

LEGISLATIVE COUNCIL

MINUTES

No. 23

Minutes of the meeting held on Wednesday 27 March 2013 at 11:00 am

Attendance

The attendance of Members, public officers and Clerks is in the Official Record of Proceedings.

Tabling of Papers

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

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Companies (Revision of Financial Statements and Reports) Regulation (gazetted on 22.3.2013)	34/2013
2. Companies (Disclosure of Information about Benefits of Directors) Regulation (gazetted on 22.3.2013)	35/2013
3. Entertainment Special Effects (Fees) (Amendment) Regulation 2013 (gazetted on 22.3.2013)	36/2013

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| 4. | Designation of Libraries (Amendment) (No. 3) Order 2013
(gazetted on 22.3.2013) | 37/2013 |
| 5. | Public Health and Municipal Services Ordinance (Civic
Centres) (Amendment of Thirteenth Schedule) Order 2013
(gazetted on 22.3.2013) | 38/2013 |
| 6. | Trade Descriptions Ordinance (Amendment of Schedule 1)
Notice 2013
(gazetted on 22.3.2013) | 39/2013 |
| 7. | Road Traffic (Traffic Control) (Designation of Prohibited and
Restricted Zones) (Amendment) Notice 2013
(gazetted on 22.3.2013) | 40/2013 |

Other Papers

1. No. 84 - Language Fund
Financial statements for the year ended 31 August 2012
(published on 21.3.2013)
2. No. 85 - Report of changes made to the approved Estimates of Expenditure
during the third quarter of 2012-13
Public Finance Ordinance: Section 8
(published on 25.3.2013)
3. Report No. 13/12-13 of the House Committee on Consideration of Subsidiary
Legislation and Other Instruments
(published on 21.3.2013)

Questions

Six oral questions as set out on the Agenda (i.e. Questions 1 to 6) were put by Members and oral replies were given by the public officers.

Written replies to Questions 7 to 20 as set out on the Agenda were tabled.

Bill

First Reading and Second Reading

After the Education (Amendment) Bill 2013 was read the first time and ordered to be set down for Second Reading under Rule 53(3) of the Rules of Procedure, the Secretary for Education moved the Second Reading of the Bill. The President's Deputy proposed the question on the Second Reading of the Bill and referred it to the House Committee in accordance with Rule 54(4) of the Rules of Procedure. The debate was adjourned.

Motions

Proposed resolutions under section 34(2) of the Interpretation and General Clauses Ordinance

The Secretary for Financial Services and the Treasury moved two motions as set out on the Agenda. The President's Deputy proposed the question on the first motion. After a Member had spoken on the first motion, question on that motion was put and agreed to. The President then proposed and put the question on the second motion. The second motion was passed.

Members' Motions

Motion under Rule 49E(2) of the Rules of Procedure

Hon Andrew LEUNG moved the motion as set out on the Agenda. The President proposed the question on the motion. Members and the public officers spoke respectively. In accordance with Rule 49E(9) of the Rules of Procedure, no question was put on the motion.

Motion on "Urging the Government to eradicate 'gutter oil' and take the lead in supporting biodiesel"

Hon Paul TSE moved the motion as set out on the Agenda. The President's Deputy proposed the question on the motion and ordered a joint debate on the motion and the amendments. After movers of amendments, Members and the public officers had respectively spoken, the President put the following questions:

<u>Order of questions put</u>	<u>Decision taken (details of division, if any)</u>
— Hon Frankie YICK's amendment to Hon WONG Kwok-hing's amendment as set out on the Agenda	Passed
— Hon WONG Kwok-hing's amendment as amended by Hon Frankie YICK as set out on the Agenda	Passed
— Revised amendment moved by Hon Steven HO as set out in the Official Record of Proceedings	Passed
— Hon Paul TSE's motion as amended	Passed (Appendix 1)

Motion on "Improving property management and operation of owners' corporations"

Dr Hon Priscilla LEUNG moved the motion as set out on the Agenda. The President proposed the question on the motion and ordered a joint debate on the motion and the amendments. After movers of amendments, Members and the public officer had respectively spoken, the President put the following questions:

<u>Order of questions put</u>	<u>Decision taken (details of division, if any)</u>
— Amendment moved by Hon WONG Kwok-hing as set out on the Agenda	Negated (Appendix 2)
— Motion moved without notice by Hon Andrew LEUNG to shorten the duration of the division bell for further divisions in relation to this motion and its amendments	Passed
— Amendment moved by Hon Claudia MO as set out on the Agenda	Passed (Appendix 3)
— Revised amendment moved by Hon Christopher CHUNG as set out in the Official Record of Proceedings	Passed

<u>Order of questions put</u>	<u>Decision taken</u> <u>(details of division,</u> <u>if any</u>
— Revised amendment moved by Hon WU Chi-wai as set out in the Official Record of Proceedings	Passed
— Dr Hon Priscilla LEUNG's motion as amended	Passed

Next meeting

The President declared that the next meeting of the Council would be held on 17 April 2013 at 11:00 am.

