

**立法會**  
***Legislative Council***

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**Finance Committee of the Legislative Council**

**Minutes of special meeting  
held at Conference Room 1 of the Legislative Council Complex  
on Monday, 27 May 2019, at 2:30 pm**

**Members present:**

Hon CHAN Kin-por, GBS, JP (Chairman)  
Hon CHAN Chun-ying, JP (Deputy 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 WONG Ting-kwong, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Hak-kan, BBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon WONG Kwok-kin, SBS, JP  
Hon Mrs Regina IP LAU Suk-yea, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Steven HO Chun-yin, BBS  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon WU Chi-wai, MH

Hon YIU Si-wing, BBS  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, BBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung, JP  
Hon Dennis KWOK Wing-hang  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, SBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon CHUNG Kwok-pan  
Hon Alvin YEUNG  
Hon Andrew WAN Siu-kin  
Hon CHU Hoi-dick  
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 Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan  
Hon CHEUNG Kwok-kwan, JP  
Hon HUI Chi-fung  
Hon LUK Chung-hung, JP  
Hon LAU Kwok-fan, MH  
Hon Kenneth LAU Ip-keung, BBS, MH, JP  
Dr Hon CHENG Chung-tai  
Hon KWONG Chun-yu  
Hon Jeremy TAM Man-ho  
Hon Gary FAN Kwok-wai

Hon AU Nok-hin  
Hon Vincent CHENG Wing-shun, MH  
Hon Tony TSE Wai-chuen, BBS  
Hon CHAN Hoi-yan

**Members absent:**

Hon MA Fung-kwok, SBS, JP  
Hon Kenneth LEUNG  
Dr Hon Helena WONG Pik-wan  
Hon SHIU Ka-chun  
Dr Hon Pierre CHAN  
Hon Tanya CHAN

**Clerk in attendance:**

Ms Anita SIT                                      Assistant Secretary General 1

**Staff in attendance:**

Miss Bowie LAM	Council Secretary (1)1
Miss Queenie LAM	Senior Legislative Assistant (1)2
Mr Frankie WOO	Senior Legislative Assistant (1)3
Miss Yannes HO	Legislative Assistant (1)7

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Action

The Deputy Chairman advised that the purpose of holding this special meeting of the Finance Committee ("FC") today was to deal with a motion seeking FC to express no confidence in the Chairman of FC, Mr CHAN Kin-por ("the motion of no confidence"). The wording of the motion had been printed on the agenda. He would follow the procedures previously adopted by FC for dealing with the same motions. He would call upon Dr KWOK Ka-ki, who moved the motion, the Chairman and other members to speak one after another. Each might speak once for not more than three minutes. After all the members who wished to speak had done so, he would once again call upon the Chairman and Dr KWOK Ka-ki to make a brief response of not more than one minute. Then, he would put the motion to vote.

**Item I — Motion seeking the Finance Committee to express no confidence in the Chairman: "That this Committee has no confidence in the Chairman of the Committee, Hon CHAN Kin-por"**

2. Dr KWOK Ka-ki moved the motion as printed on the agenda. He said that the motion of no confidence was predicated on the remarks made by the Chairman in a radio programme on 27 October 2018, criticizing those Members who opposed the Lantau Tomorrow Vision ("Lantau Tomorrow") project as sinners in history and publicly claiming that FC could finish scrutinizing the funding proposal for preliminary studies on the Lantau Tomorrow project in just 10-odd hours. He was of the view that members of the public had high expectations for the Legislative Council ("LegCo"), in particular FC. The FC Chairman should perform a gatekeeping role to ensure that members could scrutinize each and every funding proposal in detail. Since the total estimated development costs of the Lantau Tomorrow project would be hundreds of billions of dollars or even a trillion dollars, he expressed disappointment and regret over the fact that the Chairman had indicated his own supportive stance on the funding proposal and set a deadline for FC's scrutiny well before its submission to FC by the Administration.

3. In response, the Chairman, Mr CHAN Kin-por said that the allegations made by Dr KWOK Ka-ki were not borne out by facts. He pointed out that following the passage of the amendments to the Finance Committee Procedure ("FCP") on 1 March 2018, the longest time taken by FC to scrutinize an item was only about six hours. Thus, the estimated scrutiny time for the funding proposal for preliminary studies on the Lantau Tomorrow project he mentioned in the radio programme was simply a projection made on the basis of experience and actual cases. Moreover, at that time, he was only talking about the time required for handling the funding proposal, and nothing had been mentioned about a surefire funding approval from FC. He further said that there was no provisions under the Rules of Procedure ("RoP") of LegCo barring the FC Chairman from commenting on items to be submitted to FC for consideration. When he was not presiding over FC meetings, he was duty-bound to perform his functions as a Member of LegCo, including giving views on matters having far-reaching impacts on Hong Kong. According to FCP, in the event that the votes of members on an item were equally divided, the Chairman could only vote against the question put. Therefore, his personal stance would not result in the approval of the said item by FC. He stressed that he had all along chaired FC meetings in strict accordance with FCP, and he would continue to preside over FC meetings in the future in an impartial and fair

manner.

