
立法會秘書處

Legislative Council Secretariat

新聞稿 Press Release

LegCo to resume Second Reading debate on the Competition Bill

The Legislative Council (LegCo) will hold a meeting this Wednesday (June 6) at 11 am in the Chamber of the LegCo Complex. During the meeting, Members will resume Second Reading debate on the Competition Bill. If the Bill is supported by Members and receives its Second Reading, it will then go through the Committee stage and be read the Third time.

Members will also resume Second Reading debates on the Mediation Bill, the Mandatory Provident Fund Schemes (Amendment) (No. 2) Bill 2011, the Construction Industry Legislation (Miscellaneous Amendments) Bill 2012 and the Personal Data (Privacy) (Amendment) Bill 2011. If the Bills are supported by Members and receive their Second Readings, they will then go through the Committee stages and be read the Third time.

In addition, the Professional Accountants (Amendment) Bill 2012 will be introduced into the Council for First and Second Readings. Second Reading debate on the Bill will be adjourned.

For Members' motions, Hon Albert HO , Hon LEE Cheuk-yan, Hon Fred LI, Hon James TO, Hon CHEUNG Man-kwong, Hon LEUNG Yiu-chung, Hon Emily LAU, Hon Andrew CHENG, Hon Frederick FUNG, Hon Audrey EU, Hon LEE Wing-tat, Dr Hon Joseph LEE, Hon Ronny TONG, Hon KAM Nai-wai, Hon Cyd HO, Hon CHEUNG Kwok-che, Hon WONG Sing-chi, Hon Paul TSE, Hon Alan LEONG, Hon LEUNG Kwok-hung, Hon Tanya CHAN, Hon Albert CHAN and Hon WONG Yuk-man

will jointly initiate a motion under Article 73(9) of the Basic Law. To be moved by Hon Cyd HO, the motion, states: "That, since a motion initiated jointly by not less than one-fourth of all the Members of the Legislative Council charges the Chief Executive Mr Donald TSANG with serious dereliction of duty (details as particularized in the Schedule to this motion) and he refused to resign, this Council, in accordance with Article 73(9) of the Basic Law, gives a mandate to the Chief Justice of the Court of Final Appeal to form and chair an independent investigation committee to investigate the alleged dereliction of duty and report to this Council."

Hon LEE Cheuk-yan will move a motion on the 4 June Incident. The motion, states: "That this Council urges that: the 4 June incident be not forgotten and the 1989 pro-democracy movement be vindicated."

Hon WONG Yuk-man will move an amendment to Hon LEE Cheuk-yan's motion.

Hon Miriam LAU will move a motion on actively studying the establishment of a middle class commission. The motion, states: "That, given that the global and Hong Kong economies are still facing extremely unclear risks, while the middle-class people are plagued by problems such as Hong Kong's single-direction development of industries, etc., and have experienced quite a number of bottlenecks in their career development and are burdened with heavy pressure in the areas of healthcare, education, taxation and housing, etc.; as shown by the latest statistics of an organization, the number of middle-class people seeking counselling has increased by about 30% when compared with the number some one year ago, and some people even describe themselves as the poor middle class, thus showing that the plight of the middle class has been neglected; in this connection, this Council urges the Government to actively study the establishment of a middle class commission, comprehensively review the policies and measures relating to the middle class, put forward concrete and comprehensive corresponding strategies in a focused

manner to assist middle-class families in alleviating their burdens and facilitating their personal career development, so as to boost upward social mobility in the overall community; the relevant measures should include:

Career development -

- (a) to adopt a multi-pronged approach to promote diversified development of industries in Hong Kong, so as to create more jobs at the middle and senior levels as well as business start-up opportunities in various industries and professions;
- (b) to further strengthen regional economic development to form an economic development circle with different regions on the Mainland, etc. so as to provide more and better career development opportunities for middle-class professionals;

Housing difficulties -

- (c) to increase land supply to ease property prices and launch more 'no-frills' small and medium sized flats, including 'flats with limited floor area' for Hong Kong people who are first-time home buyers, so as to alleviate the plight of marginal middle-class people in acquiring their own homes;
- (d) to relax the eligibility criteria for purchasing flats in the Home Ownership Scheme secondary market, thereby enabling eligible white form applicants to make purchases;
- (e) to introduce a tax allowance for rentals for marginal middle-class people;
- (f) to further extend the entitlement period for deduction for home loan interest;

