

LEGISLATIVE COUNCIL

MINUTES

No. 40

**Minutes of the meeting held on Wednesday 25 August 2021 at 11:00 am
and Thursday 26 August 2021 at 9:00 am**

Attendance

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

Laying of Papers on the Table of the Council

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

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 Bills

Second Reading (debate to resume), consideration by committee of the whole Council and Third Reading

- Legal Practitioners (Amendment) : Secretary for Justice
Bill 2021

The Second Reading debate on the Bill 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 question that clauses 1 to 3 stand part of the Bill was proposed, put and agreed to.

The Council then resumed. The public officer reported the Bill to the Council without amendment. The question on the public officer's motion that the report made under RoP 58(12) 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.

- Waste Disposal (Charging for : Secretary for the
Municipal Solid Waste) (Amendment) Environment
Bill 2018

The Second Reading debate on the Bill resumed. After Members and the public officer had spoken, the question on the Second Reading of the Bill was put and agreed to (details of division in **Appendix 2**). 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 amendments thereto 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, 2, 5, 7 to 32 and 35 standing part of the Bill	Passed
— Public officer's amendments to clauses 3, 4, 6, 33, 34, 36 and 37	Passed
— Clauses 3, 4, 6, 33, 34, 36 and 37 as amended standing part of the Bill	Passed
— Second Reading of new clause 14A (Public officer's amendment)	Passed
— Addition of new clause 14A to the Bill moved by the public officer	Passed

The Council then resumed. The public officer reported the Bill to the Council with amendments. The question on the public officer's motion that the report made under RoP 58(12) 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 (details of division in **Appendix 3**). The Bill was read the third time and passed.

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|---|--|
| — Ocean Park Corporation (Amendment)
Bill 2021 | : Secretary for Commerce and
Economic Development |
|---|--|

The Second Reading debate on the Bill 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 question that clauses 1 to 9 stand part of the Bill was proposed, put and agreed to.

The Council then resumed. The public officer reported the Bill to the Council without amendment. The question on the public officer's motion that the report made under RoP 58(12) 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

Motion on "Protecting the rights and interests of platform workers"

Hon LUK Chung-hung moved the motion. The question on the motion was proposed. A joint debate on the motion and the amendments was held. After movers of the amendments, 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>
— Hon KWOK Wai-keung's amendment	Negated (Appendix 4)
— Motion moved without notice by Hon Starry LEE to shorten the duration of the division bell for further divisions in respect of the motion or its amendments	Passed
— Hon POON Siu-ping's amendment	Negated (Appendix 5)
— Hon LUK Chung-hung's motion	Negated (Appendix 6)

Motion on "Responding decisively to foreign countries' interference in Hong Kong's affairs"

Hon Paul TSE 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 agreed to.

Next meeting

The President declared that the next Council meeting would be held on 1 September 2021 at 11:00 am.

The Council was adjourned at 1:28 pm on 26 August 2021.



(Andrew LEUNG Kwan-yuen)

President

Legislative Council

Chamber

Legislative Council Complex, Hong Kong

10 November 2021

Council meeting of 25 August 2021

Laying of Papers on the Table of the Council

Subsidiary legislation	Legal Notice No.
1. Electoral Affairs Commission (Registration of Electors) (Rural Representative Election) (Amendment) Regulation 2021 (gazetted on 20 August 2021)	162 of 2021
2. Electoral Procedure (Rural Representative Election) (Amendment) Regulation 2021 (gazetted on 20 August 2021)	163 of 2021
3. Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2021 (gazetted on 20 August 2021)	164 of 2021
4. Airport Authority Ordinance (Map of Restricted Area) (Amendment) Order 2021 (gazetted on 20 August 2021)	165 of 2021
5. Airport Authority Ordinance (Map of Airport Area) (Amendment) Order 2021 (gazetted on 20 August 2021)	166 of 2021
6. Hong Kong Airport (Control of Obstructions) (No. 2) Order 1997 (Amendment) Order 2021 (gazetted on 20 August 2021)	167 of 2021
7. Hong Kong Airport (Control of Obstructions) (Exemption) Order (Repeal) Order (gazetted on 20 August 2021)	168 of 2021
8. Smoking (Public Health) Ordinance (Amendment of Schedule 2) Order 2021 (gazetted on 20 August 2021)	169 of 2021
9. Rules of the High Court (Amendment) Rules 2021 (gazetted on 20 August 2021)	170 of 2021
10. Rules of the District Court (Amendment) (No. 2) Rules 2021 (gazetted on 20 August 2021)	171 of 2021