4. Mr KWONG Chun-yu, Ms Claudia MO, Mr Gary FAN, Dr CHENG Chung-tai, Mr CHAN Chi-chuen, Dr Fernando CHEUNG, Mr WU Chi-wai, Mr LAM Cheuk-ting, Mr Alvin YEUNG, Mr IP Kin-yuen, Mr LEUNG Yiu-chung, Mr Charles Peter MOK, Mr CHU Hoi-dick, Mr AU Nok-hin and Mr Jeremy TAM spoke in support of Dr KWOK Ka-ki's motion. In gist, these members said that since FC was vested with the statutory function to approve Government expenditure and its decisions had legal effect, the FC Chairman was in a unique position with unparalleled powers among committee chairmen of LegCo. With various powers vested by FCP, such as stopping Members from speaking and "drawing a line" to conclude discussion of an item, the Chairman could make a difference to the scrutiny time of specific funding proposals or even their passage by FC. Regarding the Chairman's remark that Members opposing the Lantau Tomorrow project were sinners in history and his act of giving a pre-set time limit for scrutinizing the relevant funding proposal, they criticized that the Chairman had created an impression of partiality, and the public was hardly convinced that he could chair the relevant FC meetings in a fair, impartial, objective and neutral manner. They demanded the Chairman to apologize for his aforesaid remarks and give an undertaking not to make similar remarks again.

5. These members specifically referred to the consideration of the funding proposal for the "Studies related to artificial islands in the Central Waters" by the Public Works Subcommittee ("PWSC"). They said that on that occasion, the Administration had failed to provide members with sufficient information on the proposal, and the attending government officials had also failed to answer the questions raised by members satisfactorily (such as evading the questions from members and repeating the same answers over and again). Yet Ir Dr LO Wai-kiwok, the PWSC Chairman, had managed the meeting progress by "drawing a line" to conclude the discussion. As a result, the funding proposal was endorsed by PWSC in a hasty manner. They pointed out that it was FC's function to ensure the proper use of public money and not the approval of funding proposals submitted by the Administration within a certain period of time. However, the Chairman had always been at the beck and call of the Administration. To facilitate FC's operation, they considered that the Administration should hold discussions with LegCo Members belonging to different political parties/groupings on re-arranging FC agenda items to accord priorities to those that were less controversial. They called on the Chairman to allow sufficient time for members to raise questions and refrain from unreasonably "drawing a line" to conclude the discussion when the funding proposal for the "Studies related to artificial islands in the

Central Waters" was discussed by FC. They also urged the government officials to respond to members' questions directly.

6. Mr YIU Si-wing, Mr Christopher CHEUNG, Dr CHIANG Lai-wan, Mr LAU Kwok-fan, Mr HO Kai-ming, Dr Priscilla LEUNG, Mr KWOK Wai-keung, Mr Steven HO, Dr Elizabeth QUAT, Mr Tony TSE, Mr SHIU Ka-fai, Mr Tommy CHEUNG, Mr Abraham SHEK, Mr WONG Ting-kwong, Ms Alice MAK, Mr CHAN Han-pan and Mr Paul TSE spoke in opposition to the motion of no confidence. These members criticized that the motion was not supported by valid justification; instead, it seemed more like a filibustering tactic deployed by Members of the pro-democracy camp. They considered that the Lantau Tomorrow project was about Hong Kong's long-term development and the public's well-being, and the Chairman should be free to express his own views on the project. They believed that members of the public would give a fair judgment on the views expressed by the Chairman. These members further pointed out that the FC Chairman was bound by RoP and FCP when chairing the meetings. The Chairman, Mr CHAN Kin-por, had all along acted in an impartial, independent and committed manner, while striving to help resolve the disputes among members themselves or between members and government officials. Separately, the Chairman must keep in view the efficiency of meetings. While ensuring that members could fully express their views, he must also avoid the meeting time being wasted due to members' repetitive speeches. It was thus vital for the Chairman to set an appropriate scrutiny time limit for each funding proposal. These members considered it sufficient to set aside 10-odd hours on scrutinizing the funding proposal for preliminary studies on the Lantau Tomorrow project, as policy issues involved in the project should be followed up by the relevant Panels. Members could also seek further details about the funding proposal through various channels (including sending letters to the relevant government departments or arranging meetings with the officials). Members should express their stances by their votes, instead of asking repetitive questions at the FC meetings. These members commended Mr CHAN Kin-por for being a competent chairman and supported him to continue serving as the FC Chairman.

7. In reply to members' speeches, the Chairman, Mr CHAN Kin-por said that on 2 November 2018, he had already provided members with a verbatim transcript of his remarks made in the radio programme and an explanation on his reasons for making those remarks. While thanking members for their well-intended reminders, he stressed that if there were delays in FC's scrutiny on the funding proposals, Hong Kong would suffer huge losses in terms of both opportunities and money. He undertook to continue presiding over FC meetings in a fair, orderly and efficient manner.

