

OFFICIAL RECORD OF PROCEEDINGS

Thursday, 29 January 2015

**The Council continued to meet at
half-past Two o'clock**

MEMBERS PRESENT:

THE PRESIDENT

THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, G.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, S.B.S., J.P.

THE HONOURABLE FREDERICK FUNG KIN-KEE, S.B.S., J.P.

THE HONOURABLE WONG KWOK-HING, B.B.S., M.H.

THE HONOURABLE JEFFREY LAM KIN-FUNG, G.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, S.B.S., J.P.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CYD HO SAU-LAN, J.P.

THE HONOURABLE CHAN HAK-KAN, J.P.

THE HONOURABLE CHAN KIN-POR, B.B.S., J.P.

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN, S.B.S., J.P.

THE HONOURABLE IP KWOK-HIM, G.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

THE HONOURABLE PAUL TSE WAI-CHUN, J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE CLAUDIA MO

THE HONOURABLE MICHAEL TIEN PUK-SUN, B.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

THE HONOURABLE NG LEUNG-SING, S.B.S., J.P.

THE HONOURABLE STEVEN HO CHUN-YIN

THE HONOURABLE FRANKIE YICK CHI-MING

THE HONOURABLE WU CHI-WAI, M.H.

THE HONOURABLE YIU SI-WING

THE HONOURABLE GARY FAN KWOK-WAI

THE HONOURABLE MA FUNG-KWOK, S.B.S., J.P.

THE HONOURABLE CHARLES PETER MOK, J.P.

THE HONOURABLE CHAN CHI-CHUEN

THE HONOURABLE CHAN HAN-PAN, J.P.

DR THE HONOURABLE KENNETH CHAN KA-LOK

THE HONOURABLE CHAN YUEN-HAN, S.B.S., J.P.

THE HONOURABLE KENNETH LEUNG

THE HONOURABLE ALICE MAK MEI-KUEN, J.P.

DR THE HONOURABLE KWOK KA-KI

THE HONOURABLE KWOK WAI-KEUNG

THE HONOURABLE DENNIS KWOK

THE HONOURABLE CHRISTOPHER CHEUNG WAH-FUNG, S.B.S., J.P.

THE HONOURABLE SIN CHUNG-KAI, S.B.S., J.P.

DR THE HONOURABLE HELENA WONG PIK-WAN

THE HONOURABLE IP KIN-YUEN

DR THE HONOURABLE ELIZABETH QUAT, J.P.

THE HONOURABLE MARTIN LIAO CHEUNG-KONG, S.B.S., J.P.

THE HONOURABLE POON SIU-PING, B.B.S., M.H.

DR THE HONOURABLE CHIANG LAI-WAN, J.P.

IR DR THE HONOURABLE LO WAI-KWOK, B.B.S., M.H., J.P.

THE HONOURABLE CHRISTOPHER CHUNG SHU-KUN, B.B.S., M.H., J.P.

THE HONOURABLE TONY TSE WAI-CHUEN, B.B.S.

MEMBERS ABSENT:

THE HONOURABLE ALBERT HO CHUN-YAN

DR THE HONOURABLE LAU WONG-FAT, G.B.M., G.B.S., J.P.

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.

PROF THE HONOURABLE JOSEPH LEE KOK-LONG, S.B.S., J.P., Ph.D.,
R.N.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, G.B.S., J.P.

THE HONOURABLE STARRY LEE WAI-KING, J.P.

DR THE HONOURABLE LAM TAI-FAI, S.B.S., J.P.

DR THE HONOURABLE LEUNG KA-LAU

THE HONOURABLE CHEUNG KWOK-CHE

THE HONOURABLE WONG KWOK-KIN, S.B.S.

THE HONOURABLE WONG YUK-MAN

THE HONOURABLE LEUNG CHE-CHEUNG, B.B.S., M.H., J.P.

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE TANG KA-PIU, J.P.

THE HONOURABLE CHUNG KWOK-PAN

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE LAI TUNG-KWOK, S.B.S., I.D.S.M., J.P.
SECRETARY FOR SECURITY

DR THE HONOURABLE KO WING-MAN, B.B.S., J.P.
SECRETARY FOR FOOD AND HEALTH

CLERK IN ATTENDANCE:

MISS ODELIA LEUNG HING-YEE, ASSISTANT SECRETARY GENERAL

MEMBERS' MOTIONS

PRESIDENT (in Cantonese): Council will now resume and continue with the debate on the motion "Promoting the sustainable development of the agriculture and fisheries industry". Does any Member wish to speak?

PROMOTING THE SUSTAINABLE DEVELOPMENT OF THE AGRICULTURE AND FISHERIES INDUSTRY**Continuation of debate on motion which was moved on 28 January 2015**

MR ALAN LEONG (in Cantonese): President, all along, the Civic Party very much agrees and hopes that the Government promotes the quality and sustainable development of the local agriculture and fisheries industry. Why? Because given the importance we attach to food safety, what can be better than putting under local control every one of the steps "from farm to fork"? Of course, it is a more worthy cause in environmental terms, because local food materials would at least pre-empt the prospect of increasing our carbon footprint during the transportation of agricultural and fishery products.

However, President, regrettably, we can see that the SAR Government has by no means acted in this direction since the reunification. For example, as regards the culling of chickens, chicken farmers have to end their operation upon receipt of compensation. This is also the case for pig farmers, because we can see that the SAR Government has all along regarded pig farming as the source of problems like pollution since the reunification, so pig farmers are compensated and told to end their operation. Therefore, as we can see it nowadays, there is no way to develop the local agriculture and fisheries industry.

President, according to the Government's figures, the market share of local vegetables has dropped from 30% in the 1990s to 2.3% in 2011; I believe there may have been a continuous decline between 2011 and now. Hence, the supply of agricultural and fishery products has kept dwindling since the reunification. A healthy and sustainable development of the agriculture and fisheries industry is therefore out of the question.

President, if the Government was really committed to helping Hong Kong's agricultural industry, they would not have said that more than 80% or nearly 3 800 hectares of the existing 4 500 hectares of agricultural land in Hong Kong are abandoned.

President, you may recall our remarks during the discussion on the North East New Territories development plan, that the Government's advance announcement on such development has resulted in landlords driving the farmers away in order to leave the land abandoned pending for acquisition. Despite the Government's promotion of the Agricultural Land Rehabilitation Scheme, it fails to yield any satisfactory result. For example, in the first three quarters of last year, 24 applications for leasing agricultural land were received under the Scheme, and only five of them were successful cases of match-up. The Government has also frankly confessed that not many landlords are willing to lease out farmland for agricultural activities, so the Scheme is rendered nugatory. Covered with weeds and infested with red fire ants, abandoned farmland requires much input before it can be rehabilitated in the future. Abandoned land also affects neighbouring farmland because the red fire ants on abandoned land may spread there. This is what happens right now.

The Government once proposed the establishment of an Agricultural Park (Agri-Park) for the promotion of the high-technology farming industry, which sounds like a good initiative. But in retrospect, the Government introduced the Hong Kong Science and Technology Parks for the promotion of digital technology, but it turned out to be a real estate project; and the Chinese Medicine Port for the promotion of Chinese medicine has vanished into thin air; so will the Agri-Park that the Government is going to introduce for promoting the agricultural industry turn out to be another instance of infrastructure-oriented initiative and empty talk? Of course, we need not draw too premature a conclusion. We may just look ahead to see how it fares.

Nevertheless, President, what we need to note is that farmers' investment in the land is measured in terms of effort and time. It is only through years of toil as well as the processes of weeding, crop rotation, fallowing, fertilizing, and so on, that a lot will get into shape. Therefore, if the whole operation is removed from the root and relocated to an Agri-Park, how popular will it be? This definitely remains to be seen.

However, in a final word, Hong Kong has a strong need for quality and sustainable development of the local agriculture and fisheries industry, which is beneficial but not detrimental to Hong Kong. I so submit.

MR YIU SI-WING (in Cantonese): President, years ago, the agriculture and fisheries industry played an important role in Hong Kong's food supply, performing a most significant function in Hong Kong people's daily life. Subsequent to the changing needs for economic development, increase in labour costs and scarcity of land resources, Hong Kong's food supply became mainly reliant on import. The agriculture and fisheries industry thus gradually declined. From 1995 to 2013, the self-sufficiency rate of vegetables in Hong Kong dropped from 17% to 2%, while that of marine fish dropped from 71% to 36%. It is undeniable that some stakeholders in the agriculture and fisheries industry have to face the problem of transformation. In fact, not only Hong Kong but also many other countries and regions, for example, Japan and Taiwan, have long since faced the same problem. They have tried different methods, including the adoption of new and advanced technologies to enhance the quantity and quality of agricultural and fishery products, exploring high value-added by-products and developing eco-tourism and leisure agriculture and fisheries. Many of these measures are worthy reference for us.

