

**立法會**  
***Legislative Council***

LC Paper No. FC85/14-15  
(These minutes have been  
cleared with the Chairman)

Ref : FC/1/1(1)

**Finance Committee of the Legislative Council**

**Minutes of the 18<sup>th</sup> meeting**  
**held at Conference Room 1 of the Legislative Council Complex**  
**on Friday, 12 December 2014, at 3:30 pm**

**Members present:**

Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)  
Hon CHAN Kin-por, BBS, JP (Deputy Chairman)  
Hon James TO Kun-sun  
Hon CHAN Kam-lam, SBS, JP  
Hon LEUNG Yiu-chung  
Dr Hon LAU Wong-fat, GBM, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon Cyd HO Sau-lan, JP  
Hon Starry LEE Wai-king, JP  
Dr Hon LAM Tai-fai, SBS, JP  
Hon CHAN Hak-kan, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Dr Hon LEUNG Ka-lau  
Hon WONG Kwok-kin, SBS

Hon IP Kwok-him, GBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Hon Albert CHAN Wai-yip  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon James TIEN Pei-chun, GBS, JP  
Hon NG Leung-sing, SBS, JP  
Hon Steven HO Chun-yin  
Hon Frankie YICK Chi-ming  
Hon WU Chi-wai, MH  
Hon YIU Si-wing  
Hon Gary FAN Kwok-wai  
Hon MA Fung-kwok, SBS, JP  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, JP  
Dr Hon Kenneth CHAN Ka-lok  
Hon CHAN Yuen-han, SBS, JP  
Hon LEUNG Che-cheung, BBS, MH, JP  
Hon Alice MAK Mei-kuen, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung  
Hon Dennis KWOK  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon SIN Chung-kai, SBS, JP  
Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon POON Siu-ping, BBS, MH  
Hon TANG Ka-piu, JP  
Dr Hon CHIANG Lai-wan, JP  
Ir Dr Hon LO Wai-kwok, BBS, MH, JP  
Hon CHUNG Kwok-pan  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP  
Hon Tony TSE Wai-chuen, BBS

**Members absent:**

Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Hon CHEUNG Kwok-che  
Hon WONG Yuk-man  
Hon Kenneth LEUNG

**Public officers attending:**

Ms Elizabeth TSE Man-ye, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Esther LEUNG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury)1
Mr Alfred ZHI Jian-hong	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)
Mr WONG Kam-sing, JP	Secretary for the Environment
Mr Howard CHAN Wai-kee, JP	Deputy Director of Environmental Protection (2)
	Environmental Protection Department

**Clerk in attendance:**

Ms Anita SIT	Assistant Secretary General 1
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**Staff in attendance:**

Mr Derek LO	Chief Council Secretary (1)5
Mr Daniel SIN	Senior Council Secretary (1)7
Mr Ken WOO	Senior Council Secretary (1)5
Mr Raymond SZETO	Council Secretary (1)5
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Christy YAU	Legislative Assistant (1)7

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### **Chairman's introductory remarks on procedural matters**

The Chairman said that at the second meeting on 5 December 2014, some members asked if it was possible for the duration of the division bell to revert from one minute to five minutes when the question on the funding proposal was put to vote. A note on the matter prepared by the Secretariat was issued to members on 10 December 2014 vide LC Paper No. FC67/14-15 for members' reference.

2. The Chairman said that from the present meeting onwards, when the Committee was about to deal with the last 10 motions proposed under paragraph 37A of the Finance Committee Procedure ("FC Procedure") and proceed to vote on the funding proposal under an agenda item, he would alert members of such at the meeting.

### **Item No. 1 – FCR(2014-15)32A HEAD 705 – CIVIL ENGINEERING Environmental Protection – Refuse Disposal 163DR – Northeast New Territories Landfill Extension**

3. The Chairman said that the previous meeting had dealt with 35 motions proposed by members pursuant to paragraph 37A of the FC Procedure to express views on the item FCR(2014-15)32A, and that he would put the remaining proposed motions to the Committee to decide whether they should be proceeded forthwith. After all the proposed motions in respect of FCR(2014-15)32A had been dealt with, he would put the item FCR(2014-15)32A to vote.