8. In his concluding remarks, Dr KWOK Ka-ki criticized the Chairman for failing to apologize to the people of Hong Kong for his remarks and insisting on defending the Government.

9. At 4:19 pm, the Deputy Chairman put to vote the motion of no confidence. At the request of members, the Deputy Chairman ordered a division. The Deputy Chairman announced that 19 members voted in favour of and 39 members voted against the motion, and no member abstained from voting. The votes of individual members were as follows:

*For:*

Mr James TO Kun-sun	Mr LEUNG Yiu-chung
Prof Joseph LEE Kok-long	Ms Claudia MO
Mr WU Chi-wai	Mr Charles Peter MOK
Mr CHAN Chi-chuen	Dr KWOK Ka-ki
Dr Fernando CHEUNG Chiu-hung	Mr Alvin YEUNG
Mr Andrew WAN Siu-kin	Mr CHU Hoi-dick
Mr LAM Cheuk-ting	Mr HUI Chi-fung
Dr CHENG Chung-tai	Mr KWONG Chun-yu
Mr Jeremy TAM Man-ho	Mr Gary FAN Kwok-wai
Mr AU Nok-hin	
(19 members)	

*Against:*

Mr Abraham SHEK Lai-him	Mr Tommy CHEUNG Yu-yan
Mr Jeffrey LAM Kin-fung	Mr WONG Ting-kwong
Ms Starry LEE Wai-king	Mr CHAN Hak-kan
Dr Priscilla LEUNG Mei-fun	Mr WONG Kwok-kin
Mrs Regina IP LAU Suk-ye	Mr Paul TSE Wai-chun
Mr Michael TIEN Puk-sun	Mr Steven HO Chun-yin
Mr Frankie YICK Chi-ming	Mr YIU Si-wing
Mr CHAN Han-pan	Mr LEUNG Che-cheung
Ms Alice MAK Mei-kuen	Mr KWOK Wai-keung
Mr Christopher CHEUNG Wah-fung	Dr Elizabeth QUAT
Mr Martin LIAO Cheung-kong	Mr POON Siu-ping
Dr CHIANG Lai-wan	Ir Dr LO Wai-kwok
Mr CHUNG Kwok-pan	Mr Jimmy NG Wing-ka
Dr Junius HO Kwan-yiu	Mr HO Kai-ming
Mr Holden CHOW Ho-ding	Mr SHIU Ka-fai
Mr Wilson OR Chong-shing	Ms YUNG Hoi-yan
Mr CHEUNG Kwok-kwan	Mr LUK Chung-hung
Mr LAU Kwok-fan	Mr Kenneth LAU Ip-keung
Mr Vincent CHENG Wing-shun	Mr Tony TSE Wai-chuen

Ms CHAN Hoi-yan  
(39 members)

10. The Deputy Chairman declared that the motion of no confidence was negated.

Meeting arrangements

11. While speaking on the motion, Mr CHAN Chi-chuen said that Dr KWOK Ka-ki had proposed the motion of no confidence on 30 October 2018, and the Chairman had replied on 31 October that a special meeting would be scheduled expeditiously to deal with the motion. He asked why FC could only hold the special meeting today (i.e. 27 May 2019) after more than six months.

12. In response, the Deputy Chairman said that the Chairman had then replied that FC should accord priority to the handling of financial proposals submitted by the Administration in accordance with FC's established practice. That said, a special meeting would be scheduled to deal with the motion of no confidence as soon as practicable before FC considered the Administration's funding proposal on the Lantau Tomorrow project. As the Administration had submitted the funding proposal for preliminary studies on the Lantau Tomorrow project (i.e. the "Studies related to artificial islands in the Central Waters") to PWSC for consideration in mid-May 2019, the Chairman, having consulted his views, had decided to hold the special meeting today.

Points of order

13. When Dr KWOK Ka-ki was speaking on the motion for the first time, Mr Tommy CHEUNG raised a point of order. He expressed dissatisfaction with Dr KWOK's remark that some "lackeys" or "eunuchs" had already stated clearly the intention to "draw a line" on the scrutiny time well before the Administration had set any time limit to complete the scrutiny on the funding proposal for preliminary studies on the Lantau Tomorrow project. Although Dr KWOK had not named any person in particular, he was apparently talking about the Chairman because he referred to a member with the power of "drawing a line". He criticized such remark as insulting and unacceptable. He sought clarification from Dr KWOK and asked if Dr KWOK would withdraw the said remark.

14. The Deputy Chairman asked Dr KWOK if the said remark was meant for any particular member. Dr KWOK said that he was simply quoting some comments circulating around the community, and such



remark was not directed against any particular member. He, therefore, would not withdraw the said remark. The Deputy Chairman said that he understood that members had different stances. He reminded members that they should avoid using heated rhetoric and stay focused on the discussion of their reasons for supporting or opposing the motion of no confidence.

15. The meeting ended at 4:25 pm.

Legislative Council Secretariat  
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