

# LEGISLATIVE COUNCIL

## MINUTES

No. 9

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Minutes of the meeting held on Wednesday 27 November 2002 at 2:30 pm

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

**Members absent:**

The Hon LEE Cheuk-yan  
The Hon Timothy FOK Tsun-ting, SBS, JP

**Public officers attending:**

The Hon Michael SUEN Ming-yeung, GBS, JP  
The Chief Secretary for Administration, and  
Secretary for Housing, Planning and Lands  
  
The Hon Stephen IP Shu-kwan, GBS, JP  
The Financial Secretary, and  
Secretary for Economic Development and Labour  
  
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

Prof the Hon Arthur LI Kwok-cheung, GBS, JP  
Secretary for Education and Manpower

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

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

**Clerks in attendance:**

Mr LAW Kam-sang, JP, Deputy Secretary General

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

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:

<b><u>Subsidiary Legislation / Instruments</u></b>	<b><u>L.N. No.</u></b>
1. Immigration (Amendment) Ordinance 2002 (31 of 2002) (Commencement) Notice 2002 (gazetted on 22.11.2002)	172/2002
2. Mandatory Provident Fund Schemes (Amendment) (No. 2) Ordinance 2002 (29 of 2002) (Commencement) Notice 2002 (gazetted on 22.11.2002)	173/2002
3. Massage Establishments (Amendment) Ordinance 2001 (28 of 2001) (Commencement) Notice 2002 (gazetted on 22.11.2002)	174/2002
4. Places of Public Entertainment Ordinance (Amendment of Schedule 1) Regulation 2002 (L.N. 120 of 2002) (Commencement) Notice 2002 (gazetted on 22.11.2002)	175/2002

**Other Papers**

No.26	-	Hong Kong Science and Technology Parks Corporation Annual Report 2001/2002 (published on 19.11.2002)
No.27	-	Hong Kong Productivity Council Annual Report 2001/2002 (published on 19.11.2002)
No.28	-	Police Welfare Fund Annual Report 2001/2002 (published on 19.11.2002)
No.29	-	Estate Agents Authority Annual Report 2001/2002 (published on 22.11.2002)
No.30	-	Secretary for Home Affairs Incorporated Audited Statement of Accounts for the year ended 31 March 2002 (published on 22.11.2002)
No.31	-	Report of the Brewin Trust Fund Committee on the Administration of the Fund for the year ended 30 June 2002 (published on 22.11.2002)
No.32	-	Occupational Deafness Compensation Board Annual Report 2001-2002 (published on 25.11.2002)
No.33	-	Annual Report of the Protection of Wages on Insolvency Fund Board 2001-2002 (published on 25.11.2002)

No.34 - Pneumoconiosis Compensation Fund Board  
Annual Report 2001 (published on 25.11.2002)

**Questions**

1. Hon YEUNG Yiu-chung asked Question 1.

The Secretary for Commerce, Industry and Technology replied.

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

2. Hon CHAN Kam-lam asked Question 2.

The Secretary for the Environment, Transport and Works replied.

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

3. Dr Hon TANG Siu-tong asked Question 3.

The Secretary for Housing, Planning and Lands replied.

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

4. Hon Martin LEE asked Question 4.

The Chief Secretary for Administration replied.

Six Members asked supplementaries and the Chief Secretary for Administration replied.

5. Hon CHAN Yuen-han asked Question 5.

The Secretary for Security replied.

Five Members asked supplementaries and the Secretary for Security replied.

6. Hon SIN Chung-kai asked Question 6.

The Chief Secretary for Administration replied.

Two Members asked supplementaries and the Chief Secretary for Administration replied.

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

### **Members' Motions**

#### **Teaching in small classes**

Hon CHEUNG Man-kwong moved the following motion and addressed the Council:

That, as the number of children of school age has been decreasing in recent years and it is the golden opportunity now for reducing the class sizes in primary and secondary schools, this Council urges the Government to implement, in a gradual and orderly manner and complementing with relevant teacher training, "teaching in small classes" in each grade of primary and secondary schools on a one-grade-per-year basis so as to achieve the ultimate target of 25 students per class, with a view to enhancing teaching efficacy, improving teacher-student relationship and providing counselling and teaching according to students' individual needs, thereby improving the quality of basic education and fulfilling the expectations of society and parents.

