

**立法會**  
**Legislative Council**

Ref : CB2/PL/HA

LC Paper No. CB(2)62/16-17

(These minutes have been cleared  
with the Chairman)

**Panel on Home Affairs**

**Minutes of meeting**  
**held on Tuesday, 18 October 2016, at 11:30 am**  
**in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon MA Fung-kwok, SBS, JP (Chairman)  
Hon James TO Kun-sun  
Hon LEUNG Yiu-chung  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Tommy CHEUNG Yu-yan, 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 WU Chi-wai, MH  
Hon YIU Si-wing, BBS  
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 Helena WONG Pik-wan

Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Dr Hon CHIANG Lai-wan, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon Alvin YEUNG  
Hon Andrew WAN Siu-kin  
Hon Jimmy NG Wing-ka, JP  
Dr Hon Junius HO Kwan-yiu, JP  
Hon HO Kai-ming  
Hon LAM Cheuk-ting  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-fai  
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  
Dr Hon LAU Siu-lai  
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

**Members  
absent** : Hon WONG Ting-kwong, SBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon CHU Hoi-dick  
Dr Hon YIU Chung-yim  
Hon YAU Wai-ching

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

**Staff in  
attendance** : Miss Flora TAI  
Assistant Secretary General 2

Mr Richard WONG  
Senior Council Secretary (2) 6

Miss Cindy HO  
Senior Council Secretary (2) 3

Miss Karen LAI  
Council Secretary (2) 3

Miss Connie AU  
Council Secretary (2) 6

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**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 MA Fung-kwok was nominated by Mr CHAN Chun-yin and the nomination was seconded by Miss Alice MAK. Mr MA Fung-kwok accepted the nomination.

2. Mr James TO invited other nominations for the chairmanship. Mr Alvin YEUNG was nominated by Miss Tanya CHAN and the nomination was seconded by Mr Kenneth LEUNG. Mr Alvin YEUNG accepted the nomination.

3. As there were no other nominations, Mr James TO announced a vote by secret ballot.

4. During the counting of the ballot papers by the Clerk, Mr LEUNG Kwok-hung said he had just learnt from Miss LAU Siu-lai that she had been notified in writing that the President had ruled that her affirmation taken at the Council meeting of 12 October 2016 was invalid. Mr LEUNG Kwok-hung questioned whether Miss LAU should have been disallowed to cast her vote in this election. Mr James TO said that Mr LEUNG's question would be dealt with later and he instructed the Clerk to continue counting the ballot papers.

5. After completion of counting of the ballot papers, the Clerk reported the result to Mr James TO for confirmation. Mr James TO announced that

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33 members voted for Mr MA Fung-kwok and 21 members voted for Mr Alvin YEUNG. Regarding the above question raised by Mr LEUNG Kwok-hung, Mr James TO said that even though what Mr LEUNG Kwok-hung had said was true, the vote Ms LAU Siu-lai had cast in this election should not affect the validity of the election result as her one vote had no material impact on the voting result. Mr James TO declared Mr MA Fung-kwok elected as the Chairman of the Panel for the 2016-2017 session. Mr MA Fung-kwok then took the chair.

Election of Deputy Chairman

6. The Chairman called for nominations for the deputy chairmanship of the Panel.

7. Mr LEUNG Kwok-hung requested the Chairman to rule whether Miss LAU Siu-lai should not be allowed to be present at this meeting. In reply to the Chairman's enquiry, Miss LAU Siu-lai confirmed that shortly before this meeting, she had received a document informing her of the President's ruling that the affirmation taken by her at the Council meeting of 12 October 2016 was invalid. In the light of Miss LAU's confirmation, the Chairman ruled that Miss LAU could not be given a ballot paper in the election of the Deputy Chairman to be held later.

8. At the invitation of the Chairman, Assistant Secretary General 2 ("ASG2") explained that Rule 1 of the Rules of Procedure ("RoP") stipulated that no Member of the Council should attend a meeting or vote in the Council until he had made or subscribed an oath or affirmation in accordance with the provisions of the Oath and Declaration Ordinance (Cap. 11). ASG2 said that while she had not yet been provided with a copy of the document referred to by Miss LAU Siu-lai, if the President did have ruled that the affirmation taken by Miss LAU Siu-lai at the Council meeting of 12 October 2016 was invalid, Miss LAU, by virtue of RoP 1, could not attend this meeting or speak at this meeting or vote.

9. In response to Dr Helena WONG's enquiry, the Chairman said he had learnt that the Legislative Council Secretariat had arranged to send a paper entitled "The President's ruling on the validity of the Legislative Council Oath taken by six Members at the Council meeting of 12 October 2016" to all Members by email.

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10. In view of the time constraint, the Chairman decided to adjourn the meeting as he expected that the election of the Deputy Chairman could not be completed at this meeting. The Chairman said that the election of the Deputy Chairman would be held at the next Panel meeting.

*(Post-meeting note: As directed by the Chairman, the next meeting was scheduled for Friday, 11 November 2016, at 8:30 am. The notice of meeting was issued on 20 October 2016 vide LC Paper No. CB(2)34/16-17.)*

11. The meeting ended at 11:59 am.

Council Business Division 2  
Legislative Council Secretariat  
31 October 2016