會議過程正式紀錄 OFFICIAL RECORD OF PROCEEDINGS

2004年10月6日星期三 Wednesday, 6 October 2004

下午2時30分會議開始

The Council met at half-past Two o'clock

出席議員:

MEMBERS PRESENT:

主席范徐麗泰議員, G.B.S., J.P.

THE PRESIDENT

THE HONOURABLE MRS RITA FAN HSU LAI-TAI, G.B.S., J.P.

田北俊議員, G.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

何俊仁議員

THE HONOURABLE ALBERT HO CHUN-YAN

何鍾泰議員, S.B.ST.J., J.P.

IR DR THE HONOURABLE RAYMOND HO CHUNG-TAI, S.B.ST.J., J.P.

李卓人議員

THE HONOURABLE LEE CHEUK-YAN

李柱銘議員, S.C., J.P.

THE HONOURABLE MARTIN LEE CHU-MING, S.C., J.P.

李國寶議員, G.B.S., J.P.

DR THE HONOURABLE DAVID LI KWOK-PO, G.B.S., J.P.

李華明議員, J.P.

THE HONOURABLE FRED LI WAH-MING, J.P.

呂明華議員, J.P.

DR THE HONOURABLE LUI MING-WAH, J.P.

吳靄儀議員

THE HONOURABLE MARGARET NG

周梁淑怡議員, G.B.S., J.P.

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, G.B.S., J.P.

涂謹申議員

THE HONOURABLE JAMES TO KUN-SUN

張文光議員

THE HONOURABLE CHEUNG MAN-KWONG

陳婉嫻議員, J.P.

THE HONOURABLE CHAN YUEN-HAN, J.P.

陳智思議員, J.P.

THE HONOURABLE BERNARD CHAN, J.P.

陳鑑林議員, J.P.

THE HONOURABLE CHAN KAM-LAM, J.P.

梁劉柔芬議員, S.B.S., J.P.

THE HONOURABLE MRS SOPHIE LEUNG LAU YAU-FUN, S.B.S., J.P.

梁耀忠議員

THE HONOURABLE LEUNG YIU-CHUNG

單仲偕議員,J.P.

THE HONOURABLE SIN CHUNG-KAI, J.P.

黄官弘議員, G.B.S.

DR THE HONOURABLE PHILIP WONG YU-HONG, G.B.S.

黄容根議員, J.P.

THE HONOURABLE WONG YUNG-KAN, J.P.

曾鈺成議員, G.B.S., J.P.

THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

楊孝華議員, S.B.S., J.P.

THE HONOURABLE HOWARD YOUNG, S.B.S., J.P.

楊森議員

DR THE HONOURABLE YEUNG SUM

劉千石議員, J.P.

THE HONOURABLE LAU CHIN-SHEK, J.P.

劉江華議員, J.P.

THE HONOURABLE LAU KONG-WAH, J.P.

劉皇發議員, G.B.S., J.P.

THE HONOURABLE LAU WONG-FAT, G.B.S., J.P.

劉健儀議員, G.B.S., J.P.

THE HONOURABLE MIRIAM LAU KIN-YEE, G.B.S., J.P.

劉慧卿議員, J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

蔡素玉議員

THE HONOURABLE CHOY SO-YUK

鄭家富議員

THE HONOURABLE ANDREW CHENG KAR-FOO

霍震霆議員, G.B.S., J.P.

THE HONOURABLE TIMOTHY FOK TSUN-TING, G.B.S., J.P.

譚耀宗議員, G.B.S., J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

石禮謙議員, J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, J.P.

李鳳英議員, B.B.S., J.P.

THE HONOURABLE LI FUNG-YING, B.B.S., J.P.

張宇人議員, J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, J.P.

陳偉業議員

THE HONOURABLE ALBERT CHAN WAI-YIP

馮檢基議員,J.P.

THE HONOURABLE FREDERICK FUNG KIN-KEE, J.P.

余若薇議員, S.C., J.P.

THE HONOURABLE AUDREY EU YUET-MEE, S.C., J.P.

方剛議員, J.P.

THE HONOURABLE VINCENT FANG KANG, J.P.

王國興議員, M.H.

THE HONOURABLE WONG KWOK-HING, M.H.

李永達議員

THE HONOURABLE LEE WING-TAT

李國英議員, M.H.

THE HONOURABLE LI KWOK-YING, M.H.

李國麟議員

DR THE HONOURABLE JOSEPH LEE KOK-LONG

林偉強議員, B.B.S., J.P.

THE HONOURABLE DANIEL LAM WAI-KEUNG, B.B.S., J.P.

林健鋒議員, S.B.S., J.P.

THE HONOURABLE JEFFREY LAM KIN-FUNG, S.B.S., J.P.

馬力議員,J.P.

THE HONOURABLE MA LIK, J.P.

梁君彥議員, S.B.S., J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, S.B.S., J.P.

梁家傑議員, S.C.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

梁國雄議員

THE HONOURABLE LEUNG KWOK-HUNG

郭家麒議員

DR THE HONOURABLE KWOK KA-KI

張超雄議員

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

張學明議員, S.B.S., J.P.

THE HONOURABLE CHEUNG HOK-MING, S.B.S., J.P.

黄定光議員, B.B.S.

THE HONOURABLE WONG TING-KWONG, B.B.S.

湯家驊議員,S.C.

THE HONOURABLE TONG KA-WAH, S.C.

詹培忠議員

THE HONOURABLE CHIM PUI-CHUNG

劉秀成議員, S.B.S., J.P.

THE HONOURABLE PATRICK LAU SAU-SHING, S.B.S., J.P.

鄭經翰議員

THE HONOURABLE ALBERT JINGHAN CHENG

鄺志堅議員

THE HONOURABLE KWONG CHI-KIN

譚香文議員

THE HONOURABLE TAM HEUNG-MAN

列席秘書:

CLERKS IN ATTENDANCE:

秘書長馮載祥先生, J.P.

MR RICKY FUNG CHOI-CHEUNG, J.P., SECRETARY GENERAL

助理秘書長陳欽茂先生

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL

作出立法會誓言

TAKING OF LEGISLATIVE COUNCIL OATH

秘書:各位議員,現在進行宣誓。

秘書:各位議員會按照議程所列的次序宣誓。當一位議員的姓名被讀出後, 請到桌前進行宣誓,然後簽署誓言文本。

秘書:請各位議員起立,直至宣誓完畢為止。

田北俊議員宣讀立法會誓詞

The Honourable James TIEN Pei-chun took the Legislative Council Affirmation

何俊仁議員宣讀立法會誓詞

The Honourable Albert HO Chun-yan took the Legislative Council Affirmation

何鍾泰議員宣讀立法會誓言

Ir Dr The Honourable Raymond HO Chung-tai took the Legislative Council Oath

李卓人議員宣讀立法會誓言

The Honourable LEE Cheuk-yan took the Legislative Council Oath

李柱銘議員宣讀立法會誓言

The Honourable Martin LEE Chu-ming took the Legislative Council Oath

李國寶議員宣讀立法會誓言

Dr The Honourable David LI Kwok-po took the Legislative Council Oath

李華明議員宣讀立法會誓言

The Honourable Fred LI Wah-ming took the Legislative Council Oath

呂明華議員宣讀立法會誓言

Dr The Honourable LUI Ming-wah took the Legislative Council Oath

吳靄儀議員宣讀立法會誓言

The Honourable Margaret NG took the Legislative Council Oath

周梁淑怡議員宣讀立法會誓言

The Honourable Mrs Selina CHOW LIANG Shuk-yee took the Legislative Council Oath

范徐麗泰議員宣讀立法會誓言

The Honourable Mrs Rita FAN HSU Lai-tai took the Legislative Council Oath

涂謹申議員宣讀立法會誓言

The Honourable James TO Kun-sun took the Legislative Council Oath

張文光議員宣讀立法會誓詞

The Honourable CHEUNG Man-kwong took the Legislative Council Affirmation

陳婉嫻議員宣讀立法會誓言

The Honourable CHAN Yuen-han took the Legislative Council Oath

陳智思議員宣讀立法會誓言

The Honourable Bernard CHAN took the Legislative Council Oath

陳鑑林議員宣讀立法會誓言

The Honourable CHAN Kam-lam took the Legislative Council Oath

梁劉柔芬議員宣讀立法會誓言

The Honourable Mrs Sophie LEUNG LAU Yau-fun took the Legislative Council Oath

梁耀忠議員宣讀立法會誓詞

The Honourable LEUNG Yiu-chung took the Legislative Council Affirmation

單仲偕議員宣讀立法會誓言

The Honourable SIN Chung-kai took the Legislative Council Oath

黃宜弘議員宣讀立法會誓言

Dr The Honourable Philip WONG Yu-hong took the Legislative Council Oath

黄容根議員宣讀立法會誓言

The Honourable WONG Yung-kan took the Legislative Council Oath

曾鈺成議員宣讀立法會誓言

The Honourable Jasper TSANG Yok-sing took the Legislative Council Oath

楊孝華議員宣讀立法會誓言

The Honourable Howard YOUNG took the Legislative Council Oath

楊森議員宣讀立法會誓言

Dr The Honourable YEUNG Sum took the Legislative Council Oath

劉千石議員宣讀立法會誓言

The Honourable LAU Chin-shek took the Legislative Council Oath

劉江華議員宣讀立法會誓言

The Honourable LAU Kong-wah took the Legislative Council Oath

劉皇發議員宣讀立法會誓言

The Honourable LAU Wong-fat took the Legislative Council Oath

劉健儀議員宣讀立法會誓言

The Honourable Miriam LAU Kin-yee took the Legislative Council Oath

劉慧卿議員宣讀立法會誓詞

The Honourable Emily LAU Wai-hing took the Legislative Council Affirmation

蔡素玉議員宣讀立法會誓言

The Honourable CHOY So-yuk took the Legislative Council Oath

鄭家富議員宣讀立法會誓言

The Honourable Andrew CHENG Kar-foo took the Legislative Council Oath

霍震霆議員宣讀立法會誓言

The Honourable Timothy FOK Tsun-ting took the Legislative Council Oath

譚耀宗議員宣讀立法會誓言

The Honourable TAM Yiu-chung took the Legislative Council Oath

石禮謙議員宣讀立法會誓言

The Honourable Abraham SHEK Lai-him took the Legislative Council Oath

李鳳英議員宣讀立法會誓言

The Honourable LI Fung-ying took the Legislative Council Oath

張宇人議員宣讀立法會誓言

The Honourable Tommy CHEUNG Yu-yan took the Legislative Council Oath

陳偉業議員宣讀立法會誓言

The Honourable Albert CHAN Wai-yip took the Legislative Council Oath

馮檢基議員宣讀立法會誓言

The Honourable Frederick FUNG Kin-kee took the Legislative Council Oath

余若薇議員宣讀立法會誓言

The Honourable Audrey EU Yuet-mee took the Legislative Council Oath

方剛議員宣讀立法會誓言

The Honourable Vincent FANG Kang took the Legislative Council Oath

王國興議員宣讀立法會誓言

The Honourable WONG Kwok-hing took the Legislative Council Oath

李永達議員宣讀立法會誓詞

The Honourable LEE Wing-tat took the Legislative Council Affirmation

李國英議員宣讀立法會誓言

The Honourable LI Kwok-ying took the Legislative Council Oath

李國麟議員宣讀立法會誓言

Dr The Honourable Joseph LEE Kok-long took the Legislative Council Oath

林偉強議員宣讀立法會誓言

The Honourable Daniel LAM Wai-keung took the Legislative Council Oath

林健鋒議員宣讀立法會誓詞

The Honourable Jeffrey LAM Kin-fung took the Legislative Council Affirmation

馬力議員宣讀立法會誓言

The Honourable MA Lik took the Legislative Council Oath

梁君彥議員宣讀立法會誓詞

The Honourable Andrew LEUNG Kwan-yuen took the Legislative Council Affirmation

梁家傑議員宣讀立法會誓言

The Honourable Alan LEONG Kah-Kit took the Legislative Council Oath

梁國雄議員宣讀立法會誓詞

The Honourable LEUNG Kwok-hung took the Legislative Council Affirmation

郭家麒議員宣讀立法會誓言

Dr The Honourable KWOK Ka-ki took the Legislative Council Oath

張超雄議員宣讀立法會誓言

Dr The Honourable Fernando CHEUNG Chiu-hung took the Legislative Council Oath

張學明議員宣讀立法會誓言

The Honourable CHEUNG Hok-ming took the Legislative Council Oath

黃定光議員宣讀立法會誓言

The Honourable WONG Ting-kwong took the Legislative Council Oath

湯家驊議員宣讀立法會誓詞

The Honourable TONG Ka-wah took the Legislative Council Affirmation

詹培忠議員宣讀立法會誓詞

The Honourable CHIM Pui-chung took the Legislative Council Affirmation

劉秀成議員宣讀立法會誓言

The Honourable Patrick LAU Sau-shing took the Legislative Council Oath

鄭經翰議員宣讀立法會誓詞

The Honourable Albert Jinghan CHENG took the Legislative Council Affirmation

鄺志堅議員宣讀立法會誓言

The Honourable KWONG Chi-kin took the Legislative Council Oath

譚香文議員宣讀立法會誓言

The Honourable TAM Heung-man took the Legislative Council Oath

秘書:議員已經宣誓完畢。請各位就座。

選舉主席

ELECTION OF PRESIDENT

秘書:本會現在進行立法會主席的選舉。

選舉程序已載列於《議事規則》的附表。按照《議事規則》第 1A 條的規定,我現在邀請田北俊議員主持選舉。

田北俊議員:各位議員,立法會秘書已於 2004 年 9 月 30 日發出通告,告知各位議員在 2004 年 9 月 28 日提名期結束時,共接獲兩項有關主席一職的有效提名。按照秘書處接獲提名的次序,獲提名人依次是何俊仁議員及范徐麗泰議員。何俊仁議員是由鄭家富議員提名,並由余若薇、吳靄儀、李華明、鄭經翰、梁國雄及李卓人議員附議提名。范徐麗泰議員是由李國寶議員提名,並由曾鈺成、黃宜弘、我本人、何鍾泰及石禮謙議員附議提名。按照選舉程序,我命令現在進行不記名投票。每位出席的議員,包括我在內,將獲發一張選票。

各位議員有沒有問題?如果沒有,我現在請工作人員派發選票。

各位議員,選票上已列出兩位候選人的姓名。參與投票的議員須在選票上他屬意的候選人姓名旁邊的空格內劃上一個 "✓"號。各位無須在選票上寫上其他任何東西。任何沒有劃上 "✓"號、沒有正確地劃上 "✓"號或劃上多於一個 "✓"號的選票,都會作廢。

接着,亦請各位議員將填好的選票對摺一次才投進收票箱內。

各位現在可以劃上"✓"號後再將選票投進......曾鈺成議員。

曾鈺成議員:我想問一問,梁國雄先生剛才未有簽署誓詞,他這樣是否算是完成了宣誓程序?如果未完成,是否應先完成這程序,然後我們才繼續進行投票呢?

田北俊議員:秘書長。

秘書: 曾議員,法例並沒有規定議員在宣誓後必須簽署誓言或誓詞。議員簽署已作的誓言或誓詞,只是多年來議員在宣誓儀式上的一貫做法,是不具法定效力的。

曾 舒 成 議 員 : 多 謝。

田北俊議員:各位議員是否已劃上"✓"號?現在請收票。

(收集選票後)

田北俊議員:現在我請秘書處職員點算選票。請兩位提名人,即鄭家富議員及李國寶議員出來監票。

沒有座位,請兩位"罰企"看着便可。(眾笑)

(鄭家富議員及李國寶議員站在桌前監視點票。點算選票在議員面前進行。接着,秘書向田北俊議員報告結果。田北俊議員驗算及核實結果。)

田北俊議員:現在請鄭家富議員及李國寶議員返回座位。

各位議員,我現在宣布選舉結果:何俊仁議員獲得 25 票,范徐麗泰議員獲得 34 票,有一張廢票。我現在宣布范徐麗泰議員當選為立法會主席。 (眾議員鼓掌)

請范太出來主持會議。

主席:各位議員,選舉結果可以被報章估計得這麼準確的,我想這是第一次。在未來的4年裏,這個立法會會面對很多敏感的,也是難於處理和複雜的事情。當然,大家也知道的,其中會有的是2007年行政長官的產生辦法,以及2008年立法會的產生辦法。

在處理這些各種較於難處理的問題時,我們這一屆的立法會能否集合我們所有議員一起的智慧,羣策羣力,讓香港市民覺得這個立法會真的為他們做了工作,我想還要靠大家努力才行。作為主席,我唯一可以承諾的便是一如既往,以無畏、無偏、無私的精神主持會議,執行《議事規則》。

我很希望這一屆的立法會真的可讓香港市民對我們立法機關的認同有 所增加,令他們對我們有信心。可是,這絕對不是我個人作為一個小小主席 可以辦得到的事,而是有賴大家努力。我希望大家如果有任何意見,可以隨 時找我商討,亦希望能夠得到大家合作。

提交文件

TABLING OF PAPERS

下列文件是根據《議事規則》第 21(2)條的規定提交:

The following papers were laid on the table pursuant to Rule 21(2) of the Rules of Procedure:

附屬法例/文書	法律公告編號
《 2004 年檢疫及防疫條例(修訂附表 1) (第 2 號)令》	137/2004
《2004年防止傳染病蔓延規例(修訂表格) (第2號)令》	138/2004
《 2004 年進出口(一般)規例(修訂附表 7) (第 3號)公告》	141/2004

《2004年公眾衞生及市政條例(公眾遊樂場地) (修訂附表4)(第2號)令》	142/2004
《2004年公眾衞生及市政條例(公眾街市) (指定事宜及修訂附表10)(第2號)令》	143/2004
《2004年街市宣布公告(修訂)(第2號)宣布》	144/2004
《〈結算及交收系統條例〉(2004年第20號) 2004年(生效日期)公告》	145/2004
《2004年儲稅券(利率)(第5號)公告》	146/2004
《〈建造業工人註冊條例〉(2004年第18號) 2004年(生效日期)公告》	147/2004
《〈2004年銀行業(香港公營單位的指明)(修訂)公告〉(廢除)公告》	148/2004
《2004年銀行業(香港公營單位的指明)(修訂) (第2號)公告》	149/2004
《2004年香港工業總會(增加列明組別)(第2號)公告》	150/2004
《〈香港康體發展局(廢除)條例〉(2004年第11號) 2004年(生效日期)公告》	151/2004
《〈2004年專業會計師(修訂)條例〉 (2004年第23號)2004年(生效日期) 公告》	152/2004
《2004年儲稅券(利率)(第6號)公告》	153/2004

Subsidiary Legislation/Instruments	L.N. No.
Quarantine and Prevention of Disease Ordinance (Amendment of First Schedule) (No. 2) Order 2004	137/2004
Prevention of the Spread of Infectious Diseases Regulations (Amendment of Form) (No. 2) Order 2004	138/2004
Import and Export (General) Regulations (Amendment of Seventh Schedule) (No. 3) Notice 2004	141/2004
Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No. 2) Order 2004	142/2004
Public Health and Municipal Services Ordinance (Public Markets) (Designation and Amendment of Tenth Schedule) (No. 2) Order 2004	143/2004
Declaration of Markets Notice (Amendment) (No. 2) Declaration 2004	144/2004
Clearing and Settlement Systems Ordinance (20 of 2004) (Commencement) Notice 2004	145/2004
Tax Reserve Certificates (Rate of Interest) (No. 5) Notice 2004	146/2004
Construction Workers Registration Ordinance (18 of 2004) (Commencement) Notice 2004	147/2004
Banking (Specification of Public Sector Entities in Hong Kong) (Amendment) Notice 2004 (Repeal) Notice	148/2004
Banking (Specification of Public Sector Entities in Hong Kong) (Amendment) (No. 2) Notice 2004	149/2004

Federation of Hong Kong Industries (Addition of a Scheduled Group) (No. 2) Notice 2004	150/2004
Hong Kong Sports Development Board (Repeal) Ordinance (11 of 2004) (Commencement) Notice 2004	151/2004
Professional Accountants (Amendment) Ordinance 2004 (23 of 2004) (Commencement) Notice 2004	152/2004
Tax Reserve Certificates (Rate of Interest) (No. 6) Notice 2004	153/2004

下次會議

NEXT MEETING

主席:接下來各位議員還有很多重要事情要辦,所以按照《議事規則》第 14(1)條,我現在決定 2004年 10月 13日星期三下午 2時 30分為舉行下次會議的日期和時間。按照《議事規則》第 14(5)條,我現在宣布休會,直至下星期三 2時 30分續會。

立法會遂於下午3時37分休會。

Adjourned accordingly at twenty-three minutes to Four o'clock.