11. Smoking (Public Health) (Designation of No Smoking Areas) (Amendment) Notice 2021 (gazetted on 20 August 2021) 172 of 2021
12. Shipping and Port Control Regulations (Amendment of Fifth Schedule) Notice 2021 (gazetted on 20 August 2021) 173 of 2021

Other papers

13. Report No. 25/20-21 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments (published on 18 August 2021)
14. Report of the Bills Committee on Legal Practitioners (Amendment) Bill 2021 (published on 20 August 2021)
15. Report of the Bills Committee Formed on 16 October 2020 to Study the Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Bill 2018 (published on 20 August 2021)
16. Report of the Bills Committee on Ocean Park Corporation (Amendment) Bill 2021 (published on 20 August 2021)

點名表決 DIVISION: 1
日期 DATE: 26/08/2021
時間 TIME: 09:24:03 上午 AM

動議 MOTION: 《2018 年廢物處置(都市固體廢物收費)(修訂)條例草案》 - 二讀
WASTE DISPOSAL (CHARGING FOR MUNICIPAL SOLID WASTE) (AMENDMENT) BILL 2018 -
SECOND READING

動議人 MOVED BY: 環境局局長 Secretary for the Environment

出席 Present : 39
投票 Vote : 38
贊成 Yes : 37
反對 No : 1
棄權 Abstain : 0
結果 Result : 通過 Passed

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

議員	MEMBER	投票	VOTE	議員	MEMBER	投票	VOTE
梁君彥	Andrew LEUNG	出席	PRESENT	葛珮帆	Elizabeth QUAT	贊成	YES
石禮謙	Abraham SHEK	贊成	YES	廖長江	Martin LIAO	贊成	YES
張宇人	Tommy CHEUNG	贊成	YES	潘兆平	POON Siu-ping	贊成	YES
林健鋒	Jeffrey LAM	贊成	YES	蔣麗芸	Dr CHIANG Lai-wan	贊成	YES
黃定光	WONG Ting-kwong	贊成	YES	盧偉國	Ir Dr LO Wai-kwok		
李慧琼	Starry LEE	贊成	YES	鍾國斌	CHUNG Kwok-pan	贊成	YES
陳克勤	CHAN Hak-kan	贊成	YES	吳永嘉	Jimmy NG	贊成	YES
陳健波	CHAN Kin-por	贊成	YES	何君堯	Dr Junius HO	贊成	YES
梁美芬	Dr Priscilla LEUNG	贊成	YES	周浩鼎	Holden CHOW	贊成	YES
黃國健	WONG Kwok-kin	贊成	YES	邵家輝	SHIU Ka-fai	贊成	YES
葉劉淑儀	Mrs Regina IP	贊成	YES	柯創盛	Wilson OR	贊成	YES
謝偉俊	Paul TSE	贊成	YES	容海恩	YUNG Hoi-yan	贊成	YES
田北辰	Michael TIEN			陳沛然	Dr Pierre CHAN		
何俊賢	Steven HO	贊成	YES	陳振英	CHAN Chun-ying	贊成	YES
易志明	Frankie YICK	贊成	YES	張國鈞	CHEUNG Kwok-kwan	贊成	YES
姚思榮	YIU Si-wing	贊成	YES	陸頌雄	LUK Chung-hung	贊成	YES
馬逢國	MA Fung-kwok	贊成	YES	劉國勳	LAU Kwok-fan	贊成	YES
陳恒鎮	CHAN Han-pan	贊成	YES	劉業強	Kenneth LAU	贊成	YES
梁志祥	LEUNG Che-cheung			鄭松泰	Dr CHENG Chung-tai	反對	NO
麥美娟	Alice MAK	贊成	YES	鄭泳舜	Vincent CHENG	贊成	YES
郭偉強	KWOK Wai-keung	贊成	YES	謝偉銓	Tony TSE	贊成	YES
張華峰	Christopher CHEUNG	贊成	YES				

