

LEGISLATIVE COUNCIL

MINUTES

No. 16

Minutes of the meeting held on Wednesday 22 January 2003 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 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 WONG Yung-kan
The Hon Timothy FOK Tsun-ting, SBS, 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 Michael SUEN Ming-yeung, GBS, JP
Secretary for Housing, Planning and Lands
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-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

The Hon Frederick MA Si-hang
Secretary for Financial Services and the Treasury

Clerks in attendance:

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. Insurance Companies Ordinance (Amendment of Part 1 of Third Schedule) Regulation 2003 (gazetted on 17.1.2003)	2/2003
2. Insurance Companies Ordinance (Amendment of Part 8 of Third Schedule) Regulation 2003 (gazetted on 17.1.2003)	3/2003
3. Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order (gazetted on 17.1.2003)	4/2003
4. Barristers (Admission) Rules (gazetted on 17.1.2003)	5/2003
5. Legal Practitioners (Fees) (Amendment) Rules 2002 (gazetted on 17.1.2003)	6/2003
6. Practising Certificate (Barristers) (Amendment) Rules 2002 (gazetted on 17.1.2003)	7/2003
7. Barristers (Advanced Legal Education Requirement) Rules (gazetted on 17.1.2003)	8/2003
8. Barristers (Qualification for Admission and Pupillage) Rules (gazetted on 17.1.2003)	9/2003
9. Import and Export (General) Regulations (Amendment of Seventh Schedule) Notice 2003 (gazetted on 17.1.2003)	10/2003
10. Securities and Futures (Insurance) Rules (gazetted on 17.1.2003)	11/2003
11. Securities and Futures Ordinance (Cap. 571) (Commencement) Notice 2003 (gazetted on 17.1.2003)	12/2003
12. Securities and Futures Ordinance (Cap. 571) (Appointment of Day — Repeal of Ordinances) Notice (gazetted on 17.1.2003)	13/2003
13. Securities and Futures Ordinance (Cap. 571) (Appointed Day — Unified Exchange Compensation Fund) Notice (gazetted on 17.1.2003)	14/2003
14. Securities and Futures Ordinance (Cap. 571) (Appointed Day — Futures Exchange Compensation Fund) Notice (gazetted on 17.1.2003)	15/2003

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| 15. | Banking (Amendment) Ordinance 2002 (6 of 2002) (Commencement) Notice 2003 (gazetted on 17.1.2003) | 16/2003 |
| 16. | Solicitors (Group Practice) Rules (L.N. 122 of 2002) (Commencement) Notice 2003 (gazetted on 17.1.2003) | 17/2003 |

Other Papers

No.54 - Employees Compensation Assistance Fund Board
Annual Report 2001/2002 (published on 14.1.2003)

No.55 - Equal Opportunities Commission
Annual Report 2001/02 (published on 16.1.2003)

Report of the Bills Committee on Adaptation of Laws Bill 2001
(published on 15.1.2003)

First Report of the Legislative Council Select Committee on
Building Problems of Public Housing Units (published on
22.1.2003)

Addresses

Hon Miriam LAU, Chairman of the Legislative Council Select Committee on Building Problems of Public Housing Units, addressed the Council on the Committee's First Report.

Questions

1. Hon James TO asked Question 1.

The Secretary for Security replied.

Six Members asked supplementaries and the Secretary for Security replied.

2. Hon TAM Yiu-chung asked Question 2.

The Secretary for Security replied.

Two Members asked supplementaries and the Secretary for Security replied.

3. Hon Miriam LAU asked Question 3.

The Secretary for the Environment, Transport and Works replied.

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

4. Hon James TIEN asked Question 4.

The Secretary for Economic Development and Labour replied.

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

5. Hon Michael MAK 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 Andrew CHENG asked Question 6.

The Secretary for Financial Services and the Treasury replied.

Five Members asked supplementaries and the Secretary for Financial Services and the Treasury replied.

Written replies to Questions 7 to 19 were tabled for Members' information.

Bills

Second Reading

Adaptation of Laws Bill 2001

Resumption of Second Reading debate

The debate on the Second Reading which had been moved on 19 December 2001 resumed.

