

LEGISLATIVE COUNCIL

MINUTES

No. 11

**Minutes of the meeting held on Wednesday 13 December 2017 at 11:00 am,
Thursday 14 December 2017 at 9:00 am and Friday 15 December 2017 at 9:00 am**

Attendance

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

Presentation of Petitions

Dr Hon KWOK Ka-ki and 23 other Members¹ presented, under Rule 20 of the Rules of Procedure (“RoP”), a petition to the Council as set out on the Agenda. Immediately after Dr KWOK had presented the petition, Hon Jeremy TAM rose in his place and requested that the petition be referred to a select committee. As 23 Members rose to support the request, the petition would be referred to a select committee in accordance with RoP 20(6).

¹ The 23 Members were: Hon Jeremy TAM, Hon James TO, Hon LEUNG Yiu-chung, Prof Hon Joseph LEE, Hon Claudia MO, Hon WU Chi-wai, Hon Charles Peter MOK, Hon CHAN Chi-chuen, Hon Kenneth LEUNG, Hon Dennis KWOK, Dr Hon Fernando CHEUNG, Dr Hon Helena WONG, Hon IP Kin-yuen, Hon Andrew WAN, Hon Alvin YEUNG, Hon CHU Hoi-dick, Hon LAM Cheuk-ting, Hon SHIU Ka-chun, Dr Hon Pierre CHAN, Hon Tanya CHAN, Hon HUI Chi-fung, Dr Hon CHENG Chung-tai and Hon KWONG Chun-yu.

Hon Jeremy TAM and 23 other Members² presented, under RoP 20, another petition to the Council as set out on the Agenda. Immediately after Mr TAM had presented the petition, Dr Hon KWOK Ka-ki rose in his place and requested that the petition be referred to a select committee. As 24 Members rose to support the request, the petition would be referred to a select committee in accordance with RoP 20(6).

Tabling of Papers

The following papers were laid on the table under RoP 21(2):

1. No. 40 - Queen Elizabeth Foundation for the Mentally Handicapped Report and Accounts 2016-2017
(published on 6.12.2017)
2. No. 41 - Health Care and Promotion Fund 2016-17 Annual Report
(published on 6.12.2017)
3. No. 42 - The Prince Philip Dental Hospital 2016-17 Annual Report by the Board of Governors
(published on 6.12.2017)
4. No. 43 - Emergency Relief Fund Annual Report by the Trustee for the year ending 31 March 2017
(published on 6.12.2017)
5. No. 44 - Social Work Training Fund Fifty-sixth Annual Report by the Trustee for the year ending on 31 March 2017
(published on 6.12.2017)

² The 23 Members were: Dr Hon KWOK Ka-ki, Hon James TO, Hon LEUNG Yiu-chung, Prof Hon Joseph LEE, Hon Claudia MO, Hon WU Chi-wai, Hon Charles Peter MOK, Hon CHAN Chi-chuen, Hon Kenneth LEUNG, Hon Dennis KWOK, Dr Hon Fernando CHEUNG, Dr Hon Helena WONG, Hon IP Kin-yuen, Hon Andrew WAN, Hon Alvin YEUNG, Hon CHU Hoi-dick, Hon LAM Cheuk-ting, Hon SHIU Ka-chun, Dr Hon Pierre CHAN, Hon Tanya CHAN, Hon HUI Chi-fung, Dr Hon CHENG Chung-tai and Hon KWONG Chun-yu.

6. No. 45 - Communications Authority
Annual Report 2016-17
(published on 6.12.2017)
7. No. 46 - Lotteries Fund
The Accounts of the Fund 2016-17
(published on 7.12.2017)
8. No. 47 - Report of changes made to the approved Estimates of
Expenditure during the second quarter of 2017-18
Public Finance Ordinance : Section 8
(published on 7.12.2017)
9. No. 48 - Supplementary Legal Aid Fund
Annual Report 2015
(published on 8.12.2017)
10. No. 49 - Samaritan Fund
Report on the Fund, Financial Statements and Report of the
Director of Audit for the year ended 31 March 2017
(published on 8.12.2017)
11. No. 50 - Hospital Authority
Annual Report 2016-2017
(published on 8.12.2017)
12. No. 51 - Hong Kong Tourism Board
Annual Report 2016/17
(published on 11.12.2017)
13. No. 52 - The Hospital Authority Public-Private Partnership Fund
Financial Statements and Independent Auditor's Report for the
period from 31 March 2016 (Date of funding received from
the Government) to 31 March 2017
(published on 11.12.2017)

14. No. 53 - Police Welfare Fund
Annual Report 2016/2017
(published on 11.12.2017)

15. No. 54 - The Police Children's Education Trust and the Police Education
and Welfare Trust
Annual Report 2016/2017
(published on 11.12.2017)

16. No. 55 - Competition Commission
Annual Report 2016/2017
(published on 11.12.2017)

17. No. 56 - Brewin Trust Fund
Report of the Brewin Trust Fund Committee on the
Administration of the Fund, Financial statements and Report of
the Director of Audit for the year ended 30 June 2017
(published on 12.12.2017)

