

立法會
Legislative Council

LC Paper No. CB(2)431/18-19

Ref : CB2/H/5/18

House Committee of the Legislative Council

**Minutes of the 8th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 7 December 2018**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)

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 CHAN Hak-kan, BBS, JP

Hon CHAN Kin-por, GBS, JP

Dr Hon Priscilla LEUNG Mei-fun, SBS, JP

Hon WONG Kwok-kin, SBS, JP

Hon Mrs Regina IP LAU Suk-yee, 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 MA Fung-kwok, SBS, JP

Hon Charles Peter MOK, JP

Hon CHAN Chi-chuen

Hon CHAN Han-pan, BBS, JP

Hon LEUNG Che-cheung, SBS, MH, JP

Hon Kenneth LEUNG

Hon Alice MAK Mei-kuen, BBS, JP

Dr Hon KWOK Ka-ki

Hon KWOK Wai-keung, JP

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, 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 Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon Jimmy NG Wing-ka, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon Tanya CHAN
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 Dennis KWOK Wing-hang (Deputy Chairman)
Hon James TO Kun-sun
Hon CHUNG Kwok-pan
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon Holden CHOW Ho-ding
Hon CHAN Chun-ying, JP

Clerk in attendance :

Miss Flora TAI Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
Ms Connie FUNG	Legal Adviser
Miss Odelia LEUNG	Deputy Secretary General
Ms Anita SIT	Assistant Secretary General 1
Ms Dora WAI	Assistant Secretary General 3
Mr Matthew LOO	Assistant Secretary General 4
Mr Timothy TSO	Senior Assistant Legal Adviser 1
Mr YICK Wing-kin	Senior Assistant Legal Adviser 2
Mr Kelvin LEE	Senior Assistant Legal Adviser 3
Ms Amy YU	Principal Council Secretary 1
Ms Hallie CHAN	Head (Public Information)
Ms Alice LEUNG	Chief Council Secretary (2)6
Mr Bonny LOO	Assistant Legal Adviser 4
Mr Cliff IP	Assistant Legal Adviser 8
Miss Linda CHAN	Assistant Legal Adviser 11
Miss Connie AU	Senior Council Secretary (2)6
Mr Richard WONG	Senior Council Secretary (2)8
Miss Michelle TANG	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

Action

I. Confirmation of minutes of meeting

Minutes of 7th meeting held on 30 November 2018
(LC Paper No. CB(2)371/18-19)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration

Determination of the Returning Officer that the nomination of Mr CHU Hoi-dick for the Rural Representative Election was invalid

2. The Chairman said that she and the Deputy Chairman had conveyed to the Chief Secretary for Administration ("CS") respectively regarding the stance of various political parties and groupings on the determination of the Returning Officer that the nomination of Mr CHU Hoi-dick for the Rural Representative Election to be held in January 2019 was invalid.

3. On behalf of the Deputy Chairman who could not attend this House Committee ("HC") meeting, the Chairman informed Members that the Deputy Chairman had, on behalf of Members of the pan-democratic camp, pointed out to CS that the determination of the Returning Officer that the nomination of Mr CHU Hoi-dick for the Rural Representative Election was invalid had undermined the rule of law in Hong Kong and the principle of "one country, two systems", and that was political screening and without legal basis. The Chairman further said that the Deputy Chairman had also remarked that no one would believe that the determination was solely made by the Returning Officer and it must have the consent of the higher echelons of the Government, and such a determination would create disputes and damage the relationship between the Executive Authorities and the Legislature. The Deputy Chairman had also told CS that he and other Members of the pan-democratic camp had expressed grave dismay at and dissatisfaction about the matter, and considered it totally unacceptable.