Taxation burden -

- (g) to adjust salaries tax downwards, in particular widening tax bands for salaries tax and lowering the marginal rate, so as to vigorously alleviate the burden of marginal middle-class people;
- (h) to relax the restrictions on the dependent parent or dependent grandparent allowance by relaxing the eligibility requirement from living in the same unit to living in the same housing estate;

Education and self-education -

- (i) to completely abolish the restrictions on kindergarten vouchers, so as to reduce children education expenses of middle-class families;
- (j) to introduce a children's education allowance, so as to alleviate the burden of children education expenses of the middle class;
- (k) to substantially increase the salaries tax deduction for self-education expenses and the subsidy under the Continuing Education Fund;

Healthcare -

- (l) to expeditiously and properly tackle the problem of 'doubly non-permanent resident pregnant women', and ensure that local pregnant women have priority in receiving confinement service in both public and private hospitals;
- (m) to provide tax deduction for medical insurance contributions;

- (n) to provide tax deduction for medical examinations, so as to encourage people to undergo such examinations on a regular basis; and

Legal aid -

- (o) to further lower the threshold of the Supplementary Legal Aid Scheme, so as to assist more needy middle-class people in safeguarding their legitimate rights and interests by law."

Hon Alan LEONG will move an amendment to Hon Miriam LAU's motion. Hon Starry LEE will move an amendment to Hon Alan LEONG's amendment.

Hon CHAN Hak-kan will move a motion on caring about the education, employment and housing problems faced by young people. The motion, states: "That young people are the future pillars of society, but in the face of globalization and the rapid development of neighbouring places, Hong Kong young people not only face many challenges during their growth, but also lack upward mobility opportunities, and this is especially highlighted in their education, employment and housing aspirations; however, the Government has all along failed to formulate any support measures with young people as the main targets; in this connection, this Council urges the Government to care about young people's needs, and assist them in concentrating on their education, establishing their career and resolving their housing needs; specific measures should include:

Education -

- (a) to enhance the qualification recognition of the Hong Kong Diploma of Secondary Education Examination, sub-degrees and the new Yi Jin Diploma in Hong Kong, the Mainland and the international community, so as to widen young people's pathways of further studies;

- (b) to dovetail with the concept of promoting students' whole-person development under the new academic structure by introducing an extra-curricular activities allowance for students to subsidize their participation in extra-curricular activities;
- (c) to promote the commencement of 'career planning' at the stage of secondary education, so as to enable secondary students to make better planning for their future career development;

Employment -

- (d) to review the planning of employment training support services for young people, enhance the existing Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme, and raise the level of the relevant subsidies, so as to attract the participation of more employers to provide more employment and training opportunities in the market which are suitable for young people;
- (e) to set up more 'Youth Employment Start' ('Y.E.S') resource centres throughout Hong Kong, strengthen the training programmes targeted at young people, enhance their employment skills, and provide one-stop employment counselling;
- (f) focusing on the development of the six industries and creative industries, to enhance training and provide better support to help young people join the relevant industries;

Housing -

- (g) to relax the existing eligibility criteria for applying for public rental housing, and address low-income young people's housing needs;
- (h) to allow eligible white form applicants to purchase Home Ownership Scheme flats without having to pay the premium, so as to assist young people in accessing the home acquisition ladder; and
- (i) focusing on young people with relatively stable financial income, to study re-launching the Home Starter Loan Scheme."

Hon Audrey EU, Hon IP Wai-ming and Hon WONG Sing-chi will move separate amendments to Hon CHAN Hak-kan's motion.

Hon Albert CHAN will move a motion on opposing Hong Kong communists ruling Hong Kong. The motion, states: "That this Council expresses deep resentment at the direct interference of the Communist Party of China in the 2012 Chief Executive Election, which ruins 'one country, two systems'; as the Chief Executive Election was conducted under the interference and manipulation of the Communist Party of China, this Council does not accept, recognize and agree to the result of the 2012 Chief Executive Election; in this connection, this Council requests the immediate implementation of universal suffrage for returning the Chief Executive and all Legislative Council seats, and calls upon Hong Kong people to resort to confrontational means to resist Hong Kong communists ruling Hong Kong."

