

LEGISLATIVE COUNCIL

MINUTES

No. 9

**Minutes of the meeting held on Wednesday 4 December 2019 at 11:00 am
and Thursday 5 December 2019 at 9:00 am**

Attendance

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

Papers laid on the Table of the Council

Five items of subsidiary legislation/instruments and four other papers laid on the Table of the Council under Rule 21(2) of the Rules of Procedure (“RoP”) were in **Appendix 1**.

Address

Hon Abraham SHEK, Chairman of the Public Accounts Committee, addressed the Council on the Committee’s Report No. 72A.

Questions

Six oral questions (i.e. Questions 1 to 6) were put by the Members, and oral replies given by the public officers to the main and supplementary questions put by Members.

Written replies to Questions 7 to 22 were supplied to Members.

Government Motions

Two proposed resolutions on appointment of judges

The Chief Secretary for Administration moved his first motion. The question on the first motion was proposed. A joint debate on the two motions was held. After Members and the public officer had spoken, the following questions were put:

<u>Order of questions put</u>	<u>Decisions taken (details of division, if any)</u>
— Public officer's first motion to appoint a judge of the Hong Kong Court of Final Appeal	Passed
— Public officer's second motion to appoint the Chief Judge of the High Court of Hong Kong	Passed

Members' Motions on Subsidiary Legislation/Instruments

Two proposed resolutions to extend the period for amending subsidiary legislation

Hon Vincent CHENG moved the motion. The question on the motion was proposed. After Members had spoken, the question on the motion was put and agreed to.

Hon WONG Ting-kwong moved the motion. The question on the motion was proposed, put and agreed to.

Member's Bill

First Reading and Second Reading (debate to be adjourned)

- St. John's College (Amendment) Bill : Hon Jimmy NG
2019

After the Bill was read the first time and ordered to be set down for Second Reading under RoP 53(3), Hon Jimmy NG moved the Second Reading of the Bill. The question on the Second Reading of the Bill was proposed. In accordance with RoP 54(4), the debate was adjourned and the Bill was referred to the House Committee.

Member's Motion (not including those on Subsidiary Legislation/Instruments)

Motion under BL 73(9) to form an independent investigation committee to investigate the charges against the Chief Executive for serious breach of law and/or dereliction of duty

Hon Alvin YEUNG moved the motion. 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 **Appendix 2**). As such, the procedure under BL 73(9) was terminated.

Next meeting

The President declared that the next Council meeting would be held on 11 December 2019 at 11:00 am.

The Council was adjourned at 7:02 pm on 5 December 2019.



(Andrew LEUNG Kwan-yuen)
President
Legislative Council

Chamber
Legislative Council Complex, Hong Kong

6 March 2020

Council meeting of 4 December 2019

Papers laid on the Table of the Council

Subsidiary legislation/instruments	Legal Notice No.
1. Legal Aid (Amendment) Regulation 2019 (gazetted on 29 November 2019)	170 of 2019
2. Legal Aid (Assessment of Resources and Contributions) (Amendment) Regulation 2019 (gazetted on 29 November 2019)	171 of 2019
3. Legal Aid Ordinance — Resolution of the Legislative Council (Commencement) Notice (gazetted on 29 November 2019)	172 of 2019
4. Merchant Shipping (Seafarers) (Working and Living Conditions) (Amendment) Regulation 2019 (gazetted on 29 November 2019)	173 of 2019
5. Merchant Shipping (Seafarers) (Allotments) (Amendment) Regulation 2019 (gazetted on 29 November 2019)	174 of 2019

Other papers

- Occupational Safety and Health Council
Annual Report 2018-2019 (including Financial Statements and Independent Auditor's Report)
(published on 27 November 2019)
- Hong Kong Housing Authority
Annual Report 2018/19
(published on 29 November 2019)
- Hong Kong Housing Authority
Financial Statements for the year ended 31 March 2019 (including Report of the Director of Audit)
(published on 29 November 2019)
- Supplemental Report of the Public Accounts Committee on Report No. 72 of the Director of Audit on the Results of Value for Money Audits
(December 2019 — P.A.C. Report No. 72A)
(published on 2 December 2019)

點名表決 DIVISION: 1
日期 DATE: 05/12/2019
時間 TIME: 07:02:20 下午 PM

動議 MOTION: 根據《基本法》第七十三條第(九)項動議議案，以組成獨立調查委員會，調查對行政長官有嚴重違法及/或瀆職行為的指控
MOTION UNDER ARTICLE 73(9) OF THE BASIC LAW TO FORM AN INDEPENDENT INVESTIGATION COMMITTEE TO INVESTIGATE THE CHARGES AGAINST THE CHIEF EXECUTIVE FOR SERIOUS BREACH OF LAW AND/OR DERELICTION OF DUTY

動議人 MOVED BY: 楊岳橋 Alvin YEUNG

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	33	30	
投票 Vote	32	30	
贊成 Yes	10	16	
反對 No	22	14	
棄權 Abstain	0	0	
結果 Result	否決 Negated	通過 Passed	否決 Negated

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	
梁耀忠 LEUNG Yiu-chung	贊成 YES	黃國健 WONG Kwok-kin	反對 NO
石禮謙 Abraham SHEK	反對 NO	葉劉淑儀 Mrs Regina IP	反對 NO
張宇人 Tommy CHEUNG	反對 NO	謝偉俊 Paul TSE	
李國麟 Prof Joseph LEE	贊成 YES	毛孟靜 Claudia MO	贊成 YES
林健鋒 Jeffrey LAM	反對 NO	田北辰 Michael TIEN	
黃定光 WONG Ting-kwong	反對 NO	胡志偉 WU Chi-wai	贊成 YES
李慧琼 Stary LEE	反對 NO	陳志全 CHAN Chi-chuen	贊成 YES
陳健波 CHAN Kin-por	反對 NO	陳恒鑽 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		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	贊成 YES	葛珮帆 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	反對 NO	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 Junius HO	
鍾國斌 CHUNG Kwok-pan		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	贊成 YES
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	反對 NO	鄭泳舜 Vincent CHENG	反對 NO
鄭俊宇 KWONG Chun-yu	贊成 YES	陳凱欣 CHAN Hoi-yan	反對 NO
謝偉銓 Tony TSE	反對 NO		

秘書 CLERK