The Council was adjourned at 8:32 pm.



(Jasper TSANG Yok-sing)
President
Legislative Council

Council Chamber
Hong Kong

3 June 2013

投票 VOTE: 1
日期 DATE: 27/03/2013
時間 TIME: 04:30:27 下午 PM

附錄 1
Appendix 1

動議 MOTION: 謝偉俊議員動議，經王國興議員／易志明議員／張宇人議員／何俊賢議員修正的「促請政府杜絕'地溝油'，並牽頭支持生化柴油」議案
MOTION MOVED BY HON PAUL TSE ON "URGING THE GOVERNMENT TO ERADICATE 'GUTTER OIL' AND TAKE THE LEAD IN SUPPORTING BIODIESEL" AS AMENDED BY HON WONG KWOK-HING / HON FRANKIE YICK / ~~HON TOMMY CHEUNG~~ / HON STEVEN HO

動議人 MOVED BY: 謝偉俊 Paul TSE

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	28	25	
投票 Vote	28	24	
贊成 Yes	28	24	
反對 No	0	0	
棄權 Abstain	0	0	
結果 Result	通過 Passed	通過 Passed	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
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何俊仁 Albert HO	贊成 YES	曾鈺成 TSANG Yok-sing	出席 PRESENT
涂謹申 James TO	贊成 YES	李卓人 LEE Cheuk-yan	
劉皇發 Dr LAU Wong-fat		陳鑑林 CHAN Kam-lam	贊成 YES
石禮謙 Abraham SHEK	贊成 YES	梁耀忠 LEUNG Yiu-chung	
張宇人 Tommy CHEUNG	贊成 YES	劉慧卿 Emily LAU	贊成 YES
馮檢基 Frederick FUNG		譚耀宗 TAM Yiu-chung	
方剛 Vincent FANG		王國興 WONG Kwok-hing	贊成 YES
李國麟 Dr Joseph LEE		湯家驊 Ronny TONG	
林健鋒 Jeffrey LAM	贊成 YES	何秀蘭 Cyd HO	贊成 YES
梁君彥 Andrew LEUNG	贊成 YES	陳克勤 CHAN Hak-kan	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	梁美芬 Dr Priscilla LEUNG	贊成 YES
李慧琼 Starry LEE	贊成 YES	黃國健 WONG Kwok-kin	贊成 YES
林大輝 Dr LAM Tai-fai		葉劉淑儀 Mrs Regina IP	贊成 YES
陳健波 CHAN Kin-por	贊成 YES	謝偉俊 Paul TSE	贊成 YES
梁家驊 Dr LEUNG Ka-lau	贊成 YES	梁家傑 Alan LEONG	
張國柱 CHEUNG Kwok-che	贊成 YES	梁國雄 LEUNG Kwok-hung	贊成 YES
葉國謙 IP Kwok-him	贊成 YES	陳偉業 Albert CHAN	
吳亮星 NG Leung-sing	贊成 YES	黃毓民 WONG Yuk-man	贊成 YES
何俊賢 Steven HO	贊成 YES	毛孟靜 Claudia MO	贊成 YES
易志明 Frankie YICK	贊成 YES	田北辰 Michael TIEN	
姚思榮 YIU Si-wing	贊成 YES	田北俊 James TIEN	贊成 YES
馬逢國 MA Fung-kwok	贊成 YES	胡志偉 WU Chi-wai	贊成 YES
莫乃光 Charles Peter MOK	贊成 YES	范國威 Gary FAN	贊成 YES
陳婉嫻 CHAN Yuen-han	贊成 YES	陳志全 CHAN Chi-chuen	贊成 YES
梁繼昌 Kenneth LEUNG	贊成 YES	陳恒鑰 CHAN Han-pan	
郭偉強 KWOK Wai-keung	贊成 YES	陳家洛 Dr Kenneth CHAN	贊成 YES
郭榮鏗 Dennis KWOK	贊成 YES	梁志祥 LEUNG Che-cheung	贊成 YES
張華峰 Christopher CHEUNG	贊成 YES	麥美娟 Alice MAK	贊成 YES
葉建源 IP Kin-yuen		郭家麒 Dr KWOK Ka-ki	贊成 YES
廖長江 Martin LIAO	贊成 YES	張超雄 Dr Fernando CHEUNG	贊成 YES
潘兆平 POON Siu-ping	贊成 YES	單仲偕 SIN Chung-kai	贊成 YES
鄧家彪 TANG Ka-piu	贊成 YES	黃碧雲 Dr Helena WONG	
盧偉國 Ir Dr LO Wai-kwok	贊成 YES	葛珮帆 Dr Elizabeth QUAT	贊成 YES
鍾國斌 CHUNG Kwok-pan	贊成 YES	蔣麗芸 Dr CHIANG Lai-wan	贊成 YES
謝偉銓 Tony TSE		鍾樹根 Christopher CHUNG	