Hon Paul CHAN will move a motion on enhancing the accountability of charities and complying with the best practices in corporate governance. The motion, states: "That the Charities Sub-committee under the Law Reform Commission of Hong Kong is still collating public submissions after completing its public consultation on the consultation paper on charities in end October last year, and at present, except

for those charities that are incorporated as companies limited by guarantee with the Company Registry whose financial statements are accessible by the public in the Company Registry, the public has no way to know about the governance and financial information of all other charities, such as those established by way of trust; moreover, currently, except for section 88 of the Inland Revenue Ordinance, in which 'charitable purpose' is defined for the purpose of taxation, there is no other legislation regulating charities and how they use the donations, nor does the Administration have the figures regarding charities established; over the past few years, some suspected cases of charities with strange fund-raising practices, unclear accounts, indiscriminate investments and even transfer of surpluses have been uncovered in society, making the public worry that donations to charities may not be serving charitable purposes; in this connection, this Council urges the Government to expeditiously release to the public the findings of the public consultation on the consultation paper on charities, and before statutory regulation is introduced, consider enhancing the transparency and accountability of charities by adopting measures such as encouraging them to comply with the best practices in corporate governance, strengthen their financial management, and disclose their financial information on a regular basis; at the same time, the Government should expeditiously implement the statutory regulatory proposals in the consultation paper on charities which are generally agreed by the community."

Hon James TO, Hon Alan LEONG and Hon CHEUNG Kwok-che will move separate amendments to Hon Paul CHAN's motion.

Hon Starry LEE will move a motion on promoting family harmony. The motion, states: "That, as social problems such as the rising divorce rate, family tragedies, child abuse and neglect of children, as well as compensated dating and drug abuse among young people still occur from time to time in Hong Kong, reflecting that at present some families lack cohesion

and mutual love, this Council urges the Government to make stronger efforts in promoting family-friendly policies and enhancing the resilience of families and individuals against adversities, so as to achieve family harmony and promote social inclusion; the proposed measures include:

- (a) introducing an assessment system regarding the impact of public policies on families to assess the impact of existing social policies, legislation and measures on families, with a view to making relevant improvements;
- (b) providing more support services to dual-income parents, including expanding community childminding services, increasing the childminding places in various districts and providing flexible childminding service hours, etc.; developing after-school remedial centres so that children of dual-income parents can receive appropriate care after school;
- (c) promoting public and private organizations to implement family-friendly employment policies more proactively for creating a family-friendly working environment, including encouraging organizations to provide staff with child care services and implementing flexible working hours, as well as implementing a flexible leave policy which provides special paid leave for employees such as wedding leave, paternity leave, study leave, compassionate leave, etc., when they encounter major family events;
- (d) including all general holidays other than Sundays as paid statutory holidays through a progressive approach of employer-employee negotiation; and promoting 'International Day of Families' to call on the community to cherish the value of family;
- (e) promoting a housing policy which fosters mutual care between the elderly and the young and encouraging the

inclusion of residential complementary facilities suitable for both the elderly and the young in the designs of private and public housing; as well as improving community facilities to provide families with more room for parent-child activities;

- (f) actively stepping up publicity on positive family education on parenting, child duties and ethics, as well as promoting family education through community service organizations, schools and the media, etc.;
- (g) allocating more resources for strengthening various promotional activities and research work of the Family Council;
- (h) alleviating the financial burden on families in Hong Kong by offering tax concessions and subsidizing pre-primary education across the board; and
- (i) enhancing social welfare services to provide appropriate support to families in crisis."

Hon WONG Sing-chi, Dr Hon PAN Pey-chyou, Hon Ronny TONG and Hon LEE Cheuk-yan will move separate amendments to Hon Starry LEE's motion.

