

LEGISLATIVE COUNCIL

MINUTES

No. 33

**Minutes of the meeting held on Wednesday 12 July 2017 at 11:00 am
and Thursday 13 July 2017 at 9:00 am**

Attendance

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

Presentation of Petition

Hon HUI Chi-fung and the other 23 Members presented, under Rule 20 of the Rules of Procedure, a petition to the Council as set out on the Agenda. Hon HUI Chi-fung made a summary statement of the petition.

Tabling of Papers

The following papers were laid on the table under Rule 21(2) of the Rules of Procedure:

Subsidiary Legislation / Instruments

L.N. No.

- | | |
|---|----------|
| 1. Pharmacy and Poisons (Amendment) (No. 4) Regulation 2017
(gazetted on 7.7.2017) | 140/2017 |
|---|----------|

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
2. Country Parks (Designation) (Consolidation) (Amendment) Order 2017 (gazetted on 7.7.2017)	141/2017

Other Papers

1. No. 116 - Hong Kong Trade Development Council
Annual Report 2016/17
(published on 7.7.2017)
2. No. 117 - Hong Kong Deposit Protection Board
Annual Report 2016-2017
(published on 7.7.2017)
3. No. 118 - Sir Robert Black Trust Fund
Report of the Trustee on the Administration of the Fund,
Financial Statements and Report of the Director of Audit for
the year ended 31 March 2017
(published on 7.7.2017)
4. No. 119 - Clothing Industry Training Authority
Annual Report 2016
(published on 7.7.2017)
5. No. 120 - J.E. Joseph Trust Fund
Report, Financial Statements and Report of the Director
of Audit for the period 1 April 2016 to 31 March 2017
(published on 7.7.2017)
6. No. 121 - Kadoorie Agricultural Aid Loan Fund
Report, Financial Statements and Report of the Director
of Audit for the period 1 April 2016 to 31 March 2017
(published on 7.7.2017)
7. No. 122 - Report of the Public Accounts Committee on Report No. 68
of the Director of Audit on the Results of Value for
Money Audits (July 2017 — P.A.C. Report No. 68)
(published on 12.7.2017)

8. Report of the Finance Committee on the examination of the Estimates of Expenditure 2017-2018
(published on 7.7.2017)
9. Committee on Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region Progress Report for the period October 2016 to July 2017
(published on 11.7.2017)
10. Report No. 24/16-17 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(published on 6.7.2017)
11. Report of the Bills Committee on Apology Bill
(published on 7.7.2017)
12. Report of the Bills Committee on Stamp Duty (Amendment) Bill 2017 and Stamp Duty (Amendment) (No. 2) Bill 2017
(published on 10.7.2017)
13. Report of the Panel on Manpower 2016-2017
(published on 6.7.2017)
14. Report of the Panel on Administration of Justice and Legal Services 2016-2017
(published on 6.7.2017)
15. Report of the Panel on Welfare Services 2016-2017
(published on 6.7.2017)
16. Report of the Panel on Commerce and Industry 2016-2017
(published on 6.7.2017)
17. Report of the Panel on Development 2016-2017
(published on 6.7.2017)
18. Report of the Panel on Economic Development 2016-2017
(published on 6.7.2017)

19. Report of the Panel on Health Services 2016-2017
(published on 6.7.2017)
20. Report of the Panel on Education 2016-2017
(published on 6.7.2017)
21. Report of the Panel on Home Affairs 2016-2017
(published on 6.7.2017)
22. Report of the Panel on Housing 2016-2017
(published on 6.7.2017)
23. Report of the Panel on Financial Affairs 2016-2017
(published on 7.7.2017)

Addresses

The Members presenting the papers as set out on the Agenda addressed the Council respectively.

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.

Requests for moving motions for the adjournment of the Council under Rule 16(2) of the Rules of Procedure

(The meeting was suspended twice for the President to consider the requests.)

Seven Members (Hon HUI Chi-fung, Hon Claudia MO, Hon LEUNG Kwok-hung, Dr Hon Fernando CHEUNG, Hon KWONG Chun-yu, Hon LEUNG Yiu-chung and Hon Andrew WAN) respectively rose to seek the President's permission for them to move a motion for the adjournment of the Council under Rule 16(2) of the Rules of Procedure for the purpose of debating issues in connection with Mr LIU Xiaobo. As the President was not satisfied that the proposed motions met the requirements of Rule 16(1) and (2) of the Rules of Procedure, the moving of such motions was not allowed.

