

**立法會**  
**Legislative Council**

LC Paper No. PWSC134/13-14  
(These minutes have been  
cleared with the Chairman)

Ref : CB1/F/2/1(20)B

**Public Works Subcommittee of the Finance Committee  
of the Legislative Council**

**Minutes of the 19<sup>th</sup> meeting  
held in Conference Room 1 of the Legislative Council Complex  
on Wednesday, 25 June 2014, at 8:30 am**

**Members present:**

Ir Dr Hon LO Wai-kiwok, BBS, MH JP (Chairman)  
Hon LEUNG Che-cheung, BBS, MH, JP (Deputy Chairman)  
Hon James TO Kun-sun  
Hon CHAN Kam-lam, SBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Hon CHAN Hak-kan, JP  
Hon CHAN Kin-por, BBS, JP  
Dr Hon LEUNG Ka-lau  
Hon IP Kwok-him, GBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon Albert CHAN Wai-yip  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon James TIEN Pei-chun, GBS, JP  
Hon Frankie YICK Chi-ming  
Hon WU Chi-wai, MH  
Hon Gary FAN Kwok-wai  
Hon Charles Peter MOK  
Hon CHAN Han-pan  
Hon CHAN Yuen-han, SBS, JP  
Hon Alice MAK Mei-kuen, JP  
Dr Hon Fernando CHEUNG Chiu-hung

Dr Hon Elizabeth QUAT, JP  
Dr Hon CHIANG Lai-wan, JP  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP  
Hon Tony TSE Wai-chuen

**Members absent:**

Hon Cyd HO Sau-lan  
Hon MA Fung-kwok, SBS, JP  
Dr Hon Kenneth CHAN Ka-lok  
Dr Hon Helena WONG Pik-wan

**Public officers attending:**

Mr YEUNG Tak-keung	Deputy Secretary for Financial Services and the Treasury (Treasury) <sup>3</sup>
Mr WAI Chi-sing, JP	Permanent Secretary for Development (Works)
Mr Thomas CHOW Tat-ming, JP	Permanent Secretary for Development (Planning and Lands)
Mr TSE Chin-wan, JP	Deputy Director (1) Environmental Protection Department
Mr Bryan HA Kwok-fung	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works) (Acting)
Mr HON Chi-keung, JP	Director of Civil Engineering and Development
Mr Robin LEE Kui-biu	Deputy Head of Civil Engineering Office (Port and Land) Civil Engineering and Development Department
Ms Amy CHEUNG Yi-mei	Assistant Director (Territorial) (Acting) Planning Department

**Clerk in attendance:**

Ms Sharon CHUNG	Chief Council Secretary (1) <sup>6</sup>
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**Staff in attendance:**

Mr Andy LAU	Assistant Secretary General 1
Mr Fred PANG	Senior Council Secretary (1) <sup>8</sup>

Mr Frankie WOO  
Ms Christy YAU

Senior Legislative Assistant (1)3  
Legislative Assistant (1)7

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Action

The Deputy Chairman said that there were 13 funding proposals on the agenda of the meeting. Of these proposals, 12 were for upgrading 12 capital works projects to Category A respectively and one was to increase the approved project estimate of a Category A item.

2. The Deputy Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP") of the Legislative Council ("LegCo"), they should disclose the nature of any direct or indirect pecuniary interests relating to the funding proposals under discussion at the meeting before they spoke on the item. He also drew members' attention to Rule 84 of RoP on voting or withdrawal in case of direct pecuniary interest.

**Head 705 – Civil Engineering**

**PWSC(2014-15)11 768CL Strategic studies for artificial islands in the Central Waters**

3. The Deputy Chairman advised that at the meeting on 24 June 2014, the Public Works Subcommittee ("PWSC") had completed the discussion on the item PWSC(2014-15)11. Two motions, including one to adjourn the discussion on the item and the other to adjourn further proceedings of the Subcommittee, had been dealt with by the Subcommittee according to Paragraph 33 of the PWSC Procedure and had been negatived. At the previous meeting, the Subcommittee had commenced the process of deciding whether the various motions proposed by members for expressing views under Paragraph 32A of the PWSC Procedure on the item should be proceeded forthwith.

Motions proposed under Paragraph 32A of the PWSC Procedure

4. The Deputy Chairman said that the Subcommittee would proceed to deal with the remaining motions proposed by members under Paragraph 32A of the PWSC Procedure.

