

**LEGISLATIVE COUNCIL**

**MINUTES**

**No. 19**

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**Minutes of the meeting held on Wednesday 7 February 2018 at 11:33 am  
and Thursday 8 February 2018 at 9:00 am**

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**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 (“RoP”):

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
1. Air Navigation (Hong Kong) Order 1995 (Amendment of Schedule 16) Order 2018 (gazetted on 2.2.2018)	13/2018
2. Fixed Penalty (Criminal Proceedings) (Amendment) Regulation 2018 (gazetted on 2.2.2018)	14/2018
3. Fixed Penalty (Traffic Contraventions) (Amendment) Regulation 2018 (gazetted on 2.2.2018)	15/2018

<u>Subsidiary Legislation / Instruments</u>	<u>L.N. No.</u>
4. Mines (Safety) (Amendment) Regulation 2018 (gazetted on 2.2.2018)	16/2018
5. Dangerous Goods (General) (Amendment) Regulation 2018 (gazetted on 2.2.2018)	17/2018
6. Dangerous Goods (Government Explosives Depots) (Amendment) Regulation 2018 (gazetted on 2.2.2018)	18/2018
7. Dangerous Goods (Consignment by Air) (Safety) Regulations (Amendment of Schedule) Order 2018 (gazetted on 2.2.2018)	19/2018
8. Hospital Authority Ordinance (Amendment of Schedule 1) Order 2018 (gazetted on 2.2.2018)	20/2018
9. Lifts and Escalators Ordinance (Commencement) Notice 2018 (gazetted on 2.2.2018)	21/2018
10. Road Traffic (Traffic Control) (Designation of Prohibited and Restricted Zones) (Amendment) Notice 2018 (gazetted on 2.2.2018)	22/2018

#### Other Papers

1. No. 69 - Legal Aid Services Council  
Annual Report 2016/2017  
(published on 2.2.2018)
2. No. 70 - Li Po Chun Charitable Trust Fund  
Report of the Trust 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 5.2.2018)

3. No. 71 - Report of the Public Accounts Committee on the Reports of the Director of Audit on the Accounts of the Government of the Hong Kong Special Administrative Region for the year ended 31 March 2017 and the Results of Value for Money Audits (Report No. 69)  
(February 2018 — P.A.C. Report No. 69)  
(published on 6.2.2018)
4. Report No. 6/17-18 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments  
(published on 5.2.2018)
5. Report of the Bills Committee on Road Tunnels (Government) (Amendment) Bill 2017  
(published on 2.2.2018)
6. Report of the Bills Committee on Dutiable Commodities (Amendment) Bill 2017  
(published on 5.2.2018)
7. Report of the Bills Committee on Waterworks (Amendment) Bill 2017  
(published on 2.2.2018)

## **Address**

Hon Abraham SHEK, Chairman of the Public Accounts Committee, addressed the Council on the Committee's Report No. 69.

## **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**

### Second Reading (Debate to resume), Consideration by Committee of the Whole Council and Third Reading

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

The debate on the Second Reading of the Bill, which was moved on 12 July 2017, resumed. After Members and the public officer had spoken, the question on the Second Reading of the Bill was put and agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council became committee of the whole Council and considered the Bill. The question that clauses 1 to 20 stand part of the Bill was proposed, put and agreed to.

The Council then resumed. The public officer reported that the Bill had been passed by committee of the whole Council without amendment. The question on the motion that the report made under RoP 58(12) by the public officer be adopted by this Council was proposed, put and agreed to. The Bill was ordered to be set down for Third Reading under RoP 59. The question on the Third Reading of the Bill was proposed, put and agreed to. The Bill was read the third time and passed.

- Dutiable Commodities (Amendment) Bill : Secretary for Food and Health  
2017

The debate on the Second Reading of the Bill, which was moved on 21 June 2017, resumed. After the public officer had spoken, the question on the Second Reading of the Bill was put and agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council became committee of the whole Council 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 RoP. During the consideration of the Bill, the following questions were put:

<u>Order of questions put</u>	<u>Decisions taken</u> <u>(details of division,</u> <u>if any)</u>
— Clauses 1 to 6 stand part of the Bill	Passed
— The public officer's first group of amendments to clause 7	Passed <b>(Appendix 1)</b>
— The public officer's second group of amendment to clause 7	Negated <b>(Appendix 2)</b>
— Clause 7 as amended stand part of the Bill	Passed

The Council then resumed. The public officer reported that the Bill had been passed by committee of the whole Council with amendments. The question on the motion that the report made under RoP 58(12) by the public officer be adopted by this Council was proposed, put and agreed to. The Bill was ordered to be set down for Third Reading under RoP 59. The question on the Third Reading of the Bill was proposed. After Members had spoken, the question on the Third Reading of the Bill was put and agreed to. The Bill was read the third time and passed.