秘書 CLERK

點名表決 DIVISION: 2
日期 DATE: 26/08/2021
時間 TIME: 10:01:08 上午 AM

動議 MOTION: 《2018 年廢物處置(都市固體廢物收費)(修訂)條例草案》 - 三讀
WASTE DISPOSAL (CHARGING FOR MUNICIPAL SOLID WASTE) (AMENDMENT) BILL 2018 -
THIRD READING

動議人 MOVED BY: 環境局局長 Secretary for the Environment

出席 Present : 39
投票 Vote : 38
贊成 Yes : 37
反對 No : 1
棄權 Abstain : 0
結果 Result : 通過 Passed

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

議員	MEMBER	投票	VOTE	議員	MEMBER	投票	VOTE
梁君彥	Andrew LEUNG	出席	PRESENT	葛珮帆	Elizabeth QUAT	贊成	YES
石禮謙	Abraham SHEK	贊成	YES	廖長江	Martin LIAO	贊成	YES
張宇人	Tommy CHEUNG	贊成	YES	潘兆平	POON Siu-ping	贊成	YES
林健鋒	Jeffrey LAM	贊成	YES	蔣麗芸	Dr CHIANG Lai-wan	贊成	YES
黃定光	WONG Ting-kwong	贊成	YES	盧偉國	Ir Dr LO Wai-kwok		
李慧琼	Starry LEE	贊成	YES	鍾國斌	CHUNG Kwok-pan	贊成	YES
陳克勤	CHAN Hak-kan	贊成	YES	吳永嘉	Jimmy NG	贊成	YES
陳健波	CHAN Kin-por	贊成	YES	何君堯	Dr Junius HO	贊成	YES
梁美芬	Dr Priscilla LEUNG	贊成	YES	周浩鼎	Holden CHOW	贊成	YES
黃國健	WONG Kwok-kin	贊成	YES	邵家輝	SHIU Ka-fai	贊成	YES
葉劉淑儀	Mrs Regina IP	贊成	YES	柯創盛	Wilson OR	贊成	YES
謝偉俊	Paul TSE	贊成	YES	容海恩	YUNG Hoi-yan	贊成	YES
田北辰	Michael TIEN			陳沛然	Dr Pierre CHAN		
何俊賢	Steven HO	贊成	YES	陳振英	CHAN Chun-ying	贊成	YES
易志明	Frankie YICK	贊成	YES	張國鈞	CHEUNG Kwok-kwan	贊成	YES
姚思榮	YIU Si-wing	贊成	YES	陸頌雄	LUK Chung-hung	贊成	YES
馬逢國	MA Fung-kwok	贊成	YES	劉國勳	LAU Kwok-fan	贊成	YES
陳恒鎮	CHAN Han-pan	贊成	YES	劉業強	Kenneth LAU	贊成	YES
梁志祥	LEUNG Che-cheung			鄭松泰	Dr CHENG Chung-tai	反對	NO
麥美娟	Alice MAK	贊成	YES	鄭泳舜	Vincent CHENG	贊成	YES
郭偉強	KWOK Wai-keung	贊成	YES	謝偉銓	Tony TSE	贊成	YES
張華峰	Christopher CHEUNG	贊成	YES				

秘書 CLERK

點名表決 DIVISION: 3
日期 DATE: 26/08/2021
時間 TIME: 12:26:02 下午 PM

動議 MOTION: 郭偉強議員對陸頌雄議員的「保障平台工作者的權益」議案作出的修正案
AMENDMENT BY HON KWOK WAI-KEUNG TO HON LUK CHUNG-HUNG'S MOTION ON
“PROTECTING THE RIGHTS AND INTERESTS OF PLATFORM WORKERS”