Hon Margaret NG, Chairman of the Bills Committee on Adaptation of Laws Bill 2001, addressed the Council on the Report of the Bills Committee on the Bill. After the address, she spoke on the Bill in her personal capacity as a Member.

The Chief Secretary for Administration replied.

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 Bill 2001**.

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

Question that schedule 3 stand part of the Bill proposed, put and agreed to.

Question that schedules 1 and 2 stand part of the Bill proposed.

The Chief Secretary for Administration moved amendments to the aforesaid schedules and addressed the Committee.

Question on the amendments put and agreed to.

Question that schedules 1 and 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 Bill 2001**

had passed through the Committee with amendments. He 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 Public Bus Services Ordinance

1. Schedule of Routes (Long Win Bus Company Limited) Order 2001

The Secretary for the Environment, Transport and Works moved the following motion and addressed the Council:

Resolved that the franchise granted on 22 October 2002 conferring the right on Long Win Bus Company Limited to operate a public bus service on the routes specified in the Schedule of Routes (Long Win Bus Company Limited) Order 2001 (L.N. 72 of 2001) and in any subsequent order made by the Chief Executive in Council shall not, for the entire period of the franchise, be subject to sections 27, 28, 29 and 31 in Part V of the Public Bus Services Ordinance.

Question on the motion proposed.

A Member spoke on the motion.

Hon Eric LI declared interest as an independent, non-executive director of the Long Win Bus Company Limited.

Another four Members spoke on the motion.

The Secretary for the Environment, Transport and Works replied.

Question on the motion put.

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

The President announced that 43 Members were present, 40 were in favour of the motion and two abstained. (Voting record in the Appendix.) Since the question was agreed by a majority of the Members present, she declared that the motion was carried.

2. Schedule of Routes (New World First Bus Services Limited) Order 2001

The Secretary for the Environment, Transport and Works moved the following motion and addressed the Council:

Resolved that the franchise granted on 22 October 2002 conferring the right on New World First Bus Services Limited to operate a public bus service on the routes specified in the Schedule of Routes (New World First Bus Services Limited) Order 2001 (L.N. 74 of 2001) and in any subsequent order made by the Chief Executive in Council shall not, for the entire period of the franchise, be subject to sections 27, 28, 29 and 31 in Part V of the Public Bus Services Ordinance.

Question on the motion proposed, put and agreed to.

3. Schedule of Routes (North Lantau and Chek Lap Kok Airport)(Citybus Limited) Order 2001

The Secretary for the Environment, Transport and Works moved the following motion and addressed the Council:

Resolved that the franchise granted on 22 October 2002 conferring the right on Citybus Limited to operate a public bus service on the routes specified in the Schedule of Routes (North Lantau and Chek Lap Kok Airport)(Citybus Limited) Order 2001 (L.N. 75 of 2001) and in any subsequent order made by the Chief Executive in Council shall not, for the entire period of the franchise, be subject to sections 27, 28, 29 and 31 in Part V of the Public Bus Services Ordinance.

Question on the motion proposed, put and agreed to.

Members' Motions

Proposed resolution under the Interpretation and General Clauses Ordinance

Hon Mrs Selina CHOW moved the following motion and addressed the Council:

Resolved that in relation to the -

- (a) Admission and Registration (Amendment) (No. 2) Rules 2002, published in the Gazette as Legal Notice No. 247 of 2002;
- (b) Legal Practitioners (Risk Management Education) Rules, published in the Gazette as Legal Notice No. 248 of 2002;
- (c) Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) (Amendment) Regulation 2002, published in the Gazette as Legal Notice No. 254 of 2002; and
- (d) Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) (Amendment) Regulation 2002, published in the Gazette as Legal Notice No. 255 of 2002,

and laid on the table of the Legislative Council on 8 January 2003, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 26 February 2003.

Question on the motion proposed, put and agreed to.

Assisting low-income earners and the poor elderly

Hon CHAN Yuen-han moved the following motion and addressed the Council:

That, as the current economic and employment situations remain acute, and low-income earners and the poor elderly who are not receiving the Comprehensive Social Security Assistance are very hard up, this Council urges the Government to provide them with different forms of assistance or allowances in transport, medical, housing and education services, etc., so as to improve the livelihood of these people and their families and relieve the pressure on them.

