amended by repealing section 5 and substituting -

"5. Approval of Financial Secretary

(1) The Authority shall obtain the approval of the Financial Secretary before undertaking to engage in any permitted airport-related activity specified in section 1, 2 or 3 of the Schedule in respect of an airport if the aggregate of -

- (a) the amount of consideration payable by the Authority pursuant to such activity; and
- (b) where the Authority is engaging in or has undertaken to engage in any other permitted airport-related activities specified in section 1, 2 or 3 of the Schedule in respect of the same airport, the amounts of consideration paid or payable by the Authority pursuant to such activities

exceeds 2.5% of the issued share capital of the Authority.

(2) After engaging in an activity approved by the Financial Secretary under subsection (1), the Authority shall ensure that a report of the activity is laid, as soon as practicable, on the table of the Legislative Council."

Question on the motion proposed.

One Member spoke on the motion.

Hon Mrs Selina CHOW declared her interest as a member of the Airport Authority and spoke on the motion.

Three more Members spoke on the motion.

The Secretary for Economic Development and Labour replied.

Question on the motion put and agreed to.

Members' Motions

Expectations for the implementation of policies

Hon Martin LEE moved the following motion and addressed the Council:

That this Council urges the Government to consider seriously the expectations of the Members of this Council for the 2003 Policy Address.

Question on the motion proposed.

Six Members and Hon LEE Cheuk-yan spoke on the motion.

While Hon LEE Cheuk-yan was speaking, the President left the chair at 5:45 pm temporarily and the President's Deputy, Hon Mrs Selina CHOW, took the chair.

Another 13 Members and Hon Fred LI spoke on the motion.

At 7:10 pm, while Hon Fred LI was speaking, the President resumed the chair.

10 further Members and the Chief Secretary for Administration spoke on the motion.

Hon Martin LEE replied.

Question on the motion put and agreed to.

Terminal handling charges

Hon Kenneth TING moved the following motion and addressed the Council:

That this Council urges the Government to expeditiously study the specific impact of the persistently high terminal handling charges on the local economy, and to strive to have those charges reduced to a reasonable level.

Question on the motion proposed.

10 Members and the Secretary for Economic Development and Labour spoke on the motion.

Hon Kenneth TING replied.

Question on the motion put and agreed to.

Next Meeting

The President declared that the next meeting of the Council would be held on 23 October 2002 at 2:30 pm.

The Council was adjourned at 9:49 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong