

立法會
Legislative Council

LC Paper No. CB(2)123/06-07
(These minutes have been
cleared with the Chairman)

Ref : CB2/PL/CA

Panel on Constitutional Affairs

Minutes of meeting
held on Thursday, 12 October 2006, at 12:30 pm
in the Chamber of the Legislative Council Building

Members present :

Dr Hon LUI Ming-wah, SBS, JP (Chairman)
Hon TAM Yiu-chung, GBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
Hon Margaret NG
Hon CHAN Yuen-han, JP
Hon Bernard CHAN, GBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, BBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Daniel LAM Wai-keung, SBS, JP
Hon MA Lik, GBS, JP
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon CHIM Pui-chung

Hon Patrick LAU Sau-shing, SBS, JP
Hon KWONG Chi-kin

Members absent : Hon James TIEN Pei-chun, GBS, JP
Hon Martin LEE Chu-ming, SC, JP
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Dr Hon YEUNG Sum
Hon LEUNG Kwok-hung
Hon Ronny TONG Ka-wah, SC

Member attending : Hon Albert CHAN Wai-yip

Clerk in attendance : Mrs Percy MA
Chief Council Secretary (2)3

Staff in attendance : Mrs Vivian KAM
Assistant Secretary General 2

Mrs Eleanor CHOW
Senior Council Secretary (2)4

Ms Amy YU
Senior Council Secretary (2)3

Miss Vivien POON
Council Secretary (2)3

Mrs Fanny TSANG
Legislative Assistant (2)3

Miss Jenny HO
Legislative Assistant (2)9

Action

- I. Election of Chairman and Deputy Chairman**
(Appendix IV to LC Paper No. CB(2)2/06-07 – Terms of reference of the Panel

Appendix V to LC Paper No. CB(2)2/06-07 – List of Government advisory bodies relevant to the Panel)

Election of Chairman

Dr LUI Ming-wah, Chairman of the Panel in office, called for nominations for chairmanship of the Panel. Mr Alan LEONG was nominated by Ms Emily LAU and the nomination was seconded by Ms Margaret NG. Mr LEONG accepted the nomination. Dr LUI called for other nominations.

2. Dr LUI Ming-wah was nominated by Mr Abraham SHEK and the nomination was seconded by Mr TAM Yiu-chung. Dr LUI accepted the nomination. Mr Jasper TSANG, Deputy Chairman of the Panel in office, took the chair and presided over the election of Chairman. Mr TSANG called for other nominations. There was no other nomination. In response to the request of Ms Emily LAU, Mr TSANG declared that the meeting should proceed to the presentation of platform and answering of questions by the candidates nominated for the chairmanship. He invited each member nominated for the office of the Chairman to speak not more than two minutes.

3. Mr Alan LEONG said that constitutional reform had a direct bearing on effective governance. It was now a critical time for Hong Kong to review its political system. The Legislative Council had a constitutional duty to provide a platform for discussion on constitutional reform, with a view to formulating a proposal that could be accepted by all parties concerned. If elected as Chairman, he would make the best endeavour to ensure that the Panel would discharge its constitutional function effectively.

4. Dr LUI Ming-wah said that his commitment as Chairman was evidenced by his past service. If elected, he would continue to ensure that Members and persons attending meetings were given opportunities to freely express their views. As regards constitutional reform, he believed in the concerted efforts of Panel members, the Administration and various stakeholders to come up with a proposal after discussion. His role as Chairman was to facilitate input and collaborative efforts from various parties.

5. Ms Emily LAU said that the Commission on Strategic Development (CSD), which was entrusted by the Administration to study models for implementing universal suffrage for selecting the Chief Executive and for forming LegCo, was operated behind closed door because members of the public and many LegCo Members could not participate in its discussions. Ms LAU held the view that Dr LUI, as Chairman of Panel in the last session, had not worked hard to promote discussion of the subject by the Panel. She asked how Dr LUI would ensure that the Panel would provide a platform for active discussion on constitutional development in the coming session.

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6. Dr LUI Ming-wah responded that constitutional development could be discussed widely by different parties in the community, and CSD was just one of the fora for discussion. Any proposals put forth by CSD on how universal suffrage would be implemented would be subject to the scrutiny and approval of LegCo. In the coming session, the Panel would continue to provide a forum for the exchange and dissemination of views on this issue. He would welcome suggestions from Panel members on better ways to take forward the matter.

7. Mr Albert CHAN, a non-Panel member, queried the competence of Dr LUI as Panel Chairman, as he had observed that Dr LUI had to rely on the advice of the Deputy Chairman on many occasions in the conduct of Panel meetings in the past two sessions.

8. Dr LUI Ming-wah responded that the observation made by Mr Albert CHAN was not fair, as he recalled that Mr CHAN had not attended all the Panel meetings. He said that he had sought the advice of the Deputy Chairman on a few occasions, especially when controversial issues were discussed, in order to ensure the smooth conduct of Panel business. After all, it was the duty of both the Chairman and Deputy Chairman to ensure that Panel meetings were effectively conducted.

9. As members did not raise any more questions with the candidates, Mr Jasper TSANG announced a vote by secret ballot. After all the members had cast their votes, Mr TSANG invited Ms Emily LAU and Mr Abraham SHEK, who had nominated the two candidates, to monitor the counting of votes.

10. Mr TSANG announced that eight and 24 members voted for Mr Alan LEONG and Dr LUI Ming-wah respectively, and declared Dr LUI elected as the Chairman of the Panel for the 2006-2007 session.

Election of Deputy Chairman

11. The Chairman took the chair and called for nominations for the deputy chairmanship of the Panel. Mr TAM Yiu-chung was nominated by Mrs Sophie LEUNG and the nomination was seconded by Mr Abraham SHEK. Mr TAM accepted the nomination. The Chairman called for other nominations.

12. Mr Alan LEONG was nominated by Ms Emily LAU and the nomination was seconded by Ms Margaret NG. Mr LEONG accepted the nomination. The Chairman called for other nominations. As there was no other nomination, the Chairman announced a vote by secret ballot. After all the members had cast their votes, the Chairman invited Mrs Sophie LEUNG and Ms Emily LAU, who had nominated the two candidates, to monitor the counting of votes.

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13. The Chairman announced that 24 and seven members voted for Mr TAM Yiu-chung and Mr Alan LEONG respectively, and declared Mr TAM elected as the Deputy Chairman of the Panel for the 2006-2007 session.

II. Schedule of meetings for the 2006-2007 session

14. Members agreed that future regular meetings of the Panel would be held on the third Monday of each month at 2:30 pm. As in the last session, the duration of the regular meetings would be three hours. As the third Monday of February 2007 was a public holiday and the third Monday of June 2007 fell between two public holidays, members agreed that the regular meetings of the Panel for those two months be rescheduled. A schedule of meetings would be worked out with the Chairman after the meeting and circulated to Panel members.

III. Discussion items for next meeting

(Appendix II to LC Paper No. CB(2)2/06-07 – List of outstanding items for discussion)

15. Members noted that the next meeting would be held on Monday, 16 October 2006 from 2:30 to 4:30 pm to receive briefing from the Secretary for Constitutional Affairs on the Chief Executive's 2006-07 Policy Address.

16. The meeting ended at 12:55 pm.

Council Business Division 2
Legislative Council Secretariat
19 October 2006