

LEGISLATIVE COUNCIL

MINUTES

No. 9

**Minutes of the meeting held on Wednesday 29 November 2017 at 11:00 am
and Thursday 30 November 2017 at 9:00 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:

1. No. 28 - Fire Services Department Welfare Fund
Report on the Administration of the Fund, Financial statements
and Report of the Director of Audit for the year ended
31 March 2017
(published on 22.11.2017)
2. No. 29 - Occupational Safety and Health Council
Annual Report 2016-2017
(published on 22.11.2017)

3. No. 30 - Secretary for Home Affairs Incorporated
Financial Statements and Report of the Director of Audit for
the year ended 31 March 2017
(published on 24.11.2017)
4. No. 31 - Sir Edward Youde Memorial Fund
Report of the Board of Trustees, Financial statements and
Report of the Director of Audit for the Period 1 April 2016 to
31 March 2017
(published on 24.11.2017)
5. No. 32 - Hong Kong Housing Authority
Annual Report 2016/17
(published on 27.11.2017)
6. No. 33 - Hong Kong Housing Authority
Financial Statements for the year ended 31 March 2017
(published on 27.11.2017)
7. No. 34 - Estate Agents Authority
Annual Report 2016-17
(published on 27.11.2017)
8. No. 35 - The Commissioner on Interception of Communications and
Surveillance
Annual Report 2016 to the Chief Executive (together with
a statement under section 49(4) of the Interception of
Communications and Surveillance Ordinance)
(published on 27.11.2017)
9. Report No. 5/17-18 of the House Committee on Consideration of Subsidiary
Legislation and Other Instruments
(published on 22.11.2017)

Questions

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

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

Government Motion

Proposed resolution under the Criminal Procedure Ordinance

The Council continued the debate on the motion moved on 22 November 2017. Hon KWONG Chun-yu continued to speak in the debate, and then moved a motion under Rule 40(1) of the Rules of Procedure that the debate be now adjourned.

Motion under Rule 40(1) of the Rules of Procedure that the debate on the proposed resolution under the Criminal Procedure Ordinance be now adjourned

(During the debate on this motion, the meeting was suspended at 7:58 pm on 29 November and resumed at 9:00 am on 30 November 2017.)

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 1**).

The Council continued the debate on the proposed resolution under the Criminal Procedure Ordinance. After a Member and the public officer had spoken, the question on the motion was put and agreed to (details of division in **Appendix 2**).

Members' Motions

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

Hon Starry LEE moved the first motion as set out on the Agenda. The question on the motion was proposed. Two Members and Hon WONG Kwok-kin spoke in the debate. Mr WONG then moved a motion under Rule 40(1) of the Rules of Procedure that the debate be now adjourned.

Motion under Rule 40(1) of the Rules of Procedure that the debate on the first motion under Rule 49E(2) of the Rules of Procedure be now adjourned

The question on the motion was proposed. After Members had spoken, the question on the motion was put and agreed to (details of division in **Appendix 3**).

The Council then proceeded to deal with the second motion under Rule 49E(2) of the Rules of Procedure.

Hon Starry LEE moved the second motion as set out on the Agenda. The question on the motion was proposed. Two Members and Ir Dr Hon LO Wai-kwok spoke in the debate. Ir Dr LO then moved a motion under Rule 40(1) of the Rules of Procedure that the debate be now adjourned.

Motion under Rule 40(1) of the Rules of Procedure that the debate on the second motion under Rule 49E(2) of the Rules of Procedure be now adjourned

The question on the motion was proposed. Members spoke on the motion.

Next meeting

The President declared that the next Council meeting would be held on 6 December 2017 at 11:00 am.

The Council was adjourned at 7:40 pm on 30 November 2017.



(Andrew LEUNG Kwan-yuen)
President
Legislative Council

Chamber
Legislative Council Complex, Hong Kong

1 February 2018

點名表決 DIVISION: 1
 日期 DATE: 30/11/2017
 時間 TIME: 09:32:18 上午 AM

附錄 1
 Appendix 1

動議 MOTION: 根據《議事規則》第 40(1)條，動議‘現即將根據《刑事訴訟程序條例》動議的擬議決議案的辯論中止待續’的議案
 MOTION UNDER RULE 40(1) OF THE RULES OF PROCEDURE THAT THE DEBATE ON THE PROPOSED RESOLUTION UNDER THE CRIMINAL PROCEDURE ORDINANCE BE NOW ADJOURNED

