

立法會
Legislative Council

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Finance Committee of the Legislative Council

Minutes of the 32nd meeting
held at Conference Room 1 of the Legislative Council Complex
on Friday, 6 February 2015, at 3:00 pm

Members present:

Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)
Hon CHAN Kin-por, BBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
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
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che

Hon WONG Kwok-kin, SBS
Hon IP Kwok-him, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man
Hon Claudia MO
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon WU Chi-wai, MH
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
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
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 CHAN Hak-kan, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Michael TIEN Puk-sun, BBS, JP

Hon Frankie YICK Chi-ming
Hon YIU Si-wing
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, JP
Hon TANG Ka-piu, JP

Public officers attending:

Professor K C CHAN, GBS, JP	Secretary for Financial Services and the Treasury
Ms Elizabeth TSE Man-yee, 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 Gregory SO Kam-leung, GBS, JP	Secretary for Commerce and Economic Development
Miss Susie HO, JP	Permanent Secretary for Commerce and Economic Development (Communications and Technology)
Mr Joe WONG, JP	Deputy Secretary for Commerce and Economic Development (Communications and Technology)
Miss Janet WONG, JP	Commissioner for Innovation and Technology
Mr Johann WONG, JP	Deputy Commissioner for Innovation and Technology
Mr Victor LAM, JP	Acting Government Chief Information Officer
Miss Joey LAM, JP	Deputy Government Chief Information Officer (Policy and Community)

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 Raymond SZETO	Council Secretary (1)5
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Michelle NIEN	Legislative Assistant (1)5
Miss Yannes HO	Legislative Assistant (1)6

Action

The Chairman said that the Secretariat had consulted members on further scheduling two meetings for 14 February 2015 in addition to the two meetings already scheduled for the morning of that day for deliberating the items on the agenda. He announced that taking into members' views, a total of four two-hour meetings would be held on 14 February 2015.

Item No. 1 – FCR(2014-15)36

**RECOMMENDATION OF THE ESTABLISHMENT
SUBCOMMITTEE MADE ON 11 JUNE 2014**

Item No. 2 – FCR(2014-15)37

**NEW HEAD "GOVERNMENT SECRETARIAT :
INNOVATION AND TECHNOLOGY BUREAU"**

**HEAD 47 – GOVERNMENT SECRETARIAT :
OFFICE OF THE GOVERNMENT CHIEF
INFORMATION OFFICER**

**HEAD 55 – GOVERNMENT SECRETARIAT :
COMMERCE AND ECONOMIC DEVELOPMENT
BUREAU (COMMUNICATIONS AND
TECHNOLOGY BRANCH)**

**HEAD 155 – GOVERNMENT SECRETARIAT :
INNOVATION AND TECHNOLOGY COMMISSION**

2. The Committee continued with the deliberation on the items FCR(2014-15)36 and FCR(2014-15)37 related to the establishment of the Innovation and Technology Bureau ("ITB").

3. The Chairman said that members who wished to move motions under paragraph 37A of the Finance Committee ("FC") Procedure to express views on

the items FCR(2014-15)36 or FCR(2014-15)37 should clearly state in each proposed motion the item, i.e. FCR(2014-15)36 or FCR(2014-15)37, on which the view was to be expressed. After the completion of discussion on the items, he would put the proposed motions that he had ruled to be in order to the Committee to decide whether they should be proceeded forthwith according to the order of the items on the agenda.

4. Mr CHAN Chi-chuen raised "a point of order" and asked if the Administration would respond to the questions raised during the debate on the motion to adjourn further proceedings of the Committee which took place without being completed at the meeting on 5 February 2015. The Chairman said that members would likely raise those questions again at the present meeting and it would be up to the Administration whether or not to respond at that time.

5. Ms Emily LAU raised a "point of order" and asked whether there was a deadline by which deliberation on the current two items must be completed. She queried the need for additional meetings on 14 February 2015 if there was no such deadline. The Chairman said that he did not consider Ms LAU's question as being a point of order, and suggested that she could bring it up when it was her turn to speak.

6. Mr Albert HO asked what implications were if the two items related to the establishment of ITB were not approved by 14 February 2015.