4. The Chairman also advised that she had pointed out to CS that she and Members of the pro-establishment camp in general respected and supported the determination of the Returning Officer. They noticed that the Returning Officer had put questions to Mr CHU Hoi-dick a couple of times concerning his political persuasion but Mr CHU had failed to satisfy the Returning Officer that he genuinely upheld the Basic Law ("BL") and bore allegiance to the Hong Kong Special Administrative Region ("HKSAR"). They further considered that the Returning Officer had made the determination according to the law and such determination would not affect the rule of law in Hong Kong as well as the implementation of "one country, two systems".

5. The Chairman further said that CS had reiterated that the HKSAR Government respected the Electoral Affairs Commission and the determination made by the Returning Officer. CS had stressed that the determination made was based on facts and in compliance with procedural justice, and it was not related to freedom of speech.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 30 November 2018 and tabled in Council on 5 December 2018

(LC Paper No. LS24/18-19)

6. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the four items of subsidiary legislation (i.e. L.N. 237 to L.N. 240) which were gazetted on 30 November 2018 and tabled in Council on 5 December 2018. LA said that LSD was studying the Fugitive Offenders (France) Order (L.N. 240) and would report further if necessary.

7. Dr KWOK Ka-ki considered it necessary to form a subcommittee to study the Road Tunnels (Government) (Amendment) (No. 2) Regulation 2018, the Tsing Ma Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2018 and the Tsing Sha Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2018 (i.e. L.N. 237 to L.N. 239) in detail. Members agreed. Dr KWOK Ka-ki agreed to join the proposed subcommittee.

8. Mr Kenneth LEUNG considered it necessary to form a subcommittee to study L.N. 240 in detail. Members agreed. Mr Kenneth LEUNG agreed to join the proposed subcommittee.

9. As the deadline for amending the above four items of subsidiary legislation was the Council meeting of 12 December 2018 unless extended by a resolution of the Council, Members also agreed that the Chairman should, in her capacity as the HC Chairman, move a motion at the Council meeting of 12 December 2018 to extend the scrutiny period of these items of subsidiary legislation to the Council meeting of 23 January 2019.

IV. Further business for the Council meeting of 12 December 2018

Report No. 7/18-19 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

10. The Chairman said that the above draft Report, which covered 42 items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 12 December 2018, had been issued to Members.

11. The Chairman informed Members that as several Members had indicated their intention to speak on the Peak Tramway (Safety) (Amendment) Regulation 2018 and the Peak Tramway Ordinance (Amendment of Section 3(3)) Notice 2018 (i.e. L.N. 171 and L.N. 172), and also the Financial Institutions (Resolution) (Loss-absorbing Capacity Requirements—Banking Sector) Rules (L.N. 195), she would, in her capacity as the Chairman of HC, move a motion to take note of the Report in relation to these three items of subsidiary legislation at the meeting. She proposed that the debate on the three items of subsidiary legislation be divided into two sessions, one covering L.N. 171 and L.N. 172, and the other covering L.N. 195. Members agreed.

Bill - First Reading and moving of Second Reading

12. The Chairman said that the Inland Revenue (Profits Tax Exemption for Funds) (Amendment) Bill 2018 would be introduced into the Council at the meeting, and HC would consider the Bill at its meeting on 14 December 2018.

V. Advance information on business for the Council meeting of 9 January 2019

Government motion

Proposed resolution under section 4 of the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525) to be moved by the Secretary for Security

(LC Paper No. CB(3)216/18-19)

(LC Paper No. LS25/18-19)

Action

13. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the above proposed resolution. LA said that LSD was studying the proposed resolution and would report further if necessary.

14. Members did not raise any questions on the proposed resolution and had no objection to the Administration moving the proposed resolution at the Council meeting of 9 January 2019.

VI. Reports of Bills Committees and subcommittees

Report of the Bills Committee on Conservation of Antarctic Marine Living Resources Bill

(LC Paper No. CB(2)377/18-19)

15. Mr Steven HO, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr HO said that in response to the views of the Bills Committee members, the Administration would propose two amendments to the Bill to make its policy intent clearer. The Bills Committee raised no objection to these proposed amendments and would not propose any amendments to the Bill. Mr HO further said that the Bills Committee supported the resumption of the Second Reading debate on the Bill. Members noted that the Administration had informed the Bills Committee of its intention to resume the Second Reading debate on the Bill at the Council meeting of 23 January 2019.

16. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the Bill would be Monday, 14 January 2019.

VII. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)372/18-19)

17. The Chairman said that as at 6 December 2018, there were nine Bills Committees, eight subcommittees under HC and six subcommittees on policy issues under Panels in action. Eight subcommittees on policy issues were on the waiting list.

Action

18. The Chairman further said that by the deadline for signification of membership, only two Members had signified to join the proposed Subcommittee on Banking (Amendment) Ordinance 2018 (Commencement) (No. 2) Notice 2018 and Three Items of Subsidiary Legislation under the Banking Ordinance, and no Member had signified to join the Subcommittee on Telecommunications (Carrier Licences) (Amendment) Regulation 2018. According to the relevant House Rules, a subcommittee should consist of not less than three members and accordingly, the above two proposed subcommittees could not be formed.

VIII. Request of Hon Claudia MO to seek the House Committee's recommendation for the holding of an adjournment debate pursuant to Rule 16(4) of the Rules of Procedure at the Council meeting of 12 December 2018 on the impact on Hong Kong citizens' freedom of speech and right to lawfully stand for various elections arising from the Returning Officer's determination that the nomination of a candidate, a serving Legislative Council Member, for the Rural Representative Election was invalid
(LC Paper No. CB(2)392/18-19(01))

19. At the invitation of the Chairman, Ms Claudia MO said that the nomination of Mr CHU Hoi-dick as a candidate for Resident Representative of Yuen Kong San Tsuen in the Rural Representative Election to be held in January 2019 was determined to be invalid by the relevant Returning Officer ("the RO concerned"). She commented that the determination was totally unacceptable as Mr CHU had already sworn to uphold BL when he assumed office as a Legislative Council Member some two years ago, and also pointed out explicitly in response to the questions raised by the RO concerned that he did not support independence of Hong Kong. Ms MO queried how the RO concerned could, in the absence of any facts and concrete evidence, cast doubt on whether Mr CHU genuinely upheld BL and come to the conclusion that Mr CHU was implicitly confirming that he supported that independence could be an option for Hong Kong people. In her view, the determination of the RO concerned had indicated that the HKSAR Government ("the Government") was distorting the law and would give the public the impression that it was shifting "the red line" for disqualification in order to set a precedent for the coming District Council Election to be held in 2019. Ms MO stressed that it was incumbent upon the Government to give a clear account of the matter concerning the determination of the RO concerned that Mr CHU was not validly nominated instead of always repeating that it agreed and supported the determination made by the RO concerned and that the determination was made according to the law.

Action

20. The Chairman said that as the deadline for giving notice of moving a motion under Rule 16(4) of the Rules of Procedure ("RoP") at the Council meeting of 12 December 2018 was 3 December 2018, if Members supported Ms Claudia MO's proposal, HC would need to make recommendation to the President for dispensing with the requisite notice. The Chairman then invited views from Members.

21. Dr CHIANG Lai-wan, Mr Steven HO and Mr Tony TSE said that they did not support Ms Claudia MO's proposal. Dr CHIANG considered it inappropriate for the Legislative Council ("LegCo") to discuss the determinations of ROs on individual nominations. Furthermore, Mr CHU Hoi-dick had already indicated that he might consider filing an election petition against the determination made by the RO concerned. Mr HO said that Mr CHU was implicitly confirming in his own replies to the RO concerned that he supported that independence could be an option for Hong Kong people. In doing so, Mr CHU had breached the LegCo Oath to uphold BL that he had taken when he assumed office as a LegCo Member. Mr HO added that the requirement for candidates for a Rural Representative Election to uphold BL was important because rural representatives could stand for election as councillors of Heung Yee Kuk and Heung Yee Kuk councillors could stand for election under the Heung Yee Kuk functional constituency in the LegCo election. Mr TSE considered that Ms MO's proposal was in effect "jumping the queue" for debate slots and Ms MO should apply for a debate slot in accordance with the established system for allocation of debate slots if she really wished to discuss the proposed motion. Mr TSE further said that he did not see any urgency for holding the proposed adjournment debate, adding that according to the law, Mr CHU could seek redress by way of an election petition.