Government Bills

First Reading and Second Reading

- Road Tunnels (Government) : Secretary for Transport and Housing
(Amendment) Bill 2017

After the above Bill was read the first time and ordered to be set down for Second Reading under Rule 53(3) of the Rules of Procedure, the public officer moved the Second Reading of the Bill. The question on the Second Reading of the Bill was proposed and the debate was adjourned. The Bill was referred to the House Committee in accordance with Rule 54(4) of the Rules of Procedure.

Resumption of Second Reading debate, Committee stage and Third Reading

- Apology Bill : Secretary for Justice

(During the Second Reading debate of the Bill, the meeting was suspended at 7:49 pm on 12 July and resumed at 9:00 am on 13 July. The meeting was also suspended for a while during the Committee stage of the Bill.)

The debate on the Second Reading of the above Bill, which was moved on 8 February 2017, 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 1**). 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 provisions of the Bill and amendments thereto as set out on the Agenda were debated and voted in accordance with the relevant debate and voting arrangements and the relevant provisions of the Rules of Procedure. In considering the Bill, the following questions were put:

<u>Order of questions put</u>	<u>Decisions taken (details of division, if any)</u>
— Clauses 1 to 7 and 9 to 13 stand part of the Bill	Passed
— Amendment to clause 8 moved by the public officer	Passed
— Clause 8 as amended stand part of the Bill	Passed
— Amendment to the Schedule moved by the public officer	Passed
— Schedule as amended stand part of the Bill	Passed

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 (details of division in **Appendix 2**). The Bill was read the third time and passed.

Request for moving a motion under Rule 91 of the Rules of Procedure

(The meeting was suspended for a while for the President to consider the request.)

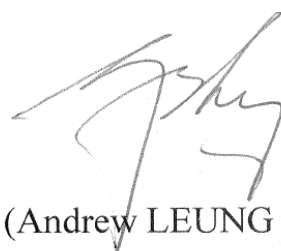
Hon James TO rose to seek the President's permission for him to move a motion under Rule 91 of the Rules of Procedure to suspend Rule 18 of the Rules of Procedure, in order that the Council could deal with the Government motions set out on the Agenda before considering the Stamp Duty (Amendment) Bill 2017. The President stated that the order of transacting business at a Council meeting was stipulated in Rule 18(1) of the Rules of Procedure. Given that such motions and the aforesaid Bill were items proposed by the Government, any request for changing the order of transacting such business should be made by the Government, and not a Member. Against this background, Mr TO's request was not allowed.

— Stamp Duty (Amendment) Bill 2017 : Secretary for Transport and Housing

The debate on the Second Reading of the above Bill, which was moved on 8 February 2017, 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 3**). The Bill was read the second time.

End of session

The Council was adjourned at 6:47 pm on 13 July 2017.



