

立法會
Legislative Council

LC Paper No. CB(3) 513/09-10

Ref : CB(3)/M/MM
Tel : 2869 9205
Date : 5 March 2010
From : Clerk to the Legislative Council
To : All Members of the Legislative Council

Council meeting of 10 March 2010

**Proposed amendments to motion on
“Establishing a scheme for sexual offences records checks
for child-related work”**

Further to LC Paper No. CB(3) 487/09-10 issued on 25 February 2010, Hon Emily LAU Wai-hing and Hon Audrey EU Yuet-mee have respectively given notice of their intention to move separate amendments to Dr Hon Philip WONG Yu-hong’s motion on “Establishing a scheme for sexual offences records checks for child-related work” scheduled for the Council meeting of 10 March 2010. As directed by the President, Hon Emily LAU’s and Hon Audrey EU’s amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. To assist Members in debating the above motion and the two amendments, I set out below the procedure to be followed during the debate:

- (a) Dr Hon Philip WONG moves his motion;
- (b) the President proposes the question on Dr Hon Philip WONG’s motion, and orders a joint debate;
- (c) the President calls on the two Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon Emily LAU; and
 - (ii) Hon Audrey EU;

- (d) the President calls upon the designated public officer(s) to speak;
- (e) joint debate on the motion and the two amendments follows thereafter;
- (f) the President gives leave to Dr Hon Philip WONG to speak for the second time on the two amendments;
- (g) the President calls upon the designated public officer(s) again to speak;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the two Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon Emily LAU to move her amendment to the motion, and forthwith proposes and puts to vote the question on the amendment;
- (i) after Hon Emily LAU's amendment has been voted upon, the President deals with Hon Audrey EU's amendment to the motion; and
- (j) after Hon Audrey EU's amendment has been dealt with, the President calls upon Dr Hon Philip WONG to reply. Thereafter, the President puts to vote the question on Dr Hon Philip WONG's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Establishing a scheme for sexual offences records checks
for child-related work”
to be held at the Legislative Council meeting
of Wednesday, 10 March 2010**

1. Dr Hon Philip WONG Yu-hong’s original motion

That, as employers at present do not have any channel for checking the past sexual offences conviction records of applicants when recruiting personnel for posts which have close contact with children, this Council urges the Government to expeditiously implement the recommendations in the Law Reform Commission Report to establish a scheme for sexual offences records checks for child-related work, so as to enhance protection for children against sexual assault.

2. Motion as amended by Hon Emily LAU Wai-hing

That, *the occurrence in recent years of a number of incidents in which persons who engaged in child-related work committing sexual offences against children has aroused widespread concern*; as employers at present do not have any channel for checking the past sexual offences conviction records of applicants when recruiting personnel for posts which have close contact with children, ~~this Council urges the Government to expeditiously implement the recommendations in the Law Reform Commission Report to establish~~ *(‘LRC’) released a report in February this year, putting forward interim proposals for, as an interim measure, the establishment of a scheme for sexual offences records checks for child-related work, and this Council notes the contents of the report; in view of the highly controversial nature of LRC’s proposals, this Council urges the Administration to expeditiously consult various sectors and, after balancing the views of various parties, implement as soon as possible reasonable and practicable administrative and legislative measures*, so as to enhance protection for children against sexual assault.

Note: Hon Emily LAU Wai-hing’s amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon Audrey EU Yuet-mee

~~That, as employers at present do not have any channel for checking the past sexual offences conviction records of applicants when recruiting personnel for posts which~~

~~have close contact with children, this Council urges the Government to expeditiously implement the recommendations in~~ ***this Council notes the proposals put forward in the Report released by the Law Reform Commission Report to establish in relation to the establishment of*** a scheme for sexual offences records checks for child-related work, ~~so as to enhance protection for children against sexual assault~~ ***and calls upon the academia, parents, concern groups and the general public to actively participate in discussions and present their views to the Law Reform Commission and the Administration, so as to work out a proposal which can afford protection to children while safeguarding the human rights of former sex offenders and facilitating their rehabilitation.***

Note: Hon Audrey EU Yuet-mee's amendment is marked in ***bold and italic type*** or with deletion line.