22. Mr LUK Chung-hung and Mr HO Kai-ming considered that there was no need to hold the proposed adjournment debate. Mr LUK said that it was a fact that Mr CHU Hoi-dick was a party to a joint declaration made in 2016 by parties including Demosistō. The joint declaration stated that these parties would defend independence as an option for Hong Kong people to self-determine their future. Furthermore, as indicated in Mr CHU's replies to questions raised by the RO concerned, the stance of Mr CHU as expressed in the aforesaid joint declaration had not changed so far. Given that BL 1 had stipulated that HKSAR was an inalienable part of the People's Republic of China, Mr LUK said that it was logical to conclude that anyone whose political persuasion was inconsistent with BL could not possibly uphold BL genuinely. Mr HO

Action

said that there were other occasions in which the nominations of candidates for elections of various tiers were determined by ROs as invalid, he wondered why Ms Claudia MO had not made similar requests for holding adjournment debates. He stressed that it was reasonable for the public to expect public officials and people with public powers to uphold BL.

23. Mr WU Chi-wai, Dr Helena WONG and Mr KWONG Chun-yu considered the holding of the proposed adjournment debate warranted. Mr WU said that as there was no referendum law in Hong Kong, there was no political procedure for initiating "Hong Kong independence". Therefore, "Hong Kong independence" was not a realistic option, but instead, was merely a discussion topic. Mr WU considered that if any discussion of "Hong Kong independence" was not permitted, it would amount to limiting freedom of speech. Dr WONG pointed out that Mr CHU Hoi-dick had already declared that he did not support "Hong Kong independence". She therefore queried whether the determination of the RO concerned, in effect, requested that a candidate should stop other people from expressing support for "Hong Kong independence". If that was the case, Dr WONG considered it a breach of BL 27, which provided that Hong Kong people should have freedom of speech. Mr KWONG said that according to a newspaper article written by Mr Jasper TSANG, the former LegCo President, Mr TSANG also queried whether the RO concerned, when putting questions to Mr CHU Hoi-dick regarding his political stance, was acting within the scope of section 24 of the Rural Representative Election Ordinance (Cap. 576). In Mr KWONG's view, the proposed adjournment debate would enable the public to know "the red line" for disqualification and the criteria for determining the nomination for certain candidates as invalid.

24. Mr KWOK Wai-keung and Mr WONG Kwok-kin shared a similar view that Ms Claudia MO's proposal did not warrant discussion. Mr KWOK considered that advocates for self-determination as an option for Hong Kong was in effect subtly supporting "Hong Kong independence" and should not be tolerated. Mr KWOK said that in the remarks made by Mr WU Chi-wai earlier, Mr WU had already acknowledged that there was currently no legal provision on referendum in Hong Kong and independence was not a realistic option for Hong Kong under the prevailing laws. Mr WONG said that Members belonging to the Hong Kong Federation of Trade Unions would not support Ms MO's proposal as it was a waste of Council meeting time. Mr WONG added that the public could make their own judgement as to whether Mr CHU Hoi-dick should be disqualified from being nominated as a candidate for the Rural Representative Election.

