

立法會
Legislative Council

LC Paper No. CB(1)90/14-15
(These minutes have been
cleared with the Chairman)

Ref : CB1/PL/DEV/1

Panel on Development

Minutes of meeting
held on Thursday, 9 October 2014, at 11:00 am
in Conference Room 1 of the Legislative Council Complex

Members present : Hon Tony TSE Wai-chuen, BBS (Chairman)
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Cyd HO Sau-lan, JP
Hon CHAN Hak-kan, JP
Hon CHAN Kin-por, BBS, JP
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-yeet, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon Michael TIEN Puk-sun, BBS, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
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 Fernando CHEUNG Chiu-hung
Dr Hon Elizabeth QUAT, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP

Member absent : Hon James TIEN Pei-chun, GBS, JP

Clerk in attendance : Ms Sharon CHUNG
Chief Council Secretary (1)6

Staff in attendance : Mr Andy LAU
Assistant Secretary General 1

Mr Hugo CHIU
Senior Council Secretary (1)6

Mr Fred PANG
Senior Council Secretary (1)8

Mr Raymond CHOW
Council Secretary (1)6

Ms Alice CHEUNG
Senior Legislative Assistant (1)1

Miss Queenie LAM
Senior Legislative Assistant (1)2

Ms Christina SHIU
Legislative Assistant (1)6

Miss Joey LAW
Clerical Assistant (1)6

I. Election of Chairman and Deputy Chairman

Election of Chairman

Dr LAU Wong-fat, the Chairman in office, invited nominations for the chairmanship for 2014-2015 session.

2. Ir Dr LO Wai-kwok nominated Mr Tony TSE and the nomination was seconded by Mr CHAN Kam-lam. Mr Tony TSE accepted the nomination. Mr Alan LEONG was nominated by Mr Gary FAN and the nomination was seconded by Ms Cyd HO. Mr Alan LEONG accepted the nomination. There was no other nomination.

3. Mr Albert CHAN proposed to move a motion to adjourn the election of Chairman under paragraph 3.58 of the Handbook for Chairmen of Panels ("Paragraph 3.58").

4. Dr LAU Wong-fat advised that Paragraph 3.58 was not applicable to election of Chairman and Deputy Chairman.

5. Mr Albert CHAN said he noted that Paragraph 3.58 referred to the discussion on a substantive motion. In his view, a nomination for a member to be the Chairman of the Panel was a motion, to which Paragraph 3.58 should apply. He did not accept Dr LAU Wong-fat's ruling that Paragraph 3.58 was not applicable to the election of Chairman. He cautioned that since the ruling deprived him of the right to move the adjournment motion, the decisions subsequently made at the meeting might become void.

6. Mr Albert CHAN continued that he would move nine motions without notice pursuant to paragraph 3.44 of the Handbook for Chairmen of Panels. The proposed motions were forwarded to Dr LAU Wong-fat at the meeting.

7. At the invitation of Dr LAU, the Clerk advised the meeting that the proposed motions were out of order. She said that motions without notice proposed to be dealt with by the Panel should be related to the policy matters or issues of public concern relevant to the Panel's terms of reference. As for the item on the agenda, which was "Election of Chairman and Deputy Chairman", moving of motions without notice was not provided for in the relevant procedure. The Chairman ruled that the motions were not in order.

8. Mr Albert CHAN said that he did not subscribe to the explanation provided by the Clerk. He advised that the motions proposed by him aimed

to express views on the requirements that should be met by the candidates for the chairmanship. He held the view that the proposed motions were in order.

9. Mr Albert CHAN suggested that the two candidates should be allowed time to elaborate on how they would discharge the duties of the Panel's Chairman and to answer questions from members. He recalled that similar arrangements had been made by other committees as part of the process of election of Chairman.

10. Dr LAU Wong-fat said that if members had no objection to the arrangement proposed by Mr Albert CHAN, the Panel might have to set a time limit for the candidates' speeches and members' questions. He suggested a time limit of five minutes. Some members opined that there was no need for the candidates to speak.

11. Assistant Secretary General 1 ("ASG1") advised that the procedure for election of a committee's chairman and deputy chairman had been set out in Appendix IV of the House Rules ("Appendix IV"). Unless otherwise decided by the Panel, the procedure should be followed.

12. In response to Dr Elizabeth QUAT's enquiry on whether the arrangement proposed by Mr Albert CHAN was part of the procedure set out in Appendix IV, Dr LAU Wong-fat advised in the negative.