### Motions proposed by members pursuant to paragraph 37A of the Finance Committee Procedure to express views on FCR(2014-15)32A

#### *Motions proposed by Mr CHAN Chi-chuen*

4. The Chairman put to vote the questions, one by one, that the motions proposed by Mr CHAN Chi-chuen numbered NE032 to NE044 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Mr CHAN read out each of his proposed motions before members voted on individual questions. All the questions were negatived.

*Motions proposed by Dr Fernando CHEUNG*

5. The Chairman put to vote the questions, one by one, that the motions proposed by Dr Fernando CHEUNG numbered NE046 to NE058 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Dr CHEUNG read out each of his proposed motions during the ringing of the division bell. All the questions were negatived.

*Motions submitted by Mr Albert CHAN without notice*

6. At 3:30 pm, Mr Albert CHAN submitted 11 proposed motions to be moved under paragraph 37A of the FC Procedure. The Chairman considered that six of them were directly related to FCR(2014-15)32A, and agreed to put to the Committee to decide whether they should be proceeded forthwith after the Committee had dealt with Mr Gary FAN's motions .

*Motions proposed by Mr Gary FAN*

7. The Chairman put to vote the questions, one by one, that the motions proposed by Mr Gary FAN numbered NE001 to NE004, NE059 to NE061 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Mr FAN read out each of his proposed motions during the ringing of the division bell. All the questions were negatived.

8. The Chairman reminded members that if no more members further submitted proposed motions, he would put the item to vote after the Committee had dealt with the remaining 10 motions from members.

9. The Chairman put to vote the questions, one by one, that the motions proposed by Mr Gary FAN numbered NE062, NE065 and NE066 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Mr FAN read out each of his proposed motions during the ringing of the division bell. All the questions were negatived.

*Motions proposed by Mr Albert CHAN*

10. The Chairman put to vote the questions, one by one, that the motions proposed by Mr Albert CHAN numbered NE084 to NE088 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Mr CHAN read out each of his proposed motions during the ringing of the division bell. All the questions were negated.

11. At this juncture, Mr Albert CHAN proposed to move a motion under paragraph 39 of the FC Procedure that further proceedings of the Committee be then adjourned.

12. The Chairman said that as a matter of procedure, it was not proper for him to put the question on Mr CHAN's motion to adjourn further proceedings of the Committee. At the invitation of the Chairman, the Clerk explained that, according to paragraph 39 of the FC Procedure, a member, when speaking on a proposal in the Committee, might move without notice that discussion on an item or further proceedings of the Committee be then adjourned. The present proceedings that the Committee had entered into, as ordered by the Chairman, were for him to put the questions, one by one, to the Committee for its decision on whether members' motions proposed to be moved under paragraph 37A of the FC Procedure should be proceeded forthwith. During the proceedings, no member had been or would be called upon by the Chairman to "speak on a proposal". Hence, the provision to adjourn further proceedings of the Committee did not apply to the present proceedings.

13. Mr Albert CHAN remarked that his understanding was that he had just been called upon by the Chairman to speak on his proposed motion. The Chairman said that there was no procedure in the FC Procedure for members to speak on a question of whether or not a motion to be moved under paragraph 37A of the FC Procedure should be proceeded forthwith. It was at members' requests that he had allowed individual members to read out each of their proposed motions during the ringing of the division bell, after which members would vote on the question of whether the motion concerned should be proceeded forthwith. Hence it was not in order for a member to move a motion to adjourn further proceedings of the Committee at that juncture.

14. In response to a further enquiry from Mr CHAN Chi-chuen, and at the invitation of the Chairman, the Clerk explained that a "proposal" in the context of paragraph 39 of the FC Procedure normally referred to a funding proposal in the form of an agenda item proposed by the Administration. A

"proposal" could also refer to an amendment to the FC Procedure proposed by members.

