

LEGISLATIVE COUNCIL

MINUTES

No. 6

Minutes of the meeting held on Wednesday 6 November 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

Dr the Hon David LI Kwok-po, GBS, JP

The Hon Fred LI Wah-ming, JP

Dr the Hon LUI Ming-wah, JP

The Hon NG Leung-sing, JP

The Hon Margaret NG

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 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 LAU Ping-cheung
The Hon Audrey EU Yuet-mee, SC, JP
The Hon MA Fung-kwok, JP

Member absent:

The Hon LI Fung-ying, 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 Henry TANG Ying-yen, GBS, JP
Secretary for Commerce, Industry and Technology
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

The Hon Mrs Regina IP LAU Suk-yee, 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. Specification of Public Office (gazetted on 1.11.2002)	158/2002
2. Chinese Medicine (Fees) Regulation (gazetted on 1.11.2002)	159/2002
3. Chinese Medicines Regulation (gazetted on 1.11.2002)	160/2002
4. Chinese Medicines Traders (Regulatory) Regulation (gazetted on 1.11.2002)	161/2002
5. Hospital Authority Ordinance (Amendment of Schedule 1) Order 2002 (gazetted on 1.11.2002)	162/2002
6. Tax Reserve Certificates (Rate of Interest) (No. 8) Notice 2002 (gazetted on 1.11.2002)	163/2002

Other Papers

No.19 - Hong Kong Council on Smoking and Health
Annual Report 2001-2002 (published on 1.11.2002)

Report of the Bills Committee on Immigration (Amendment) Bill
2001 (published on 31.10.2002)

Questions

1. Hon Kenneth TING asked Question 1.

The Secretary for Commerce, Industry and Technology replied.

Five Members asked supplementaries and the Secretary for Commerce, Industry and Technology replied.

2. Hon Ambrose LAU asked Question 2.

The Secretary for Economic Development and Labour replied.

Six Members asked supplementaries and the Secretary for Economic Development and Labour replied.

3. Hon Mrs Selina CHOW asked Question 3.

The Secretary for the Environment, Transport and Works replied.

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

4. Hon Albert HO asked Question 4.

The Secretary for Security replied.

Seven Members asked supplementaries and the Secretary for Security replied.

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

The Secretary for the Environment, Transport and Works replied.

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

6. Hon LEUNG Yiu-chung asked Question 6.

The Secretary for Housing, Planning and Lands replied.

A Member asked a supplementary and the Secretary for Housing, Planning and Lands replied.

After declaring his interest as a non-executive director of the Urban Renewal Authority, Hon LAU Ping-cheung asked a supplementary and the Secretary for Housing, Planning and Lands replied.

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

After declaring his interest as a non-executive director of the Urban Renewal Authority, Hon Fred LI asked a supplementary and the Secretary for Housing, Planning and Lands replied.

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

Bills

Second Reading

Immigration (Amendment) Bill 2001

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 28 November 2001 resumed.

Hon James TO, Chairman of the Bills Committee on Immigration (Amendment) Bill 2001, addressed the Council on the Report of the Bills Committee on the Bill. After the address, he spoke on the Bill in his personal capacity as a Member.

Five more Members and the Secretary for Justice spoke on the Bill.

The Secretary for Security replied.

Question on the Second Reading put.

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

The President announced that 52 Members were present, 31 were in favour of the motion and 20 against it. (Voting record in Appendix I.) 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 **Immigration (Amendment) Bill 2001**.

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

The Council then resumed.

Third Reading

The Secretary for Security reported that

the **Immigration (Amendment) Bill 2001**

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

Question on the Third Reading proposed and put.

Hon Margaret NG 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, 30 were in favour of the motion and 20 against it. (Voting record in Appendix II.) 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.

Members' Motions

Developing offshore fishing industry

Hon WONG Yung-kan moved the following motion and addressed the Council:

That, as Hong Kong's inshore fishing industry has been wilting continuously in recent years as a result of dwindling marine resources in the South China Sea, the livelihood of fishermen engaging in capture fishery has been seriously affected; moreover, many coastal countries or areas in the world have been actively developing offshore fishing for more than a decade, and a consultancy study on the feasibility of offshore fishing commissioned earlier by the Government has also concluded that Hong Kong has the potential for developing offshore fishing, this Council urges the Government to expeditiously formulate a policy on developing offshore fishing, including the provision of technical support, loan arrangements, manpower training and liaison with the relevant overseas and Mainland authorities, so as to ensure the restructuring of the local fishing industry towards offshore fishing, thereby keeping in tune with the direction of China's fishing policy and enhancing the international status of Hong Kong's fishing industry.

While Hon WONG Yung-kan was addressing the Council, the President left the chair at 5:16 pm temporarily and the President's Deputy, Hon Mrs Selina CHOW, took the chair.

Question on the motion proposed.

14 Members and the Secretary for Health, Welfare and Food spoke on the motion.

At 6:49 pm, while the Secretary for Health, Welfare and Food was speaking, the President resumed the chair.

Hon WONG Yung-kan replied.

Question on the motion put and agreed to.

