

LEGISLATIVE COUNCIL

MINUTES

No. 14

**Minutes of the meeting held on Wednesday 8 February 2017 at 11:00 am
and Thursday 9 February 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:

| <u>Subsidiary Legislation / Instruments</u> | <u>L.N. No.</u> |
|--|-----------------|
| 1. Minimum Wage Ordinance (Amendment of Schedule 3) Notice 2017 (gazetted on 20.1.2017) | 10/2017 |
| 2. Pharmacy and Poisons (Amendment) Regulation 2017 (gazetted on 20.1.2017) | 11/2017 |

| <u>Subsidiary Legislation / Instruments</u> | <u>L.N. No.</u> |
|--|-----------------|
| 3. Employment Ordinance (Amendment of Ninth Schedule) Notice 2017 (gazetted on 20.1.2017) | 12/2017 |
| 4. Import and Export (General) Regulations (Amendment of Schedule 7) Notice 2017 (gazetted on 20.1.2017) | 13/2017 |
| 5. Patents Ordinance (Amendment of Schedule 1) Order 2017 (gazetted on 3.2.2017) | 16/2017 |
| 6. Registered Designs Ordinance (Amendment of Schedule) Regulation 2017 (gazetted on 3.2.2017) | 17/2017 |
| 7. Trade Marks Ordinance (Amendment of Schedule 1) Regulation 2017 (gazetted on 3.2.2017) | 18/2017 |
| 8. Layout-design (Topography) of Integrated Circuits (Designation of Qualifying Countries, Territories or Areas) (Amendment) Regulation 2017 (gazetted on 3.2.2017) | 19/2017 |

Other Papers

1. No. 62 - Hong Kong Council for Accreditation of Academic and Vocational Qualifications
Annual Report 2015/16
(published on 2.2.2017)
2. No. 63 - Vocational Training Council
Annual Report and Financial Report 2015/2016
(published on 2.2.2017)

3. No. 64 - Legal Aid Services Council
Annual Report 2015/2016
(published on 3.2.2017)
4. Report No. 10/16-17 of the House Committee on Consideration of Subsidiary
Legislation and Other Instruments
(published on 3.2.2017)

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 Bills

First Reading and Second Reading

- Apology Bill : Secretary for Justice
- Stamp Duty (Amendment) Bill 2017 : Secretary for Transport and Housing

After the above Bills were read the first time and ordered to be set down for Second Reading under Rule 53(3) of the Rules of Procedure, the public officers moved the Second Reading of the Bills respectively. The questions on the Second Reading of the Bills were proposed respectively and the debates were adjourned. The Bills were referred to the House Committee in accordance with Rule 54(4) of the Rules of Procedure.

Members' Motions

Proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance

Hon CHAN Chun-ying moved the motion as set out on the Agenda. The question on the motion was proposed, put and agreed to.

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

Hon Starry LEE moved the motion as set out on the Agenda. The question on the motion was proposed. A member and the public officer spoke on the motion. In accordance with Rule 49E(9) of the Rules of Procedure, no question on the motion was put.

Proposed resolution under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

Hon Paul TSE moved the motion as set out on the Agenda. The question on the motion was proposed, put and agreed to.

Motion on “Urging the Government to step up the regulation of money lenders and financial intermediaries”

Hon Alice MAK moved the motion as set out on the Agenda. 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> |
|---|--|
| — Amendment moved by Hon LEUNG Yiu-chung as set out on the Agenda | Passed |
| — Revised amendment moved by Hon Kenneth LEUNG as set out in the Official Record of Proceedings | Passed |
| — Hon Alice MAK's motion as amended | Passed |

Motion on “Expeditiously conducting a comprehensive review of the Government’s service outsourcing system”

(During the debate on this motion, the meeting was suspended at 7:33 pm on 8 February and resumed at 9:00 am on 9 February 2017.)