On the mention of eco-tourism, village tours and leisure agriculture and fisheries, Hong Kong people will first think of Taiwan. When people travel to Taiwan, many of them will especially go to leisure farms to stay over in homestay lodgings, pick vegetables and fruits, watch animals with children, go to fishing ports to watch the sunset, taste freshly captured seafood, and go out to the sea for whale watching. The places they can go and things they can do are countless. When they leave, they will also buy a lot of local agricultural and fishery products as souvenirs. The transformation of Taiwan's agriculture and fisheries industry started relatively early. The reason was that after the oil crisis in 1974, the Taiwan Government conducted extensive infrastructural works which occupied a vast area of land. As a result of this, a large number of farmers in the villages were forced to transform their operation as a way out. Some farmers moved to the city and lived there, while some continued to engage in farming. To increase their income, they actively explored the cultivation of crops with high production value and processing of agricultural produces. Some even integrated

their operation with tourism and developed leisure farming. After several decades, leisure farming has become a rather mature and stable form of travel in Taiwan, constituting a complete industrial chain combining dining, accommodation, transport, sightseeing and shopping. The high regard and support of the authorities are indispensable to the successful transformation of leisure farming in Taiwan. The Taiwan authorities have shown their high regard right from the Government's co-ordination and participation in planning, formulating consistent policies on leisure farming and village tours, allocation of funds, approaches of publicity, and so on. Certified leisure farms enjoy a number of privileges in operation. Besides, the construction of relevant supporting facilities, including slip roads connecting trunk roads to the farms, as well as power and water supply connection works, is funded by the Government.

In respect of the transformation of the fisheries industry, since 1998 the Taiwan Fisheries Agency has developed supporting facilities for leisure tourism in fishing ports such as Keelung, including yacht piers and fisherman's wharves that offer boat tours and fishing activities, and relevant tourist facilities such as seafood squares, waterfront parks and children's playgrounds. The authorities also attach great importance to publicity and promotion. To enable tourists from inside and outside Taiwan to gain an early grasp of the relevant tourist information, apart from recommending major tour products to different groups of visitors through various types of media, the authorities also encourage the tourism sector to incorporate the products into the strongly recommended tour routes. Moreover, dedicated websites have been set up to display information related to leisure agriculture and fisheries. The support from government policies has directly propelled the development of Taiwan's leisure agriculture and fisheries industry.

Back to Hong Kong. Our resources for eco-tourism and leisure farms are by no means inferior. In the New Territories, there are some 120 leisure farms. Many leisure farms are located near country parks, cycling tracks and historical monuments, so it is convenient to string together activities with special characteristics in a single tour route. Not only do we have marine resources and ocean views but also a world-class Geopark in the New Territories. However, with little importance attached by the Government, the scale of leisure farms and leisure fisheries is currently very small. Being run only on a shoestring and lacking packaging and publicity, the relevant undertakings can hardly create any

selling point. Nor is it easy to establish its own brand name in the field of tourism. Drawing reference from the experience in Taiwan, I think a feasible way to transform the agriculture and fisheries industry is to start with tourism. First of all, there must be resources. For example, as the Government set up the Sustainable Fisheries Development Fund of \$500 million last year, consideration can be given to setting up a similar agricultural fund for stakeholders to make applications. It is only with financial support that there will be a basis for the transformation of the agriculture and fisheries industry. In addition, a policy that supports those intent on transforming their operation is necessary. The Government should set up a co-ordinating department responsible for inter-departmental collaboration in jointly planning the development of the leisure agriculture and fisheries industry, as well as improving and enhancing the relevant tourism support facilities, such as link roads, additional parking spaces, waterfront promenades, seafood markets, piers and fishing ports.

Lastly, the authorities need to organize communication between the tourism sector (including the Hong Kong Tourism Board) and members of the agriculture and fisheries industry who have succeeded in transforming their operation to explore the modes of co-operation; plan and compile itineraries with special characteristics that can attract visitors at different levels; and organize joint external publicity and promotion drives. Moreover, drawing reference from the successful approach of the Wine and Dine Festival, we can organize a Hong Kong agricultural and fisheries products festival and hold festive activities with agriculture and fisheries as the main theme every year, with a view to promoting local agricultural and fisheries products and enhancing the appeal of tours to Hong Kong.

With these remarks, I support the original motion.

MR TOMMY CHEUNG (in Cantonese): President, yesterday, a number of Members criticized the long-standing attitude of positive non-intervention towards the agriculture and fisheries industry in Hong Kong. I think such remarks are not at all accurate, and way too courteous. I often say that the authorities wish to phase out the agriculture and fisheries industry. And in fact, the chicken farmers of the case that we handled yesterday also asked if the Government wished to phase them out. In fact, we have been talking about the

intent of the Government to "sap" the industry in this Council for eight or 10 years. Initially, the chicken farmers' allegation that Dr York CHOW wished to "sap" them "dry" did not convince me at all. But as I keep looking at the situation, I have increasingly sensed that something has gone wrong. I have also started to think that the Government really wishes to "sap" them "dry". Now, the attitude of Secretary Dr KO of the Food and Health Bureau towards the agricultural and fisheries policy is a bit ambivalent. Although it cannot be regarded as an attempt to "sap" the industry, it can hardly be seen as one of helping to promote it.

Recently, the Bureau has seemingly adopted a relatively proactive approach and published a consultation document in relation to a new agricultural policy. But if we take a closer look, we will find that it only touches upon agriculture (that is, farming), while leaving out the fisheries and poultry industries. In fact, the authorities have applied double standards. On the one hand, it agrees in the consultation document that there is a need to maintain local agricultural production in order to help diversify our food supply and reduce our reliance on imported food. But on the other hand, they have questioned on many different occasions, either explicitly or implicitly and sometimes with body language, whether Hong Kong as a densely populated place should continue with the practice of allowing close contact between humans and poultry. In addition, the authorities have also pointed out the high costs involved in retaining live poultry markets, and so on, indicating that live poultry is dispensable. He may opt for an early elimination, lest any delay should leave him sleepless. That is to say, the Secretary will have trouble falling asleep. But an early elimination will leave the chicken farmers sleepless.

If the authorities are worried about the high costs, why do they not accept the suggestion of the industry, that is, after crossing the border, live chickens imported from the Mainland should be placed in a quarantine area first and be released only after the quarantine results are ready? Or the authorities may as well suggest that the Mainland implement a "co-location arrangement" in Shenzhen for live chickens for export to Hong Kong. In that case, there will be no need to worry about incurring unnecessary losses as a result of cross infection between Mainland and local chickens.

Recently, I have engaged in frequent discussions with others on the question of whether Hong Kong can still pride itself on being a "culinary capital" with the elimination of live chickens and fewer and fewer fresh ingredients in Hong Kong. In fact, given the trend that the world is pursuing a path to environmental protection, the authorities should provide Hong Kong with a reliable and low-carbon food supply chain option. Apart from live chickens, can Secretary Dr KO consider using modern technology and facilities to prevent cross infection among livestock and poultry, so that local farmers may resume live duck, goose and pigeon raising?

Development of new industries and creation of employment opportunities are stock expressions of the authorities. But frankly speaking, I cannot discern which particular new industry has indeed made some achievement. Instead, in the face of raging challenges in the past decade or so, Hong Kong's live poultry industry has been most persevering in the pursuit of progress by upgrading their installations and systems in prevention of avian flu, thereby greatly enhancing the marketing chain and safety of the entire wholesale and retail trade of live poultry and heading towards modern development in a proactive manner. For example, locally raised poultry including "Kamei" and "Wongkin" chickens, have started to get their names known and opened up a new retail channel by offering delivery and online ordering services, making them increasingly popular among Hong Kong people.

Nevertheless, the authorities have not only let slip the opportunities, but also sent out messages from time to time, calling on the community to consider afresh whether the live poultry industry should be retained. But Members should not forget that with the elimination of the live poultry industry, tens of thousands of practitioners in the retail and transport sectors will also join the unemployed ranks, and they have to receive retraining. So, how should we quantify such losses?

President, we must identify the needs of the agriculture and fisheries industry in order to assist its development. However, about the land issue mentioned by a number of Members yesterday, I have reservations, particularly Dr KWOK Ka-ki's amendment which links the development of the agriculture and fisheries industry to developers' hoarding of agricultural land and demands regulation by the authorities. I think it is making an issue out of the matter

which, apart from being unconstructive, has complicated the problem. I nonetheless think that although land supply is vital, in retrospect, the live poultry industry has been striving to excel further even if the authorities have never offered them any special concessions in terms of land. Therefore, the healthy and sustainable development of an industry depends on a number of other factors, including whether it is required by the market and supported by talents and policies.

Hong Kong's stringent and professional food surveillance and testing system has become a brand. Compared with the Mainland or even overseas countries, local food products have given people an impression of higher quality and safety. In particular, the frequent exchanges between the Agriculture, Fisheries and Conservation Department and the industry and the support provided by the Department in such aspects as product quality and safety regulation have enabled Hong Kong's enterprises to build up a credible reputation. Therefore, why should the authorities easily give up these brands built up through painstaking efforts over the years?

The Liberal Party does not oppose the new agricultural development launched by the authorities, and in fact, this policy is one that the Liberal Party has been urging the authorities to introduce over the years. The consultation paper recently published by the authorities has come too late, but it is still better than never. Nevertheless, the authorities must not leave out the fisheries and live poultry industries. The Liberal Party considers it necessary for the development of the agriculture and fisheries industry to have a clear positioning. And precisely because of the dense population and scarcity of land of Hong Kong, the authorities should aim for development in the high value-added direction, such as enhancing scientific research and development and professional training for high value-added agriculture and fisheries industries, providing low-rate loans to people who are interested in the development of high value-added agriculture and fisheries industries and promoting high value-added agricultural products and leisure travel as Hong Kong's new brand names through education and publicity. The establishment of an Agricultural Park is but a minor issue.

