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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 26 March 2014

**Amendments to motion on
“Properly dealing with problems arising from cross-boundary students”**

Further to LC Paper No. CB(3) 473/13-14 issued on 14 March 2014, six Members (Hon IP Kin-yuen, Hon James TIEN, Hon Michael TIEN, Hon TANG Ka-piu, Hon Gary FAN and Dr Hon Helena WONG) have respectively given notices of their intention to move separate amendments to Hon TAM Yiu-chung’s motion on “Properly dealing with problems arising from cross-boundary students” scheduled for the Council meeting of 26 March 2014. As directed by the President, the respective amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and the six amendments. To assist Members in debating the motion and the amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon TAM Yiu-chung to speak and move his motion;
- (b) the President proposes the question on Hon TAM Yiu-chung’s motion;
- (c) the President calls upon the six Members who wish to move amendments to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon IP Kin-yuen;
 - (ii) Hon James TIEN;

- (iii) Hon Michael TIEN;
 - (iv) Hon TANG Ka-piu;
 - (v) Hon Gary FAN; and
 - (vi) Dr Hon Helena WONG;
- (d) the President calls upon the public officer(s) to speak;
 - (e) the President invites other Members to speak;
 - (f) the President gives leave to Hon TAM Yiu-chung to speak for the second time on the amendments;
 - (g) the President calls upon the public officer(s) to speak again;
 - (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the six Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon IP Kin-yuen to move his amendment to the motion, and forthwith proposes and puts to vote the question on Hon IP Kin-yuen's amendment;
 - (i) after Hon IP Kin-yuen's amendment has been voted upon, the President deals with the other five amendments; and
 - (j) after all amendments have been dealt with, the President calls upon Hon TAM Yiu-chung to reply. Thereafter, the President puts to vote the question on Hon TAM Yiu-chung's motion, or his motion as amended, as the case may be.

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

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Properly dealing with problems arising from cross-boundary students”
to be held at the Council meeting of 26 March 2014**

1. Hon TAM Yiu-chung’s original motion

That the continuously increasing number of cross-boundary students in recent years has given rise to quite a number of problems; a large number of cross-boundary students pouring into the districts near various immigration control points for attending school lead to keen competition for school places in New Territories districts, thereby affecting local students’ opportunities for admission to school in the vicinity of their residence and increasing the pressure on various land immigration control points; furthermore, cross-boundary students need to shuttle between two places and leave early and return late on school days, rendering them physically and mentally exhausted and posing danger to their personal safety, and long coach journeys also affect their studies in school; in this connection, this Council urges the Government to:

- (1) set up an inter-departmental task force to study the problems arising from cross-boundary students, including the demand for and supply of kindergarten places as well as primary and secondary school places in Hong Kong, and the impacts of cross-boundary students on the development of manpower resources in Hong Kong, so as to formulate more effective and comprehensive support strategies;
- (2) having regard to cross-boundary students’ demand for school places, expeditiously make good planning for kindergarten places as well as primary and secondary school places in various districts, and while increasing the number of places in the school net exclusively for cross-boundary primary students, also ensure local students’ opportunities for admission to school in the vicinity of their residence, so as to avoid affecting local students’ opportunities for attending school;
- (3) having regard to the actual situation of families with Hong Kong-citizen children living in the Mainland, pursue with Mainland authorities the opportunities for providing compulsory education to Hong Kong-citizen children, specifically the conduct of studies in conjunction with Mainland authorities under the educational co-operation framework between two places on establishing Hong Kong-style schools in

Shenzhen and setting up more schools and classes exclusively for Hong Kong-citizen children, so as to alleviate the education demand of Hong Kong-citizen children in Hong Kong;

- (4) commence collation and evaluation of data and information in a systematic and continuous manner, including the population characteristics of families with cross-boundary students and the intentions of cross-boundary students to study and work in Hong Kong in the future, so as to make more comprehensive and accurate planning for manpower resources;
- (5) enhance the services and support for cross-boundary students and their families, and increase the opportunities for cross-boundary students to participate in and experience community activities in Hong Kong; and
- (6) perfect the immigration arrangements and transportation support for cross-boundary students, so that they can cross the boundary safely for attending school.