Hon LUK Chung-hung moved the motion as set out on the Agenda. 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 officers had spoken, the following questions were put:

| <u>Order of questions put</u> | <u>Decisions taken</u> <u>(details of division,</u> <u>if any)</u> |
|---|--|
| — Amendment moved by Hon Steven HO as set out on the Agenda | Passed |
| — Revised amendment moved by Hon LEUNG Yiu-chung as set out in the Official Record of Proceedings | Passed (Appendix 1) |
| — Motion moved without notice by Hon Starry LEE to shorten the duration of the division bell for further divisions in respect of this motion and its amendments | Passed |
| — Revised amendment moved by Hon Charles Peter MOK as set out in the Official Record of Proceedings | Passed (Appendix 2) |
| — Revised amendment moved by Hon POON Siu-ping as set out in the Official Record of Proceedings | Negated (Appendix 3) |
| — Hon LUK Chung-hung’s motion as amended | Passed |

Next meeting

The President declared that the next Council meeting would be held on 15 February 2017 at 11:00 am.

The Council was adjourned at 10:28 am on 9 February 2017.



(Andrew LEUNG Kwan-yuen)
President
Legislative Council

Chamber
Legislative Council Complex, Hong Kong

16 March 2017

點名表決 DIVISION: 1
 日期 DATE: 09/02/2017
 時間 TIME: 10:18:21 上午 AM

附錄 1
 Appendix 1

動議 MOTION: 梁耀忠議員對陸頌雄議員就「盡快全面檢討政府的服務外判制度」所提，經何俊賢議員修正的議案，作出的修正案
 AMENDMENT BY HON LEUNG YIU-CHUNG TO HON LUK CHUNG-HUNG'S MOTION ON
 "EXPEDITIOUSLY CONDUCTING A COMPREHENSIVE REVIEW OF THE GOVERNMENT'S
 SERVICE OUTSOURCING SYSTEM" AS AMENDED BY HON STEVEN HO

動議人 MOVED BY: 梁耀忠 LEUNG Yiu-chung

| | 功能團體 Functional Constituencies | 地方選區 Geographical Constituencies | 最後結果 Final Result |
|------------|-----------------------------------|-------------------------------------|----------------------|
| 出席 Present | 25 | 21 | |
| 投票 Vote | 24 | 21 | |
| 贊成 Yes | 15 | 18 | |