President, I so submit.

DR CHIANG LAI-WAN (in Cantonese): President, I speak in support of the motion "Promoting the sustainable development of the agriculture and fisheries industry" moved by Mr Steven HO.

We all know the Chinese saying "天生天養" (born and raised by the heavens). What is meant by this? The meaning is that to a person who is born and raised in that place, the healthiest meal is to consume the local traditional food, which is local and seasonal food. Since the air, sunshine and water from which the food is grown is compatible with the constitution of local people, the best healthy meal is to consume locally produced food.

Therefore, in regard to the existing condition of Hong Kong, although there is still a small amount of agricultural products, I think the Government should formally review whether it is necessary to formulate a comprehensive policy on these products with a view to providing assistance, so that these agricultural products can have cost-effectiveness and market benefits. It is because we see that currently Hong Kong has 4 523 hectares of agricultural land, while the unused agricultural land amounts to 3 794 hectares, so nearly 84% of the land is laid to waste, and idle.

Will these pieces of land be used for other development purposes, such as construction of buildings? I believe the chances are few, if not totally impossible. However, considering the entire eco-environment, it is absolutely not possible to fully develop these lands. Since the unused agricultural land already exists, can we make proper use of these resources? Therefore, I support the motion moved by Mr Steven HO, in the hope that the Government can conduct a review and formulate an agricultural policy as soon as possible. In fact, if Hong Kong people can consume local food, I think this is beneficial to the health of Hong Kong people.

Besides, I also wish to talk about another point, which is the condition of market economy. Even though the Government says that it can provide many these lands for farmers to engage in agricultural activities, so that they can develop agriculture on the land, it is undeniable that under the existing circumstances, the agricultural products of local farmers may be not competitive at all. For example, if the cost of growing a head of vegetable by local farmer is 50 cents, while a head of vegetable imported from other places can be sold at 20 cents, how can local vegetables have an edge over those of other places?

This also reminds me of how industries in Hong Kong faded away in the past. This is because the production in Hong Kong had lost its competitiveness. When the industrial products in Hong Kong were unable to raise their added value, the operation could not continue and the production could only continue in other places where they could compete. Of course, some industries disappeared because of this. Now, the agricultural industry in Hong Kong faces the same plight. For instance, the price of a Fuji apple may be \$100 each. However, the apples imported from the Mainland may only cost a few dollars each. What is the positioning of Hong Kong? How can we compete in the market? What we need to do is to adopt a one-stop *modus operandi* and consider a holistic approach. Only in this way can we attract the new generation, or attract the existing farmers to continue committing resources to the development of this business.

There is another point, and I have heard many colleagues mention it. We can make use of the agricultural land to develop leisure farms. In fact, there are more than 100 leisure farms in Hong Kong at present. But we see that many leisure farms are actually not well established, unable to attract overseas tourists. They are actually unable to attract local tourists, not to mention overseas tourists. What are the reasons?

Although Hong Kong has a scarcity of land but with a huge population, it is after all a big city. In future, I do not want to hear our next generation say "I have never seen cattle or sheep in my whole life.", or "How are vegetables grown?". In my opinion, this is a very important kind of liberal studies which teaches our next generation how to value food resources, and which is beneficial to their studies in environmental protection and other aspects. Therefore, President, I support the motion moved by Mr Steven HO.

I so submit.

PRESIDENT (in Cantonese): Does any other Member wish to speak?

MR FREDERICK FUNG (in Cantonese): President, the motion proposed by Mr Steven HO is closely related to the consultation document entitled "The New Agricultural Policy: Sustainable Agricultural Development in Hong Kong" recently released by the Government. Given the time constraint of the debate, I will focus my views on the values, direction and prospects of developing the agriculture and fisheries industry.

President, although the document published by the Government on "The New Agricultural Policy: Sustainable Agricultural Development in Hong Kong" is just a consultation document, it has fully reflected the Government's insular vision and narrow sense of values for agricultural development. I have to start by pointing out several inadequacies of the document. First of all, the document contains no policy objective for agricultural development, that is, the Government is reluctant to determine a self-sufficiency rate for food supply. An objective has to be set for the self-sufficiency rate regardless of its level, be it 10% or 100%. It would of course be impossible to achieve a rate of 100% but the absence of a humble objective of even 10% or 1% would render the development of the agricultural industry aimless and meaningless. The use of land, the formulation of measures as well as the injection of resources would become well-founded only with an established objective.

Secondly, the content of the document has actually failed to meet the standard required. There are now 4 500 hectares of agricultural land in Hong Kong and 3 794 hectares of which are abandoned agricultural land. As for the Government's measures to support agricultural development, the proposal under discussion is only limited to the establishment of an Agricultural Park (Agri-Park) with a size of 70 hectares, that is, 1.5% of the total size of agricultural land. The scale is so small that we cannot help but wonder if the Government is really serious in supporting agricultural development or the release of the document is just a joke. If a comparison is drawn with the large-scale real estate development supported by all sorts of infrastructural projects, the establishment of an Agri-Park has become a mere attempt to have something that everybody else does, casting aside completely the remaining 4 430 hectares of agricultural land.

Thirdly, the Government has neglected the fact that agricultural development can be one of the ways out for the diversified economic development of Hong Kong. We have always been talking about how Hong Kong should develop emerging industries and during the term of Donald TSANG, the former Chief Executive, the issue of developing six priority industries was raised. As a matter of fact, the agricultural industry can be one of these industries but the document has made no mention of this point, and neither would it be considered and discussed.

Fourthly, the land policy has all along remained unchanged. The most important use of land is for Hong Kong to develop into a new city, a so-called international city with mega skyscrapers springing up everywhere. Land in

Hong Kong is tantamount to a goose that can lay golden eggs but land is also required for agricultural development so what should be our choice when it comes to land use? Should it be used for agricultural development or for laying golden eggs? Very obviously, agricultural development has not been the Government's choice and instead, land is always regarded as a goose that lays golden eggs. Under such circumstances, most developers or businessmen would not use the agricultural land they own for farming, but would wait wholeheartedly for the Government to turn the land into golden eggs or mega skyscrapers.

Fifthly, the Government has adopted an indifferent attitude towards agricultural industry all along. Basically, I do not know if this is due to the lack of talents, vision and ideal or oversight on the part of the Government of the possibility of developing the agricultural industry. Under the free market principle, in order to prevent the existence of such a possibility, the Government will neither do anything to promote nor provide a platform for agricultural development. The most important thing is, such a possibility is not conducive to the yielding of profits within a short period of time, thus turning someone into a multimillionaire or billionaire overnight.

Sixthly, emphasis has been put only on the agricultural industry in the document. I reckon that anyone who has the slightest idea about how agriculture works will understand that in order to support the systematic and sustainable development of the agricultural industry, the agricultural policy adopted should cover farming, poultry and fishery since these three are closely related to each other and links in the chain of sustainable development. By using barrels as fish tanks, those in the industry have developed a system under which the activities of growing vegetables and fish farming can be conducted concurrently and I have also set up one in my office. Under the system which is called "Aquaponics", the barrel at the lower level is used for fish farming and the water will be drawn to the upper level where plants and vegetables are grown. The water will be filtered and then flow back to the fish tank and this is how "Aquaponics" works. I believe the Secretary is also aware that the activities of raising chickens, pig-breeding and fish farming have been going on at the same time in many demonstration farms in the Mainland and in Taiwan. Chicken droppings and pig manure may be used for cultivation or disposed of at the fish pond as fish food. In order to make the cycle work, how can emphasis be put only on the agricultural industry in the Government's proposal or the consultation document?

President, I could speak for one more hour on the subject but regrettably, I have only seven minutes to speak and cannot elaborate in detail here a few more suggestions that I have. In fact, the sustainability of the industry would largely hinge on the Government putting in place an interlinked and sustainable policy on agriculture, fishery and livestock. A certain degree of self-sufficiency could be achieved in Hong Kong only when there is sustainable development of such industries and by then, we would be able to establish our own brand names in the agricultural industry. Recently, due to the problem concerning chickens for export to Hong Kong, brand names of locally bred chickens have already been established by local chicken farmers. This is an objective that we can hopefully, possibly and ably achieve, so why not work for it? Thank you, President.

MR LEUNG YIU-CHUNG (in Cantonese): President, when we discuss the economic development of Hong Kong nowadays, a few major areas, especially the development of bubble economy, including finance, real estate, tourism recently and even the service industry, will be discussed by not only the general public, but even by the Government.

In fact, when we talk about other trades and industries, we can rarely hear the Government mention livestock, animal husbandry and even fishery. It has rarely mentioned these issues indeed. What does this condition reflect? It reflects that the Government does not attach importance to, and is basically ignoring the development in this aspect. Nevertheless, if we care to pay attention, we will find that the mode of living of Hong Kong people has drastically changed recently. One of the changes is that many members of the public have grown more concerned about the agricultural industry. If you are free on Sundays, you may go to the Star Ferry Pier to have a look, where you will find many people selling organic produces. There are really a lot of people buying and selling these produces. At the same time, we also notice that our friends are renting agricultural land in the New Territories to engage in farming on Sundays. This is very common.