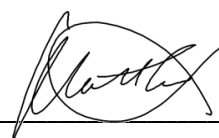
動議人 MOVED BY: 郭偉強 KWOK Wai-keung

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	20	17	
投票 Vote	19	17	
贊成 Yes	8	15	
反對 No	9	1	
棄權 Abstain	2	1	
結果 Result	否決 Negatived	通過 Passed	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	贊成 YES
石禮謙 Abraham SHEK		Dr Priscilla LEUNG	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	黃國健 WONG Kwok-kin	贊成 YES
林健鋒 Jeffrey LAM		葉劉淑儀 Mrs Regina IP	棄權 ABSTAIN
黃定光 WONG Ting-kwong	贊成 YES	謝偉俊 Paul TSE	反對 NO
李慧琼 Starry LEE	贊成 YES	田北辰 Michael TIEN	贊成 YES
陳健波 CHAN Kin-por	反對 NO	陳恒鎮 CHAN Han-pan	贊成 YES
何俊賢 Steven HO	贊成 YES	梁志祥 LEUNG Che-cheung	贊成 YES
易志明 Frankie YICK	反對 NO	麥美娟 Alice MAK	贊成 YES
姚思榮 YIU Si-wing	反對 NO	郭偉強 KWOK Wai-keung	贊成 YES
馬逢國 MA Fung-kwok		葛珮帆 Elizabeth QUAT	贊成 YES
張華峰 Christopher CHEUNG		蔣麗芸 Dr CHIANG Lai-wan	贊成 YES
廖長江 Martin LIAO	反對 NO	何君堯 Dr Junius HO	贊成 YES
潘兆平 POON Siu-ping	棄權 ABSTAIN	柯創盛 Wilson OR	贊成 YES
盧偉國 Ir Dr LO Wai-kwok		容海恩 YUNG Hoi-yan	
鍾國斌 CHUNG Kwok-pan	反對 NO	張國鈞 CHEUNG Kwok-kwan	贊成 YES
吳永嘉 Jimmy NG	棄權 ABSTAIN	Dr CHENG Chung-tai	贊成 YES
周浩鼎 Holden CHOW	贊成 YES	鄭松泰 Vincent CHENG	贊成 YES
邵家輝 SHIU Ka-fai	反對 NO		
陳沛然 Dr Pierre CHAN	贊成 YES		
陳振英 CHAN Chun-ying	反對 NO		
陸頌雄 LUK Chung-hung	贊成 YES		
劉國勳 LAU Kwok-fan	贊成 YES		
劉業強 Kenneth LAU	贊成 YES		
謝偉銓 Tony TSE	反對 NO		

秘書 CLERK



點名表決 DIVISION: 4
日期 DATE: 26/08/2021
時間 TIME: 12:28:33 下午 PM

動議 MOTION: 潘兆平議員對陸頌雄議員的「保障平台工作者的權益」議案作出的修正案
AMENDMENT BY HON POON SIU-PING TO HON LUK CHUNG-HUNG'S MOTION ON
“PROTECTING THE RIGHTS AND INTERESTS OF PLATFORM WORKERS”

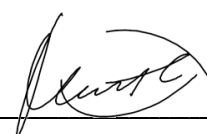
動議人 MOVED BY: 潘兆平 POON Siu-ping

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	20	17	
投票 Vote	19	17	
贊成 Yes	9	15	
反對 No	4	1	
棄權 Abstain	6	1	
結果 Result	否決 Negatived	通過 Passed	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	贊成 YES
石禮謙 Abraham SHEK		梁美芬 Dr Priscilla LEUNG	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	黃國健 WONG Kwok-kin	贊成 YES
林健鋒 Jeffrey LAM		葉劉淑儀 Mrs Regina IP	棄權 ABSTAIN
黃定光 WONG Ting-kwong	贊成 YES	謝偉俊 Paul TSE	反對 NO
李慧琼 Starry LEE	贊成 YES	田北辰 Michael TIEN	贊成 YES
陳健波 CHAN Kin-por	棄權 ABSTAIN	陳恒鎮 CHAN Han-pan	贊成 YES
何俊賢 Steven HO	贊成 YES	梁志祥 LEUNG Che-cheung	贊成 YES
易志明 Frankie YICK	反對 NO	麥美娟 Alice MAK	贊成 YES
姚思榮 YIU Si-wing	棄權 ABSTAIN	郭偉强 KWOK Wai-keung	贊成 YES
馬逢國 MA Fung-kwok		葛珮帆 Elizabeth QUAT	贊成 YES
張華峰 Christopher CHEUNG		蔣麗芸 Dr CHIANG Lai-wan	贊成 YES
廖長江 Martin LIAO	棄權 ABSTAIN	何君堯 Dr Junius HO	贊成 YES
潘兆平 POON Siu-ping	贊成 YES	柯創盛 Wilson OR	贊成 YES
盧偉國 Ir Dr LO Wai-kwok		容海恩 YUNG Hoi-yan	
鍾國斌 CHUNG Kwok-pan	反對 NO	張國鈞 CHEUNG Kwok-kwan	贊成 YES
吳永嘉 Jimmy NG	棄權 ABSTAIN	鄭松泰 Dr CHENG Chung-tai	贊成 YES
周浩鼎 Holden CHOW	贊成 YES	鄭泳舜 Vincent CHENG	贊成 YES
邵家輝 SHIU Ka-fai	反對 NO		
陳沛然 Dr Pierre CHAN	贊成 YES		
陳振英 CHAN Chun-ying	棄權 ABSTAIN		
陸頌雄 LUK Chung-hung	贊成 YES		
劉國勳 LAU Kwok-fan	贊成 YES		
劉業強 Kenneth LAU	贊成 YES		
謝偉銓 Tony TSE	棄權 ABSTAIN		