| 反對 No | 9 | 1 | |
| 棄權 Abstain | 0 | 2 | |
| 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 | 贊成 YES | 梁美芬 Dr Priscilla LEUNG | 棄權 ABSTAIN |
| 梁耀忠 LEUNG Yiu-chung | 贊成 YES | 黃國健 WONG Kwok-kin | 贊成 YES |
| 石禮謙 Abraham SHEK | | 葉劉淑儀 Mrs Regina IP | |
| 張宇人 Tommy CHEUNG | | Paul TSE | 反對 NO |
| 李國麟 Prof Joseph LEE | 贊成 YES | 梁國雄 LEUNG Kwok-hung | |
| 林健鋒 Jeffrey LAM | 反對 NO | 毛孟靜 Claudia MO | |
| 黃定光 WONG Ting-kwong | | 田北辰 Michael TIEN | |
| 李慧琼 Starry LEE | 贊成 YES | 胡志偉 WU Chi-wai | 贊成 YES |
| 陳健波 CHAN Kin-por | | 陳志全 CHAN Chi-chuen | 贊成 YES |
| 何俊賢 Steven HO | 贊成 YES | 陳恒鏞 CHAN Han-pan | |
| 易志明 Frankie YICK | | 梁志祥 LEUNG Che-cheung | |
| 姚思榮 YIU Si-wing | 反對 NO | 麥美娟 Alice MAK | 贊成 YES |
| 馬逢國 MA Fung-kwok | 反對 NO | 郭家麒 Dr KWOK Ka-ki | 贊成 YES |
| 莫乃光 Charles Peter MOK | 贊成 YES | 郭偉强 KWOK Wai-keung | 贊成 YES |
| 梁繼昌 Kenneth LEUNG | 贊成 YES | 張超雄 Dr Fernando CHEUNG | 贊成 YES |
| 郭榮鏗 Dennis KWOK | | 黃碧雲 Dr Helena WONG | |
| 張華峰 Christopher CHEUNG | 反對 NO | 葛珮帆 Dr Elizabeth QUAT | 贊成 YES |
| 葉建源 IP Kin-yuen | 贊成 YES | 蔣麗芸 Dr CHIANG Lai-wan | 贊成 YES |
| 廖長江 Martin LIAO | 反對 NO | 楊岳橋 Alvin YEUNG | 贊成 YES |
| 潘兆平 POON Siu-ping | 贊成 YES | 尹兆堅 Andrew WAN | 贊成 YES |
| 盧偉國 Ir Dr LO Wai-kwok | 反對 NO | 朱凱迪 CHU Hoi-dick | |
| 鍾國斌 CHUNG Kwok-pan | 反對 NO | 何君堯 Dr Junius HO | |
| 吳永嘉 Jimmy NG | 反對 NO | 林卓廷 LAM Cheuk-ting | |
| 何啟明 HO Kai-ming | 贊成 YES | 柯創盛 Wilson OR | 贊成 YES |
| 周浩鼎 Holden CHOW | 贊成 YES | 容海恩 YUNG Hoi-yan | 棄權 ABSTAIN |
| 邵家輝 SHIU Ka-fai | | 陳淑莊 Tanya CHAN | 贊成 YES |
| 邵家臻 SHIU Ka-chun | | 張國鈞 CHEUNG Kwok-kwan | 贊成 YES |
| 陳沛然 Dr Pierre CHAN | 贊成 YES | 許智峯 HUI Chi-fung | 贊成 YES |
| 陳振英 CHAN Chun-ying | 反對 NO | 鄭松泰 Dr CHENG Chung-tai | 贊成 YES |
| 陸頌雄 LUK Chung-hung | 贊成 YES | 譚文豪 Jeremy TAM | |
| 劉國勳 LAU Kwok-fan | | 羅冠聰 Nathan LAW | 贊成 YES |
| 劉業強 Kenneth LAU | | 劉小麗 Dr LAU Siu-lai | |
| 鄭俊宇 KWONG Chun-yu | 贊成 YES | | |
| 姚松炎 Dr YIU Chung-yim | 贊成 YES | | |

