

立法會
Legislative Council

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(These minutes have been cleared
with the Chairman)

Panel on Constitutional Affairs

Minutes of meeting
held on Tuesday, 18 October 2016, at 12:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present : Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, BBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon Dennis KWOK Wing-hang
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung

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, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon Jimmy NG Wing-ka, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, MH, JP
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Nathan LAW Kwun-chung

Member attending : Dr Hon Junius HO Kwan-yiu, JP

Members absent : Hon WONG Ting-kwong, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHU Hoi-dick
Dr Hon CHENG Chung-tai
Dr Hon YIU Chung-yim
Hon Sixtus LEUNG Chung-hang
Hon YAU Wai-ching
Dr Hon LAU Siu-lai

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (2) 3

Staff in attendance : Miss Flora TAI
Assistant Secretary General 2

Miss Cindy HO
Senior Council Secretary (2) 3

Mr Richard WONG
Senior Council Secretary (2) 6

Miss Karen LAI
Council Secretary (2) 3

Miss Connie AU
Council Secretary (2) 6

Action

I. Election of Chairman and Deputy Chairman

Election of Chairman

Mr James TO, the member present who had the highest precedence, presided over the election of the Chairman of the Panel. Mr James TO called for nominations for the chairmanship of the Panel. Mr Martin LIAO was nominated by Ms Starry LEE and the nomination was seconded by Mr Abraham SHEK. Mr Martin LIAO accepted the nomination.

2. Mr James TO invited other nominations for the chairmanship. Dr LAU Siu-lai was nominated by Mr LEUNG Kwok-hung and the nomination was seconded by Mr CHAN Chi-chuen. As Dr LAU Siu-lai was absent, Mr LEUNG Kwok-hung confirmed that the nomination was accepted by Dr LAU Siu-lai. Ms Starry LEE questioned whether a Member who had yet to comply with the requirements for the taking of the Legislative Council ("LegCo") Oath was eligible to stand for election as the chairman or deputy chairman of a Panel. Mr James TO responded that Rule 1 of the Rules of Procedure stipulated that no Member of the Council should attend a meeting or vote therein until he had made or subscribed an oath or affirmation in accordance with the provisions of the Oaths and Declarations Ordinance (Cap. 11) ("ODO"). The term of office of Members of the Sixth LegCo had commenced on 1 October 2016 and a Member was deemed duly elected unless he was disqualified from office. In accordance with the procedure for the election of chairman and deputy chairman of Panels as set out in the House Rules, an absent member could

Action

be nominated for office provided that the member making the nomination stated that the absent member's acceptance of the nomination had been secured. Ms Starry LEE expressed disagreement and requested to put on record her view that the nomination of a member as a candidate should not be accepted before his/her fulfillment of the oath-taking requirement in accordance with ODO.

3. Miss Tanya CHAN was nominated by Mr Jeremy TAM and the nomination was seconded by Dr Helena WONG. Miss Tanya CHAN accepted the nomination.

(Post-meeting note: Miss Tanya CHAN was elected as Chairman of the Panel on Environmental Affairs at its meeting held at 2:30 pm on the same day.)

4. Mr Sixtus LEUNG was nominated by Mr CHAN Chi-chuen and the nomination was seconded by Mr LEUNG Kwok-hung. As Mr Sixtus LEUNG was absent, Mr CHAN Chi-chuen confirmed that the nomination was accepted by Mr Sixtus LEUNG.

5. Mr LEUNG Kwok-hung further nominated the following seven members one-by-one for the chairmanship of the Panel: Mr CHAN Han-pan, Mr CHEUNG Kwok-kwan, Dr CHIANG Lai-wan, Mr CHAN Hak-kan, Mr LAU Kwok-fan, Ms Starry LEE and Mr LUK Chung-hung. The first four nominations, however, were not seconded by any member. As for the last three nominations, while they were seconded by Mr Nathan LAW, the three members being nominated did not accept the nomination. Mr James TO ruled that these seven nominations were invalid in accordance with the election procedure in the House Rules.

6. Mrs Regina IP was nominated by Mr Nathan LAW. As the nomination was not seconded by any member, Mr James TO declared that it was invalid in accordance with election procedure in the House Rules.

7. At 1:02 pm, Mr James TO said that as he envisaged that the nomination procedure and the election of the Chairman could not be completed within a short time, he announced that he would close the meeting at this juncture and nominations could continue to be made at the next meeting.

(Post-meeting note: With the concurrence of Hon James TO, the Member who had the highest precedence in the Council among those

Action

who had joined this Panel, the next meeting of the Panel was scheduled to be held on Friday, 28 October 2016, from 11:15 am to 12:00 noon to elect the Chairman and Deputy Chairman.)

II. Any other business

8. The meeting ended at 1:03 pm.

Council Business Division 2
Legislative Council Secretariat
9 November 2016