動議人 MOVED BY: 鄭俊宇 KWONG Chun-yu

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	28	20	
投票 Vote	27	20	
贊成 Yes	3	3	
反對 No	24	17	
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	
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	反對 NO
梁耀忠 LEUNG Yiu-chung	贊成 YES	黃國健 WONG Kwok-kin	反對 NO
石禮謙 Abraham SHEK		葉劉淑儀 Mrs Regina IP	反對 NO
張宇人 Tommy CHEUNG	反對 NO	謝偉俊 Paul TSE	反對 NO
李國麟 Prof Joseph LEE	反對 NO	毛孟靜 Claudia MO	
林健鋒 Jeffrey LAM	反對 NO	田北辰 Michael TIEN	反對 NO
黃定光 WONG Ting-kwong	反對 NO	胡志偉 WU Chi-wai	
李慧琼 Starry LEE	反對 NO	陳志全 CHAN Chi-chuen	贊成 YES
陳健波 CHAN Kin-por	反對 NO	陳恒鎮 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	
馬逢國 MA Fung-kwok	反對 NO	郭偉強 KWOK Wai-keung	反對 NO
莫乃光 Charles Peter MOK	反對 NO	張超雄 Dr Fernando CHEUNG	
梁繼昌 Kenneth LEUNG		黃碧雲 Dr Helena WONG	
郭榮鏗 Dennis KWOK		葛珮帆 Dr 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		楊岳橋 Alvin YEUNG	反對 NO
廖長江 Martin LIAO	反對 NO	尹兆堅 Andrew WAN	
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 Dr Junius HO	反對 NO
鍾國斌 CHUNG Kwok-pan	反對 NO	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	
邵家輝 SHIU Ka-fai	反對 NO	張國鈞 CHEUNG Kwok-kwan	反對 NO
邵家臻 SHIU Ka-chun		許智峯 HUI Chi-fung	
陳沛然 Dr Pierre CHAN		鄭松泰 Dr CHENG Chung-tai	
陳振英 CHAN Chun-ying	反對 NO	譚文豪 Jeremy TAM	
陸頌雄 LUK Chung-hung	反對 NO		
劉國勳 LAU Kwok-fan	反對 NO		
劉業強 Kenneth LAU	反對 NO		
鄭俊宇 KWONG Chun-yu	贊成 YES		

秘書 CLERK

點名表決 DIVISION: 2
日期 DATE: 30/11/2017
時間 TIME: 09:57:31 上午 AM

附錄 2
Appendix 2

動議 MOTION: 根據《刑事訴訟程序條例》動議的擬議決議案
PROPOSED RESOLUTION UNDER THE CRIMINAL PROCEDURE ORDINANCE

動議人 MOVED BY: 民政事務局局長 Secretary for Home Affairs

出席 Present : 52
投票 Vote : 51
贊成 Yes : 47
反對 No : 3
棄權 Abstain : 1
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	張超雄	Dr Fernando CHEUNG	贊成	YES
涂謹申	James TO	贊成	YES	黃碧雲	Dr Helena WONG		
梁耀忠	LEUNG Yiu-chung	反對	NO	葉建源	IP Kin-yuen		
石禮謙	Abraham SHEK			葛珮帆	Dr Elizabeth QUAT	贊成	YES
張宇人	Tommy CHEUNG	贊成	YES	廖長江	Martin LIAO	贊成	YES
李國麟	Prof Joseph LEE	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	贊成	YES
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	楊岳橋	Alvin YEUNG	贊成	YES
陳健波	CHAN Kin-por	贊成	YES	尹兆堅	Andrew WAN		
梁美芬	Dr Priscilla LEUNG	贊成	YES	朱凱迪	CHU Hoi-dick	反對	NO
黃國健	WONG Kwok-kin	贊成	YES	吳永嘉	Jimmy NG	贊成	YES
葉劉淑儀	Mrs Regina IP	贊成	YES	何君堯	Dr Junius HO	贊成	YES
謝偉俊	Paul TSE	贊成	YES	何啟明	HO Kai-ming	贊成	YES
毛孟靜	Claudia MO			林卓廷	LAM Cheuk-ting	贊成	YES
田北辰	Michael TIEN	贊成	YES	周浩鼎	Holden CHOW	贊成	YES
何俊賢	Steven HO	贊成	YES	邵家輝	SHIU Ka-fai	贊成	YES
易志明	Frankie YICK	贊成	YES	邵家臻	SHIU Ka-chun		
胡志偉	WU Chi-wai			柯創盛	Wilson OR	贊成	YES
姚思榮	YIU Si-wing	贊成	YES	容海恩	YUNG Hoi-yan	贊成	YES
馬逢國	MA Fung-kwok	贊成	YES	陳沛然	Dr Pierre CHAN		
莫乃光	Charles Peter MOK	贊成	YES	陳振英	CHAN Chun-ying	贊成	YES
陳志全	CHAN Chi-chuen	棄權	ABSTAIN	陳淑莊	Tanya CHAN	贊成	YES
陳恒鎮	CHAN Han-pan	贊成	YES	張國鈞	CHEUNG Kwok-kwan	贊成	YES
梁志祥	LEUNG Che-cheung	贊成	YES	許智峯	HUI Chi-fung		
梁繼昌	Kenneth LEUNG	贊成	YES	陸頌雄	LUK Chung-hung	贊成	YES
麥美娟	Alice MAK	贊成	YES	劉國勳	LAU Kwok-fan	贊成	YES
郭家麒	Dr KWOK Ka-ki			劉業強	Kenneth LAU	贊成	YES
郭偉強	KWOK Wai-keung	贊成	YES	鄭松泰	Dr CHENG Chung-tai	反對	NO
郭榮鏗	Dennis KWOK			鄭俊宇	KWONG Chun-yu	贊成	YES
張華峰	Christopher CHEUNG	贊成	YES	譚文豪	Jeremy TAM		