秘書 CLERK

點名表決 DIVISION: 2
 日期 DATE: 09/02/2017
 時間 TIME: 10:22:06 上午 AM

附錄 2
 Appendix 2

動議 MOTION: 莫乃光議員對陸頌雄議員就「盡快全面檢討政府的服務外判制度」所提，經何俊賢議員及梁耀忠議員修正的議案，作出的修正案
 AMENDMENT BY HON CHARLES PETER MOK TO HON LUK CHUNG-HUNG'S MOTION ON
 "EXPEDITIOUSLY CONDUCTING A COMPREHENSIVE REVIEW OF THE GOVERNMENT'S
 SERVICE OUTSOURCING SYSTEM" AS AMENDED BY HON STEVEN HO AND HON LEUNG YIU-CHUNG

動議人 MOVED BY: 莫乃光 Charles Peter MOK

| | 功能團體 Functional Constituencies | 地方選區 Geographical Constituencies | 最後結果 Final Result |
|------------|-----------------------------------|-------------------------------------|----------------------|
| 出席 Present | 26 | 21 | |
| 投票 Vote | 25 | 21 | |
| 贊成 Yes | 15 | 18 | |
| 反對 No | 10 | 1 | |
| 棄權 Abstain | 0 | 2 | |
| 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 | 贊成 YES | 梁美芬 Dr Priscilla LEUNG | 棄權 ABSTAIN |
| 梁耀忠 LEUNG Yiu-chung | 贊成 YES | 黃國健 WONG Kwok-kin | 贊成 YES |
| 石禮謙 Abraham SHEK | | 葉劉淑儀 Mrs Regina IP | |
| 張宇人 Tommy CHEUNG | | 謝偉俊 Paul TSE | 反對 NO |
| 李國麟 Prof Joseph LEE | 贊成 YES | 梁國雄 LEUNG Kwok-hung | |
| 林健鋒 Jeffrey LAM | 反對 NO | 毛孟靜 Claudia MO | |
| 黃定光 WONG Ting-kwong | | 田北辰 Michael TIEN | |
| 李慧琼 Starry LEE | 贊成 YES | 胡志偉 WU Chi-wai | 贊成 YES |
| 陳健波 CHAN Kin-por | | 陳志全 CHAN Chi-chuen | 贊成 YES |
| 何俊賢 Steven HO | 贊成 YES | 陳恒鏞 CHAN Han-pan | |
| 易志明 Frankie YICK | 反對 NO | 梁志祥 LEUNG Che-cheung | |
| 姚思榮 YIU Si-wing | 反對 NO | 麥美娟 Alice MAK | 贊成 YES |
| 馬逢國 MA Fung-kwok | 反對 NO | 郭家麒 Dr KWOK Ka-ki | 贊成 YES |
| 莫乃光 Charles Peter MOK | 贊成 YES | 郭偉強 KWOK Wai-keung | 贊成 YES |
| 梁繼昌 Kenneth LEUNG | 贊成 YES | 張超雄 Dr Fernando CHEUNG | 贊成 YES |
| 郭榮鏗 Dennis KWOK | | 黃碧雲 Dr Helena WONG | |
| 張華峰 Christopher CHEUNG | 反對 NO | 葛珮帆 Dr Elizabeth QUAT | 贊成 YES |
| 葉建源 IP Kin-yuen | 贊成 YES | 蔣麗芸 Dr CHIANG Lai-wan | 贊成 YES |
| 廖長江 Martin LIAO | 反對 NO | 楊岳橋 Alvin YEUNG | 贊成 YES |
| 潘兆平 POON Siu-ping | 贊成 YES | 尹兆堅 Andrew WAN | 贊成 YES |
| 盧偉國 Ir Dr LO Wai-kwok | 反對 NO | 朱凱迪 CHU Hoi-dick | |
| 鍾國斌 CHUNG Kwok-pan | 反對 NO | 何君堯 Dr Junius HO | |
| 吳永嘉 Jimmy NG | 反對 NO | 林卓廷 LAM Cheuk-ting | |
| 何啟明 HO Kai-ming | 贊成 YES | 柯創盛 Wilson OR | 贊成 YES |
| 周浩鼎 Holden CHOW | 贊成 YES | 容海恩 YUNG Hoi-yan | 棄權 ABSTAIN |
| 邵家輝 SHIU Ka-fai | | 陳淑莊 Tanya CHAN | 贊成 YES |
| 邵家臻 SHIU Ka-chun | | 張國鈞 CHEUNG Kwok-kwan | 贊成 YES |
| 陳沛然 Dr Pierre CHAN | 贊成 YES | 許智峯 HUI Chi-fung | 贊成 YES |
| 陳振英 CHAN Chun-ying | 反對 NO | 鄭松泰 Dr CHENG Chung-tai | 贊成 YES |
| 陸頌雄 LUK Chung-hung | 贊成 YES | 譚文豪 Jeremy TAM | |
| 劉國勳 LAU Kwok-fan | | 羅冠聰 Nathan LAW | 贊成 YES |
| 劉業強 Kenneth LAU | | 劉小麗 Dr LAU Siu-lai | |
| 鄭俊宇 KWONG Chun-yu | 贊成 YES | | |
| 姚松炎 Dr YIU Chung-yim | 贊成 YES | | |

秘書 CLERK

點名表決 DIVISION: 3
日期 DATE: 09/02/2017
時間 TIME: 10:25:02 上午 AM

動議 MOTION: 潘兆平議員對陸頌雄議員就「盡快全面檢討政府的服務外判制度」所提，經何俊賢議員、梁耀忠議員及莫乃光議員修正的議案，作出的修正案
AMENDMENT BY HON POON SIU-PING TO HON LUK CHUNG-HUNG'S MOTION ON
"EXPEDITIOUSLY CONDUCTING A COMPREHENSIVE REVIEW OF THE GOVERNMENT'S SERVICE OUTSOURCING SYSTEM" AS AMENDED BY HON STEVEN HO, HON LEUNG YU-CHUNG AND HON CHARLES PETER MOK