(Andrew LEUNG Kwan-yuen)
President
Legislative Council

Chamber
Legislative Council Complex, Hong Kong

1 September 2017

點名表決 DIVISION: 1
日期 DATE: 13/07/2017
時間 TIME: 09:19:41 上午 AM

動議 MOTION: 《道歉條例草案》 - 二讀
APOLOGY BILL - SECOND READING

動議人 MOVED BY: 律政司司長 Secretary for Justice

出席 Present : 35
投票 Vote : 34
贊成 Yes : 33
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	黃碧雲	Dr Helena WONG		
涂謹申	James TO	贊成	YES	葉建源	IP Kin-yuen		
梁耀忠	LEUNG Yiu-chung			葛珮帆	Dr Elizabeth QUAT	贊成	YES
石禮謙	Abraham SHEK	反對	NO	廖長江	Martin LIAO	贊成	YES
張宇人	Tommy CHEUNG			潘兆平	POON Siu-ping	贊成	YES
李國麟	Prof Joseph LEE			蔣麗芸	Dr CHIANG Lai-wan		
林健鋒	Jeffrey LAM	贊成	YES	盧偉國	Ir Dr LO Wai-ki	贊成	YES
黃定光	WONG Ting-ki	贊成	YES	鍾國斌	CHUNG Kwok-pan		
李慧琼	Starry LEE	贊成	YES	楊岳橋	Alvin YEUNG		
陳克勤	CHAN Hak-kan	贊成	YES	尹兆堅	Andrew WAN		
陳健波	CHAN Kin-por	贊成	YES	朱凱迪	CHU Hoi-dick		
梁美芬	Dr Priscilla LEUNG	贊成	YES	吳永嘉	Jimmy NG		
黃國健	WONG Kwok-kin	贊成	YES	何君堯	Dr Junius HO	贊成	YES
葉劉淑儀	Mrs Regina IP			何啟明	HO Kai-ming	贊成	YES
謝偉俊	Paul TSE	贊成	YES	林卓廷	LAM Cheuk-ting	贊成	YES
梁國雄	LEUNG Kwok-hung			周浩鼎	Holden CHOW	贊成	YES
毛孟靜	Claudia MO			邵家輝	SHIU Ka-fai	贊成	YES
田北辰	Michael TIEN			邵家臻	SHIU Ka-chun		
何俊賢	Steven HO	贊成	YES	柯創盛	Wilson OR		
易志明	Frankie YICK	贊成	YES	容海恩	YUNG Hoi-yan	贊成	YES
胡志偉	WU Chi-wai			陳沛然	Dr Pierre CHAN		
姚思榮	YIU Si-wing	贊成	YES	陳振英	CHAN Chun-ying	贊成	YES
馬逢國	MA Fung-ki			陳淑莊	Tanya CHAN	贊成	YES
莫乃光	Charles Peter MOK	贊成	YES	張國鈞	CHEUNG Kwok-kwan	贊成	YES
陳志全	CHAN Chi-chuen			許智峯	HUI Chi-fung		
陳恒鏞	CHAN Han-pan	贊成	YES	陸頌雄	LUK Chung-hung		
梁志祥	LEUNG Che-cheung	贊成	YES	劉國勳	LAU Kwok-fan	贊成	YES
梁繼昌	Kenneth LEUNG	贊成	YES	劉業強	Kenneth LAU		
麥美娟	Alice MAK	贊成	YES	鄭松泰	Dr CHENG Chung-tai		
郭家麒	Dr KWOK Ka-ki			鄭俊宇	KWONG Chun-yu		
郭偉強	KWOK Wai-keung			譚文豪	Jeremy TAM		
郭榮鏗	Dennis KWOK			羅冠聰	Nathan LAW		
張華峰	Christopher CHEUNG			姚松炎	Dr YIU Chung-yim	贊成	YES
張超雄	Dr Fernando CHEUNG			劉小麗	Dr LAU Siu-lai	贊成	YES

點名表決 DIVISION: 2
日期 DATE: 13/07/2017
時間 TIME: 01:17:32 下午 PM

動議 MOTION: 《道歉條例草案》 - 三讀
APOLOGY BILL - THIRD READING

動議人 MOVED BY: 律政司司長 Secretary for Justice

出席 Present : 49
投票 Vote : 48
贊成 Yes : 46
反對 No : 2
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	黃碧雲	Dr Helena WONG	贊成	YES
涂謹申	James TO	贊成	YES	葉建源	IP Kin-yuen	贊成	YES
梁耀忠	LEUNG Yiu-chung	贊成	YES	葛珮帆	Dr Elizabeth QUAT	贊成	YES
石禮謙	Abraham SHEK			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
李國麟	Prof Joseph LEE	贊成	YES	蔣麗芸	Dr CHIANG Lai-wan		
林健鋒	Jeffrey LAM	贊成	YES	盧偉國	Ir Dr LO Wai-kyok	贊成	YES
黃定光	WONG Ting-kyong	贊成	YES	鍾國斌	CHUNG Kwok-pan	贊成	YES
李慧琼	Starry LEE	贊成	YES	楊岳橋	Alvin YEUNG	贊成	YES
陳克勤	CHAN Hak-kan	贊成	YES	尹兆堅	Andrew WAN	贊成	YES
陳健波	CHAN Kin-por			朱凱迪	CHU Hoi-dick	贊成	YES
梁美芬	Dr Priscilla LEUNG	贊成	YES	吳永嘉	Jimmy NG	贊成	YES
黃國健	WONG Kwok-kin	贊成	YES	何君堯	Dr Junius HO		
葉劉淑儀	Mrs Regina IP			何啟明	HO Kai-ming	贊成	YES
謝偉俊	Paul TSE			林卓廷	LAM Cheuk-ting	贊成	YES
梁國雄	LEUNG Kwok-hung	反對	NO	周浩鼎	Holden CHOW	贊成	YES
毛孟靜	Claudia MO	贊成	YES	邵家輝	SHIU Ka-fai	贊成	YES
田北辰	Michael TIEN			邵家臻	SHIU Ka-chun	贊成	YES
何俊賢	Steven HO	贊成	YES	柯創盛	Wilson OR		
易志明	Frankie YICK			容海恩	YUNG Hoi-yan	贊成	YES
胡志偉	WU Chi-wai			陳沛然	Dr Pierre CHAN	贊成	YES
姚思榮	YIU Si-wing	贊成	YES	陳振英	CHAN Chun-ying	贊成	YES
馬逢國	MA Fung-kyok	贊成	YES	陳淑莊	Tanya CHAN	贊成	YES
莫乃光	Charles Peter MOK	贊成	YES	張國鈞	CHEUNG Kwok-kwan	贊成	YES
陳志全	CHAN Chi-chuen			許智峯	HUI Chi-fung		
陳恒鎮	CHAN Han-pan	贊成	YES	陸頌雄	LUK Chung-hung	贊成	YES
梁志祥	LEUNG Che-cheung			劉國勳	LAU Kwok-fan		
梁繼昌	Kenneth LEUNG	贊成	YES	劉業強	Kenneth LAU	贊成	YES
麥美娟	Alice MAK	贊成	YES	鄭松泰	Dr CHENG Chung-tai	反對	NO
郭家麒	Dr KWOK Ka-ki			鄭俊宇	KWONG Chun-yu		
郭偉強	KWOK Wai-keung	贊成	YES	譚文豪	Jeremy TAM	贊成	YES
郭榮鏗	Dennis KWOK			羅冠聰	Nathan LAW		
張華峰	Christopher CHEUNG			姚松炎	Dr YIU Chung-yim	贊成	YES
張超雄	Dr Fernando CHEUNG	贊成	YES	劉小麗	Dr LAU Siu-lai	贊成	YES