15. The Chairman put to vote the question that the motion proposed by Mr Albert CHAN numbered NE089 be proceeded forthwith. As requested by members, the Chairman ordered a division, and the division bell was rung for one minute. With the agreement of the Chairman, Mr CHAN read out his proposed motion during the ringing of the division bell. The question was negated.

Voting on FCR(2014-15)32A

16. As the Committee had dealt with all of the proposed motions to be moved under paragraph 37A of the FC Procedure to express views on the item FCR(2014-15)32A, the Chairman put the item to vote.

17. At that juncture, Mr Albert CHAN again proposed to move a motion under paragraph 39 of the FC Procedure that further proceedings of the Committee be then adjourned.

18. The Chairman said that as he had put the question to the Committee for its decision on the item FCR(2014-15)32A and there was no procedure for members to speak at that point, he would not put the question of Mr Albert CHAN's motion to the Committee to adjourn further proceedings of the Committee.

19. The Chairman continued with the voting procedure. At the request of members, the Chairman ordered a division and the division bell was rung for one minute. The Chairman announced that 34 members voted in favour of, and 19 voted against the item. The voting results of individual members were as follows –

*For:*

Mr CHAN Kam-lam  
Mr Abraham SHEK Lai-him  
Mr Jeffrey LAM Kin-fung  
Mr WONG Ting-kwong  
Mr CHAN Hak-kan  
Dr Priscilla LEUNG Mei-fun  
Mr WONG Kwok-kin  
Mrs Regina IP LAU Suk-yee  
Mr Michael TIEN Puk-sun  
Mr YIU Si-wing

Mr TAM Yiu-chung  
Mr WONG Kwok-hing  
Mr Andrew LEUNG Kwan-yuen  
Ms Starry LEE Wai-king  
Mr CHAN Kin-por  
Dr LEUNG Ka-lau  
Mr IP Kwok-him  
Mr Paul TSE Wai-chun  
Mr Steven HO Chun-yin  
Mr MA Fung-kwok

Mr Charles Peter MOK  
Miss CHAN Yuen-han  
Miss Alice MAK Mei-kuen  
Mr Christopher CHEUNG Wah-fung  
Mr Martin LIAO Cheung-kong  
Mr TANG Ka-piu  
Ir Dr LO Wai-kiwok  
(34 members)

Mr CHAN Han-pan  
Mr LEUNG Che-cheung  
Mr KWOK Wai-keung  
Dr Elizabeth QUAT  
Mr POON Siu-ping  
Dr CHIANG Lai-wan  
Mr Tony TSE Wai-chuen

*Against:*

Mr James TO Kun-sun  
Ms Emily LAU Wai-hing  
Mr Ronny TONG Ka-wah  
Mr Alan LEONG Kah-kit  
Mr James TIEN Pei-chun  
Mr WU Chi-wai  
Mr CHAN Chi-chuen  
Dr KWOK Ka-ki  
Mr SIN Chung-kai  
Mr CHUNG Kwok-pan  
(19 members)

Mr LEUNG Yiu-chung  
Mr Frederick FUNG Kin-kee  
Dr LAM Tai-fai  
Mr Albert CHAN Wai-yip  
Mr Frankie YICK Chi-ming  
Mr Gary FAN Kwok-wai  
Dr Kenneth CHAN Ka-lok  
Dr Fernando CHEUNG Chiu-hung  
Mr IP Kin-yuen

20. The Chairman declared that the Committee approved the item.

**Item No. 2 – FCR(2014-15)33A**  
**HEAD 705 – CIVIL ENGINEERING**  
**Environmental Protection – Refuse disposal**  
**165DR – West New Territories Landfill Extension**

Motions proposed by members pursuant to paragraph 37A of the Finance Committee Procedure to express views on FCR(2014-15)33A

21. The Chairman said that the meeting would proceed to deal with motions proposed by members pursuant to paragraph 37A of the FC Procedure to express views on FCR(2014-15)33A. He said that he had ruled 98 motions of the 107 proposed motions received from members as directly related to the item, and that they would be put to the Committee to decide whether they should be proceeded forthwith.