Hon LEUNG Yiu-chung will move a motion on building an inclusive society for all. The motion, states: "That, although the United Nations Convention on the Rights of Persons with Disabilities ('the Convention') came into force in Hong Kong on 31 August 2008, and the Administration submitted the Initial Report of the Hong Kong Special Administrative Region under the Convention ('the Report') to the United Nations in early 2010, the contents of the Report lack guiding policies on building an inclusive society, and only focus on addressing the needs of persons with disabilities arising from their physical disabilities, instead of assisting persons with disabilities in integrating

into society from social and environmental perspectives, this Council expresses its strong dissatisfaction and deep regret in this regard; in this connection, in order to fulfill the obligations under the Convention, this Council urges the Government to implement the following policies and measures:

- (a) to expeditiously implement the public transport concessions scheme for the elderly and persons with disabilities ('the scheme') to assist them in integrating into society;
- (b) to expand the coverage of the scheme to all holders of the Registration Card for People with Disabilities, and consider providing transport fare concessions to the escorts of persons with disabilities;
- (c) to add clauses to the franchise agreements of franchised public transport operators, requiring the offer of fare concessions to the elderly and persons with disabilities as well as the provision of barrier-free ancillary facilities;
- (d) to allocate additional resources for increasing the number of barrier-free transportation modes, such as Rehabus and Easy-Access Bus, so as to provide more 'point-to-point' services for persons with disabilities;
- (e) to implement the concept of barrier-free access, expeditiously complete the top 10 ranked proposals on the Provision of Hillside Escalator Links and Elevator Systems, and immediately commence feasibility studies on the remaining proposals;
- (f) to set up a quota system for employing people with disabilities and provide tax concessions, so as to encourage employers to employ more persons with disabilities;

- (g) to provide persons with disabilities with a wage subsidy of no more than 50% of their wages, so that employees with disabilities whose productivity is assessed to be less than 100% may receive wages close to the statutory minimum wage level; and provide an allowance to carers of chronic patients;
- (h) to encourage people from the various social sectors to learn sign language, and promote and teach sign language in primary and secondary schools; and expeditiously motivate healthcare personnel to learn sign language to enhance their communications with patients with hearing impairment, so as to enable them to grasp the conditions of patients with hearing impairment and help treating their diseases;
- (i) to promote the popularization of sign language, require the provision of sign language interpretation in television news broadcasts and foster a culture of respecting the use of sign language, so as to facilitate persons with hearing impairment in grasping social information; and
- (j) to step up consultation with groups for persons with disabilities, so as to make the voices of persons with disabilities heard as well as materialize the integration between the able-bodied and disabled persons."

Hon WONG Kwok-hing, Dr Hon PAN Pey-chyou, Hon WONG Sing-chi and Hon TAM Yiu-chung will move separate amendments to Hon LEUNG Yiu-chung's motion.

Prof Hon Patrick LAU will move a motion on perfecting urban management in all districts of Hong Kong. The motion, states: "That, given that after the dissolution of the former Urban Council and former Regional Council, the urban management

strategies for all districts in Hong Kong have failed to yield satisfactory results, this Council urges the Government to strengthen the powers and functions as well as responsibilities of the District Councils, and formulate a set of comprehensive urban management policies, including:

- (a) based on the latest population projections, to plan afresh the community facilities required in the various districts, and resolve, at the district level, the site selection and timetable problems relating to the construction of schools, hospitals, public rental housing, community centres, columbaria, landfills, incinerators and recycling centres, etc.;
- (b) to implement the management concept of urban beautification, and perfect the street greening and beautification work; and
- (c) dovetailing with harbourfront planning and development, to establish a harbourfront authority for co-ordinating the connective work and management of harbourfronts in all districts of Hong Kong."

Hon Hon CHEUNG Hok-ming and Hon LEE Wing-tat will move separate amendments to Prof Hon Patrick LAU's motion.