秘書 CLERK

投票 VOTE: 2
日期 DATE: 27/03/2013
時間 TIME: 08:26:08 下午 PM

動議 MOTION: 王國興議員對梁美芬議員的「改善物業管理及業主立案法團運作」議案作出的修正案
AMENDMENT BY HON WONG KWOK-HING TO DR HON PRISCILLA LEUNG'S MOTION ON "IMPROVING PROPERTY MANAGEMENT AND OPERATION OF OWNERS' CORPORATIONS"

動議人 MOVED BY: 王國興 WONG Kwok-hing

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	23	23	
投票 Vote	23	22	
贊成 Yes	11	11	
反對 No	1	0	
棄權 Abstain	11	11	
結果 Result	否決 Negated	否決 Negated	否決 Negated

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

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何俊仁 Albert HO	棄權 ABSTAIN	曾鈺成 TSANG Yok-sing	出席 PRESENT
涂謹申 James TO	棄權 ABSTAIN	李卓人 LEE Cheuk-yan	贊成 YES
劉皇發 Dr LAU Wong-fat		陳鑑林 CHAN Kam-lam	棄權 ABSTAIN
石禮謙 Abraham SHEK		梁耀忠 LEUNG Yiu-chung	
張宇人 Tommy CHEUNG		劉慧卿 Emily LAU	棄權 ABSTAIN
馮檢基 Frederick FUNG		譚耀宗 TAM Yiu-chung	
方剛 Vincent FANG		王國興 WONG Kwok-hing	贊成 YES
李國麟 Dr Joseph LEE	贊成 YES	湯家驊 Ronny TONG	贊成 YES
林健鋒 Jeffrey LAM	棄權 ABSTAIN	何秀蘭 Cyd HO	贊成 YES
梁君彥 Andrew LEUNG	棄權 ABSTAIN	陳克勤 CHAN Hak-kan	棄權 ABSTAIN
黃定光 WONG Ting-kwong	棄權 ABSTAIN	梁美芬 Dr Priscilla LEUNG	贊成 YES
李慧琼 Starry LEE	棄權 ABSTAIN	黃國健 WONG Kwok-kin	
林大輝 Dr LAM Tai-fai		葉劉淑儀 Mrs Regina IP	
陳健波 CHAN Kin-por	贊成 YES	謝偉俊 Paul TSE	棄權 ABSTAIN
梁家驊 Dr LEUNG Ka-lau	贊成 YES	梁家傑 Alan LEONG	
張國柱 CHEUNG Kwok-che	贊成 YES	梁國雄 LEUNG Kwok-hung	
葉國謙 IP Kwok-him	棄權 ABSTAIN	陳偉業 Albert CHAN	
吳亮星 NG Leung-sing	贊成 YES	黃毓民 WONG Yuk-man	
何俊賢 Steven HO	棄權 ABSTAIN	毛孟靜 Claudia MO	贊成 YES
易志明 Frankie YICK		田北辰 Michael TIEN	
姚思榮 YIU Si-wing	棄權 ABSTAIN	田北俊 James TIEN	
馬逢國 MA Fung-kwok		胡志偉 WU Chi-wai	棄權 ABSTAIN
莫乃光 Charles Peter MOK	贊成 YES	范國威 Gary FAN	
陳婉嫻 CHAN Yuen-han		陳志全 CHAN Chi-chuen	贊成 YES
梁繼昌 Kenneth LEUNG		陳恒鏞 CHAN Han-pan	棄權 ABSTAIN
郭偉強 KWOK Wai-keung	贊成 YES	陳家洛 Dr Kenneth CHAN	贊成 YES
郭榮鏗 Dennis KWOK	贊成 YES	梁志祥 LEUNG Che-cheung	棄權 ABSTAIN
張華峰 Christopher CHEUNG		麥美娟 Alice MAK	贊成 YES
葉建源 IP Kin-yuen	棄權 ABSTAIN	郭家麒 Dr KWOK Ka-ki	贊成 YES
廖長江 Martin LIAO	贊成 YES	張超雄 Dr Fernando CHEUNG	贊成 YES
潘兆平 POON Siu-ping	贊成 YES	單仲偕 SIN Chung-kai	棄權 ABSTAIN
鄧家彪 TANG Ka-piu	贊成 YES	黃碧雲 Dr Helena WONG	棄權 ABSTAIN
盧偉國 Ir Dr LO Wai-kwok	棄權 ABSTAIN	葛珮帆 Dr Elizabeth QUAT	棄權 ABSTAIN
鍾國斌 CHUNG Kwok-pan		蔣麗芸 Dr CHIANG Lai-wan	
謝偉銓 Tony TSE	反對 NO	鍾樹根 Christopher CHUNG	棄權 ABSTAIN