- Waterworks (Amendment) Bill 2017 : Secretary for Development

The debate on the Second Reading of the Bill, which was moved on 26 April 2017, resumed. After Members and the public officer had spoken, the question on the Second Reading of the Bill was put and agreed to. The Bill was read the second time and committed to a committee of the whole Council.

The Council became committee of the whole Council 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 RoP. During the consideration of the Bill, the following questions were put:

<u>Order of questions put</u>	<u>Decisions taken</u> <u>(details of division,</u> <u>if any)</u>
— Clauses 2 to 5, 11, 13, 15, 16 and 17 stand part of the Bill	Passed
— The public officer's amendments to clauses 1, 6 to 10, 12 and 14	Passed
— Clauses 1, 6 to 10, 12 and 14 as amended stand part of the Bill	Passed

The Council then resumed. The public officer reported that the Bill had been passed by committee of the whole Council with amendments. The question on the motion that the report made under RoP 58(12) by the public officer be adopted by this Council was proposed, put and agreed to. The Bill was ordered to be set down for Third Reading under RoP 59. The question on the Third Reading of the Bill was proposed. After Members had spoken, the question on the Third Reading of the Bill was put and agreed to (details of division in **Appendix 3**). The Bill was read the third time and passed.

### **Members' Motion**

#### Motion under Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

Hon Charles Peter MOK moved the motion as set out on the Agenda. The question on the motion was proposed. Members and the public officer spoke in the debate.

**Next meeting**

The President declared that the next Council meeting would be held on 28 February 2018 at 11:00 am.

The Council was adjourned at 7:37 pm on 8 February 2018.



(Andrew LEUNG Kwan-yuen)  
President  
Legislative Council

Chamber  
Legislative Council Complex, Hong Kong

1 March 2018

點名表決 DIVISION: 1  
日期 DATE: 08/02/2018  
時間 TIME: 12:49:13 下午 PM

動議 MOTION: 《2017 年應課稅品(修訂)條例草案》 - 全體委員會審議 - 食物及衛生局局長的第一組修正案 - 第 7 條  
DUTIABLE COMMODITIES (AMENDMENT) BILL 2017 - CONSIDERATION BY COMMITTEE OF THE WHOLE COUNCIL - SECRETARY FOR FOOD AND HEALTH' S FIRST GROUP OF AMENDMENTS - CLAUSE 7

動議人 MOVED BY: 食物及衛生局局長 Secretary for Food and Health

出席 Present : 44  
投票 Vote : 43  
贊成 Yes : 43  
反對 No : 0  
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	張超雄	Dr Fernando CHEUNG	贊成	YES
涂謹申	James TO	贊成	YES	黃碧雲	Dr Helena WONG	贊成	YES
梁耀忠	LEUNG Yiu-chung			葉建源	IP Kin-yuen	贊成	YES
石禮謙	Abraham SHEK	贊成	YES	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			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	贊成	YES
梁美芬	Dr Priscilla LEUNG	贊成	YES	朱凱迪	CHU Hoi-dick	贊成	YES
黃國健	WONG Kwok-kin			吳永嘉	Jimmy NG	贊成	YES
葉劉淑儀	Mrs Regina IP			何君堯	Dr Junius HO		
謝偉俊	Paul TSE			何啟明	HO Kai-ming	贊成	YES
毛孟靜	Claudia MO			林卓廷	LAM Cheuk-ting		
田北辰	Michael TIEN			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	贊成	YES	陳淑莊	Tanya CHAN	贊成	YES
陳恒鎮	CHAN Han-pan	贊成	YES	張國鈞	CHEUNG Kwok-kwan		
梁志祥	LEUNG Che-cheung	贊成	YES	許智峯	HUI Chi-fung		
梁繼昌	Kenneth LEUNG			陸頌雄	LUK Chung-hung	贊成	YES
麥美娟	Alice MAK	贊成	YES	劉國勳	LAU Kwok-fan		
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	贊成	YES
郭榮鏗	Dennis KWOK			鄺俊宇	KWONG Chun-yu		
張華峰	Christopher CHEUNG			譚文豪	Jeremy TAM	贊成	YES



點名表決 DIVISION: 2  
日期 DATE: 08/02/2018  
時間 TIME: 12:54:50 下午 PM

附錄 2  
Appendix 2

動議 MOTION: 《2017 年應課稅品(修訂)條例草案》 - 全體委員會審議 - 食物及衛生局局長的第二組修正案 - 第 7 條  
DUTIABLE COMMODITIES (AMENDMENT) BILL 2017 - CONSIDERATION BY COMMITTEE OF THE WHOLE COUNCIL - SECRETARY FOR FOOD AND HEALTH'S SECOND GROUP OF AMENDMENT - CLAUSE 7