秘書 CLERK

點名表決DIVISION: 3
日期 DATE: 30/11/2017
時間 TIME: 06:17:23 下午 PM

動議 MOTION: 根據《議事規則》第 40(1)條，動議‘現即將第一項察悉議案的辯論中止待續’的議案
MOTION UNDER RULE 40(1) OF THE RULES OF PROCEDURE THAT THE DEBATE ON THE FIRST
TAKE-NOTE MOTION BE NOW ADJOURNED

動議人 MOVED BY: 黃國健 WONG Kwok-kin

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	28	28	
投票 Vote	27	28	
贊成 Yes	22	16	
反對 No	5	12	
棄權 Abstain	0	0	
結果 Result	通過 Passed	通過 Passed	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
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
涂謹申 James TO		梁美芬 Dr Priscilla LEUNG	贊成 YES
梁耀忠 LEUNG Yiu-chung	反對 NO	黃國健 WONG Kwok-kin	贊成 YES
石禮謙 Abraham SHEK		葉劉淑儀 Mrs Regina IP	贊成 YES
張宇人 Tommy CHEUNG	贊成 YES	謝偉俊 Paul TSE	贊成 YES
李國麟 Prof Joseph LEE		毛孟靜 Claudia MO	反對 NO
林健鋒 Jeffrey LAM	贊成 YES	田北辰 Michael TIEN	贊成 YES
黃定光 WONG Ting-kwong	贊成 YES	胡志偉 WU Chi-wai	反對 NO
李慧琼 Starry LEE	贊成 YES	陳志全 CHAN Chi-chuen	反對 NO
陳健波 CHAN Kin-por	贊成 YES	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	贊成 YES	麥美娟 Alice MAK	贊成 YES
姚思榮 YIU Si-wing	贊成 YES	郭家麒 Dr KWOK Ka-ki	
馬逢國 MA Fung-kwok	贊成 YES	郭偉强 KWOK Wai-keung	贊成 YES
莫乃光 Charles Peter MOK	反對 NO	張超雄 Dr Fernando CHEUNG	反對 NO
梁繼昌 Kenneth LEUNG		黃碧雲 Dr Helena WONG	反對 NO
郭榮鏗 Dennis KWOK	反對 NO	葛珮帆 Dr Elizabeth QUAT	贊成 YES
張華峰 Christopher CHEUNG	贊成 YES	蔣麗芸 Dr CHIANG Lai-wan	贊成 YES
葉建源 IP Kin-yuen		楊岳橋 Alvin YEUNG	反對 NO
廖長江 Martin LIAO	贊成 YES	尹兆堅 Andrew WAN	
潘兆平 POON Siu-ping	贊成 YES	朱凱迪 CHU Hoi-dick	反對 NO
盧偉國 Ir Dr LO Wai-kwok	贊成 YES	何君堯 Dr Junius HO	贊成 YES
鍾國斌 CHUNG Kwok-pan	贊成 YES	林卓廷 LAM Cheuk-ting	反對 NO
吳永嘉 Jimmy NG	贊成 YES	柯創盛 Wilson OR	贊成 YES
何啟明 HO Kai-ming	贊成 YES	YUNG Hoi-yan	贊成 YES
周浩鼎 Holden CHOW	贊成 YES	陳淑莊 Tanya CHAN	反對 NO
邵家輝 SHIU Ka-fai	贊成 YES	張國鈞 CHEUNG Kwok-kwan	贊成 YES
邵家臻 SHIU Ka-chun	反對 NO	許智峯 HUI Chi-fung	反對 NO
陳沛然 Dr Pierre CHAN		鄭松泰 Dr CHENG Chung-tai	反對 NO
陳振英 CHAN Chun-ying	贊成 YES	譚文豪 Jeremy TAM	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		
鄭俊宇 KWONG Chun-yu	反對 NO		

秘書 CLERK