Action

25. Mr LEUNG Yiu-chung and Dr Fernando CHEUNG expressed support for Ms Claudia MO's proposal. They considered it unreasonable to regard Ms MO's proposal as "jumping the queue" because the holding of an adjournment debate was provided for in RoP and an adjournment debate was just held at the Council meeting of 5 December 2018. Mr LEUNG and Dr CHEUNG queried whether the RO concerned, when putting questions to Mr CHU Hoi-dick regarding his political stance, was acting within the scope of section 24 of Cap. 576, which only required a candidate to sign a declaration to the effect that the candidate would uphold BL and pledge allegiance to HKSAR. Mr LEUNG considered that the determination of the RO concerned amounted to violation of fundamental rights of Hong Kong people, and criticized the Government for oppressing freedom of thought and freedom of speech. Dr CHEUNG considered that given Hong Kong people's right to stand for elections was at stake, there was urgency for holding the proposed adjournment debate.

26. Mr Jeremy TAM, Dr KWOK Ka-ki and Mr Alvin YEUNG expressed support for Ms Claudia MO's proposal. Mr TAM considered that the questions put to Mr CHU Hoi-dick by the RO concerned included not only whether he supported "Hong Kong independence", but also whether he supported others to advocate for it or not. In Mr TAM's view, this was entirely a censorship of a candidate's thoughts. Mr TAM was also worried that such censorships would continue in future elections and considered it necessary for the Government to tell the public clearly "the red line" for disqualification. Dr KWOK said that the determination of the RO concerned seemingly suggested that a candidate should state openly his objection to "Hong Kong independence"; otherwise, it would be tantamount to implicitly supporting "Hong Kong independence". Mr Alvin YEUNG said that the proposed adjournment debate could provide a platform for Members of the pro-establishment camp to explain clearly their stance against "Hong Kong independence" and the logic behind their argument that Mr CHU was "implicitly supporting Hong Kong independence". Mr YEUNG added that if the same logic was followed, he also wondered whether the Chief Executive's decision of not taking any actions to challenge Mr CHU's status as a serving LegCo Member amounted to an implicit way of supporting Mr CHU's implicit support of "Hong Kong independence".

Action

27. Mr CHEUNG Kwok-kwan said that he did not support Ms Claudia MO's proposal. Mr CHEUNG considered that what Ms MO had told Members so far at this meeting had failed to convince him that there were any special circumstances that warranted the holding of the proposed adjournment debate urgently and the waiving of the requisite notice period. Mr Paul TSE also saw no urgency for discussing the matter concerning the determination of the RO concerned. He pointed out that the purpose of holding an adjournment debate was to discuss issues concerning public interest. Unlike the adjournment debate moved by Mr CHUNG Kwok-pan concerning the impact of the recent China-United States relations on Hong Kong's economy, which had just been held at the Council meeting of 5 December 2018, the subject of debate in Ms MO's proposal was on an individual case concerning the nomination of Mr CHU Hoi-dick as a candidate for the Rural Representative Election and it was not of the concern of the general public. Mr Paul TSE also pointed out that through other election petition cases pending to be heard by the courts, issues relating to the legal aspects of the determinations of ROs could be clarified.

28. Both Mr HUI Chi-fung and Mr LAM Cheuk-ting considered it desirable to hold the proposed adjournment debate. Mr HUI criticized that the determination of the RO concerned had amounted to suppression of freedom of speech and violation of fundamental rights of Hong Kong people. He also opined that the issue of "Hong Kong independence" was only being used as a pretext by the Government for suppressing dissenting views. Mr LAM considered it absurd for the RO concerned to question whether a candidate would genuinely uphold BL and pledge allegiance to HKSAR, even after the candidate had declared that he would do so. He added that following the same reasoning, he could also question whether Mr Andrew LEUNG, the LegCo President, would genuinely pledge allegiance to HKSAR as Mr LEUNG only renounced his British nationality just shortly before he stood for the election of the LegCo President.