From this, we see that Hong Kong people have actually raised their requirements on the consumption of organic products nowadays, and the demand for this kind of products has also increased. But unfortunately, we are not sure whether the Government is turning a blind eye or deaf ear to these issues, for it has not put in efforts to assist or help development in this respect, and this is very saddening.

As many colleagues mentioned earlier, the Chief Executive of this term has particularly stated that he has to develop real estate, including the construction of housing. In fact, he will not care so much. As long as there is land, he will use it for housing construction without considering how to strike a balance between social environment and ecology. Take the North East New Territories Development as an example. When we said that we had to develop this area, many farmers made requests and insisted on continued farming. However, the Government has basically disregarded them. It only responded that urban development has to be carried out. This is a most undesirable direction of development. We can see that at present, we need the Government to proactively lead the planning of rehabilitation of agricultural land. This is very important. Many farmers tell us that rehabilitation cannot be carried out is not because they do not want it, but because this is restrained by the resources and support measures. Hence, this definitely needs government support and assistance. But the Government seems to be very passive and has not assumed an active role in this aspect. Not only has the development of the agricultural industry become stagnant, but it continues to retreat and shrink. This is where the problem lies.

Not only is the development of the agricultural industry like this, the development of fisheries also faces the same plight. We notice that when the Government says that land reclamation is required for the development of certain infrastructural project, it always mentions that an environmental impact assessment report will be prepared to examine what impacts will be created. However, the result is usually a claim of no impact. In fact, is there really no impact? No, for fishermen always say that the works concerned will definitely have impact on the fish fry or other fishery products. However, the Government does not attend to this in a proactive manner. Only when people ask or beg the Government for attention, it will just look at the issue casually. People just feel so dejected because of these developments. It is because the development of each industry needs self-motivation as well as objective support measures and assistance. But the authorities totally fail in providing the latter.

Besides, it is often very difficult to claim or demand compensations, or even if this is successful, the amount of compensation is very small. Thus the fishermen and farmers will ask: What happens to their losses? This is their means of living. This is a difficult question to cope. However, it seems that the Government will never care about them. Take the recent avian flu incident as an example. After culling the chickens, how about the compensation? No

matter how much the Government will compensate for each chicken, has the Government actually considered that the problem of an industry is not just the problem of farmers, but also the other support measures needed by the farmers, such as staffing and transportation, can also be a problem? However, the Government does not care so much. For the compensation, it is just like giving of elms. Hence, I think these problems constitute an enormous blow to farmers and fishermen. They feel that their future is gloomy. They are unwilling to continue this kind of work unless there is no way out.

Therefore, no matter how grand is the picture presented by the Government today, I think the most important thing is whether the Government can assume a leading and proactive role. If the role or the position of the Government is not clear enough, the kind of development that it advocates will only be hypocritical and deceptive. Can the Government tell us that it actually wants to give assistance to the people concerned, and no matter what problems they encounter, it will negotiate and discuss with them? This is the appropriate way of handling the question, as every point of view raised will be taken seriously. This will be the effective way. Otherwise, I think that after surviving a disaster, they may not survive the next. And even they can survive the second disaster, they cannot survive a third one. Eventually, the industry will continue to shrink.

Hence, in my opinion, the solutions to these problems will depend on whether the Government is sincere in helping these people in the industry. If the Government is not sincere, it had better say clearly that it is not sincere in helping them, that it hopes that they can end their operation earlier so that they do not need to endure anymore. President, this kind of "being put on the drip" is very painful to them. It is in fact not a good deed. As Mr Frederick FUNG said the scope of discussion is wide. But I think the most important core question is whether the Government can assume an active and positive role. Otherwise, whatever it says is only deceptive and not helpful at all.

President, I so submit.

MR LEUNG KWOK-HUNG (in Cantonese): President, there is of course logic in this world. We try to learn from Singapore in all aspects including the extermination of the agriculture and fisheries industry but the only exception is the provision of Housing and Development Board flats.

After the reunification, the Government has been spending a lot of money on compensation in an attempt to eliminate the activities of pig-breeding and chicken farming, only falling short of urging the industry to give up fish culture. Mr Steven HO is now suggesting the Government to offer loans for the procurement of fishing vessels so that fishermen could go fishing offshore. President, you do have some knowledge about the state of our country and should be aware that Mainland fishermen engaging in offshore fishing are now facing very keen competition, right?

Frankly speaking, we are only asking Secretary Dr KO Wing-man to separate the slaughtering process carried out for 10 000 chickens but it is claimed that this could not be done. This is really puzzling to me since the Secretary gets along well with others and enjoys a high popularity rating so President, what difficulty does he have in getting the thing done? How difficult it would be to separate Mainland chickens and locally bred chickens? Yet, the Secretary said that this could not be done and thus, there would definitely be no prospect for the local poultry industry.

Today, Mr HO is urging loudly for sustainable development here but it should instead be described as sustained shrinkage, and the industry would go bust earlier with the subsidy coming from the public coffers. As a matter of fact, the industry only exists in name. Although WONG Yung-kan had put forward the idea of leisure fisheries, this is how functional constituencies work as voters of Mr HO today may not consider the prospect promising for developing leisure fisheries, otherwise why has the Panel on Development which had once commented that it was suitable to develop leisure fisheries in Hong Kong now gone back on its view and said that offshore fishing is suitable for Hong Kong? President, this is exactly the demerit of functional constituencies. In the small circle of a functional constituency, the elected representative would have the final say, right? This is very simple, if voters of Mr Steven HO are ... chicken farmers for example, he would press the Secretary for what they want and he has actually done so, has he not? What I mean is, he would press the Secretary and query the reason why the slaughtering process for 10 000 chickens could not be carried out separately. It is in fact not wrong to do so since I would also like to ask the Secretary why he treats the agriculture and fisheries sector so badly?

Therefore, it is actually very simple: there is neither logic nor policy and political platform in small circle elections. Buddy, TUNG Chee-wah had once proposed the establishment of the Chinese medicine port, and so on, but did he

succeed in the end? President, let me cite a simple example. Regarding LEUNG Chun-ying's proposal to establish the "Innovation and Traumatology Bureau", I have discussed the issue with Mr Martin LIAO just now when we were taking puffs outside and we both doubted the need to have the new Bureau established with its Secretary and Under Secretary appointed by the Central Authorities. All LEUNG Chun-ying has to do to address the problem is to set up an organization similar to the Hong Kong Trade Development Council but he chooses not to do so and has forced this Council to approve his proposal of establishing the new Bureau under his despotic power.

Mr Steven HO is a young man and he should not follow the example of his predecessors to cunningly shift the responsibility onto Members of the opposition camp. Although payments to fishermen have been delayed today because of me, how can this compare with the enormous "contribution" made by the Democratic Alliance for Betterment and Progress of Hong Kong to the agriculture and fisheries industry of Hong Kong by occupying the seat of the agriculture and fisheries functional constituency all these years and causing the shrinkage of the industry? Buddy, who has actually hampered the development of the industry? President, someone once suggested that pig manure is polluting but this is really ridiculous. Is pig manure really polluting? Do you remember a manure collection team was set up during the Three Years of Natural Disasters in our great Motherland? Human droppings, pig manure and dog faeces were mixed together to produce fertilizers. Under the existing policy, in order to keep Hong Kong "clean", pollutants of unpleasant smells have to be got rid of. If he wants to do this, he should speak up instead of advocating sustainable development at this moment and then switch to sustained extinction later.

I would like to ask Secretary Dr KO Wing-man what policy does the Government have at present? Can the Secretary tell those chicken farmers in Hong Kong if a slaughter policy would be in place should an objective be set to achieve a self-sufficiency rate of 30% in the live chicken supply of Hong Kong? If there is a suggestion to increase local live pig supply, can the proposal be put into practice? Buddy, in the absence of a corresponding policy, how can sustainability be achieved? For example, if I apply an adhesive plaster together with a layer of antiseptic ointment to the wound cut in my hand to prevent infection, would there be any improvement to my hand? The answer is of course in the negative since the treatment given to the wound cut could at best prevent the injury from deteriorating. I hope Mr HO would cease to make any remarks here. I had no intention to point the finger at him at the outset but since he criticized us just now, I have to strike back though he seems to be an upright

person. I would like to ask Mr HO now why the proposal put forward by WONG Yung-kan in his capacity as a Member of this Council vanished without a trace after he has taken Mr WONG's place. If anyone has, after listening to the speech delivered by WONG Yung-kan, made an investment in leisure fisheries, what should he do now? Would he burst into helpless tears? In case of business failure in the future, can a funding application be submitted by him to this Council?

President, I really do not know what colleagues are saying. I surely have empathy for fishermen and farmers though I seldom come into contact with them. They are also human beings and have the right to engage in some sustainable undertakings that would do no harm to the community of Hong Kong. Much has been said but after all, efforts are only made to keep up with the Mainland and infrastructural facilities are provided to connect ourselves with "white elephant" facilities in the Mainland so as to revitalize our economy. There is a point I forgot to mention yesterday, that is, no one is interested in Qianhai while only 10% of the premises in the free trade zone of Shanghai has been leased out but we still want to provide all kinds of "white elephant" facilities here to "kiss" with those on the other side in the Mainland. Buddy, are we not doomed to fail?