Emissions trading

Hon CHOY So-yuk moved the following motion and addressed the Council:

That this Council urges the Government to embark on, as soon as possible, a study on the feasibility of implementing emissions trading in Hong Kong or jointly with the neighbouring territories, and to implement as far as possible specific pilot schemes to ascertain whether conditions exist in the region for adopting emissions trading as a means to control the total volume of emissions.

Question on the motion proposed.

11 Members and the Secretary for the Environment, Transport and Works spoke on the motion.

Hon CHOY So-yuk 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 13 November 2002 at 2:30 pm.

The Council was adjourned at 8:36 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

投票 VOTE: 1
 日期 DATE: 06/11/2002
 時間 TIME: 05:02:57 下午

動議 MOTION: 《2001年入境(修訂)條例草案》- 二讀
 IMMIGRATION (AMENDMENT) BILL 2001 - SECOND READING

動議人 MOVED BY: 保安局局長 Secretary for Security

出席 Present :52
 投票 Vote :51
 贊成 Yes :31
 反對 No :20
 棄權 Abstain :0
 結果 Result :通過 Passed

個別表決如下 THE INDIVIDUAL VOTES WERE AS FOLLOWS:

議員	MEMBER	投票	VOTE	議員	MEMBER	投票	VOTE
范徐麗泰	Mrs Rita FAN	出席	PRESENT	楊孝華	Howard YOUNG	贊成	YES
丁午壽	Kenneth TING	贊成	YES	楊森	Dr YEUNG Sum	反對	NO
田北俊	James TIEN	贊成	YES	楊耀忠	YEUNG Yiu-chung	贊成	YES
朱幼麟	Dr David CHU	贊成	YES	劉千石	LAU Chin-shek	反對	NO
何秀蘭	Cyd HO	反對	NO	劉江華	LAU Kong-wah	贊成	YES
何俊仁	Albert HO	反對	NO	劉皇發	LAU Wong-fat	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	反對	NO	劉慧卿	Emily LAU	反對	NO
李家祥	Eric LI	贊成	YES	蔡素玉	CHOY So-yuk	贊成	YES
李國寶	Dr David LI			鄭家富	Andrew CHENG	反對	NO
李華明	Fred LI	反對	NO	司徒華	SZETO Wah	反對	NO
呂明華	Dr LUI Ming-wah	贊成	YES	霍震霆	Timothy FOK		
吳亮星	NG Leung-sing	贊成	YES	羅致光	Dr LAW Chi-kwong	反對	NO
吳靄儀	Margaret NG	反對	NO	譚耀宗	TAM Yiu-chung	贊成	YES
周梁淑怡	Mrs Selina CHOW	贊成	YES	鄧兆棠	Dr TANG Siu-tong	贊成	YES
涂謹申	James TO	反對	NO	石禮謙	Abraham SHEK	贊成	YES
張文光	CHEUNG Man-kwong	反對	NO	李鳳英	LI Fung-ying		
許長青	HUI Cheung-ching	贊成	YES	胡經昌	Henry WU	贊成	YES
陳國強	CHAN Kwok-keung	贊成	YES	張宇人	Tommy CHEUNG	贊成	YES
陳婉嫻	CHAN Yuen-han			麥國風	Michael MAK	反對	NO
陳智思	Bernard CHAN			陳偉業	Albert CHAN	反對	NO
陳鑑林	CHAN Kam-lam	贊成	YES	梁富華	LEUNG Fu-wah	贊成	YES
梁劉柔芬	Mrs Sophie LEUNG			勞永樂	Dr LO Wing-lok	贊成	YES
梁耀忠	LEUNG Yiu-chung	反對	NO	黃成智	WONG Sing-chi		
單仲偕	SIN Chung-kai	反對	NO	馮檢基	Frederick FUNG	反對	NO
黃宏發	Andrew WONG	贊成	YES	葉國謙	IP Kwok-him	贊成	YES
黃宜弘	Dr Philip WONG	贊成	YES	劉炳章	LAU Ping-cheung	贊成	YES
黃容根	WONG Yung-kan	贊成	YES	余若薇	Audrey EU	反對	NO
曾鈺成	TSANG Yok-sing	贊成	YES	馬逢國	MA Fung kwok		

投票 VOTE: 2
日期 DATE: 06/11/2002
時間 TIME: 05:08:09 下午

動議 MOTION: 《2001年入境（修訂）條例草案》- 三讀
IMMIGRATION (AMENDMENT) BILL 2001 - THIRD READING

動議人 MOVED BY: 保安局局長 Secretary for Security

出席 Present :51
投票 Vote :50
贊成 Yes :30
反對 No :20
棄權 Abstain :0
結果 Result :通過 Passed

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朱幼麟	Dr David CHU	贊成	YES	劉千石	LAU Chin-shek	反對	NO
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何俊仁	Albert HO	反對	NO	劉皇發	LAU Wong-fat	贊成	YES
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	反對	NO	劉慧卿	Emily LAU	反對	NO
李家祥	Eric LI	贊成	YES	蔡素玉	CHOY So-yuk	贊成	YES
李國寶	Dr David LI			鄭家富	Andrew CHENG	反對	NO
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曾鈺成	TSANG Yok-sing	贊成	YES	馬逢國	MA Fung kwok		