秘書 CLERK

投票 VOTE: 3
日期 DATE: 27/03/2013
時間 TIME: 08:28:59 下午 PM

動議 MOTION: 毛孟靜議員對梁美芬議員的「改善物業管理及業主立法團運作」議案作出的修正案
AMENDMENT BY HON CLAUDIA MO TO DR HON PRISCILLA LEUNG'S MOTION ON "IMPROVING
PROPERTY MANAGEMENT AND OPERATION OF OWNERS' CORPORATIONS"

動議人 MOVED BY: 毛孟靜 Claudia MO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	24	25	
投票 Vote	24	24	
贊成 Yes	18	24	
反對 No	3	0	
棄權 Abstain	3	0	
結果 Result	通過 Passed	通過 Passed	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
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
何俊仁 Albert HO	贊成 YES	曾鈺成 TSANG Yok-sing	出席 PRESENT
涂謹申 James TO	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
劉皇發 Dr LAU Wong-fat		陳鑑林 CHAN Kam-lam	贊成 YES
石禮謙 Abraham SHEK		梁耀忠 LEUNG Yiu-chung	
張宇人 Tommy CHEUNG		劉慧卿 Emily LAU	贊成 YES
馮檢基 Frederick FUNG	贊成 YES	譚耀宗 TAM Yiu-chung	
方剛 Vincent FANG		王國興 WONG Kwok-hing	贊成 YES
李國麟 Dr Joseph LEE	贊成 YES	湯家驊 Ronny TONG	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	何秀蘭 Cyd HO	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	陳克勤 CHAN Hak-kan	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	Dr Priscilla LEUNG	贊成 YES
李慧琼 Starry LEE	贊成 YES	WONG Kwok-kin	
林大輝 Dr LAM Tai-fai		葉劉淑儀 Mrs Regina IP	
陳健波 CHAN Kin-por	贊成 YES	謝偉俊 Paul TSE	贊成 YES
梁家驊 Dr LEUNG Ka-lau	贊成 YES	梁家傑 Alan LEONG	
張國柱 CHEUNG Kwok-che	贊成 YES	梁國雄 LEUNG Kwok-hung	贊成 YES
葉國謙 IP Kwok-him	贊成 YES	陳偉業 Albert CHAN	
吳亮星 NG Leung-sing	棄權 ABSTAIN	黃毓民 WONG Yuk-man	
何俊賢 Steven HO	贊成 YES	毛孟靜 Claudia MO	贊成 YES
易志明 Frankie YICK		田北辰 Michael TIEN	
姚思榮 YIU Si-wing	贊成 YES	田北俊 James TIEN	
馬逢國 MA Fung-kuok		胡志偉 WU Chi-wai	贊成 YES
莫乃光 Charles Peter MOK	贊成 YES	范國威 Gary FAN	
陳婉嫻 CHAN Yuen-han		陳志全 CHAN Chi-chuen	贊成 YES
梁繼昌 Kenneth LEUNG		CHAN Han-pan	贊成 YES
郭偉強 KWOK Wai-keung	贊成 YES	Dr Kenneth CHAN	贊成 YES
郭榮鏗 Dennis KWOK	贊成 YES	梁志祥 LEUNG Che-cheung	贊成 YES
張華峰 Christopher CHEUNG		麥美娟 Alice MAK	贊成 YES
葉建源 IP Kin-yuen	贊成 YES	郭家麒 Dr KWOK Ka-ki	贊成 YES
廖長江 Martin LIAO	棄權 ABSTAIN	張超雄 Dr Fernando CHEUNG	贊成 YES
潘兆平 POON Siu-ping	贊成 YES	單仲偕 SIN Chung-kai	贊成 YES
鄧家彪 TANG Ka-piu	贊成 YES	黃碧雲 Dr Helena WONG	贊成 YES
盧偉國 Ir Dr LO Wai-kuok	反對 NO	葛珮帆 Dr Elizabeth QUAT	贊成 YES
鍾國斌 CHUNG Kwok-pan		蔣麗芸 Dr CHIANG Lai-wan	贊成 YES
謝偉銓 Tony TSE	棄權 ABSTAIN	鍾樹根 Christopher CHUNG	贊成 YES

秘書 CLERK