President, Mr Steven HO should press TUNG Chee-wah, Donald TSANG and LEUNG Chun-ying but not us for what he is fighting for. Not only is it not possible to solve the problem of sustainability of the agricultural industry by making compensations, it would also deprive the industry of sustainable development and the only effect it has is to minimize the loss incurred by farmers. If compensation payments are to be made, please do so at once without any evasion and stop putting the blame on us.

PRESIDENT (in Cantonese): Does any other Member wish to speak?

MR CHAN CHI-CHUEN (in Cantonese): President, the People Power has prepared a paper this year again on "Our Expectation for the 2015 Policy Address" for submission to the Government, not to LEUNG Chun-ying of course, but to Chief Secretary Carrie LAM and the Financial Secretary. I do not know if Secretary Dr KO has read this paper on our expectation for the Policy Address. The heading of the part relevant to the subject under discussion in the paper is: "Reviving the Agricultural Industry".

Let me come back to agricultural policy, which did not exist in Hong Kong in the past as opined by some of us. From our point of view, the absence of a corresponding policy is tantamount to, if not extermination, a "policy of sapping it dry" and the hawker policy and agricultural industry are two good examples. As a matter of fact, the most important part of formulating an agricultural policy is positioning. For this reason, we should first ask ourselves what sort of an agricultural policy we want. In putting forward the positioning of "The New Agricultural Policy", what exactly is the Government trying to achieve, a leisure agriculture policy, a policy to maintain people's livelihood or a policy that would help to make a fortune? These three are different. If the Government seeks only to formulate a leisure agriculture policy, it would only be necessary to provide some agricultural land to operate farming activities for leisure in the form of extra-curricular activities or a pastime, but this would be totally different from vigorous promotion of the industry as suggested by us. Nevertheless, judging from what the Secretary has told us before, it would be unlikely for the Government to vigorously promote the industry since land supply is a practical problem. As for the question of whether the Government should formulate a policy to moderately or mildly promote the industry, it would depend on public aspiration and the Government's effort.

Whenever the issue of agricultural policy is brought up, it is often said that the matter should be followed up by the Bureau led by Secretary Dr KO but just like the hawker policy, the agricultural policy actually involves inter-departmental co-operation. I am afraid that if the matter is followed up by the Bureau led by Secretary Dr KO, other government departments would be positioned in a subservient role and by then, the Secretary will have to beg other departments for help, such as asking Secretary Paul CHAN for the provision of land. As a matter of fact, the policy area of food safety and environmental hygiene does not deal with the issue of how people can make a fortune, and neither should it be held responsible for the livelihood of farmers engaged in cultivation activities. The emphasis of its work should be ensuring the adequacy, safety and hygiene of food supply.

Quite a number of Members have mentioned the self-sufficiency rate and we do consider it important because it can serve as an indicator. If the Administration seeks to promote a leisure agriculture policy, it would of course not be necessary to have a self-sufficiency rate as cultivation activities are carried out for leisure purposes with the produces used for self-consumption, or even merely for the pleasure of farming with little regard to the produce. I am not

asking the Government to underpin the agriculture, poultry and fishery industries of Hong Kong by the self-sufficiency principle but some production targets should have to be set as policy objectives. If abundant resources are devoted to the cultivation of the most beautiful flower in the world but only one single flower can be yielded, the project would be rendered meaningless, right? Although chickens of superb quality can be raised and vegetables with a splendid taste can be planted, the farming activities would be meaningful only when a certain quantity of products can be produced. I am not talking about launching such products onto the world market to make a profit and scale new heights but they should at least be provided for local consumption by the general public instead of one small group of people. A lower target of 10%, 20% or 30% can be set at the beginning for the self-sufficiency rate and a review can be made later of its adequacy for further development and promotion.

Besides, I am also very much concerned about the problems of abandoned agricultural land and agricultural rehabilitation on idle land. I do not oppose the proposal of establishing an Agricultural Park (Agri-Park) but it would only be a laboratory to me. We would be very much disappointed if the establishment of an Agri-Park is the only measure to be taken by the authorities since it will be tantamount to building a greenhouse for the cultivation of one single flower to demonstrate to us that our aspiration for promoting agriculture has been met.

The People Power proposed last year the establishment of some non-governmental organizations to promote the optimal use of idle land for the development of organic farming. Idle agricultural land can be acquired by the Government and land use restrictions may be imposed to cater for the development of agricultural activities on these sites for a number of years. Nevertheless, this could only be done if the Government is really serious in supporting agricultural development.

In addition, I would like to spend some time on the issue of chicken farming. I am not discerning enough to tell the difference between the tastes of dishes cooked respectively with chilled chickens and live chickens but it has subsequently come to my attention that it really makes a difference to many people in Hong Kong and they do have expectation of the taste of chicken meat they eat. In the absence of live chickens supply, some restaurants I know would rather suspend the selling of Hainanese chicken rice than using chilled chickens as ingredients. The Secretary has explicitly or implicitly expressed in the

relevant document or the speech he delivered that with the change of dietary habit, it would be appropriate for Hong Kong people to consider giving up the consumption of live chickens, but I think those in the trade and the general public would have great reservations about the suggestion. If there is a serious outbreak of avian flu, rendering it necessary to carry out another chicken culling *en masse*, the Government would perhaps be in a better position to impose greater pressure and might as well prohibit the supply of live chickens. Nevertheless, if nothing irregular has happened, I do not think the trade and the general public would take the initiative to propose the banning of live chickens supply simply to ensure that everyone would become worry free. If actions are really taken to do so, I think the authorities are just trying to save themselves the trouble of managing risks in this area, thus adopting such an unnecessary drastic measure to excise the part that might cause us trouble. Maybe this is exactly the philosophy adopted by medical practitioners, who consider the removal of affected organs the best way to prevent the risk of a relapse. However, our consideration lies in the holistic concept and so we believe it not appropriate for the authorities to resort to the last step of removing the whole industry when we are not yet at the eleventh hour.

However, I do have reservations about the last sentence in Dr Helena WONG's amendment. I always have the wish to discuss with the Secretary the issue of "locally bred chickens for Hong Kong people", that is, whether the poultry industry and chicken raising industry can be developed in Hong Kong so that consumption of locally bred chickens by local people will become the mainstream. This is, I think, a direction we can explore but it seems that the Secretary does not have too much interest in making locally bred chickens the mainstream of live chicken supply.

Dr Helena WONG's suggestion of ceasing the import of live chicken from the Mainland is, in my opinion, too big a leap to the conclusion. Such a prohibition is of course necessary when there is an outbreak of avian flu and this is exactly what we are implementing at the moment. However, in the absence of an adequate supply of live chickens in Hong Kong now, it may not be appropriate to propose an immediate ban on the import of live chickens from the Mainland. The problems involved are actually multi-dimensional, including the issue of free trade. If locally bred chickens are of a high quality and inexpensive, they will naturally become the mainstream of live chicken supply in Hong Kong under market competition. However, there are still other issues to consider, such as

whether day-old chicks used are locally bred or imported from the Mainland. Therefore, I hope the Secretary will agree to discussing with us the issue of "locally bred chickens for Hong Kong people" while I would not immediately urge for a ban on the import of live chickens from the Mainland.

I so submit.

PRESIDENT (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): If not, I now call upon Mr Steven HO to speak on the two amendments. The speaking time limit is five minutes.

MR STEVEN HO (in Cantonese): President, I thank the two Members who are going to move the amendments today. This motion is different from other motions as there are fewer amendments. Hence, I may not use up the five minutes. The amendments show that the two Members have not fully and genuinely understood the system and substance of the agriculture and fisheries industry, especially the relationship with the Mainland.

In the amendment, Dr Helena WONG directly states "ceasing the import of live chicken from the Mainland". This is not impossible, but it needs to meet a lot of prerequisites. For example, Mr CHAN Chi-chuen just mentioned the problem of day-old chickens. Besides, in the long run, if we only use local day-old chickens, we have to consider whether there will be bio-genetic problems, which are the problems due to inbreeding. And if Hong Kong will face the avian flu problem again in the future, how should we handle it? I believe that under the existing circumstances, we are still unable to comply with these conditions. Thus the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) will vote against this amendment.

In Dr KWOK Ka-ki's amendment, he has also directly mentioned regulating developers' "hoarding of agricultural land and fish farms". This proposal sounds nice. But as I said earlier, the existing restrictions on

agricultural land are already numerous and complicated. The implementation of these measures may not affect the developers. On the contrary, the genuine farmers who now possess the agricultural land but cannot fully use it for agricultural purpose will suffer. Therefore, we have reservations about this point. Even if the authorities implement the measures concerned, while the higher authorities have policies, the localities have their counter-measures. This situation may happen. They can say that grass planting is also a kind of agricultural activity, as the grass is for feeding horses. If they keep one or two sheep, that can also be regarded as animal husbandry. Hence, we have reservations about this proposal for the time being. The DAB will abstain on this amendment.

