

LEGISLATIVE COUNCIL

MINUTES

No. 5

Minutes of the meeting held on Wednesday 12 November 2014 at 11:00 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:

Other Papers

1. No. 24 - Customs and Excise Service Welfare Fund
Financial statements for the year ended 31 March 2014 and its summary, together with the Report of the Director of Audit (published on 5.11.2014)
2. No. 25 - Secretary for Home Affairs Incorporated
Financial statements for the year ended 31 March 2014 (published on 7.11.2014)
3. No. 26 - Sir Edward Youde Memorial Fund
Report of the Board of Trustees for the Period 1 April 2013 to 31 March 2014
(published on 7.11.2014)

4. Report No. 2/14-15 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(published on 5.11.2014)
5. Report of the Bills Committee on Competition (Amendment) Bill 2014
(published on 7.11.2014)

Questions

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

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

Bill

Resumption of Second Reading debate, Committee stage and Third Reading

— Competition (Amendment) Bill 2014 : Secretary for Commerce and Economic Development

The debate on the Second Reading of the above Bill, which was moved on 14 May 2014, resumed. After Members and the public officer had respectively spoken, the President's Deputy put the question on the Second Reading of the Bill, and the question was agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council went into committee and considered the Bill. The question that clauses 1, 2, 3, 6, 7, 9 to 14, 16 and 17 stand part of the Bill was proposed, put and agreed to.

The question that clauses 4, 5, 8 and 15 stand part of the Bill was proposed. The public officer moved amendments to clauses 4, 5, 8 and 15 and spoke on the amendments. The question on the amendments was put and agreed to. The question that clauses 4, 5, 8 and 15 as amended stand part of the Bill was proposed, put and agreed to.

The Council then resumed. The public officer reported that the Bill had passed through the Committee stage with amendments. The Bill was ordered to be set down for Third Reading under Rule 59 of the Rules of Procedure. 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 resolution under section 34(4) of the Interpretation and General Clauses Ordinance

Hon Dennis KWOK moved the motion as set out on the Agenda. The President's Deputy proposed and put the question on the motion. The motion was passed.

Proposed resolution under section 37B(4) of the Air Pollution Control Ordinance

Hon Cyd HO moved the motion as set out on the Agenda. The President's Deputy proposed and put the question on the motion. The motion was passed.

Motion on "Devising the constitution by all people, making a new covenant, and realizing genuine 'Hong Kong people ruling Hong Kong'"

Hon WONG Yuk-man moved the motion as set out on the Agenda. The President's Deputy proposed the question on the motion and ordered a joint debate on the motion and the amendment. After the mover of the amendment, Members and the public officer had respectively spoken, the following questions were put:

<u>Order of questions put</u>	<u>Decisions taken (details of division, if any)</u>
— Amendment moved by Hon LEE Cheuk-yan as set out on the Agenda	Negatived (Appendix 1)
— Motion moved without notice by Hon Andrew LEUNG to shorten the duration of the division bell for the further division in relation to this motion	Passed
— Hon WONG Yuk-man's motion	Negatived (Appendix 2)

Next meeting

The President declared that the next Council meeting would be held on 19 November 2014 at 11:00 am.

The Council was adjourned at 6:01 pm on 12 November 2014.



(Jasper TSANG Yok-sing)
President
Legislative Council

Council Chamber
Hong Kong

5 December 2014

投票 VOTE: 1
 日期 DATE: 12/11/2014
 時間 TIME: 05:56:37 下午 PM

附錄 1
 Appendix 1

動議 MOTION: 李卓人議員對黃毓民議員的「全民制憲，重新立約，實現真正‘港人治港’」議案作出的修正案
 AMENDMENT BY HON LEE CHEUK-YAN TO HON WONG YUK-MAN'S MOTION ON "DEVisING THE CONSTITUTION BY ALL PEOPLE, MAKING A NEW COVENANT, AND REALIZING GENUINE 'HONG KONG PEOPLE RULING HONG KONG' "

