

LEGISLATIVE COUNCIL

MINUTES

No. 4

**Minutes of the meeting held on Wednesday 31 October 2018 at 11:00 am
and Thursday 1 November 2018 at 9:00 am**

Attendance

The attendance of Members, public officers and Clerks is in the Official Record of Proceedings.

Tabling of Papers

The following papers were laid on the table under Rule 21(2) of the Rules of Procedure (“RoP”):

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Land (Miscellaneous Provisions) (Amendment) Regulation 2018 (gazetted on 26.10.2018)	205/2018
2. Mutual Legal Assistance in Criminal Matters (Sweden) Order (Commencement) Notice (gazetted on 26.10.2018)	206/2018
3. Foreign Lawyers Practice (Amendment) Rules 2018 (Commencement) Notice (gazetted on 26.10.2018)	207/2018

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
4. Solicitors' Practice (Amendment) Rules 2018 (Commencement) Notice (gazetted on 26.10.2018)	208/2018
5. Summary Disposal of Complaints (Solicitors) (Amendment) Rules 2018 (Commencement) Notice (gazetted on 26.10.2018)	209/2018
6. Pharmacy and Poisons (Amendment) (No. 6) Regulation 2018 (gazetted on 26.10.2018)	210/2018

Other Papers

1. No. 16 - Hong Kong Productivity Council
Annual Report, Independent Auditor's Report and Financial Statements 2017-18
(published on 24.10.2018)
2. No. 17 - Hong Kong Science and Technology Parks Corporation
Annual Report 2017-2018
(published on 24.10.2018)
3. No. 18 - The Land Registry Trading Fund Hong Kong
Annual Report 2017-18
(published on 25.10.2018)
4. No. 19 - Electrical and Mechanical Services
Trading Fund Report 2017/18
(published on 25.10.2018)
5. No. 20 - The Government Minute in response to the Report of the Public
Accounts Committee No. 69A and No. 70 of May and July 2018
(published on 29.10.2018)

Address

The Chief Secretary for Administration addressed the Council on The Government Minute in response to the Report of the Public Accounts Committee No. 69A and No. 70.

Questions

Six oral questions as set out on the Agenda (i.e. Questions 1 to 6) were put by the Members and oral replies were given by the public officers.

Written replies to Questions 7 to 22 as set out on the Agenda were supplied to Members.

Government Bills

First Reading and Second Reading

- Supplementary Appropriation (2017-2018) : Secretary for Financial Services
Bill and the Treasury
- Inland Revenue (Amendment) (No. 6) : Secretary for Financial Services
Bill 2018 and the Treasury

After the Bills were read the first time and ordered to be set down for Second Reading under RoP 53(3), the public officer moved the Second Reading of the Bills respectively. The questions on the Second Reading of the Bills were proposed respectively and the debates were adjourned. The Bills were referred to the House Committee in accordance with RoP 54(4).

Second Reading (Debate to resume), Consideration by Committee of the Whole Council and Third Reading

- Inland Revenue (Amendment) (No. 4) Bill : Secretary for Food and Health
2018

The debate on the Second Reading of the Bill, which was moved on 23 May 2018, resumed. After Members and the public officer had spoken, the question on the Second Reading of the Bill was put and agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council became committee of the whole Council and considered the Bill. The provisions of the Bill and the amendments thereto as set out on the Agenda were debated and voted in accordance with the relevant debate and voting arrangements and the relevant provisions of RoP. During the consideration of the Bill, the following questions were put:

<u>Order of questions put</u>	<u>Decisions taken (details of division, if any)</u>
— Clauses 1 to 7, 11 and 13 stand part of the Bill	Passed
— Public officer's amendments to clauses 8, 9, 10 and 12	Passed
— Clauses 8, 9, 10 and 12 as amended stand part of the Bill	Passed
— Second Reading of new clauses 8A and 8B moved by public officer	Passed
— Addition of new clauses 8A and 8B to the Bill moved by public officer	Passed

The Council then resumed. The public officer reported that the Bill had been passed by committee of the whole Council with amendments. The question on the motion that the report made under RoP 58(12) by the public officer be adopted by this Council was proposed, put and agreed to. The Bill was ordered to be set down for Third Reading under RoP 59. The question on the Third Reading of the Bill was proposed, put and agreed to. The Bill was read the third time and passed.

Members' Motions

Proposed resolutions under section 34(4) of the Interpretation and General Clauses Ordinance

Hon Kenneth LEUNG moved the two motions as set out on the Agenda respectively. The questions on the two motions were proposed, put and agreed to respectively.

Motion under Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

Hon Claudia MO moved the motion as set out on the Agenda. The question on the motion was proposed. After Members and the public officer had spoken, the question on the motion was put and not agreed to (details of division in the **Appendix**).

Motions under the Legislative Council (Powers and Privileges) Ordinance

Hon Claudia MO moved the motion as set out on the Agenda. Hon LAM Cheuk-ting had also given notice to move a motion under the Legislative Council (Powers and Privileges) Ordinance. The question on Hon Claudia MO's motion was proposed. A joint debate on the two motions was held. Members and the public officer spoke in the debate.