秘書 CLERK



點名表決 DIVISION: 5
日期 DATE: 26/08/2021
時間 TIME: 12:30:50 下午 PM

動議 MOTION: 陸頌雄議員「保障平台工作者的權益」議案
HON LUK CHUNG-HUNG'S MOTION ON "PROTECTING THE RIGHTS AND INTERESTS OF PLATFORM WORKERS"

動議人 MOVED BY: 陸頌雄 LUK Chung-hung

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	20	17	
投票 Vote	19	17	
贊成 Yes	8	15	
反對 No	5	0	
棄權 Abstain	6	2	
結果 Result	否決 Negatived	通過 Passed	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	贊成 YES
石禮謙 Abraham SHEK		梁美芬 Dr Priscilla LEUNG	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	黃國健 WONG Kwok-kin	贊成 YES
林健鋒 Jeffrey LAM		葉劉淑儀 Mrs Regina IP	棄權 ABSTAIN
黃定光 WONG Ting-kwong	贊成 YES	謝偉俊 Paul TSE	棄權 ABSTAIN
李慧琼 Starry LEE	贊成 YES	田北辰 Michael TIEN	贊成 YES
陳健波 CHAN Kin-por	棄權 ABSTAIN	陳恒鎮 CHAN Han-pan	贊成 YES
何俊賢 Steven HO	贊成 YES	梁志祥 LEUNG Che-cheung	贊成 YES
易志明 Frankie YICK	反對 NO	麥美娟 Alice MAK	贊成 YES
姚思榮 YIU Si-wing	棄權 ABSTAIN	郭偉强 KWOK Wai-keung	贊成 YES
馬逢國 MA Fung-kwok		葛珮帆 Elizabeth QUAT	贊成 YES
張華峰 Christopher CHEUNG		蔣麗芸 Dr CHIANG Lai-wan	贊成 YES
廖長江 Martin LIAO	棄權 ABSTAIN	何君堯 Dr Junius HO	贊成 YES
潘兆平 POON Siu-ping	贊成 YES	柯創盛 Wilson OR	贊成 YES
盧偉國 Ir Dr LO Wai-kwok		容海恩 YUNG Hoi-yan	
鍾國斌 CHUNG Kwok-pan	反對 NO	張國鈞 CHEUNG Kwok-kwan	贊成 YES
吳永嘉 Jimmy NG	棄權 ABSTAIN	鄭松泰 Dr CHENG Chung-tai	贊成 YES
周浩鼎 Holden CHOW	贊成 YES	鄭泳舜 Vincent CHENG	贊成 YES
邵家輝 SHIU Ka-fai	反對 NO		
陳沛然 Dr Pierre CHAN	贊成 YES		
陳振英 CHAN Chun-ying	棄權 ABSTAIN		
陸頌雄 LUK Chung-hung	贊成 YES		
劉國勳 LAU Kwok-fan	贊成 YES		
劉業強 Kenneth LAU	棄權 ABSTAIN		
謝偉銓 Tony TSE	反對 NO		

秘書 CLERK