*Motions numbered 0004 to 0015*

5. The Deputy Chairman said that proposed motions numbered 0004 to 0010 had been ruled by the Chairman as directly related to the agenda item. He took turn to put to vote the questions that proposed motions numbered 0004 to 0010 be proceeded forthwith. As requested by members, the

division bell was rung for one minute before members' voting on individual questions. All questions were voted down by a majority of members.

6. Mr Gary FAN said that at the meeting on 24 June 2014, he had raised questions relating to a newspaper article in Ming Pao published on 24 April 2014 authored by the Permanent Secretary for Development (Works) ("PS/DEV(Works)") but PS/DEV(Works) did not confirm that the article had been written by him. He said that the article covered, among others, the Administration's response to a query on whether the waters near Cheung Chau and Lamma Island would be selected for development of artificial islands. He requested to put on record that Ming Pao had confirmed in response to an enquiry that the article contained the information that PS/DEV(Works) was the author.

*(Post-meeting note: With the concurrence of the Chairman, a letter (Chinese version only) dated 6 July 2014 from PS/DEV(Works) about his reply to Mr Gary FAN's enquiry made at the meeting on the article published in Ming Pao on 24 April 2014 had been circulated to members vide LC Paper No. PWSC119/13-14(01). In the letter, PS/DEV(Works) clarified that the article was written by him.)*

7. The Deputy Chairman took turn to put to vote the questions that proposed motions numbered 0011 to 0013, which had been ruled as directly related to the agenda item, to be proceeded forthwith. As requested by members, the division bell was rung for one minute before members' voting on individual questions. All questions were voted down by a majority of members.

*[At the juncture, the Chairman arrived at the conference room and took the chair.]*

8. The Chairman said that motion numbered 0014 proposed by Mr Gary FAN had been ruled to be not directly related to the agenda item and returned to Mr FAN. Mr FAN questioned about the reason for ruling out the motion given that it was similar in content to motions numbered 0006 and 0008, which had been considered by the Chairman as directly related to the agenda item. The Chairman said that his ruling on the admissibility of a motion was final. He welcomed Mr FAN to discuss the matter with him in other occasions.

9. The Chairman put to vote the question that proposed motion numbered 0015, considered to be directly related to the agenda item, be proceeded forthwith. As requested by Mr Gary FAN, the division bell was

rung for one minute before members' voting on the question. The question was voted down by a majority of members.

10. The Chairman advised that he had received more proposed motions at the meeting including 10 from Mr Albert CHAN, 10 from Dr Fernando CHEUNG and five from Mr Gary FAN. He would suspend the meeting for about 15 minutes to peruse the motions. To ensure the efficient conduct of the Subcommittee and to save the need to suspend the meeting again, he called on members to forward to him any motions that they intended to move under Paragraph 32A of the PWSC Procedure as early as possible. After dealing with all the proposed motions, he would put the item to vote. Dr Fernando CHEUNG said that he was preparing some motions on the agenda item and would forward them to the Chairman as soon as possible.

*[The meeting was suspended at 9:01 am and resumed at 9:16 am.]*

*Motions numbered 0016 to 0040*

11. The Chairman advised that he had so far received a total of 97 motions on the agenda item and part of them had been dealt with at the previous meeting and at the current meeting before the break. He said that he understood members' concern about the progress of the meeting. As the Chairman of the Subcommittee, while respecting the right of individual members to propose motions under the PWSC Procedure, he had the responsibility to ensure the efficient conduct of the meeting in an impartial manner. He had reminded members before the break that they should forward all proposed motions, if any, to him at that time so as to allow sufficient time for him to consider the motions. He advised that after handling the proposed motions, he would put the item to vote.

12. The Chairman said that motions numbered 0016 to 0025 proposed by Mr Albert CHAN were directly related to the agenda item. However, as Mr CHAN was not in his place, the Chairman decided that the proposed motions would not be dealt with.

13. The Chairman advised that proposed motions numbered 0026 to 0035 and 0037 to 0040 were directly related to the agenda item. He took turn to put to vote the questions that these proposed motions be proceeded forthwith. As requested by members, the division bell was rung for one minute before members' voting on individual questions. All questions were voted down by a majority of members.

14. The Chairman said that proposed motion numbered 0036 had been returned to Mr Gary FAN as it was a duplicate of proposed motion numbered 0029.