2. Motion as amended by Hon IP Kin-yuen

That, *given* the continuously increasing number of cross-boundary students in recent years ~~has given~~, *the Administration has nonetheless made poor planning, and has never grasped the basic data on cross-boundary students (such as the ratio of ‘singly non-permanent resident students’ to ‘doubly non-permanent resident students’) and properly formulated any long-, medium- and short-term forecasts based on existing data, thus giving* rise to quite a number of problems; a large number of cross-boundary students ~~pouring into~~ *travelling to* the districts near various immigration control points for attending school lead to keen competition for school places in New Territories districts, thereby affecting local students’ opportunities for admission to school in the vicinity of their residence and increasing the pressure on various land immigration control points; furthermore, cross-boundary students need to shuttle between two places and leave early and return late on school days, rendering them physically and mentally exhausted and posing danger to their personal safety, and long coach journeys also affect their studies in school; in this connection, this Council urges the Government to:

- (1) *immediately* set up an inter-departmental task force, *which comprises representatives from the Education Bureau, the Social Welfare Department, the Immigration Department and the Transport and Housing Bureau, etc.*, to study the problems arising from cross-boundary students, including the demand for and supply of kindergarten places as well as primary and secondary school places in

Hong Kong, and the impacts of cross-boundary students on *education, transport, healthcare, social welfare, housing and* the development of manpower resources in Hong Kong, so as to formulate more effective and comprehensive support strategies;

- (2) *in dealing with the education problems arising from cross-boundary students, firmly uphold the principles of ‘simultaneously meeting the education needs of both local and cross-boundary students’ and ‘admission to school in the vicinity of residence’; having regard to cross-boundary students’ demand for school places, expeditiously make good planning for kindergarten places as well as primary and secondary school places in various districts, and consult various stakeholders as early as possible, so as to avoid the dissatisfaction of schools and parents arising from inappropriate school place planning; and while increasing the number of places in the school net exclusively for cross-boundary primary students, also ensure local students’ opportunities for admission to school in the vicinity of their residence, so as to avoid affecting local students’ opportunities for attending school; at the same time, ensure that cross-boundary students can attend schools within reasonable coach journey distances;*
- (3) *alleviate the additional burden on schools arising from the need to cope with cross-boundary students, and provide schools with appropriate assistance and resources, such as offering a recurrent grant for admission of additional number of cross-boundary students and a one-off grant for the additional ancillary services arranged for cross-boundary students, so as to ensure that the existing quality of education will not be significantly affected, and that schools will have sufficient resources to meet the education needs of cross-boundary students;*
- (3)(4) having regard to the actual situation of families with Hong Kong-citizen children living in the Mainland, pursue with Mainland authorities the opportunities for providing compulsory education to Hong Kong-citizen children, specifically the conduct of studies in conjunction with Mainland authorities under the educational co-operation framework between two places on establishing Hong Kong-style schools in Shenzhen and setting up more schools and classes exclusively for Hong Kong-citizen children, so as to alleviate the education demand of Hong Kong-citizen children in Hong Kong;
- (4)(5) commence collation and evaluation of data and information in a systematic and continuous manner, including the population characteristics of families with cross-boundary students and the intentions of cross-boundary students to study and work in Hong Kong

in the future, so as to make more comprehensive and accurate planning for manpower resources;

- (5)(6) *allocate additional resources to social welfare organizations to enhance the services and support for cross-boundary students and their families, especially cross-boundary students with special education needs, and increase the opportunities for cross-boundary students to participate in and experience community activities in Hong Kong; and*
- (6)(7) perfect the immigration arrangements and transportation support for cross-boundary students, *including reviewing the quotas of Closed Area Permits for cross-boundary students and cross-boundary school coaches based on actual demand, and permitting more cross-boundary students to undergo on-board clearance*, so that they can cross the boundary safely for attending school;
- (8) *conduct a study on enacting legislation to regulate private hostels for cross-boundary students, so as to ensure the safety of cross-boundary students in Hong Kong; and*
- (9) *conduct publicity among the public to disseminate a positive message on accepting cross-boundary students, enabling cross-boundary students to be free from discrimination, grow up healthily and happily, and develop a sense of belonging to Hong Kong.*

Note: Hon IP Kin-yuen's amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon James TIEN

That the continuously increasing number of cross-boundary students ~~in recent years~~ has given rise to quite a number of problems; a large number of cross-boundary students pouring into the districts near various immigration control points for attending school lead to keen competition for school places in New Territories districts, thereby affecting local students' opportunities for admission to school in the vicinity of their residence and increasing the pressure on various land immigration control points; furthermore, cross-boundary students need to shuttle between two places and leave early and return late on school days, rendering them physically and mentally exhausted and posing danger to their personal safety, and long coach journeys also affect their studies in school; in this connection, this Council urges the Government to:

- (1) set up an inter-departmental task force to study the problems arising from cross-boundary students, including the demand for and supply of

kindergarten places as well as primary and secondary school places in Hong Kong, and the impacts of cross-boundary students on the development of manpower resources in Hong Kong, so as to formulate more effective and comprehensive support strategies;

- (2) having regard to cross-boundary students' demand for school places, expeditiously make good planning for kindergarten places as well as primary and secondary school places in various districts, and while increasing the number of places in the school net exclusively for cross-boundary primary students, also ensure local students' opportunities for admission to school in the vicinity of their residence, so as to avoid affecting local students' opportunities for attending school;
- (3) having regard to the actual situation of families with Hong Kong-citizen children living in the Mainland, pursue with Mainland authorities the opportunities for providing compulsory education to Hong Kong-citizen children, specifically the conduct of studies in conjunction with Mainland authorities under the educational co-operation framework between two places on establishing Hong Kong-style schools in Shenzhen and setting up more schools and classes exclusively for Hong Kong-citizen children, so as to alleviate the education demand of Hong Kong-citizen children in Hong Kong;
- (4) *introduce concessionary measures to attract more Hong Kong teachers to teach in the Mainland, so as to assist Hong Kong-citizen children living in the Mainland in familiarizing themselves with the teaching mode adopted in Hong Kong, making parents let their Hong Kong-citizen children stay in the Mainland for attending schools without any worry, thereby alleviating the problems of cross-boundary students; this can also alleviate the problem of surplus teachers in Hong Kong and provide Hong Kong teachers with opportunities to acquire teaching experience in the Mainland; the proposed concessionary measures should include allowing Hong Kong teachers with provident fund accounts to keep their accounts during their periods of teaching in the Mainland, providing special living and transport allowances, and encouraging schools in Hong Kong to give priority consideration to recruit teachers who had been teaching in the Mainland for certain years, etc.;*
- (4)(5) commence collation and evaluation of data and information in a systematic and continuous manner, including the population characteristics of families with cross-boundary students and the intentions of cross-boundary students to study and work in Hong Kong

in the future, so as to make more comprehensive and accurate planning for manpower resources;

- (5)(6) enhance the services and support for cross-boundary students and their families, and increase the opportunities for cross-boundary students to participate in and experience community activities in Hong Kong; and
- (6)(7) perfect the immigration arrangements and transportation support for cross-boundary students, so that they can cross the boundary safely for attending school.

Note: Hon James TIEN's amendment is marked in *bold and italic type* or with deletion line.

4. Motion as amended by Hon Michael TIEN

That the continuously increasing number of cross-boundary students ~~in recent years~~ has given rise to quite a number of problems; a large number of cross-boundary students pouring into the districts near various immigration control points for attending school lead to keen competition for school places in New Territories districts, thereby affecting local students' opportunities for admission to school in the vicinity of their residence and increasing the pressure on various land immigration control points; furthermore, cross-boundary students need to shuttle between two places and leave early and return late on school days, rendering them physically and mentally exhausted and posing danger to their personal safety, and long coach journeys also affect their studies in school; in this connection, this Council urges the Government to:

- (1) set up an inter-departmental task force to study the problems arising from cross-boundary students, including the demand for and supply of kindergarten places as well as primary and secondary school places in Hong Kong, and the impacts of cross-boundary students on the development of manpower resources in Hong Kong, so as to formulate more effective and comprehensive support strategies;
- (2) having regard to cross-boundary students' demand for school places, expeditiously make good planning for kindergarten places as well as primary and secondary school places in various districts, and while increasing the number of places in the school net exclusively for cross-boundary primary students, also ensure local students' opportunities for admission to school in the vicinity of their residence, so as to avoid affecting local students' opportunities for attending school;

- (3) having regard to the actual situation of families with Hong Kong-citizen children living in the Mainland, pursue with Mainland authorities the opportunities for providing compulsory education to Hong Kong-citizen children, specifically the conduct of studies in conjunction with Mainland authorities under the educational co-operation framework between two places on establishing ~~Hong Kong-style schools in Shenzhen and setting up more schools and classes exclusively for Hong Kong-citizen children~~ *schools subsidized by Hong Kong Government in Shenzhen to provide Hong Kong-citizen children with free education, and the schools concerned must operate in accordance with the requirements of the Education Bureau of Hong Kong, recruit qualified Hong Kong teachers and adopt Hong Kong's teaching modes and curriculum, thus facilitating these children to come to Hong Kong to sit for public examinations and pursue further education in the future*, so as to alleviate the education demand of Hong Kong-citizen children in Hong Kong;
- (4) commence collation and evaluation of data and information in a systematic and continuous manner, including the population characteristics of families with cross-boundary students and the intentions of cross-boundary students to study and work in Hong Kong in the future, so as to make more comprehensive and accurate planning for manpower resources;
- (5) enhance the services and support for cross-boundary students and their families, and increase the opportunities for cross-boundary students to participate in and experience community activities in Hong Kong; and
- (6) perfect the immigration arrangements and transportation support for cross-boundary students, so that they can cross the boundary safely for attending school.