29. Mr SHIU Ka-chun, Mr AU Nok-hin and Mr CHAN Chi-chuen expressed support for Ms Claudia MO's proposal. Mr SHIU considered that the matter concerning the determination of the RO concerned warranted discussion by LegCo as it related to the fundamental right of Hong Kong people to stand for elections. Mr AU considered that the Government should not unjustifiably put labels of "advocates of Hong Kong independence" on candidates standing for elections. He also hoped that people should not indiscriminately label others who had

Action

different views. Mr CHAN pointed out that section 24 of Cap. 576 only required a candidate to sign a declaration to the effect that the candidate would uphold BL and pledge allegiance to HKSAR and that Mr CHU Hoi-dick had already done so. Mr CHAN also shared the query raised by Mr Jasper TSANG, the former LegCo President, as to whether the RO concerned, when putting questions to Mr CHU Hoi-dick regarding Mr CHU's political stance, was acting within the scope of section 24 of Cap. 576.

30. Ms Claudia MO commented that nothing about rural representatives was mentioned in BL 104 and it was not appropriate for the Government to impose arbitrarily the relevant requirements on rural representatives. According to the judgment of the Court of First Instance of the High Court on 13 February 2018, the requirement to sign the declaration to the effect that the prospective candidate would uphold BL and pledge allegiance to HKSAR should generally be considered met when prospective candidates signed the declaration, unless there were cogent, clear and compelling materials which would demonstrate to an objective reasonable person that the candidate plainly could not have that intention at the time of nomination. Ms MO further said that as pointed out in a statement made by the Progressive Lawyers Group, the ban on a person from running for election as a rural representative for their political views represented increasing violations of Hong Kong people's freedoms of conscience and expression.

31. The Chairman said that given Members' diverse views, she would put to vote the proposal of Ms Claudia MO to move a motion for adjournment of the Council, in addition to three Members' motions not intended to have legislative effect already scheduled, pursuant to RoP 16(4) at the Council meeting of 12 December 2018 for the purpose of conducting a debate on the impact on Hong Kong citizens' freedom of speech and right to lawfully stand for various elections arising from the Returning Officer's determination that the nomination of a candidate, a serving LegCo Member, for the Rural Representative Election was invalid. Mr CHAN Hak-kan requested a division.

The following Members voted in favour of the proposal:

Mr LEUNG Yiu-chung, Ms Claudia MO, Mr WU Chi-wai, Mr Charles MOK, Mr CHAN Chi-chuen, Mr Kenneth LEUNG, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Dr Helena WONG, Mr IP Kin-yuen, Mr Alvin YEUNG, Mr Andrew WAN, Mr LAM Cheuk-ting, Mr SHIU Ka-chun, Dr

Action

Pierre CHAN, Ms Tanya CHAN, Mr HUI Chi-fung, Dr CHENG Chung-tai, Mr KWONG Chun-yu, Mr Jeremy TAM, Mr Gary FAN and Mr AU Nok-hin.

(22 Members)

The following Members voted against the proposal:

Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Jeffrey LAM, Mr WONG Ting-kwong, Mr CHAN Hak-kan, Mr CHAN Kin-por, Dr Priscilla LEUNG, Mr WONG Kwok-kin, Mrs Regina IP, Mr Paul TSE, Mr Steven HO, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr CHAN Han-pan, Mr LEUNG Che-cheung, Ms Alice MAK, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Dr Elizabeth QUAT, Mr Martin LIAO, Mr POON Siu-ping, Dr CHIANG Lai-wan, Ir Dr LO Wai-kwok, Mr Jimmy NG, Mr HO Kai-ming, Mr SHIU Ka-fai, Mr Wilson OR, Ms YUNG Hoi-yan, Mr CHEUNG Kwok-kwan, Mr LUK Chung-hung, Mr LAU Kwok-fan, Mr Vincent CHENG, Mr Tony TSE and Ms CHAN Hoi-yan.

(35 Members)

32. The Chairman declared that 22 Members voted for and 35 Members voted against the proposal, and no Member abstained from voting. The Chairman declared that the proposal was not supported.

IX. Any other business

33. There being no other business, the meeting ended at 3:18 pm.