While Hon CHEUNG Man-kwong was addressing the Council, the President left the chair at 4:19 pm temporarily and the President's Deputy, Hon Mrs Selina CHOW, took the chair.

Question on Hon CHEUNG Man-kwong's motion proposed.

The President's Deputy stated that Hon Tommy CHEUNG 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 Tommy CHEUNG moved the following amendment to Hon CHEUNG Man-kwong's motion and addressed the Council:

To add "to expeditiously study whether or not it is feasible, under the premise of proper deployment of resources," after "this Council urges the Government"; and to delete "so as to achieve the ultimate target of 25 students per class" after " 'teaching in small classes' in each grade of primary and secondary schools on a one-grade-per-year basis".

Question on Hon Tommy CHEUNG's amendment to Hon CHEUNG Man-kwong's motion proposed.

Eight Members and Hon Cyd HO spoke on the motion and the amendment.

At 5:30 pm, while Hon Cyd HO was speaking, the President resumed the chair.

Another seven Members spoke on the motion and the amendment.

Hon CHEUNG Man-kwong spoke on the amendment.

The Secretary for Education and Manpower spoke on the motion and the amendment.

Question on Hon Tommy CHEUNG's amendment to Hon CHEUNG Man-kwong's motion put.

Hon CHEUNG Man-kwong 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, 23 were present, 17 were in favour of the amendment and six against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 22 were present, eight were in favour of the amendment and 13 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 CHEUNG Man-kwong replied.

Question on Hon CHEUNG Man-kwong's motion put.

Hon CHEUNG Man-kwong 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, six were in favour of the motion, 12 against it and three abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 24 were present, 14 were in favour of the motion, three against it and six abstained. (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.

### **The public's mental health**

After declaring that he was a part-time registered nurse (psychiatric) in Kwai Chung Hospital, Hon Michael MAK moved the following motion and addressed the Council:



That, as Hong Kong's economy remains in the doldrums, with incessant layoffs and pay cuts whilst there has been no real improvement in the negative equity situation, the mental stress on the public has increased tremendously, this Council urges the Government to face up to the mental health of the public and adopt the following measures:

- (a) to comprehensively promote mental health education among all members of the public;
- (b) to strengthen professional training on mental health for frontline health care personnel; and
- (c) to establish a proper triage mechanism for new cases of people seeking treatment at the psychiatric specialist outpatient departments of the Hospital Authority, so that appropriate professional services can be expeditiously provided to them.

Question on the motion proposed.

Four Members spoke on the motion.

Hon LI Fung-ying declared that she was a Member of Equal Opportunities Commission and spoke on the motion.

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

Hon Michael MAK 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 4 December 2002 at 2:30 pm.

The Council was adjourned at 8:30 pm.

(Mrs Rita FAN HSU Lai-tai)  
President

Council Chamber  
Hong Kong

Appendix I

投票 VOTE: 1  
日期 DATE: 27/11/2002  
時間 TIME: 06:39:36 下午

動議 MOTION: 張宇人議員對張文光議員就「小班教學」所提議案作出的修正案  
AMENDMENT BY HON TOMMY CHEUNG TO HON CHEUNG MAN-KWONG'S MOTION ON  
"TEACHING IN SMALL CLASSES"

動議人 MOVED BY: 張宇人Tommy CHEUNG

	功能團體 Functional Constituencies	地方選區及選舉委員會 Geographical Constituencies & Election Committee	最後結果 Final Result
出席 Present	23	22	
投票 Vote	23	21	
贊成 Yes	17	8	
反對 No	6	13	
棄權 Abstain	0	0	
結果 Result:	通過 Passed	否決 Negatived	否決 Negatived

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

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

秘書 CLERK

Appendix II

投票 VOTE: 2  
 日期 DATE: 27/11/2002  
 時間 TIME: 06:45:48 下午

動議 MOTION: 「小班教學」議案  
 MOTION "TEACHING IN SMALL CLASSES"

動議人 MOVED BY: 張文光CHEUNG Man-kwong

	功能團體 Functional Constituencies	地方選區及選舉委員會 Geographical Constituencies & Election Committee	最後結果 Final Result
出席 Present	21	24	
投票 Vote	21	23	
贊成 Yes	6	14	
反對 No	12	3	
棄權 Abstain	3	6	
結果 Result	否決 Negatived	通過 Passed	否決 Negatived

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

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

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