Question on the motion proposed.

Hon LAU Chin-shek spoke on the motion.

While Hon LAU Chin-shek was speaking, the President left the chair at 5:25 pm temporarily and the President's Deputy, Hon Mrs Selina CHOW, took the chair.

Another 10 Members and Dr Hon TANG Siu-tong spoke on the motion.

At 6:30 pm, while Dr Hon TANG Siu-tong was speaking, the President resumed the chair.

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

Hon CHAN Yuen-han replied.

Question on the motion put and agreed to.

Promoting the use of English in Hong Kong

Hon Mrs Selina CHOW moved the following motion and addressed the Council:

That, as English is one of the two official languages in Hong Kong under the Basic Law, and in order to strengthen Hong Kong's position as Asia's world city, this Council urges the Government to adopt measures to promote the use of English with a view to maintaining its importance and improving its standard in Hong Kong.

Question on the motion proposed.

12 Members, the Chief Secretary for Administration and the Secretary for Education and Manpower spoke on the motion.

Hon Mrs Selina CHOW 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 12 February 2003 at 2:30 pm.

The Council was adjourned at 9:32 pm.

(Mrs Rita FAN HSU Lai-tai)
President

Council Chamber
Hong Kong

Appendix

投票 VOTE: 1
 日期 DATE: 22/01/2003
 時間 TIME: 05:09:35 下午

動議 MOTION: 批出的授予龍運巴士有限公司在《2001年路線表（龍運巴士有限公司）令》決議案
 PROPOSED RESOLUTION TO CONFER THE RIGHT ON LONG WIN BUS COMPANY
 LIMITED TO OPERATE A PUBLIC BUS SERVICE ON THE ROUTES SPECIFIED IN THE
 SCHEDULE OF ROUTES (LONG WIN BUS COMPANY LIMITED) ORDER 2001

動議人 MOVED BY: 環境運輸及工務局局長 Secretary for the Environment, Transport and Works

出席 Present :43
 投票 Vote :42
 贊成 Yes :40
 反對 No :0
 棄權 Abstain :2
 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	贊成	YES
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	贊成	YES
何秀蘭	Cyd HO	贊成	YES	劉江華	LAU Kong-wah	贊成	YES
何俊仁	Albert HO	贊成	YES	劉皇發	LAU Wong-fat		
何鍾泰	Dr Raymond HO	贊成	YES	劉健儀	Miriam LAU	贊成	YES
李卓人	LEE Cheuk-yan	贊成	YES	劉漢銓	Ambrose LAU	贊成	YES
李柱銘	Martin LEE	贊成	YES	劉慧卿	Emily LAU	贊成	YES
李家祥	Eric LI	棄權	ABSTAIN	蔡素玉	CHOY So-yuk	贊成	YES
李國寶	Dr David LI			鄭家富	Andrew CHENG	贊成	YES
李華明	Fred LI	贊成	YES	司徒華	SZETO Wah		
呂明華	Dr LUI Ming-wah			霍震霆	Timothy FOK		
吳亮星	NG Leung-sing	贊成	YES	羅致光	Dr LAW Chi-kwong	贊成	YES
吳靄儀	Margaret NG			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	贊成	YES	石禮謙	Abraham SHEK	贊成	YES
張文光	CHEUNG Man-kwong	贊成	YES	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			張宇人	Tommy CHEUNG	贊成	YES
陳婉嫻	CHAN Yuen-han	贊成	YES	麥國風	Michael MAK	贊成	YES
陳智思	Bernard CHAN			陳偉業	Albert CHAN	棄權	ABSTAIN
陳鑑林	CHAN Kam-lam			梁富華	LEUNG Fu-wah		
梁劉柔芬	Mrs Sophie LEUNG	贊成	YES	勞永樂	Dr LO Wing-lok	贊成	YES
梁耀忠	LEUNG Yiu-chung	贊成	YES	黃成智	WONG Sing-chi	贊成	YES
單仲偕	SIN Chung-kai	贊成	YES	馮檢基	Frederick FUNG		
黃宏發	Andrew WONG			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			余若薇	Audrey EU		
曾鈺成	TSANG Yok-sing			馬逢國	MA Fung kwok		

秘書 CLERK