Finally, I thank Members for their concern and speeches on the agriculture and fisheries industry. Members' opinions are very precious. During my final response in due course, I will use the rest of the speaking time to respond to each of the Members concerned. Thank you, President.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, I have listened carefully to the speeches and suggestions made by Members just now and last night. Members generally expressed concern and support for the sustainable development of the agriculture and fisheries industry in Hong Kong. However, quite a number of Members basically cast doubts on the Government's attitude towards the development of the agriculture and fisheries industry. They considered the Government for placing greater emphasis on development, seemingly intent on subjecting the local agriculture and fisheries industry to further decline. I will therefore address the issue of attitude here. Development is vitally important to a city, especially a highly modernized city like Hong Kong. Besides, we cannot overlook the fact that Hong Kong is primarily a city and it may not be entirely appropriate if we compare Hong Kong with other countries which have larger territorial expanses. Living in such a highly modernized city, we actually face all sorts of constraints, including the constraint in terms of land. In any event, I would like to point out that the incumbent Government has actually expressed our renewed concern for the local agriculture and fisheries industry right from the outset. Why are we concerned about that? In fact, there are many reasons. First of all, no matter how small or how highly modernized is a place, we believe we should endeavor to maintain the diversification of economy or, from the perspective of food, diversification of

food supply. This is a fundamental attitude. Second, we are increasingly aware of the growing demand for organic or high quality products, especially high quality local agricultural produce, from members of the public. Third, we have also noticed that apart from the existing farmers or fishermen, there are actually quite a lot of newcomers, particularly young people, who wish to join the fisheries or agriculture industry. Under such circumstances, our renewed concern for the agriculture and fisheries industry is not only a confirmation that the industry itself has all along been an important component of the economic structure of Hong Kong, but also fostered by the many factors mentioned. We hope to support the agriculture and fisheries industry in further achieving stable development in Hong Kong with the help of the Government.

I would like to raise another point. Some Members pointed out that although the Government has proposed a new agricultural policy, it seems that the Government has ignored the fisheries industry. This is certainly incorrect and therefore I will first talk about the fisheries industry in my reply. We promote the sustainable development of the fisheries industry in two major directions, namely assisting fishermen to develop or switch to modernized and sustainable practices, and protecting, conserving and rehabilitating the marine ecosystem and fisheries resources in Hong Kong waters. The Government has also introduced a series of measures in this regard. On the one hand, it promotes the modernization of the fisheries industry and sustainable modes of operation while on the other, it controls the local fishing effort and conserves and enhances fisheries resources.

In order to restore fisheries resources and help bring the fisheries industry back to a sustainable path, the Government imposed a trawl ban in Hong Kong waters at the end of 2012. Yet, it was just the first step. The Government also amended the Fisheries Protection Ordinance and implemented other relevant fisheries management measures. Such measures included setting up a registration system for local fishing vessels to limit the entry of new fishing vessels, and restricting fishing activities with the use of non-fishing and non-local vessels to further control the fishing effort in Hong Kong waters.

To assist the fishermen affected by the trawl ban, the Government has introduced a one-off assistance scheme to make *ex gratia* payments to affected trawler owners for permanent loss of fishing grounds arising from the trawl ban. We will designate some areas in Hong Kong waters as fisheries protection areas

(FPAs) to protect fish fry, juvenile and spawning fish in important spawning and nursery grounds, help restore fisheries resources in Hong Kong waters and promote their sustainable growth in the long run. The Agriculture, Fisheries and Conservation Department (AFCD) is conducting a study on the setting up of FPAs. The designation of FPAs, determination of size and management measures will be decided after thorough consultations with the trade. We will introduce a piece of subsidiary legislation in that regard to the Legislative Council for scrutiny.

Regarding the Fisheries Development Loan Fund (the Loan Fund), we amended the requirements and eligibility of the Loan Fund in 2012 to better meet the actual needs of the trade and to help the local fisheries industry switch to sustainable operations. As at the end of 2014, the AFCD has received over 80 loan applications which amounted to over \$700 million. Most of the applications are made by owners of trawler vessels affected by the trawl ban and the average amount of loan in each application is around \$9 million. Applicants plan to use the loan to build new fishing vessels to continue their fishing operations in distant waters outside Hong Kong. We have so far approved around 30 applications which amounted to some \$250 million. As the available funds of the Loan Fund are insufficient to meet the demand from the applications received, the Government has submitted a funding injection proposal of \$810 million to the Finance Committee of the Legislative Council so as to meet the demand from the outstanding applications and new applications in future. I would also like to take this opportunity to urge Members who are very concerned about, and have spoken in support of, the development of the fisheries industry to approve our application tomorrow as soon as possible.

Another measure is the Sustainable Fisheries Development Fund (the Development Fund), which was proposed in the previous policy address. This is the reason why we have focused mainly on the agricultural policy in the consultation document. The Government set up the Development Fund in early 2014 to help fishermen adopt a sustainable and high value-added operation mode, and subsidize relevant programmes and research so as to further enhance the competitiveness of the fisheries industry in Hong Kong. Sustainable development of the fisheries industry enables fishermen to be self-reliant, improve their livelihood and enhance their ability to cope with challenges arising from changes in the operating environment. The Development Fund started to invite applications in July 2014 and has received a total of 15 applications so far,

amounting to around \$150 million in total. The Sustainable Fisheries Development Fund Advisory Committee has established a working group to process the applications received as soon as possible, with a view to disbursing the first batch of funding in the first quarter of this year. The Government will continue to liaise with the industry closely so as to utilize the Development Fund and raise the standard and competitiveness of the fisheries industry in Hong Kong.

Some Members also mentioned developing the aquaculture business. With a view to fully utilizing the surplus carrying capacity of the fish culture zones (FCZs) and, at the same time, promoting the development of technology and encouraging the adoption of best practices in the industry, the Government implemented a pilot programme of issuing new marine fish culture licences in the eastern waters of Hong Kong in the second half of 2014. Moreover, we plan to expand an existing FCZ to improve its environment and explore the possibility of identifying suitable sites for designation of new FCZs.

Furthermore, we have enhanced the fish breeding techniques of local fish farmers through provision of technical support and training. The AFCD has introduced the Good Aquaculture Practices Programme to conduct regular visits to fish farms, test the water quality of fish farms, analyse fish samples and monitor the conditions of fish farms. To further upgrade the competitiveness of the aquaculture fisheries in Hong Kong, improved culture techniques and good management practices have been introduced to fish farmers through organization of seminars, on-farm demonstrations and distribution of advisory booklets in different FCZs.

We noted several Members have mentioned that brand building is very important as well. The Government has introduced a voluntary Accredited Fish Farm Scheme to enhance the competitiveness of the local aquaculture industry. Participating fish farms under the Scheme are required to adopt a set of good aquaculture practices with a view to raising the environmental hygiene standards of the fish farms and the quality of cultured fish. Quality assurance tests, including analyses of drug residues and heavy metals in fish, are conducted to ensure that all cultured fish meet the food safety standards before they are sold in the market. As at 2014, 116 fish farms in total have registered as accredited fish farms.

The Government has, in collaboration with the Hong Kong Organic Resource Centre, examined the promotion of local organic aquaculture and laid down a code of practice for organic aquaculture. The AFCD also assists fish farmers in acquiring accreditation for their organic aquatic products, carries out regular inspections of fish farms and water quality monitoring, and provides support in culture techniques. In Hong Kong, there are currently five fish farms in total which are certified as organic fish farms and it is estimated that the annual production volume of organic fishes in 2014 was 20 tonnes.

Moreover, in respect of training, we provide training to fisherman to help them enhance their techniques. Since 2010, more than 1 400 fishermen have taken the courses offered by the AFCD.

A lot of Members have just mentioned recreational fishing. Under the existing framework, we have promoted the development of recreational fishing through various measures. Since 2010, we have launched a pilot scheme to help fishermen develop fisheries-related ecotourism and enhance the public's understanding of local culture and operation modes of fishermen. The Marine-based Eco-tours scheme, which is jointly organized by fishermen groups and related organizations of ecotourism, has been implemented in five areas of Hong Kong waters so far. It has also organized more than 580 tours and the number of teachers, students and members of the public who had participated in such tours exceeded 17 600 people. More than 430 fishermen have undergone training and participated in the tours.

Some representatives of the industry once suggested relaxing the existing restrictions on passenger capacity of fishing vessels so that fisherman can operate in the mode of "one licence for two trades", which was also mentioned by some Members, and that the fishing vessels could be engaged in both commercial fishing and the business of carrying passengers for recreational fishing activities at sea. The Government has examined and considered this suggestion in detail. In this regard, our primary consideration is passenger safety. If existing fishing vessels are converted to meet the requirements under the existing legislation on the carriage of passengers, the conversion costs involved may be higher than that of purchasing suitable vessels. Therefore, we consider that if some fishermen plan to operate recreational fishing activities on a long-term basis, they can consider purchasing or renting passenger carrying vessels or converting fishing vessels into passenger carrying vessels for operation.

At this point, I will talk about the agricultural policy. The local agricultural industry has actually been diminishing over time as Hong Kong evolves towards a predominantly urbanized and service-oriented economy and becomes more reliant on imports for food supply. There is a high chance that this trend will continue and cause the agricultural industry to dwindle further. To avoid such a situation, we think that the Government must make active intervention and adopt appropriate support measures. We therefore propose implementing a new agricultural policy to support the modernization and sustainable development of the local agricultural industry in a more proactive manner.

The new agricultural policy proposed by the Government will introduce appropriate support measures to achieve the expected results. Building on the foundation of the prevailing programmes and measures implemented by the AFCD to support the industry, and taking into account the challenges and difficulties hitherto faced by the industry, the Government proposes introducing a package of new measures in the following directions.

