

LEGISLATIVE COUNCIL

MINUTES

No. 14

Minutes of the meeting held on Wednesday 21 January 2015 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:

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Land (Miscellaneous Provisions) (Amendment) Regulation 2015 (gazetted on 16.1.2015)	5/2015
2. Minimum Wage Ordinance (Amendment of Schedule 3) Notice 2015 (gazetted on 16.1.2015)	6/2015

Subsidiary Legislation / Instruments

L.N. No.

3. Employment Ordinance (Amendment of Ninth Schedule) Notice 2015
(gazetted on 16.1.2015) 7/2015
4. Amusement Rides (Safety) (Fees) (Amendment) Regulation 2015
(gazetted on 16.1.2015) 8/2015
5. Import and Export (Fees) (Amendment) Regulation 2015
(gazetted on 16.1.2015) 9/2015

Other Papers

1. No. 60 - Hospital Authority
Annual Report 2013-2014
(published on 15.1.2015)
2. No. 61 - Samaritan Fund
Financial Statements for the year ended 31 March 2014 and
Report on the Fund
(published on 15.1.2015)
3. No. 62 - Legal Aid Services Council
Annual Report 2013-2014
(published on 16.1.2015)
4. Report No. 10/14-15 of the House Committee on Consideration of Subsidiary
Legislation and Other Instruments
(published on 13.1.2015)
5. Report of the Bills Committee on Mandatory Provident Fund Schemes
(Amendment) Bill 2014
(published on 16.1.2015)
6. Report of the Bills Committee on Pharmacy and Poisons (Amendment) Bill 2014
(published on 16.1.2015)

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.

Bills

Resumption of Second Reading debate, Committee stage and Third Reading

- Mandatory Provident Fund Schemes (Amendment) Bill 2014 : Secretary for Financial Services and the Treasury

The debate on the Second Reading of the above Bill, which was moved on 2 July 2014, resumed. After Members and the public officer had respectively spoken, the President 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 to 6, 8, 9, 10, 12 to 21, 23, 24, 26 to 48, 50, 52, 53, 54, 56 and 57 stand part of the Bill was proposed, put and agreed to.

The question that clauses 7, 11, 22, 25, 49, 51 and 55 stand part of the Bill was proposed. The public officer moved amendments to clauses 7, 11, 22, 25, 49, 51 and 55 and spoke on the amendments. After Members had spoken, the Chairman ordered a separate vote on the amendment to clause 25 upon a Member's request.

The question on the amendments to clauses 7, 11, 22, 49, 51 and 55 was put and agreed to. The question that clauses 7, 11, 22, 49, 51 and 55 as amended stand part of the Bill was proposed, put and agreed to. The question on the amendment to clause 25 was put and agreed to (details of division in the **Appendix**). The question that clause 25 as amended stand part of the Bill was proposed, put and agreed to.

New clauses 26A, 27A and 58, and new part heading before new clause 58 were read the first time. The public officer moved the Second Reading of new clauses 26A, 27A and 58, and new part heading before new clause 58 and spoke on the new clauses. The Chairman proposed and put the question on the Second Reading of new clauses 26A, 27A and 58, and new part heading before new clause 58. The question was agreed to.

New clauses 26A, 27A and 58, and new part heading before new clause 58 were read the second time. The public officer moved the addition of new clauses 26A, 27A and 58, and new part heading before new clause 58 to the Bill. The question on the addition 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.

— Pharmacy and Poisons (Amendment) : Secretary for Food and Health
Bill 2014

The debate on the Second Reading of the above Bill, which was moved on 26 March 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 to 5, 8, 9, 11, 14, 16 to 19, 21, 22, 27, 28, 29, 31 to 42, 44, 45, 47, 48, 50, 51, 53, 54, 56, 57, 60, 61, 63, 64, 68, 69, 71 and 72 stand part of the Bill was proposed, put and agreed to.

The question that clauses 6, 7, 10, 12, 13, 15, 20, 23 to 26, 30, 43, 46, 49, 52, 55, 58, 59, 62, 65, 66, 67 and 70 stand part of the Bill was proposed. The public officer moved amendments to clauses 6, 7, 10, 12, 13, 15, 20, 23 to 26, 30, 43, 46, 49, 52, 55, 58, 59, 62, 65, 66, 67 and 70 and spoke on the amendments. The question on the amendments was put and agreed to. The question that clauses 6, 7, 10, 12, 13, 15, 20, 23 to 26, 30, 43, 46, 49, 52, 55, 58, 59, 62, 65, 66, 67 and 70 as amended stand part of the Bill was proposed, put and agreed to.

New clause 63A was read the first time. The public officer moved the Second Reading of new clause 63A and spoke on the new clause. The Chairman proposed and put the question on the Second Reading of new clause 63A. The question was agreed to.

New clause 63A was read the second time. The public officer moved the addition of new clause 63A to the Bill. The question on the addition was proposed, put and agreed to.

The question that the Schedule 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

Motion under Rule 49E(2) of the Rules of Procedure

Hon Andrew LEUNG moved the motion as set out on the Agenda. The President proposed the question on the motion. Members and the public officer spoke respectively. In accordance with Rule 49E(9) of the Rules of Procedure, the President did not put the question on the motion.

Motion on "Combating insurance frauds"

(During the proceedings of this motion, the meeting was adjourned at 10:33 pm on 21 January 2015. The remaining proceedings of this motion were to be dealt with at the next Council meeting on 28 January 2015.)