13. In view of divergent views expressed by members, Dr LAU Wong-fat put Mr Albert CHAN's proposal on inviting the candidates to speak and members to put forward questions to vote. At the request of Mr Albert CHAN, Dr LAU ordered a division and the voting bell was rung for five minutes. 12 members voted for and 17 members voted against Mr CHAN's proposal. The voting result was as follows --

For

Mr James TO

Mr Frederick FUNG

Mr Alan LEONG

Mr Albert CHAN

Mr Gary FAN

Dr Kenneth CHAN

Ms Emily LAU

Ms Cyd HO

Mr LEUNG Kwok-hung

Mr WU Chi-wai

Mr CHAN Chi-chuen

Dr Fernando CHEUNG

(12 members)

Against

Mr CHAN Kam-lam
Mr Abraham SHEK
Mr CHAN Kin-por
Mrs Regina IP
Mr Michael TIEN
Mr CHAN Han-ban
Mr LEUNG Che-cheung
Dr Elizabeth QUAT
Mr Tony TSE

Dr LAU Wong-fat
Mr CHAN Hak-kan
Mr IP Kwok-him
Mr Paul TSE
Mr YIU Si-wing
Miss CHAN Yuen-han
Miss Alice MAK
Ir Dr LO Wai-kwok

(17 members)

14. Dr LAU Wong-fat declared that the proposal was negatived. He said that the meeting would be extended by 15 minutes.

15. Dr LAU Wong-fat advised that the Panel would continue with the election of the Chairman. He announced a vote by secret ballot. After members had cast their votes, Dr LAU invited Mr CHAN Kam-lam, who had seconded the nomination of Mr Tony TSE, and Mr Gary FAN, who had nominated Mr Alan LEONG, to oversee the counting of votes. Of the members present for the voting, 17 voted for Mr Tony TSE and 12 voted for Mr Alan LEONG. Dr LAU declared that Mr Tony TSE was elected Chairman of the Panel for the 2014-2015 session.

Election of Deputy Chairman

16. Mr Tony TSE took over the chair and invited nominations for the deputy chairmanship for the 2014-2015 session.

17. Mr LEUNG Che-cheung nominated Dr LAU Wong-fat and the nomination was seconded by Mr IP Kwok-him. Dr LAU Wong-fat accepted the nomination. Mr Gary FAN was nominated by Mr Frederick FUNG and the nomination was seconded by Mr Alan LEONG. Mr Gary FAN accepted the nomination. There was no other nomination.

18. Mr LEUNG Kwok-hung proposed that, before the voting was to start, the two candidates for the deputy chairmanship should make a speech about why members should support them. Mr Paul TSE sought clarification on whether the making of speech by candidates was part of the election procedure. The Chairman advised in the negative. He asked whether the two

candidates would like to make a speech. Mr Gary FAN replied in the affirmative and made a speech on what he aimed to achieve in taking up the post of the Deputy Chairman. Dr LAU Wong-fat indicated that he did not intend to make a speech.

19. The Chairman announced a vote by secret ballot. At his instruction, the Clerk arranged to distribute a ballot paper to each of the members present. The Chairman said that members should indicate their votes properly on the ballot papers.

20. In view of the time constraints, the Chairman sought members' views on whether the meeting should be further extended to allow sufficient time to complete the procedure for election of the Deputy Chairman. Mr LEUNG Kwok-hung said that he disagreed to further extending the meeting.

21. The Chairman ordered the Clerk to collect the ballot papers from members. ASG1 suggested that, taking into account the insufficient time left for vote counting, the Panel might consider the arrangement of keeping the collected ballot papers in a sealed envelope under the supervision of the members who had made the nominations for the two candidates, and conducting vote counting at another meeting. The Chairman sought members' views on the suggestion. Members agreed that the suggested arrangement be adopted.

22. At the invitation of the Chairman, Mr Frederick FUNG and Mr LEUNG Che-cheung oversaw the process of the transfer of the collected ballot papers to an envelope and the sealing of the envelope by the Clerk.

(Post-meeting note: As advised by the Chairman, the next meeting of the Panel was scheduled for 28 October 2014, at 2:30 pm. The notice and the agenda for the meeting were issued to members on 14 October 2014 vide LC Paper No. CB(1)22/14-15. The unfinished business on the agenda for the meeting on 9 October 2014, including the counting of the ballot papers collected, among other items, will be dealt with in the meeting on 28 October 2014.)

II Any other business

23. There being no other business, the meeting ended at 11:35 am.

Council Business Division 1
Legislative Council Secretariat
24 October 2014