The first one is exploring the feasibility of establishing an Agricultural Park (Agri-Park), which is mainly intended for admitting farmers who are engaged in crop farming and commercial production. Many Members stated that although the idea of the Agri-Park itself was desirable, the scale was not large enough. Of course, some Members cast doubts on the idea of the Agri-Park. However, I would like to first point out that this idea particularly addresses the difficulties currently faced by local farmers, that is, difficulties related to land. I will not repeat this point here. As we all know, our farmers not only face difficulties in leasing land from others, but also renewal of tenancy. After obtaining the lease, they also have to face the problems of sustainability and predictability. The first difficulty is that they may not have the ability to make investments. Second, even if they can afford to make investments, they cannot bear the risks. In that case, no one is willing to improve the infrastructure on the leased farmland to complement their agricultural production. Therefore, apart from promoting the introduction of advanced technology for agricultural production in the Agri-Park with a view to increasing the value of agricultural products, it also solves the fundamental difficulties encountered by farmers in finding land as well as the problem of not being able to improve the infrastructure on such land. The Agri-Park definitely serves another purpose of allowing eligible farmers who are displaced by other government development projects to resume farming on some of its land.

In regard to leisure farming which has been mentioned by a lot of Members, I am glad that Dr CHIANG Lai-wan noticed that Hong Kong does not lack leisure farms as we have more than 100 of them. However, I actually noticed that there is a lack of facilities, especially infrastructure and sanitation facilities, on these leisure farms, many of which I have also visited. Therefore, we hope that the Agri-Park can provide us with a model and demonstrate how a leisure farm can address the lack of ancillary facilities as I have just mentioned. Nonetheless, I have to empathize that leisure farming will not be a predominant factor in the whole idea of the Agri-Park because in terms of the Agri-Park, as we have used public funds for the resumption of farmland, we want to provide support to increase the value of the local agricultural industry.

Second, some Members mentioned that the scale of the Agri-Park would be too small and asked whether it could contribute to the promotion of sustainable development of the local agricultural industry in general. In response to that, I have to say as the Agri-Park will first operate in an exploratory mode, it is certain that its scale will not be too large. The second point is that we are considering the establishment of a Sustainable Agricultural Development Fund (SADF). In this connection, I have to emphasize that the use and applicability of the SADF will not be limited to the Agri-Park. It is because we have thoroughly considered that the scale of the Agri-Park is rather small and there are actually farming activities in many places outside the Agri-Park as well. With the SADF, we hope to encourage people to farm some existing abandoned farmland and help them develop new agricultural knowledge outside the Agri-Park.

The said SADF aims to provide financial support for promoting research and development for application of technology in agricultural production, facilitating the transfer of knowledge, enhancing manpower training, improvement of agricultural infrastructure and strengthening marketing and branding of local agricultural produce, as well as assisting individual farmers to modernize their farming equipment and facilities.

Last Sunday, we held the FarmFest and particularly introduced numerous farming tools which were displayed in the festival to the media and some Members. Some enthusiastic young farmers had introduced these farming tools from other countries where, given the land features, farming practices similar to intensive and small-scale farming are adopted. These small-scale farming tools and machines are actually suitable for use in Hong Kong as well.

As regards the third and fourth measures, they are actually related to enhancing some support currently provided by the AFCD. I will not go into detail.

In face of the loss of local farmland outside the future Agri-Park, a lot of Members asked about the measures for preserving such farmland and whether we could resume farming on some deserted agricultural land. Indeed, I have reservations about the suggestions made by some Members, such as further expanding the scale of land resumption. First of all, when we have yet to prove that the operation mode of the first Agri-Park is successful, we should be cautious about spending a large amount of public funds to further expand the scale of land resumption. While some Members suggested penalizing agricultural landowners who are not currently using the land for farming, I believe that apart from me, other people in society will also have reservations about this suggestion. However, with the SADF I have just mentioned, the continuous technical support provided by the AFCD as well as the example set by the future Agri-Park, I believe that even the owners of farmland outside the Agri-Park will be encouraged to consider resuming farming on their land. I will communicate with these people more proactively in future to find out what else can be done to help them through the SADF, and enable them to restore more land lots outside the Agri-Park to their original purposes, that is, resuming farming.

Regarding the self-sufficiency rate of local agricultural production mentioned by numerous Members, it is a difficult subject. I certainly understand that in an ideal situation, we can set a target rate. However, I think that our scale is, in fact, really small at the current stage. Therefore, if we propose a target that is not realistic enough, I think it will serve no purpose. In the future, if we can achieve intermediate results in promoting the new agricultural policy, I believe the future Government should not rule out the possibility of formulating a self-sufficiency rate for Hong Kong long term. Obviously, I think the self-sufficiency rate will not be really high. While some Members just mentioned a rate of 30%, I believe that for a place like Hong Kong, it may not be realistic to achieve such a rate.

Quite many Members have mentioned the local livestock industry. In regard to this, I believe the Government does not have any policy to "sap" or ban the local livestock industry. Yet, there are practical difficulties to further develop the local livestock industry in Hong Kong and, of course, preventing

zoonotic diseases is the prime consideration. As regards the environmental impact, especially the impact on the residents who are living in that area, I believe we cannot ignore this problem either. Some Members also took this opportunity to mention once again the question of whether we could provide a self-sustained local supply of live chickens. In this regard, I am obligated to respond to that question.

In terms of the policy on live poultry, it is definitely under great influence of the risk of an avian flu outbreak in Hong Kong. I will not recap the history. The incumbent Government — in terms of the stance of the Food and Health Bureau that I am serving in — is more than willing to join hands with the industry and strive to sustain the local supply chain of live chickens or live poultry. Such efforts are certainly made in response to the aspirations of some members of the public for eating live chickens and to that of some members from the catering industry who consider that it is an important component for Hong Kong as a culinary capital or that it is preferred to eat live chickens in our culture, and so on. Nonetheless, does it mean that the majority public supports such an idea? I may not agree with the observation made by "Slow Beat" just now as I had come across a lot of people who told me that, "Dr KO, you face such a large number of controversies and even the industry basically fails to unite in maintaining the live chicken supply chain. In a situation with numerous controversies, why did you still devote such a great deal of effort to maintaining the supply chain? Why did you not just let Hong Kong people eat chilled chickens? I do not think there is any problem with that.", and there are many people who hold this view. I agree that some people want to have live chickens cooked for meals. However, there are also a large number of people who doubt whether it is worth the cost for Hong Kong to do so and it actually depends on the various stakeholders of the live chicken supply chain.

Today, I am rather unhappy to hear that some Members were still speaking for the interest of certain stakeholders. I think that if Hong Kong has to maintain the live poultry supply chain, then stakeholders from various sectors of the whole industry should unite in doing so. Although Mr CHAN Chi-chuen is not present right now, I am well aware of his suggestion of "locally bred chickens for Hong Kong people ". Actually, this idea may be unrealistic because in the past 10-odd years, the live chicken industry in Hong Kong has indeed made enormous efforts to try to minimize the risk of an avian flu outbreak in Hong

Kong by enhancing the biosecurity measures. This is true. However, can we ensure that after making these efforts, Hong Kong can be immune to all problems and that mishaps will never happen? As regards the examples of farther countries, I think we can make reference to the cases outside Hong Kong in the past two months. There were repeated outbreaks of avian flu even in some highly advanced countries in Europe and America and the number of chickens that were culled in each outbreak amounted to over 100 000. Are these countries not more advanced than us? Hong Kong has made huge efforts — we definitely have to recognize these efforts and I really appreciate it — does it, however, mean that we can be entirely risk-free? I am afraid this is not the case.

As for the neighbouring places, numerous Members said that if we wanted to develop the agriculture and fisheries industry, we should make reference to Taiwan. Members have probably noticed that there was a rather severe outbreak of avian flu in Taiwan recently. Moreover, Mr CHAN Chi-chuen has also mentioned the issue of day-old chickens. I believe that if the local industry continues to focus solely on its own interests and if only local live chickens or those of certain brands will be available, I am not optimistic about our ability to maintain the live chicken supply chain in the long run. The reasons for my not being optimistic are completely based on objective factors. Yet, I have to reiterate that I am still prepared to join hands with the local industry to — if we can make a concerted effort — maintain a highly reliable and sustainable supply chain of live chickens. In terms of the work being carried out by the Government currently, we are actually preparing a consultancy study report. We do not have any preconceived views before the report is completed.

Now, I have to talk about the SADF again. The agricultural industry in Hong Kong face numerous challenges. For example, in respect of human resources, the ageing farmers and the lack of newcomers pose a rather serious problem to the industry. As regards the farming techniques, the local farming techniques are lagging behind and there is still considerable room for improvement, including organic farming, crop production without soil, use of greenhouse, pest and disease control, soil fertility management, and so on. In terms of marketing, the vast majority of local agricultural produce has yet to build up any brand and this hinders the branding and promotion of local produce.

The proposed SADF to be established under the new agricultural policy can solve the aforementioned problems by providing subsidies to the relevant projects. For example, the SADF can provide financial support for tertiary institutions in Hong Kong to conduct applied studies in the local context on farming systems, production management skills and primary pests in crops, with a view to obtaining assistance from specialist researchers to solve technical problems and nurturing local young professionals in farming. The SADF can also provide subsidies for interested persons and organizations to enhance the productivity of the local agricultural industry, develop brands or establish labelling systems for local agricultural produce and realize the idea of "from farm to fork".