18. No. 57 - Grantham Scholarships Fund
Report of the Grantham Scholarships Fund Committee on the
Administration of the Fund, Financial statements and Report
of the Director of Audit for the year ended 31 August 2017
(published on 12.12.2017)

19. No. 58 - The Sir Murray MacLehose Trust Fund
Trustee's 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 12.12.2017)

20. No. 59 - Chinese Temples Fund
Report of the Chinese Temples Committee on the Administration of the Fund, Financial statements and Report of the Director of Audit for the year ended 31 March 2017
(published on 12.12.2017)
21. No. 60 - General Chinese Charities Fund
Report of the Chinese Temples Committee on the Administration of the Fund, Financial statements and Report of the Director of Audit for the year ended 31 March 2017
(published on 12.12.2017)
22. No. 61 - Ocean Park Hong Kong
Annual Report 2016-2017
(published on 12.12.2017)

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.

Requests for moving motions for the adjournment of the Council under RoP 16(2)

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

Hon WU Chi-wai, Hon CHAN Chi-chuen and Hon CHU Hoi-dick respectively rose to seek the President's permission for them to each move a motion for the adjournment of the Council under RoP 16(2). After consideration, the President ruled that these motions might not be moved and explained to the Council the rationales for his decisions.

Members' Motions

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

Motion under RoP 40(1) that the debate on the above proposed resolutions be now adjourned

The Council continued the debate on the motion moved on 7 December 2017. After Members had spoken, the question on the motion was put and not agreed to (details of division in **Appendix 1**).

As the adjournment motion was negatived, the Council continued the joint debate on the 12 proposed resolutions under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and the 23 amending motions to amend one of these proposed resolutions.

After movers of the proposed resolutions, movers of the amending motions and Members 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>
— Proposed resolution moved by Hon Paul TSE as set out on the Agenda	Passed (Appendix 2)
— Proposed resolution moved by Hon Alvin YEUNG as set out on the Agenda	Negatived (Appendix 3)
— Proposed resolution moved by Hon Tanya CHAN as set out on the Agenda	Negatived (Appendix 4)

<u>Order of questions put</u>	<u>Decisions taken (details of division, if any)</u>
— Proposed resolution moved by Hon WU Chi-wai as set out on the Agenda	Negated (Appendix 5)
— Proposed resolution moved by Hon Charles Peter MOK as set out on the Agenda	Negated (Appendix 6)
— Proposed resolution moved by Hon Kenneth LEUNG as set out on the Agenda	Negated (Appendix 7)
— Proposed resolution moved by Hon Jeremy TAM as set out on the Agenda	Negated (Appendix 8)
— Proposed resolution moved by Hon Dennis KWOK as set out on the Agenda	Negated (Appendix 9)
— Proposed resolution moved by Dr Hon KWOK Ka-ki as set out on the Agenda	Negated (Appendix 10)
— Amending motion moved by Hon Alvin YEUNG as set out on the Agenda	Negated (Appendix 11)
— Motion moved without notice by Hon Starry LEE to shorten the duration of the division bell for further divisions in respect of the proposed resolution moved by Hon Martin LIAO or its amending motions ³	Passed (Appendix 12)
— Amending motion moved by Dr Hon Helena WONG as set out on the Agenda	Negated (Appendix 13)
— Amending motion moved by Hon LAM Cheuk-ting as set out on the Agenda	Negated (Appendix 14)

³ Some Members spoke on the motion.

<u>Order of questions put</u>	<u>Decisions taken (details of division, if any)</u>
— Amending motion moved by Dr Hon Helena WONG as set out on the Agenda	Negatived (Appendix 15)
— Amending motion moved by Hon WU Chi-wai as set out on the Agenda	Negatived (Appendix 16)
— Amending motion moved by Hon IP Kin-yuen as set out on the Agenda	Negatived (Appendix 17)
— Amending motion moved by Hon Andrew WAN as set out on the Agenda	Negatived (Appendix 18)
— Amending motion moved by Hon WU Chi-wai as set out on the Agenda	Negatived (Appendix 19)
— Amending motion moved by Hon WU Chi-wai as set out on the Agenda	Negatived (Appendix 20)
— Amending motion moved by Hon WU Chi-wai as set out on the Agenda	Negatived (Appendix 21)
— Amending motion moved by Hon WU Chi-wai as set out on the Agenda	Negatived (Appendix 22)
— Amending motion moved by Hon LAM Cheuk-ting as set out on the Agenda	Negatived (Appendix 23)
— Hon Martin LIAO's proposed resolution ⁴	Passed (Appendix 24)

⁴ After the President had declared the voting result, Hon Martin LIAO stated that due to a problem of the electronic voting system, he was not able to cast his vote which was in favour of the proposed resolution. The President directed that Mr LIAO's voting intention be put on record.

Next meeting

The President declared that the next Council meeting would be held on 10 January 2018 at 11:00 am.

The Council was adjourned at 7:01 pm on 15 December 2017.



(Andrew LEUNG Kwan-yuen)
President
Legislative Council

Chamber
Legislative Council Complex, Hong Kong

23 February 2018