

LEGISLATIVE COUNCIL

MINUTES

No. 11

**Minutes of the meeting held on Wednesday 18 December 2019 at 11:00 am
and Thursday 19 December 2019 at 9:00 am**

Attendance

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

Laying of Papers on the Table of the Council

Six items of subsidiary legislation/instruments and 11 other papers laid on the Table of the Council under Rule 21(2) of the Rules of Procedure (“RoP”) were in **Appendix 1**.

Questions

Six oral questions (i.e. Questions 1 to 6) were put by the Members, and oral replies given by the public officers to the main and supplementary questions put by Members.

Written replies to Questions 7 to 22 were supplied to Members.

Government Bill

First Reading and Second Reading (debate to be adjourned)

- Inland Revenue (Amendment) (Profits : Secretary for Financial Services Tax Concessions for Insurance-related and the Treasury Businesses) Bill 2019

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

Members' Motions

Three motions concerning the protest which occurred outside the Legislative Council on 12 June 2019 (“the 612 incident”)

Hon Andrew WAN moved his motion. The question on Mr WAN's motion was proposed. A joint debate on the three motions proposed by Hon Andrew WAN, Hon Jeremy TAM and Dr Hon KWOK Ka-ki was held. After 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>
— Hon Andrew WAN's motion under the Legislative Council (Powers and Privileges) Ordinance to appoint a select committee to conduct an inquiry	Negatived (Appendix 2)
— Hon Jeremy TAM's motion under the Legislative Council (Powers and Privileges) Ordinance to appoint a select committee to conduct an inquiry	Negatived (Appendix 3)

<u>Order of questions put</u>	<u>Decisions taken</u> <u>(details of division,</u> <u>if any)</u>
— Dr Hon KWOK Ka-ki's motion under Article 73(5) and (10) of the Basic Law to summon the Commissioner of Police to produce papers and testify	Negated (Appendix 4)

Next meeting

The President declared that the next Council meeting would be held on 8 January 2020 at 11:00 am.

The Council was adjourned at 3:39 pm on 19 December 2019.



(Andrew LEUNG Kwan-yuen)
President
Legislative Council

Chamber
Legislative Council Complex, Hong Kong

6 March 2020

Council meeting of 18 December 2019

Laying of Papers on the Table of the Council

Subsidiary legislation/instruments	Legal Notice No.
1. Rating (Exemption) Order 2019 (Amendment) Order 2019 (gazetted on 13 December 2019)	183 of 2019
2. Pharmacy and Poisons (Amendment) (No. 5) Regulation 2019 (gazetted on 13 December 2019)	184 of 2019
3. Marine Parks and Marine Reserves (Amendment) Regulation 2019 (gazetted on 13 December 2019)	185 of 2019
4. Marine Parks (Designation) (Amendment) Order 2019 (gazetted on 13 December 2019)	186 of 2019
5. Waste Disposal (Designated Waste Disposal Facility) Regulation (Amendment of Schedule 1) Notice 2019 (gazetted on 13 December 2019)	187 of 2019
6. Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Amendment of Schedules 1 and 4) Notice 2019 (gazetted on 13 December 2019)	188 of 2019
Other papers	
7. Hospital Authority Annual Report 2018-2019 (including Independent Auditor's Report and Audited Financial Statements) (published on 12 December 2019)	
8. The Hospital Authority Public-Private Partnership Fund Financial Statements and Independent Auditor's Report for the year ended 31 March 2019 (published on 12 December 2019)	
9. Samaritan Fund Report on the Fund, Financial Statements and Report of the Director of Audit for the year ended 31 March 2019 (published on 12 December 2019)	

10. Supplementary Legal Aid Fund
Annual Report 2018
(published on 12 December 2019)
11. Equal Opportunities Commission
Annual Report 2018/19 (including Financial Statements and Independent Auditor's Report)
(published on 12 December 2019)
12. Emergency Relief Fund
Annual Report by the Trustee for the year ended 31 March 2019 (including Financial Statements and Report of the Director of Audit)
(published on 12 December 2019)
13. Social Work Training Fund
Fifty-Eighth Annual Report by the Trustee for the year ending on 31 March 2019 (including Financial Statements and Report of the Director of Audit)
(published on 12 December 2019)
14. Queen Elizabeth Foundation for the Mentally Handicapped
Report and Accounts 2018-2019 (including Report of the Director of Audit)
(published on 12 December 2019)
15. The Prince Philip Dental Hospital
2018-19 Annual Report by the Board of Governors (including Audited Financial Statements and Auditor's Report)
(published on 13 December 2019)
16. Police Welfare Fund
Annual Report 2018/2019 (including Financial Statements and Report of the Director of Audit for the year ended 31 March 2019)
(published on 16 December 2019)
17. The Police Children's Education Trust and the Police Education and Welfare Trust
Annual Report 2018/2019 (including Financial Statements and Report of the Director of Audit for the year ended 31 March 2019)
(published on 16 December 2019)

點名表決 DIVISION: 1
日期 DATE: 19/12/2019
時間 TIME: 03:26:39 下午 PM

動議 MOTION: 尹兆堅議員根據《立法會(權力及特權)條例》動議委任專責委員會進行調查的議案
HON ANDREW WAN' S MOTION UNDER THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) ORDINANCE TO APPOINT A SELECT COMMITTEE TO CONDUCT AN INQUIRY