Next meeting

The President declared that the next Council meeting would be held on 7 November 2018 at 11:00 am.

The Council was adjourned at 7:33 pm on 1 November 2018.


(Andrew LEUNG Kwan-yuen)
President
Legislative Council

Chamber
Legislative Council Complex, Hong Kong

23 November 2018

點名表決 DIVISION: 1
日期 DATE: 01/11/2018
時間 TIME: 02:33:59 下午 PM

動議 MOTION: 根據《中華人民共和國香港特別行政區基本法》第七十三條第(五)項及第(十)項動議的議案
MOTION UNDER ARTICLE 73(5) AND (10) OF THE BASIC LAW OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA

動議人 MOVED BY: 毛孟靜 Claudia MO

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	29	32	
投票 Vote	28	32	
贊成 Yes	9	15	
反對 No	19	17	
棄權 Abstain	0	0	
結果 Result	否決 Negatived	否決 Negatived	否決 Negatived

個別表決如下 THE INDIVIDUAL VOTES WERE AS FOLLOWS:

議員 MEMBER	投票 VOTE	議員 MEMBER	投票 VOTE
功能團體 Functional Constituencies		地方選區 Geographical Constituencies	
梁君彥 Andrew LEUNG	出席 PRESENT	陳克勤 CHAN Hak-kan	反對 NO
涂謹申 James TO	贊成 YES	梁美芬 Dr Priscilla LEUNG	反對 NO
梁耀忠 LEUNG Yiu-chung	贊成 YES	黃國健 WONG Kwok-kin	反對 NO
石禮謙 Abraham SHEK		葉劉淑儀 Mrs Regina IP	反對 NO
張宇人 Tommy CHEUNG		謝偉俊 Paul TSE	反對 NO
李國麟 Prof. Joseph LEE	贊成 YES	毛孟靜 Claudia MO	贊成 YES
林健鋒 Jeffrey LAM		田北辰 Michael TIEN	反對 NO
黃定光 WONG Ting-kwong	反對 NO	胡志偉 WU Chi-wai	贊成 YES
李慧琼 Starry LEE	反對 NO	陳志全 CHAN Chi-chuen	贊成 YES
陳健波 CHAN Kin-por	反對 NO	陳恒鏞 CHAN Han-pan	反對 NO
何俊賢 Steven HO	反對 NO	梁志祥 LEUNG Che-cheung	反對 NO
易志明 Frankie YICK	反對 NO	麥美娟 Alice MAK	反對 NO
姚思榮 YIU Si-wing	反對 NO	郭家麒 Dr KWOK Ka-ki	贊成 YES
馬逢國 MA Fung-kwok	反對 NO	郭偉強 KWOK Wai-keung	反對 NO
莫乃光 Charles Peter MOK	贊成 YES	張超雄 Dr Fernando CHEUNG	贊成 YES
梁繼昌 Kenneth LEUNG	贊成 YES	黃碧雲 Dr Helena WONG	贊成 YES
郭榮鏗 Dennis KWOK		葛珮帆 Dr Elizabeth QUAT	反對 NO
張華峰 Christopher CHEUNG	反對 NO	蔣麗芸 Dr CHIANG Lai-wan	反對 NO
葉建源 IP Kin-yuen	贊成 YES	楊岳橋 Alvin YEUNG	贊成 YES
廖長江 Martin LIAO		尹兆堅 Andrew WAN	贊成 YES
潘兆平 POON Siu-ping	反對 NO	朱凱迪 CHU Hoi-dick	贊成 YES
盧偉國 Ir Dr LO Wai-kwok	反對 NO	何君堯 Dr Junius HO	反對 NO
鍾國斌 CHUNG Kwok-pan	反對 NO	林卓廷 LAM Cheuk-ting	贊成 YES
吳永嘉 Jimmy NG	反對 NO	柯創盛 Wilson OR	反對 NO
何啟明 HO Kai-ming	反對 NO	容海恩 YUNG Hoi-yan	反對 NO
周浩鼎 Holden CHOW	反對 NO	陳淑莊 Tanya CHAN	贊成 YES
邵家輝 SHIU Ka-fai	反對 NO	張國鈞 CHEUNG Kwok-kwan	反對 NO
邵家臻 SHIU Ka-chun	贊成 YES	許智峯 HUI Chi-fung	贊成 YES
陳沛然 Dr Pierre CHAN	贊成 YES	鄭松泰 Dr CHENG Chung-tai	
陳振英 CHAN Chun-ying	反對 NO	譚文豪 Jeremy TAM	贊成 YES
陸頌雄 LUK Chung-hung	反對 NO	范國威 Gary FAN	贊成 YES
劉國勳 LAU Kwok-fan	反對 NO	區諾軒 AU Nok-hin	贊成 YES
劉業強 Kenneth LAU		鄭泳舜 Vincent CHENG	反對 NO
鄭俊宇 KWONG Chun-yu	贊成 YES		
謝偉銓 Tony TSE	反對 NO		