秘書 CLERK



點名表決 DIVISION: 3
日期 DATE: 13/07/2017
時間 TIME: 06:46:17 下午 PM

動議 MOTION: 《2017 年印花稅(修訂)條例草案》 - 二讀
STAMP DUTY (AMENDMENT) BILL 2017 - SECOND READING

動議人 MOVED BY: 運輸及房屋局局長 Secretary for Transport and Housing

出席 Present : 57
投票 Vote : 56
贊成 Yes : 51
反對 No : 5
棄權 Abstain : 0

結果 Result : 通過 Passed

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

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梁君彥	Andrew LEUNG	出席	PRESENT	黃碧雲	Dr Helena WONG	贊成	YES
涂謹申	James TO	贊成	YES	葉建源	IP Kin-yuen	贊成	YES
梁耀忠	LEUNG Yiu-chung	贊成	YES	葛珮帆	Dr Elizabeth QUAT	贊成	YES
石禮謙	Abraham SHEK	反對	NO	廖長江	Martin LIAO		
張宇人	Tommy CHEUNG	贊成	YES	潘兆平	POON Siu-ping	贊成	YES
李國麟	Prof Joseph LEE	贊成	YES	蔣麗芸	Dr CHIANG Lai-wan		
林健鋒	Jeffrey LAM	贊成	YES	盧偉國	Ir Dr LO Wai-kiok	贊成	YES
黃定光	WONG Ting-kwong	贊成	YES	鍾國斌	CHUNG Kwok-pan	反對	NO
李慧琼	Starry LEE	贊成	YES	楊岳橋	Alvin YEUNG	贊成	YES
陳克勤	CHAN Hak-kan	贊成	YES	尹兆堅	Andrew WAN	贊成	YES
陳健波	CHAN Kin-por	贊成	YES	朱凱迪	CHU Hoi-dick	贊成	YES
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葉劉淑儀	Mrs Regina IP			何啟明	HO Kai-ming	贊成	YES
謝偉俊	Paul TSE	反對	NO	林卓廷	LAM Cheuk-ting	贊成	YES
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田北辰	Michael TIEN			邵家臻	SHIU Ka-chun	贊成	YES
何俊賢	Steven HO	贊成	YES	柯創盛	Wilson OR	贊成	YES
易志明	Frankie YICK	反對	NO	容海恩	YUNG Hoi-yan	贊成	YES
胡志偉	WU Chi-wai	贊成	YES	陳沛然	Dr Pierre CHAN		
姚思榮	YIU Si-wing	贊成	YES	陳振英	CHAN Chun-ying	贊成	YES
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莫乃光	Charles Peter MOK	贊成	YES	張國鈞	CHEUNG Kwok-kwan	贊成	YES
陳志全	CHAN Chi-chuen	贊成	YES	許智峯	HUI Chi-fung	贊成	YES
陳恒鑽	CHAN Han-pan	贊成	YES	陸頌雄	LUK Chung-hung	贊成	YES
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麥美娟	Alice MAK	贊成	YES	鄭松泰	Dr CHENG Chung-tai	贊成	YES
郭家麒	Dr KWOK Ka-ki			鄭俊宇	KWONG Chun-yu	贊成	YES
郭偉強	KWOK Wai-keung	贊成	YES	譚文豪	Jeremy TAM		
郭榮鏗	Dennis KWOK			羅冠聰	Nathan LAW	贊成	YES
張華峰	Christopher CHEUNG			姚松炎	Dr YIU Chung-yim	反對	NO
張超雄	Dr Fernando CHEUNG	贊成	YES	劉小麗	Dr LAU Siu-lai	贊成	YES