動議人 MOVED BY: 食物及衛生局局長 Secretary for Food and Health

出席 Present : 42  
投票 Vote : 41  
贊成 Yes : 12  
反對 No : 29  
棄權 Abstain : 0

結果 Result : 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
梁君彥	Andrew LEUNG	出席	PRESENT	張超雄	Dr Fernando CHEUNG	反對	NO
涂謹申	James TO	反對	NO	黃碧雲	Dr Helena WONG	反對	NO
梁耀忠	LEUNG Yiu-chung			葉建源	IP Kin-yuen	反對	NO
石禮謙	Abraham SHEK	反對	NO	葛珮帆	Dr Elizabeth QUAT	反對	NO
張宇人	Tommy CHEUNG			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			蔣麗芸	Dr CHIANG Lai-wan	反對	NO
黃定光	WONG Ting-kwong	反對	NO	盧偉國	Ir Dr LO Wai-kwok	反對	NO
李慧琼	Starry LEE	反對	NO	鍾國斌	CHUNG Kwok-pan	反對	NO
陳克勤	CHAN Hak-kan	反對	NO	楊岳橋	Alvin YEUNG	贊成	YES
陳健波	CHAN Kin-por	贊成	YES	尹兆堅	Andrew WAN	反對	NO
梁美芬	Dr Priscilla LEUNG	反對	NO	朱凱迪	CHU Hoi-dick	反對	NO
黃國健	WONG Kwok-kin			吳永嘉	Jimmy NG	反對	NO
葉劉淑儀	Mrs Regina IP			何君堯	Dr Junius HO		
謝偉俊	Paul TSE			何啟明	HO Kai-ming	反對	NO
毛孟靜	Claudia MO			林卓廷	LAM Cheuk-ting		
田北辰	Michael TIEN			周浩鼎	Holden CHOW	反對	NO
何俊賢	Steven HO	反對	NO	邵家輝	SHIU Ka-fai	反對	NO
易志明	Frankie YICK	反對	NO	邵家臻	SHIU Ka-chun		
胡志偉	WU Chi-wai			柯創盛	Wilson OR	反對	NO
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	反對	NO	陳淑莊	Tanya CHAN	贊成	YES
陳恒鏞	CHAN Han-pan	反對	NO	張國鈞	CHEUNG Kwok-kwan		
梁志祥	LEUNG Che-cheung	反對	NO	許智峯	HUI Chi-fung		
梁繼昌	Kenneth LEUNG			陸頌雄	LUK Chung-hung	反對	NO
麥美娟	Alice MAK	反對	NO	劉國勳	LAU Kwok-fan		
郭家麒	Dr KWOK Ka-ki			劉業強	Kenneth LAU		
郭偉強	KWOK Wai-keung	反對	NO	鄭松泰	Dr CHENG Chung-tai	反對	NO
郭榮鏗	Dennis KWOK			鄭俊宇	KWONG Chun-yu		
張華峰	Christopher CHEUNG			譚文豪	Jeremy TAM	贊成	YES

秘書 CLERK



點名表決 DIVISION: 3  
日期 DATE: 08/02/2018  
時間 TIME: 04:18:16 下午 PM

動議 MOTION: 《2017 年水務設施(修訂)條例草案》 - 三讀  
WATERWORKS (AMENDMENT) BILL 2017 - THIRD READING

動議人 MOVED BY: 發展局局長 Secretary for Development

出席 Present : 40  
投票 Vote : 39  
贊成 Yes : 39  
反對 No : 0  
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	張超雄	Dr Fernando CHEUNG		
涂謹申	James TO			黃碧雲	Dr Helena WONG	贊成	YES
梁耀忠	LEUNG Yiu-chung	贊成	YES	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		
李國麟	Prof Joseph LEE	贊成	YES	潘兆平	POON Siu-ping	贊成	YES
林健鋒	Jeffrey LAM			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		
陳克勤	CHAN Hak-kan			楊岳橋	Alvin YEUNG	贊成	YES
陳健波	CHAN Kin-por	贊成	YES	Andrew WAN		贊成	YES
梁美芬	Dr Priscilla LEUNG	贊成	YES	朱凱迪	CHU Hoi-dick		
黃國健	WONG Kwok-kin	贊成	YES	吳永嘉	Jimmy NG		
葉劉淑儀	Mrs Regina IP			何君堯	Dr Junius HO		
謝偉俊	Paul TSE			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			邵家輝	SHIU Ka-fai	贊成	YES
易志明	Frankie YICK			邵家臻	SHIU Ka-chun	贊成	YES
胡志偉	WU Chi-wai			柯創盛	Wilson OR		
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			陳淑莊	Tanya CHAN	贊成	YES
陳恒鏞	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	贊成	YES
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		

