

立法會
Legislative Council

LC Paper No. CB(2)163/07-08
(These minutes have been seen
by the Chairman)

Ref : CB2/PL/CA

Panel on Constitutional Affairs

Minutes of meeting
held on Thursday, 11 October 2007, 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 James TIEN Pei-chun, GBS, JP
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 Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon CHEUNG Man-kwong
Hon Bernard CHAN, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon LI Fung-ying, BBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon WONG Kwok-hing, MH
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Hon CHEUNG Hok-ming, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Hon Patrick LAU Sau-shing, SBS, JP
Hon KWONG Chi-kin

Members absent : Hon Martin LEE Chu-ming, SC, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP

Hon LEUNG Yiu-chung
Dr Hon YEUNG Sum, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon LEE Wing-tat
Hon Daniel LAM Wai-keung, SBS, JP
Hon WONG Ting-kwong, BBS

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

Miss Vivien POON
Council Secretary (2)3

Mrs Fonny TSANG
Legislative Assistant (2)3

Ms CHAU Kwan-bing
Legislative Assistant (2)8

Action

I. Election of Chairman and Deputy Chairman
(Appendix IV to LC Paper No. CB(2)6/07-08 – Terms of reference of the Panel)

Appendix V to LC Paper No. CB(2)6/07-08 – List of Government advisory bodies relevant to the Panel)

Election of Chairman

Dr LUI Ming-wah, Chairman of the Panel, called for nominations for the chairmanship of the Panel. Dr LUI Ming-wah was nominated by Ir Dr Raymond HO and the nomination was seconded by Mr CHIM Pui-chung. Dr LUI Ming-wah accepted the nomination.

Action

2. Mr TAM Yiu-chung, Deputy Chairman of the Panel, took the chair and presided over the election of Chairman. Mr TAM called for other nominations. Mr LEUNG Kwok-hung was nominated by Mr Albert HO and the nomination was seconded by Ms Margaret NG. Mr LEUNG Kwok-hung accepted the nomination. Mr TAM Yiu-chung called for other nominations.

3. As there was no other nomination, Mr TAM Yiu-chung announced a vote by secret ballot. After all the members had cast their votes, Mr TAM invited Ir Dr Raymond HO and Mr Albert HO, who had nominated the two candidates, to monitor the counting of votes.

4. Mr TAM Yiu-chung announced that 17 and nine members voted for Dr LUI Ming-wah and Mr LEUNG Kwok-hung respectively. A member had abstained from voting. Mr TAM declared Dr LUI Ming-wah elected as the Chairman of the Panel for the 2007-2008 session.

Election of Deputy Chairman

5. The Chairman took the chair and called for nominations for the deputy chairmanship of the Panel. Mr TAM Yiu-chung was nominated by Mr WONG Yung-kan and the nomination was seconded by Ir Dr Raymond HO. Mr TAM Yiu-chung accepted the nomination. The Chairman called for other nominations.

6. Ms Emily LAU was nominated by Ms Audrey EU and the nomination was seconded by Mr Albert HO. Ms Emily LAU accepted the nomination. The Chairman called for other nominations.

7. 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 Mr WONG Yung-kan and Ms Audrey EU, who had nominated the two candidates, to monitor the counting of votes.

8. The Chairman announced that 18 and 10 members voted for Mr TAM Yiu-chung and Ms Emily LAU respectively, and declared Mr TAM Yiu-chung elected as the Deputy Chairman of the Panel for the 2007-2008 session.

II. Schedule of meetings for the 2007-2008 session

9. Members agreed that 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.

Action

III. Discussion items for next meeting

(Appendix II to LC Paper No. CB(2) 6/07-08 – List of outstanding items for discussion)

10. The Chairman informed members that the next meeting would be held on Monday, 15 October 2007. Apart from the briefing on the Chief Executive's 2007-08 Policy Address, members agreed to discuss "Practical arrangements for the 2007 Legislative Council by-election for the Hong Kong Island geographical constituency" proposed by the Administration at the next meeting.

11. Some members, including Mr Ronny TONG, Mr LEUNG Kwok-hung, Ms Emily LAU, Mr LEE Cheuk-yan, Ms Audrey EU and Mr Albert HO, raised concern over the recent meetings between Principal Officials and Mrs Regina IP, one of the candidates of the 2007 Legislative council Hong Kong Island geographical constituency by-election to be held in December 2007. They expressed concern about press reports that the Chief Secretary for Administration (CS) had sent emails to policy secretaries urging them to co-operate with Mrs IP if she requested meetings during the campaign period. They also expressed concern that any preferential treatment accorded to any particular candidate would be grossly unfair to the other candidate. As the CS had not denied the press reports, he should be requested to clarify the matter at the next Panel meeting.

12. Mrs Selina CHOW and Ir Dr Raymond HO did not agree that the matter should be discussed by the Panel during the campaign period.

13. Ms Audrey EU said that requesting CS to clarify the matter during the campaign period was appropriate as the election must be conducted in a fair and impartial manner. Ms Emily LAU said that as the CS would be attending the special House Committee meeting the following day, i.e. 12 October 2007, he should be requested to take the opportunity to clarify the Government's position and its policy concerning contacts between senior government officials and candidates during the campaign period. Mr LEUNG Kwok-hung said that if the CS refused to address the issue at the special House Committee meeting, he should be invited to attend the next Panel meeting to explain the Government's position.

14. Mr TAM Yiu-chung said that it was inappropriate for the Panel to discuss individual cases. However, the Administration could be requested to clarify the matter at the special House Committee meeting on 12 October 2007. Subject to the response of the CS, the Panel could decide how to follow up at the next meeting.

15. The Chairman said that a letter conveying members' concerns and request would be sent to the CS.

Action

16. Members requested the Secretariat to provide relevant information, such as the guidelines governing Principal Officials' involvement in political activities, to facilitate members' discussion at the special House Committee meeting to be held the following day.

(Post-meeting note : A letter was sent to CS after the Panel meeting. Relevant papers were issued to members vide LC Paper No. CB(2)69/07-08 on 11 October 2007.)

17. The meeting ended at 1:00 pm.

Council Business Division 2
Legislative Council Secretariat
26 October 2007