動議人 MOVED BY: 李卓人 LEE Cheuk-yan

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	28	31	
投票 Vote	28	30	
贊成 Yes	7	12	
反對 No	21	18	
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	
何俊仁 Albert HO	贊成 YES	曾鈺成 TSANG Yok-sing	出席 PRESENT
涂謹申 James TO	贊成 YES	李卓人 LEE Cheuk-yan	贊成 YES
劉皇發 Dr LAU Wong-fat	反對 NO	陳鑑林 CHAN Kam-lam	反對 NO
石禮謙 Abraham SHEK	反對 NO	梁耀忠 LEUNG Yiu-chung	贊成 YES
張宇人 Tommy CHEUNG	反對 NO	劉慧卿 Emily LAU	贊成 YES
馮檢基 Frederick FUNG	贊成 YES	譚耀宗 TAM Yiu-chung	反對 NO
方剛 Vincent FANG		王國興 WONG Kwok-hing	反對 NO
李國麟 Prof Joseph LEE	贊成 YES	湯家驊 Ronny TONG	
林健鋒 Jeffrey LAM	反對 NO	何秀蘭 Cyd HO	贊成 YES
梁君彥 Andrew LEUNG	反對 NO	陳克勤 CHAN Hak-kan	反對 NO
黃定光 WONG Ting-kwong	反對 NO	梁美芬 Dr Priscilla LEUNG	反對 NO
李慧琼 Starry LEE	反對 NO	黃國健 WONG Kwok-kin	反對 NO
林大輝 Dr LAM Tai-fai		葉劉淑儀 Mrs Regina IP	反對 NO
陳健波 CHAN Kin-por	反對 NO	謝偉俊 Paul TSE	反對 NO
梁家驪 Dr LEUNG Ka-lau		Alan LEONG	
張國柱 CHEUNG Kwok-che		梁國雄 LEUNG Kwok-hung	贊成 YES
葉國謙 IP Kwok-him	反對 NO	陳偉業 Albert CHAN	反對 NO
吳亮星 NG Leung-sing	反對 NO	黃毓民 WONG Yuk-man	
何俊賢 Steven HO	反對 NO	毛孟靜 Claudia MO	
易志明 Frankie YICK		田北辰 Michael TIEN	反對 NO
姚思榮 YIU Si-wing	反對 NO	田北俊 James TIEN	反對 NO
馬達國 MA Fung-kwok	反對 NO	胡志偉 WU Chi-wai	贊成 YES
莫乃光 Charles Peter MOK	贊成 YES	范國威 Gary FAN	贊成 YES
陳婉嫻 CHAN Yuen-han		陳志全 CHAN Chi-chuen	反對 NO
梁繼昌 Kenneth LEUNG	贊成 YES	陳恒鑾 CHAN Han-pan	反對 NO
郭偉強 KWOK Wai-keung	反對 NO	陳家洛 Dr Kenneth CHAN	贊成 YES
Dennis KWOK		LEUNG Che-cheung	反對 NO
Christopher CHEUNG	反對 NO	麥美娟 Alice MAK	反對 NO
IP Kin-yuen	贊成 YES	郭家麒 Dr KWOK Ka-ki	贊成 YES
Martin LIAO	反對 NO	張超雄 Dr Fernando CHEUNG	贊成 YES
POON Siu-ping	反對 NO	單仲偕 SIN Chung-kai	贊成 YES
TANG Ka-piu	反對 NO	黃碧雲 Dr Helena WONG	贊成 YES
Ir Dr LO Wai-kwok	反對 NO	葛珮帆 Dr Elizabeth QUAT	反對 NO
CHUNG Kwok-pan	反對 NO	蔣麗芸 Dr CHIANG Lai-wan	反對 NO
Tony TSE	反對 NO	鍾樹根 Christopher CHUNG	反對 NO

秘書 CLERK

投票 VOTE: 2
 日期 DATE: 12/11/2014
 時間 TIME: 06:00:42 下午 PM

動議 MOTION: 「全民制憲，重新立約，實現真正‘港人治港’」議案
 MOTION ON “DEVISING THE CONSTITUTION BY ALL PEOPLE, MAKING A NEW COVENANT, AND REALIZING GENUINE ‘HONG KONG PEOPLE RULING HONG KONG’ ”

動議人 MOVED BY: 黃毓民 WONG Yuk-man

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	28	32	
投票 Vote	28	31	
贊成 Yes	0	5	
反對 No	21	16	
棄權 Abstain	7	10	
結果 Result	否決 Negatived	否決 Negatived	否決 Negatived

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郭榮鏗 Dennis KWOK		梁志祥 LEUNG Che-cheung	反對 NO
張華峰 Christopher CHEUNG	反對 NO	麥美娟 Alice MAK	反對 NO
葉建源 IP Kin-yuen	棄權 ABSTAIN	郭家麒 Dr KWOK Ka-ki	棄權 ABSTAIN
廖長江 Martin LIAO	反對 NO	張超雄 Dr Fernando CHEUNG	棄權 ABSTAIN
潘兆平 POON Siu-ping	反對 NO	單仲偕 SIN Chung-kai	棄權 ABSTAIN
鄧家彪 TANG Ka-piu	反對 NO	黃碧雲 Dr Helena WONG	棄權 ABSTAIN
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秘書 CLERK