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 | 26 | 22 | |
| 投票 Vote | 25 | 22 | |
| 贊成 Yes | 7 | 13 | |
| 反對 No | 8 | 2 | |
| 棄權 Abstain | 10 | 7 | |
| 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 | 棄權 ABSTAIN |
| 涂謹申 James TO | 贊成 YES | 梁美芬 Dr Priscilla LEUNG | 棄權 ABSTAIN |
| 梁耀忠 LEUNG Yiu-chung | 贊成 YES | 黃國健 WONG Kwok-kin | 贊成 YES |
| 石禮謙 Abraham SHEK | | 葉劉淑儀 Mrs Regina IP | |
| 張宇人 Tommy CHEUNG | | 謝偉俊 Paul TSE | 反對 NO |
| 李國麟 Prof Joseph LEE | 反對 NO | 梁國雄 LEUNG Kwok-hung | |
| 林健鋒 Jeffrey LAM | 棄權 ABSTAIN | 毛孟靜 Claudia MO | 贊成 YES |
| 黃定光 WONG Ting-kwong | | 田北辰 Michael TIEN | |
| 李慧琼 Starry LEE | 棄權 ABSTAIN | 胡志偉 WU Chi-wai | 贊成 YES |
| 陳健波 CHAN Kin-por | | 陳志全 CHAN Chi-chuen | 贊成 YES |
| 何俊賢 Steven HO | 棄權 ABSTAIN | 陳恒鎮 CHAN Han-pan | |
| 易志明 Frankie YICK | 反對 NO | 梁志祥 LEUNG Che-cheung | |
| 姚思榮 YIU Si-wing | 棄權 ABSTAIN | 麥美娟 Alice MAK | 贊成 YES |
| 馬逢國 MA Fung-kwok | 棄權 ABSTAIN | 郭家麒 Dr KWOK Ka-ki | 贊成 YES |
| 莫乃光 Charles Peter MOK | 反對 NO | 郭偉强 KWOK Wai-keung | 贊成 YES |
| 梁繼昌 Kenneth LEUNG | 反對 NO | 張超雄 Dr Fernando CHEUNG | 贊成 YES |
| 郭榮鏗 Dennis KWOK | | 黃碧雲 Dr Helena WONG | |
| 張華峰 Christopher CHEUNG | 棄權 ABSTAIN | 葛珮帆 Dr Elizabeth QUAT | 棄權 ABSTAIN |
| 葉建源 IP Kin-yuen | 反對 NO | 蔣麗芸 Dr CHIANG Lai-wan | 棄權 ABSTAIN |
| 廖長江 Martin LIAO | 棄權 ABSTAIN | 楊岳橋 Alvin YEUNG | 贊成 YES |
| 潘兆平 POON Siu-ping | 贊成 YES | 尹兆堅 Andrew WAN | 贊成 YES |
| 盧偉國 Ir Dr LO Wai-kwok | 棄權 ABSTAIN | 朱凱迪 CHU Hoi-dick | |
| 鍾國斌 CHUNG Kwok-pan | 反對 NO | 何君堯 Dr Junius HO | |
| 吳永嘉 Jimmy NG | 反對 NO | 林卓廷 LAM Cheuk-ting | |
| 何啟明 HO Kai-ming | 贊成 YES | 柯創盛 Wilson OR | 棄權 ABSTAIN |
| 周浩鼎 Holden CHOW | 棄權 ABSTAIN | 容海恩 YUNG Hoi-yan | 棄權 ABSTAIN |
| 邵家輝 SHIU Ka-fai | | 陳淑莊 Tanya CHAN | 贊成 YES |
| 邵家臻 SHIU Ka-chun | | 張國鈞 CHEUNG Kwok-kwan | 棄權 ABSTAIN |
| 陳沛然 Dr Pierre CHAN | 贊成 YES | 許智峯 HUI Chi-fung | 贊成 YES |
| 陳振英 CHAN Chun-ying | 棄權 ABSTAIN | 鄭松泰 Dr CHENG Chung-tai | 反對 NO |
| 陸頌雄 LUK Chung-hung | 贊成 YES | 譚文豪 Jeremy TAM | |
| 劉國勳 LAU Kwok-fan | | 羅冠聰 Nathan LAW | 贊成 YES |
| 劉業強 Kenneth LAU | | 劉小麗 Dr LAU Siu-lai | |
| 鄭俊宇 KWONG Chun-yu | 贊成 YES | | |
| 姚松炎 Dr YIU Chung-yim | 反對 NO | | |

秘書 CLERK