Note: Hon Michael TIEN's amendment is marked in *bold and italic type* or with deletion line.

5. Motion as amended by Hon TANG Ka-piu

That the continuously increasing number of cross-boundary students ~~in recent years~~ has given rise to quite a number of problems; a large number of cross-boundary students pouring into the districts near various immigration control points for attending school lead to keen competition for school places in New Territories districts, thereby affecting local students' opportunities for admission to school in the vicinity of their residence and increasing the pressure on various land immigration control points; furthermore, cross-boundary

students need to shuttle between two places and leave early and return late on school days, rendering them physically and mentally exhausted and posing danger to their personal safety, and long coach journeys also affect their studies in school; in this connection, this Council urges the Government to:

- (1) set up an inter-departmental task force to ~~study~~ **conduct a longitudinal study on** problems arising from cross-boundary students, including the demand for and supply of kindergarten places as well as primary and secondary school places in Hong Kong, **the social life and psychological development of cross-boundary students**, and the impacts of cross-boundary students on the development of manpower resources in Hong Kong, so as to formulate more effective and comprehensive support strategies;
- (2) having regard to cross-boundary students' demand for school places, expeditiously make good planning for kindergarten places as well as primary and secondary school places in various districts, and while increasing the number of places in the school net exclusively for **districts with the largest number of** cross-boundary primary students **such as Tai Po and the North District, etc.**, also ensure local students' opportunities for admission to school in the vicinity of their residence, so as to avoid affecting local students' opportunities for attending school **and alleviate the pressure faced by parents when applying for school admission for them**;
- (3) having regard to the actual situation of families with Hong Kong-citizen children living in the Mainland, pursue with Mainland authorities the opportunities for providing compulsory education to Hong Kong-citizen children, specifically the conduct of studies in conjunction with Mainland authorities under the educational co-operation framework between two places on establishing Hong Kong-style schools in Shenzhen and setting up more schools and classes exclusively for Hong Kong-citizen children, so as to alleviate the education demand of Hong Kong-citizen children in Hong Kong;
- (4) commence collation and evaluation of data and information in a systematic and continuous manner, including the population characteristics of families with cross-boundary students and the intentions of cross-boundary students to study and work in Hong Kong in the future, so as to make more comprehensive and accurate planning for manpower resources;
- (5) **allocate additional resources to non-governmental organizations to** enhance the services and support for cross-boundary students and their families, and increase the opportunities for cross-boundary students to

participate in and experience community activities in Hong Kong, *thereby cultivating their social skills and positive psychology*; and

- (6) perfect the immigration arrangements and transportation support for cross-boundary students, so that they can cross the boundary safely for attending school, *and provide school coach fee subsidy to families with cross-boundary students having financial difficulties*.

Note: Hon TANG Ka-piu's amendment is marked in *bold and italic type* or with deletion line.

6. Motion as amended by Hon Gary FAN

That the continuously increasing number of cross-boundary students in recent years has given rise to quite a number of problems; a large number of cross-boundary students pouring into the districts near various immigration control points for attending school lead to keen competition for school places in New Territories districts, thereby affecting local students' opportunities for admission to school in the vicinity of their residence and increasing the pressure on various land immigration control points; furthermore, cross-boundary students need to shuttle between two places and leave early and return late on school days, rendering them physically and mentally exhausted and posing danger to their personal safety, and long coach journeys also affect their studies in school; in this connection, this Council urges the Government to:

- (1) set up an inter-departmental task force to study the problems arising from cross-boundary students, including the demand for and supply of kindergarten places as well as primary and secondary school places in Hong Kong, and the impacts of cross-boundary students on the development of manpower resources in Hong Kong, so as to formulate more effective and comprehensive support strategies;
- (2) having regard to cross-boundary students' demand for school places, expeditiously make good planning for kindergarten places as well as primary and secondary school places in various districts, ~~and while increasing the number of places in the school net exclusively for cross-boundary primary students, also ensure local~~ *allocate the projected surplus Primary One places in various school nets in Hong Kong to a '37th school net' for 'doubly non-permanent resident cross-boundary students' to choose to avoid the need for local primary students to attend school in other districts, and under the principle of 'putting Hong Kong people first', require kindergartens to admit students residing in their districts for ensuring local kindergarten students' opportunities for admission to school in the vicinity of their*

residence *their home districts*, so as to avoid affecting local students' opportunities for attending school;