Hon Fred LI will move a motion on promoting animal rights and interests. The motion, states: "That, as Hong Kong society attaches increasing importance to animal rights and interests, and in order to motivate people to treat animals well and live in harmony with animals in the community, reduce at source the number of stray animals in the community, and effectively combat crimes of animal cruelty, this Council urges the Government to:

- (a) strengthen co-operation with District Councils to promote the 'Trap-Neuter-Return' programme on a trial basis, and following the success of the trial

programme, implement the programme in all districts of Hong Kong;

- (b) expedite the implementation of the various proposed measures for regulating the pet trade, including introducing Home Animal Breeder Permit and Commercial Animal Breeder Permit, substantially raising the maximum fine for illegal trading of animals to \$100,000 and increasing the fine for breaching of licensing conditions to \$50,000; and
- (c) establish specialist 'animal police' teams in the Hong Kong Police Force to replace the existing 'Animal Watch Scheme', whose responsibilities include conducting specially tasked investigations into all animal cruelty cases, as well as undertaking publicity and education to make the public aware that cruelty to animals are illegal acts."

Hon CHAN Hak-kan and Hon Albert HO will move separate amendments to Hon Fred LI's motion.

Hon IP Wai-ming will move a motion on expeditiously implementing the formulation of standard working hours. The motion, states: "That, given that minimum wage and standard working hours must complement each other in order to be able to maximize the effect of protecting grassroots workers and facilitating Hong Kong's economic development, this Council urges the current-term and next-term SAR Governments to, having regard to the well-being of employees at large, spare no efforts in making preparations for enacting legislation on standard working hours and expeditiously implement the relevant tasks, including:

- (a) to set a deadline and timetable for conducting studies on regulating working hours;

- (b) to establish a 'study group on legislating for standard working hours' comprising representatives of the Government, employees and employers, and academics to follow up the relevant issues;
- (c) to regularly hold discussions in the Panel on Manpower of the Legislative Council and report the progress to the Labour Advisory Board, so as to strengthen the Legislative Council's function of monitoring the Government on the one hand, and increase the transparency of the relevant work on the other, so as to enable the public and the labour sector to know the progress of the studies;
- (d) to proactively ascertain the views of the trade unions of various industries and the relevant stakeholders on standard working hours; and
- (e) to increase the public's knowledge and understanding of standard working hours through various forms of publicity and education."

Hon WONG Sing-chi and Hon LEE Cheuk-yan will move separate amendments to Hon IP Wai-ming's motion.

Hon CHEUNG Kwok-che will move a motion on the Report of the Subcommittee on Retirement Protection. The motion, states: "That this Council notes the Report of the Subcommittee on Retirement Protection."

Dr Hon LAM Tai-fai will move a motion on reviewing the definition of and the support measures for small and medium-sized enterprises and micro-enterprises. The motion, states: "That, as the European debt crisis is getting worse recently, which may affect the European and even the global economies, coupled with the fact that the United States economy has yet to bottom out and the Mainland economic growth is slowing down, Hong Kong as a small and open economy can

hardly remain unaffected, with its export and re-export trades bearing the brunt; internally, the continuous soaring of property prices also poses potential threats to Hong Kong's economy and society; amid the many uncertainties and crises, it is expected that small and medium-sized enterprises ('SMEs') in Hong Kong will face an unstable and difficult business environment; in this connection, this Council urges the Government to plan ahead and roll out appropriate contingency measures to assist SMEs in coping with the challenges and riding out the plight; besides, the Government should review the current definition of SMEs, draw up afresh the definitions of SMEs and micro-enterprises having regard to the actual market conditions with a view to formulating dedicated support policies and measures which are geared to their actual needs, study introducing different levels of profit tax rates for micro-enterprises, SMEs and large enterprises, and set a tax rate lower than the existing level and offer more tax concessions for the former two, so as to support their sustainable operation and healthy development."

Meanwhile, Hon CHEUNG Hok-ming will move a motion for the adjournment of the Council under Rule 16(4) of the Rules of Procedure. The motion, states: "That this Council do now adjourn for the purpose of debating the following issues: the impact of the announcement made by the MTR Corporation Limited to increase its fares by 5.4% under the Fare Adjustment Mechanism ("FAM") on the general public, as well as FAM, fare concession measures and the Government's corresponding arrangements."