*Motion proposed by Dr KWOK Ka-ki*

22. The Chairman put to vote the question that the motion proposed by Dr KWOK Ka-ki numbered W001 be proceeded forthwith. As requested by members, the Chairman ordered a division, and the division bell was rung for five minute. With the agreement of the Chairman, Dr KWOK read out his proposed motion during the ringing of the division bell. The question was negatived.

Motion to shorten the division bell from five to one minute

23. Mr IP Kwok-him moved without notice under paragraph 47 of the FC Procedure that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Committee should proceed to each of such divisions immediately after the division bell had been rung for one minute.

24. The Chairman proposed the question on Mr IP Kwok-him's motion. Mr Albert CHAN referred to Mr IP's motion and proposed that the division bell should be rung for two minutes instead of one minute. The Chairman said that Mr IP Kwok-him had moved a motion under paragraph 47 of the FC Procedure, and the motion was not subject to amendment.

25. There being no further comments from members, the Chairman put the question to vote. At the requests of members, the Chairman ordered a division and the division bell rang for five minutes.

26. Mr Albert CHAN requested to speak on the motion. The Chairman said that members should have indicated their intention to speak by pressing the "Request to speak" button or raise their hands when he put the question on Mr IP Kwok-him's motion. No member had indicated their intention to speak and he had already ordered a division upon the request of members.

27. After the division bell had stopped, the Chairman announced that 27 members voted in favour of and 11 members voted against Mr IP Kwok-him's motion. The voting results of individual members were as follows –

*For:*

Mr CHAN Kam-lam

Mr TAM Yiu-chung

Mr Jeffrey LAM Kin-fung

Mr WONG Ting-kwong

Mr WONG Kwok-kin

Ms Emily LAU Wai-hing

Mr WONG Kwok-hing

Mr Andrew LEUNG Kwan-yuen

Dr LEUNG Ka-lau

Mr IP Kwok-him

Mrs Regina IP LAU Suk-yee  
Mr Steven HO Chun-yin  
Mr MA Fung-kwok  
Mr LEUNG Che-cheung  
Mr KWOK Wai-keung  
Dr Helena WONG Pik-wan  
Mr Martin LIAO Cheung-kong  
Mr TANG Ka-piu  
Mr Christopher CHUNG Shu-kun  
(27 members)

Mr Paul TSE Wai-chun  
Mr YIU Si-wing  
Mr CHAN Han-pan  
Miss Alice MAK Mei-kuen  
Mr Christopher CHEUNG Wah-fung  
Dr Elizabeth QUAT  
Mr POON Siu-ping  
Ir Dr LO Wai-kwok

*Against:*

Mr LEE Cheuk-yan  
Ms Cyd HO Sau-lan  
Mr Alan LEONG Kah-kit  
Mr Gary FAN Kwok-wai  
Dr Kenneth CHAN Ka-lok  
Dr Fernando CHEUNG Chiu-hung  
(11 members)

Mr LEUNG Yiu-chung  
Dr Priscilla LEUNG Mei-fun  
Mr Albert CHAN Wai-yip  
Mr CHAN Chi-chuen  
Dr KWOK Ka-ki

28. The Chairman declared that Mr IP Kwok-him's motion was carried.

Motions proposed by members pursuant to paragraph 37A of the Finance Committee Procedure to express views on FCR(2014-15)33A

*Motions proposed by Dr KWOK Ka-ki*

29. The Chairman put to vote the questions, one by one, that the motions proposed by Dr KWOK Ka-ki numbered W002 to W017 and W097 to W107 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Dr KWOK read out each of his proposed motions during the ringing of the division bell. All the questions were negatived.

*Motions proposed by Mr Gary FAN*

30. The Chairman put to vote the questions, one by one, that the motions proposed by Mr Gary FAN numbered W018, W068 to W073, W078, W079, W083 and W084 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the

Chairman, Mr FAN read out each of his proposed motions during the ringing of the division bell. All the questions were negatived.

31. The Chairman declared that the meeting was adjourned, and that the Committee would continue to deal with the remaining motions from Mr Gary FAN and other members at the next meeting.

32. The meeting was adjourned at 5:30 pm.

Legislative Council Secretariat  
21 January 2015