Hon CHAN Kin-por moved the motion as set out on the Agenda. The President 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 question on the amendment moved by Hon LEE Cheuk-yan was proposed and put. Hon LEE Cheuk-yan claimed a division. The President ordered the Council to proceed to a division.

After the division bell had been rung for five minutes, the President noted the absence of a quorum. He then directed the Members to be summoned.

Next meeting

After 15 minutes had expired, a quorum was not present. The President adjourned the Council in accordance with Rule 17(2) of the Rules of Procedure until 11:00 am on 28 January 2015.

The Council was adjourned at 10:33 pm.



(Jasper TSANG Yok-sing)
President
Legislative Council

Council Chamber
Hong Kong

27 March 2015

投票 VOTE: 1
日期 DATE: 21/01/2015
時間 TIME: 05:30:47 下午 PM

附錄
Appendix

動議 MOTION: 《2014年強制性公積金計劃(修訂)條例草案》 - 全體委員會審議階段 - 財經事務及庫務局局長
長的修正案 - 第25條
MANDATORY PROVIDENT FUND SCHEMES (AMENDMENT) BILL 2014 - COMMITTEE STAGE - THE SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY' S AMENDMENT TO CLAUSE 25

動議人 MOVED BY: 財經事務及庫務局局長 Secretary for Financial Services and the Treasury

出席 Present : 61
投票 Vote : 60
贊成 Yes : 31
反對 No : 29
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
曾鈺成	TSANG Yok-sing	出席	PRESENT	毛孟靜	Claudia MO	反對	NO
何俊仁	Albert HO	反對	NO	田北辰	Michael TIEN	贊成	YES
李卓人	LEE Cheuk-yan	反對	NO	田北俊	James TIEN	贊成	YES
涂謹申	James TO	反對	NO	吳亮星	NG Leung-sing	贊成	YES
陳鑑林	CHAN Kam-lam	贊成	YES	何俊賢	Steven HO	贊成	YES
梁耀忠	LEUNG Yiu-chung	反對	NO	易志明	Frankie YICK	贊成	YES
劉皇發	Dr LAU Wong-fat			胡志偉	WU Chi-wai	反對	NO
劉慧卿	Emily LAU	反對	NO	姚思榮	YIU Si-wing	贊成	YES
譚耀宗	TAM Yiu-chung	贊成	YES	范國威	Gary FAN	反對	NO
石禮謙	Abraham SHEK	贊成	YES	馬逢國	MA Fung-kwok	贊成	YES
張宇人	Tommy CHEUNG	贊成	YES	莫乃光	Charles Peter MOK	反對	NO
馮檢基	Frederick FUNG	反對	NO	陳志全	CHAN Chi-chuen	反對	NO
方剛	Vincent FANG	贊成	YES	陳恒鏞	CHAN Han-pan	贊成	YES
王國興	WONG Kwok-hing	反對	NO	陳家洛	Dr Kenneth CHAN	反對	NO
李國麟	Prof Joseph LEE	贊成	YES	陳婉嫻	CHAN Yuen-han		
林健鋒	Jeffrey LAM	贊成	YES	梁志祥	LEUNG Che-cheung	贊成	YES
梁君彥	Andrew LEUNG	贊成	YES	梁繼昌	Kenneth LEUNG	反對	NO
黃定光	WONG Ting-kwong	贊成	YES	麥美娟	Alice MAK	反對	NO
湯家驊	Ronny TONG	反對	NO	郭家麒	Dr KWOK Ka-ki	反對	NO
何秀蘭	Cyd HO	反對	NO	郭偉強	KWOK Wai-keung	反對	NO
李慧琼	Starry LEE			郭榮鏗	Dennis KWOK	反對	NO
林大輝	Dr LAM Tai-fai			張華峰	Christopher CHEUNG	贊成	YES
陳克勤	CHAN Hak-kan	贊成	YES	張超雄	Dr Fernando CHEUNG	反對	NO
陳健波	CHAN Kin-por	贊成	YES	單仲偕	SIN Chung-kai	反對	NO
梁美芬	Dr Priscilla LEUNG	贊成	YES	黃碧雲	Dr Helena WONG	反對	NO
梁家驩	Dr LEUNG Ka-lau	贊成	YES	葉建源	IP Kin-yuen	反對	NO
張國柱	CHEUNG Kwok-che			葛珮帆	Dr Elizabeth QUAT	贊成	YES
黃國健	WONG Kwok-kin	反對	NO	廖長江	Martin LIAO	贊成	YES
葉國謙	IP Kwok-him	贊成	YES	潘兆平	POON Siu-ping	反對	NO
葉劉淑儀	Mrs Regina IP	贊成	YES	鄧家彪	TANG Ka-piu		
謝偉俊	Paul TSE			蔣麗芸	Dr CHIANG Lai-wan	贊成	YES
梁家傑	Alan LEONG	反對	NO	盧偉國	Ir Dr LO Wai-kwok	贊成	YES
梁國雄	LEUNG Kwok-hung	反對	NO	鍾國斌	CHUNG Kwok-pan	贊成	YES
陳偉業	Albert CHAN	反對	NO	鍾樹根	Christopher CHUNG		
黃毓民	WONG Yuk-man			謝偉銓	Tony TSE	贊成	YES

秘書 CLERK