7. Secretary for Financial Services and the Treasury ("SFST") said that FC's approval of the two items FCR(2014-15)36 and FCR(2014-15)37 would have the effect of amending the 2014-2015 Estimates of Expenditure by virtue of section 8 of the Public Finance Ordinance (Cap. 2). It was crucial that the Committee complete deliberation and approve the proposals within the 2014-2015 financial year. Upon FC's approval of the proposals on establishing the ITB, the relevant new head and subheads, together with the changes to financial provisions and establishment ceilings, would be changes to the 2014-2015 Estimates. It would take the Administration some lead time to include these changes in the 2015 Appropriation Bill and the 2015-2016 Estimates of Expenditure to be presented by the Financial Secretary to the Legislative Council on 25 February 2015. Taking into account the intervening public holidays, FC's approval had to be made by 14 February 2015 the latest.

8. Mr Alan LEONG did not subscribe to SFST's explanation and criticized the Administration for not having responded meaningfully to members' queries during the previous meetings when the two items were discussed. Mr LEONG said that the Administration's evasive stance

reinforced some members' views that the Administration did not truly intend to promote innovation and technology development in Hong Kong through ITB, but to create positions to accommodate the Chief Executive's cronies.

9. Mr Alan LEONG quoted the functions and key tasks of the proposed ITB as highlighted in the discussion papers and asked what efforts the current term of Government had put in promoting innovation and technology development, and what performance indicators had been set up by which members could monitor the progress and effectiveness of the Administration.

10. Secretary for Commerce and Economic Development said that the technology sector had recently tendered numerous submissions which reflected their support for a dedicated policy bureau to spearhead innovation and technology development in Hong Kong. Commissioner for Innovation and Technology added that the proposed ITB could focus more on these areas of development at policy level, and would be in a better position to co-ordinate resources across policy bureaux.

Motion to adjourn further proceedings of the Committee

11. Mr Alan LEONG considered that the Administration had not addressed his queries and he moved, without notice, a motion under paragraph 39 of the FC Procedure that further proceedings of the Committee should be then adjourned.

12. The Chairman thereupon put the question on Mr Alan LEONG's motion to adjourn further proceedings of the Committee. The Chairman said that each member, when speaking on the question, could speak once for not more than three minutes.

13. At the invitation of the Chairman, Mr Alan LEONG introduced his motion. Mr Gary FAN, Ms Emily LAU, Mr Albert HO, Mr Frederick FUNG, Mr WU Chi-wai, Mr LEE Cheuk-yan, Dr Helena WONG, Mr CHAN Chi-chuen, Mr IP Kin-yuen, Ms Cyd HO, Ms Claudia MO, Mr LEUNG Kwok-hung, Mr CHEUNG Kwok-che, Mr Albert CHAN, Dr Fernando CHEUNG, Dr KWOK Ka-ki, Mr James TO, Mr LEUNG Yiu-chung and Mr WONG Yuk-man spoke for the motion.

14. In gist, members who spoke in favour of the motion criticized the Administration for practising cronyism by creating senior positions to accommodate those who supported the Chief Executive. They considered that under the current term Government, the proposed establishment of a new ITB would not be conducive to fostering the development of technology.

15. Mr CHAN Kin-por, Mr WONG Kwok-hing, Dr LO Wai-kwok, Mr Jeffrey LAM, Mr WONG Kwok-kin, Mr Steven HO, Mr TAM Yiu-chung, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr CHAN Kam-lam spoke against the motion. These members mainly criticized the members of the pan-democrat camp for procrastinating the funding process.

16. Mr Charles MOK appealed to both sides to focus discussion on matters related to the funding items. When Mr CHAN Kin-por spoke, Dr Helena WONG interrupted and said that Mr CHAN had used an expression which she found to be disparaging to women. She demanded a ruling from the Chairman. The Chairman asked if Mr CHAN Kin-por would take back what he had said. Mr CHAN declined and denied having used any offensive expression intentionally.

17. The Chairman suspended the meeting at 3:43 pm to review the video recording of the meeting.

18. The meeting resumed at 3:50 pm.

19. The Chairman said that he had considered the previous rulings of the President of the Legislative Council on the use of abusive and insulting language at Council meetings. He said that he did not consider the expression Mr CHAN Kin-por had used were insulting or were directed at any individual. The Chairman then asked Mr CHAN to continue to speak.

20. Dr Helena WONG raised a point of order and criticized the Chairman for allowing members to use derogatory remarks against female. The Chairman repeated that he had already made a ruling on the matter.

21. The Chairman declared that the meeting be adjourned and the debate on the motion should resume at the next meeting after a break of ten minutes.

22. The meeting was adjourned at 5:01 pm.

Legislative Council Secretariat

5 June 2015