On other motions, the Chief Secretary for Administration will move a proposed resolution under Article 73(7) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and section 7A of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) to seek the Council's approval to endorse the appointment of the Honourable Mr. Justice Robert Tang Ching as a permanent judge of the Hong Kong Court of Final Appeal; the appointment of

the Honourable Mr. Justice Syed Kemal Shah Bokhary as a non-permanent Hong Kong judge of the Hong Kong Court of Final Appeal; and the appointment of the Right Honourable The Lord Phillips of Worth Matravers as a judge of the Hong Kong Court of Final Appeal.

The Secretary for Home Affairs will move a proposed resolution under the Legal Aid Ordinance to amend the Legal Aid Ordinance (Cap. 91).

The Secretary for Transport and Housing will move a proposed resolution under the Eastern Harbour Crossing Ordinance and the Interpretation and General Clauses Ordinance to seek the Council's approval to endorse the Eastern Harbour Crossing Road Tunnel (Amendment) Bylaw 2012, made by the New Hong Kong Tunnel Company Limited on 30 March 2012.

The Secretary for Transport and Housing will move a proposed resolution under the Tate's Cairn Tunnel Ordinance and the Interpretation and General Clauses Ordinance to seek the Council's approval to endorse the Tate's Cairn Tunnel (Amendment) Bylaw 2012, made by the Tate's Cairn Tunnel Company Limited on 30 March 2012.

The Secretary for Transport and Housing will move a proposed resolution under the Western Harbour Crossing Ordinance and the Interpretation and General Clauses Ordinance to seek the Council's approval to endorse the Western Harbour Crossing (Amendment) Bylaw 2012, made by the Western Harbour Tunnel Company Limited on 30 March 2012.

The Secretary for Transport and Housing will move a proposed resolution under the Tai Lam Tunnel and Yuen Long Approach Road Ordinance and the Interpretation and General Clauses Ordinance to seek the Council's approval to endorse the Tai Lam Tunnel and Yuen Long Approach Road (Amendment) Bylaw 2012, made by the Route 3 (CPS) Company Limited on 3

April 2012.

The Secretary for Financial Services and the Treasury will move a proposed resolution under the Mandatory Provident Fund Schemes Ordinance to seek the Council's approval to endorse the Mandatory Provident Fund Schemes (General) (Amendment) Regulation 2012, made by the Chief Executive in Council on 8 May 2012.

The Secretary for Commerce and Economic Development will move a proposed resolution under the Import and Export Ordinance and the Interpretation and General Clauses Ordinance to seek the Council's approval to endorse the Import and Export (Registration) (Amendment) Regulation 2012, made by the Chief Executive in Council on 17 April 2012.

Hon Fred LI will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending the Pesticide Residues in Food Regulation, laid on the table of the Legislative Council on 9 May 2012, to the meeting of 27 June 2012.

Hon James TO will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending the Securities and Futures (Futures Contracts) Notice 2012, laid on the table of the Legislative Council on 9 May 2012, to the meeting of 27 June 2012.

Hon Audrey EU will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending the Buildings (Amendment) Ordinance 2011 (Commencement) Notice 2012, the Building (Inspection and Repair) Regulation (Commencement) Notice, and the Building (Minor Works) (Amendment) Regulation 2011 (Commencement) Notice, laid on the table of the Legislative Council on 9 May 2012, to the meeting of 27 June 2012.

Hon Miriam LAU will move a motion under Rule 49E(2) of the Rules of Procedure. The motion states: "That this Council takes note of Report No. 18/11-12 of the House Committee laid on the Table of the Council on 9 May 2012 in relation to the Prevention of Bribery Ordinance (Amendment of Schedules 1 and 2) Order 2012."

During the meeting, Members will also ask the Administration 20 questions on various policy areas, six of which require oral replies.

The agenda of the above meeting can be obtained via the LegCo website (<http://www.legco.gov.hk>). Please note that the agenda is subject to change, and the latest information about the agenda could be found in the LegCo website.

Members of the public are welcome to observe the proceedings of the meeting from the public galleries of the Chamber of the LegCo Complex. They may reserve seats by calling 3919 3399 during office hours. Seats will be allocated on a first-come-first-served basis. Members of the public can also watch or listen the meeting via the web broadcast system on the LegCo website.

Ends/Monday, June 4, 2012

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