動議人 MOVED BY: 尹兆堅 Andrew WAN

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	29	29	
投票 Vote	28	29	
贊成 Yes	9	14	
反對 No	17	15	
棄權 Abstain	2	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	
張宇人 Tommy CHEUNG	反對 NO	謝偉俊 Paul TSE	
李國麟 Prof Joseph LEE	贊成 YES	毛孟靜 Claudia MO	贊成 YES
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	贊成 YES
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	棄權 ABSTAIN	麥美娟 Alice MAK	反對 NO
姚思榮 YIU Si-wing	反對 NO	郭家麒 Dr KWOK Ka-ki	贊成 YES
馬逢國 MA Fung-kwok	反對 NO	郭偉强 KWOK Wai-keung	反對 NO
莫乃光 Charles Peter MOK	贊成 YES	張超雄 Dr Fernando CHEUNG	贊成 YES
梁繼昌 Kenneth LEUNG	贊成 YES	黃碧雲 Dr Helena WONG	贊成 YES
郭榮鏗 Dennis KWOK	贊成 YES	葛珮帆 Elizabeth QUAT	反對 NO
張華峰 Christopher CHEUNG		蔣麗芸 Dr CHIANG Lai-wan	反對 NO
葉建源 IP Kin-yuen	贊成 YES	楊岳橋 Alvin YEUNG	贊成 YES
廖長江 Martin LIAO		尹兆堅 Andrew WAN	贊成 YES
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	
鍾國斌 CHUNG Kwok-pan		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	贊成 YES
邵家輝 SHIU Ka-fai	反對 NO	張國鈞 CHEUNG Kwok-kwan	反對 NO
邵家臻 SHIU Ka-chun	贊成 YES	許智峯 HUI Chi-fung	贊成 YES
陳沛然 Dr Pierre CHAN		鄭松泰 Dr CHENG Chung-tai	贊成 YES
陳振英 CHAN Chun-ying	反對 NO	譚文豪 Jeremy TAM	贊成 YES
陸頌雄 LUK Chung-hung	反對 NO	Vincent CHENG	反對 NO
劉國勳 LAU Kwok-fan	反對 NO	陳凱欣 CHAN Hoi-yan	反對 NO
劉業強 Kenneth LAU			
鄭俊宇 KWONG Chun-yu	贊成 YES		
謝偉銓 Tony TSE	棄權 ABSTAIN		

秘書 CLERK

點名表決DIVISION: 2
日期 DATE: 19/12/2019
時間 TIME: 03:32:22 下午 PM

動議 MOTION: 譚文豪議員根據《立法會(權力及特權)條例》動議委任專責委員會進行調查的議案
HON JEREMY TAM' S MOTION UNDER THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES)
ORDINANCE TO APPOINT A SELECT COMMITTEE TO CONDUCT AN INQUIRY

動議人 MOVED BY: 譚文豪 Jeremy TAM

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	31	29	
投票 Vote	30	29	
贊成 Yes	9	14	
反對 No	18	15	
棄權 Abstain	3	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:

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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	反對 NO	葉劉淑儀 Mrs Regina IP	
張宇人 Tommy CHEUNG	反對 NO	謝偉俊 Paul TSE	
李國麟 Prof Joseph LEE	贊成 YES	毛孟靜 Claudia MO	贊成 YES
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	贊成 YES
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	陳恒鎭 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	棄權 ABSTAIN	麥美娟 Alice MAK	反對 NO
姚思榮 YIU Si-wing	反對 NO	郭家麒 Dr KWOK Ka-ki	贊成 YES
馬逢國 MA Fung-kwok	反對 NO	郭偉强 KWOK Wai-keung	反對 NO
莫乃光 Charles Peter MOK	贊成 YES	張超雄 Dr Fernando CHEUNG	贊成 YES
梁繼昌 Kenneth LEUNG	贊成 YES	黃碧雲 Dr Helena WONG	贊成 YES
郭榮鏗 Dennis KWOK	贊成 YES	葛珮帆 Elizabeth QUAT	反對 NO
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廖長江 Martin LIAO		尹兆堅 Andrew WAN	贊成 YES
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劉業強 Kenneth LAU			
鄭俊宇 KWONG Chun-yu	贊成 YES		
謝偉銓 Tony TSE	棄權 ABSTAIN		

秘書 CLERK

點名表決 DIVISION: 3
日期 DATE: 19/12/2019
時間 TIME: 03:38:08 下午 PM

動議 MOTION: 郭家麒議員根據《基本法》第七十三條第(五)項及第(十)項動議傳召警務處處長出示文件和作證的議案
DR HON KWOK KA-KI' S MOTION UNDER ARTICLE 73(5) AND (10) OF THE BASIC LAW TO SUMMON THE COMMISSIONER OF POLICE TO PRODUCE PAPERS AND TESTIFY

動議人 MOVED BY: 郭家麒 Dr KWOK Ka-ki

	功能團體 Functional Constituencies	地方選區 Geographical Constituencies	最後結果 Final Result
出席 Present	31	30	
投票 Vote	30	30	
贊成 Yes	9	14	
反對 No	18	16	
棄權 Abstain	3	0	
結果 Result	否決 Negated	否決 Negated	否決 Negated

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劉國勳 LAU Kwok-fan	反對 NO	陳凱欣 CHAN Hoi-yan	反對 NO
劉業強 Kenneth LAU			
鄭俊宇 KWONG Chun-yu	贊成 YES		
謝偉銓 Tony TSE	棄權 ABSTAIN		

秘書 CLERK