15. The Chairman advised that more proposed motions had been forwarded to him and so far the total number of motions received was 147. In response to the Chairman's enquiry on whether more motions would be proposed by members under Paragraph 32A of the PWSC Procedure, Dr Fernando CHEUNG said that he was preparing about 10 motions on the item and would forward them to the Chairman as soon as possible. Mr Albert CHAN said that he had forwarded all his proposed motions on the item to the Chairman. Mr Gary FAN said that he would consider proposing the motions numbered 0016 to 0025 originally to be proposed by Mr Albert CHAN. The Chairman said he expected that, apart from the motions under preparation by Dr CHEUNG, members would not propose new motions on the item. He ordered that the meeting be suspended until 10:15 am to allow time for him to peruse the remaining proposed motions received from members so as to determine their relevance to the agenda item.

*[The meeting was suspended at 09:46 am and resumed at 10:15 am.]*

*Motions numbered 0041 to 0063*

16. The Chairman advised that he had so far received 257 proposed motions expressing views on the agenda item from members. Of the motions that had not been dealt with by the Subcommittee, he had examined motions numbered 0041 to 0091 and considered some of them not directly related to the item under discussion. Moreover, he had returned some motions to the concerned members for consolidation. He said that due to time constraint, he needed to examine the admissibility of the remaining proposed motions after the meeting.

17. In response to the Chairman's enquiry on whether members would propose more motions on the agenda item, Mr Gary FAN said that he was preparing some and had yet to confirm the total number of such. The Chairman remarked that it would be difficult for him to conduct the meeting efficiently if members could not advise on the number of motions to be forwarded to him. He requested that members should forward all the motions that they intended to propose to express views under Paragraph 32A of the PWSC Procedure to him before the end of the meeting.

18. Mr CHAN Kam-lam said that he strongly condemned those members who had abused the PWSC Procedure to propose motions without notice arbitrarily, hence prolonging the Subcommittee's proceedings for dealing with

the funding proposal. Mr WONG Kwok-hing raised a point of order and said that, to ensure the efficient conduct of the Subcommittee, the Chairman should take into account the meeting time left for the Subcommittee to deal with the remaining items for its consideration in the current LegCo session and should not allow the Subcommittee to be paralyzed. The Chairman remarked that the points made by Mr CHAN and Mr WONG were not points of order and their views had been noted.

*[The Chairman directed that the meeting be extended to 10:45 am.]*

19. The Chairman said that the Subcommittee would continue to deal with the motions proposed by members under Paragraph 32A of the PWSC Procedure. He took turn to put to vote the questions that proposed motions numbered 0041, 0043 to 0053 and 0061 to 0063, which were directly related to the agenda item, be proceeded forthwith. As requested by members, the division bell was rung for one minute before members' voting on individual questions. All questions were voted down by a majority of members.

20. The Chairman advised that proposed motion numbered 0042 would not be dealt with as it was a duplicate of another proposed motion, numbered 0067. He had returned to Dr Fernando CHEUNG proposed motions numbered 0054 to 0056 and suggested that the motions be consolidated. As regards proposed motions numbered 0057 to 0060, he had ruled that they were not directly related to the agenda item under discussion.

*(Post-meeting note: A soft copy of the terms of proposed motions numbered 0004 to 0015, 0026 to 0053, 0057 to 0063 had been circulated to members by email on 26 June 2014.)*

#### Arrangements for handling the remaining proposed motions

21. The Chairman advised that he had so far received 263 proposed motions from members and about 200 of them were yet to be dealt with. He reiterated that members should forward all the motions they intended to propose to him before the end of the meeting. Mr Gary FAN said that he had forwarded three more proposed motions to the Chairman via the Clerk.

22. The Chairman said that due to time constraint, the Subcommittee would deal with the remaining proposed motions at the next meeting. He said that the proposed motions that had been examined by him covered a sufficiently wide range of issues to reflect members' concerns. The Subcommittee should not accept after the meeting any new motions proposed in respect of the item under paragraph 32A of the PWSC Procedure. Mr James TO said that he did not agree to the Chairman's ruling that no more

proposed motions on the item should be accepted. The Chairman said that he had informed members at the meeting the principles that he held for chairing the meeting, and had allowed sufficient time for members to submit proposed motions. He stressed that his rulings were final and not for discussion at the meeting.

**Any other business**

23. There being no other business, the meeting ended at 10:45 am.

Council Business Division 1  
Legislative Council Secretariat  
22 September 2014