- (3) having regard to the actual situation of families with Hong Kong-citizen children living in the Mainland, pursue with Mainland authorities the opportunities for providing compulsory education to Hong Kong-citizen children, specifically the conduct of studies in conjunction with Mainland authorities under the educational co-operation framework between two places on establishing Hong Kong-style schools in Shenzhen and setting up more schools and classes exclusively for Hong Kong-citizen children, *and conduct studies on the legal problems of local teachers teaching in the Mainland*, so as to alleviate the education demand of Hong Kong-citizen children in Hong Kong;
- (4) commence collation and evaluation of data and information in a systematic and continuous manner, including the population characteristics of families with cross-boundary students and the intentions of cross-boundary students to study and work in Hong Kong in the future, so as to make more comprehensive and accurate planning for manpower resources;
- (5) enhance the services and support for cross-boundary students and their families, and increase the opportunities for cross-boundary students to participate in and experience community activities in Hong Kong; ~~and~~
- (6) perfect the immigration arrangements and transportation support for cross-boundary students, so that they can cross the boundary safely for attending school; *and*
- (7) *amend Article 24 of the Basic Law to abolish the right of abode in Hong Kong enjoyed by babies born to 'doubly non-permanent resident pregnant women', so as to solve at root the problems arising from cross-boundary students.*

Note: Hon Gary FAN's amendment is marked in *bold and italic type* or with deletion line.

7. Motion as amended by Dr Hon Helena WONG

That the continuously increasing number of cross-boundary students in recent years has given rise to quite a number of problems; a large number of cross-boundary students pouring into the districts near various immigration control points for attending school lead to keen competition for school places in New Territories districts, thereby affecting local students' opportunities for

admission to school in the vicinity of their residence and increasing the pressure on various land immigration control points; furthermore, cross-boundary students need to shuttle between two places and leave early and return late on school days, rendering them physically and mentally exhausted and posing danger to their personal safety, and long coach journeys also affect their studies in school; in this connection, this Council urges the Government to:

- (1) set up an inter-departmental task force to study the problems arising from cross-boundary students, including the demand for and supply of kindergarten places as well as primary and secondary school places in Hong Kong, and the impacts of cross-boundary students on the development of manpower resources in Hong Kong, so as to formulate more effective and comprehensive support strategies;
- (2) having regard to cross-boundary students' demand for school places, expeditiously make good planning for kindergarten places as well as primary and secondary school places in various districts, and while increasing the number of places in the school net exclusively for cross-boundary primary students, also ensure local students' opportunities for admission to school in the vicinity of their residence, ***and conduct studies on reinstating village schools in the mode of branch campuses of government or subsidized primary schools as an interim measure to increase the number of school places in North District and Yuen Long District***, so as to avoid affecting local students' opportunities for attending school;
- (3) having regard to the actual situation of families with Hong Kong-citizen children living in the Mainland, pursue with Mainland authorities the opportunities for providing compulsory education to Hong Kong-citizen children, specifically the conduct of studies in conjunction with Mainland authorities under the educational co-operation framework between two places on establishing Hong Kong-style schools in Shenzhen and setting up more schools and classes exclusively for Hong Kong-citizen children, so as to alleviate the education demand of Hong Kong-citizen children in Hong Kong;
- (4) commence collation and evaluation of data and information in a systematic and continuous manner, including the population characteristics of families with cross-boundary students and the intentions of cross-boundary students to study and work in Hong Kong in the future, so as to make more comprehensive and accurate planning for manpower resources;

- (5) enhance the services and support for cross-boundary students and their families, and increase the opportunities for cross-boundary students to participate in and experience community activities in Hong Kong; ~~and~~
- (6) perfect the immigration arrangements and transportation support for cross-boundary students, so that they can cross the boundary safely for attending school; *and*
- (7) *ensure that the small-class teaching policy in primary schools will not be interrupted by the need to solve the schooling problem of cross-boundary students, rendering 'small-class' teaching to become 'large-class' teaching.*

Note: Dr Hon Helena WONG's amendment is marked in *bold and italic type* or with deletion line.