In respect of development and applied scientific research projects, we propose that the SADF can fund the full cost involved. Projects with commercial elements will be funded on a dollar-for-dollar matching basis, with the Government's total contribution capped at 50% of the total project costs. The Government may also recoup its contribution from the net revenue generated from the project. As for the applications of individual farmers for enhancing production facilities, such as purchasing the modernized agricultural production equipment I mentioned earlier, to increase the production volume and efficiency, the AFCD can impose a cap on the amount of subsidies and compile a list such that only the items of agricultural production equipment which are included in the list will be subsidized by the SADF. We will make reference to the existing similar government funding schemes to draft the details of the subsidies.

President, I am really glad to hear the views and support expressed by Members today and yesterday for the sustainable development of the agriculture and fisheries industry. Members have made individual specific recommendations during the debate and we will give such recommendations detailed consideration. During the consultation period, we will also continue listening to the views of various sectors and implement measures in a timely manner so as to provide appropriate support to the industry. Lastly, I hope the industry will join hands with the Government to promote the sustainable development of the agriculture and fisheries industry in Hong Kong and strive to provide fresh and quality agricultural and fisheries products for the public.

President, I so submit. Thank you.

PRESIDENT (in Cantonese): I now call upon Dr Helena WONG to move her amendment to the motion.

DR HELENA WONG (in Cantonese): President, I move that Mr Steven HO's motion be amended.

Dr Helena WONG moved the following amendment: (Translation)

"To add ", in the past," after "That"; to delete "has" before "all along been providing" and substitute with "had"; to add ", but with agricultural land being abandoned and hoarded, the quantities of agricultural produce and live poultry have dropped drastically" after "economic development"; and to add "; the relevant measures include formulating a self-sufficiency rate of food provision; releasing the large amount of idle agricultural land being hoarded; promoting a policy of agricultural rehabilitation on abandoned land; ensuring the production by the agriculture and fisheries industry of reasonable quantities of agricultural produce which are of high-value and safe for consumption; and developing afresh the live poultry industry, including allowing the industry to supply live chickens to local market and ceasing the import of live chicken from the Mainland" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Dr Helena WONG to Mr Steven HO's motion, be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Steven HO rose to claim a division.

PRESIDENT (in Cantonese): Mr Steven HO has claimed a division. The division bell will ring for five minutes.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Mr CHEUNG Kwok-che, Mr Charles Peter MOK, Mr Kenneth LEUNG and Mr IP Kin-yuen voted for the amendment.

Mr Tommy CHEUNG, Mr WONG Ting-kwong, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Steven HO, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr Christopher CHEUNG, Mr Martin LIAO and Ir Dr LO Wai-kwok voted against the amendment.

Mr Frederick FUNG, Miss CHAN Yuen-han, Mr KWOK Wai-keung and Mr POON Siu-ping abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Mr Ronny TONG, Ms Cyd HO, Mr Alan LEONG, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Dr Kenneth CHAN, Dr KWOK Ka-ki, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr CHAN Hak-kan, Mrs Regina IP, Mr Paul TSE, Mr Michael TIEN, Mr James TIEN, Mr CHAN Han-pan, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted against the amendment.

Mr WONG Kwok-hing, Mr LEUNG Kwok-hung and Miss Alice MAK abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 21 were present, five were in favour of the amendment, 12 against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 13 were in favour of the amendment, 11 against it and three abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

MR RONNY TONG (in Cantonese): President, I move that in the event of further divisions being claimed in respect of the motion on "Promoting the sustainable development of the agriculture and fisheries industry" or any amendment thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Ronny TONG be passed.

PRESIDENT (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

I order that in the event of further divisions being claimed in respect of the motion on "Promoting the sustainable development of the agriculture and fisheries industry" or any amendment thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

PRESIDENT (in Cantonese): Dr KWOK Ka-ki, you may move your amendment.

DR KWOK KA-KI (in Cantonese): President, I move that Mr Steven HO's motion be amended.

Dr KWOK Ka-ki moved the following amendment: (Translation)

"To add ", in the past," after "That"; to delete "has" before "all along been providing" and substitute with "had"; to delete "high value-added direction" after "developing in the" and substitute with "directions of technological research and development, organic production and high value-addedness"; to add ", and has successfully established local quality brands" after "safe food"; to add "as the Administration does not regulate developers' hoarding of agricultural land and fish farms, there is currently

a large amount of such abandoned land, and" after "economy; yet,"; to delete "through restructuring" after "to pursue development"; and to add "conduct a comprehensive review of the policy on agriculture and fisheries industry in Hong Kong to assist the development of the agriculture and fisheries industry, thereby protecting the interest of local fishermen and farmers; the Government should also" after "the Government to"."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Dr KWOK Ka-ki to Mr Steven HO's motion, be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Steven HO rose to claim a division.

PRESIDENT (in Cantonese): Mr Steven HO has claimed a division. The division bell will ring for one minute.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Mr Frederick FUNG, Mr CHEUNG Kwok-che, Mr Charles Peter MOK, Miss CHAN Yuen-han, Mr Kenneth LEUNG, Mr KWOK Wai-keung, Mr IP Kin-yuen and Mr POON Siu-ping voted for the amendment.

Mr Tommy CHEUNG, Mr CHAN Kin-por, Mr NG Leung-sing, Mr Frankie YICK, Mr MA Fung-kiwok, Mr Christopher CHEUNG and Ir Dr LO Wai-kiwok voted against the amendment.

Mr WONG Ting-kiwok, Mr IP Kwok-him, Mr Steven HO, Mr YIU Si-wing and Mr Martin LIAO abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Mr WONG Kwok-hing, Mr Ronny TONG, Ms Cyd HO, Mrs Regina IP, Mr Paul TSE, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Ms Claudia MO, Mr Michael TIEN, Mr WU Chi-wai, Mr Gary FAN, Mr CHAN Chi-chuen, Dr Kenneth CHAN, Miss Alice MAK, Dr KWOK Ka-ki, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr James TIEN voted against the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr CHAN Hak-kan, Mr CHAN Han-pan, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 21 were present, nine were in favour of the amendment, seven against it and five abstained; while among the Members returned by geographical constituencies through direct elections, 30 were present, 21 were in favour of the amendment, one against it and seven abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Mr Steven HO, you may now reply and you still have three minutes and 40 seconds.

MR STEVEN HO (in Cantonese): First of all, I would like to thank Members for their concern about the agriculture and fisheries industry. Just now many Members have also mentioned ... President, could you ask Members to be quiet?

(Some Members spoke loudly in their seats)

PRESIDENT (in Cantonese): Members, please keep quiet.

MR STEVEN HO (in Cantonese): Thank you. As some Members have mentioned Mr WONG Yung-kan, my predecessor in the last term of the Legislative Council, I need to speak up for him. In his capacity as a Member of the Council, Mr WONG Yung-kan had, in the previous term of the Council, urged the Government to give support to the development of leisure agriculture and fishery industry. He was not wrong at that time, as the agriculture and fisheries industry comprises several major categories, including pigs, chickens, fishes, vegetables and flowers; whereas fisheries can be divided into capture fishery, leisure fishery and aquaculture trade. Under capture fishery, there are different trades like stern trawling, pair trawling, hang trawling, shrimp trawling, lining, purse seining, bright light cast net fishing, netting, gillnetting, and so on. As such, it is just impossible to implement one single concessionary measure or one single policy to provide assistance for the entire agriculture and fisheries

industry. The Fisheries Development Loan Fund which will be dealt with this Friday, for example, can only provide support for one sector of the agriculture and fisheries industry. Hence, we may move more motions in the future to seek Members' support.

However, we can tell from the speech made by Mr LEUNG Kwok-hung that he does not really understand the agriculture and fisheries industry. Hence, the functional constituencies are here to make up for Members' insufficient knowledge of the relevant aspects. Rather than maintaining a hostile attitude towards the other faction, I hope Members can co-operate with each other. Actually, just now he has referred to pig manure as a kind of contaminant, I do agree with him on this because he does not know how to make the good use of things, and he has the same problem with his tongue ...

MR LEUNG KWOK-HUNG (in Cantonese): President, I wish to clarify that I have never referred to pig manure as a kind of contaminant. I have to make clear this point.

PRESIDENT (in Cantonese): Members, please keep quiet. Mr LEUNG Kwok-hung, this is not your turn to speak, please be quiet. Mr Steven HO, please continue.

MR STEVEN HO (in Cantonese): Pig manure can be a kind of contaminant, but if you use it correctly, it is not a contaminant but a kind of fertilizer. The same applies to language as well. Something well said is a piece of good advice, but sophistry may cause one to be condemned forever or even be regarded as a kind of moral pollution. Certainly, the public will judge for themselves whether what I am saying is sound advice or sophistry.

Mr Tommy CHEUNG was very angry when he spoke earlier on, as he mentioned the word "sap" seven times in just one minute. Hence, I believe it is imperative for the SAR Government to face squarely the development of our livestock industry. Should we implement "locally bred chickens for Hong Kong

people"? I am not sure about that. However, I think the Government should really address squarely issues like relocation, licensing, and so on. In addition, the Government should also review the entire live chicken supply chain.

Another point is the loan issue mentioned by Ms Cyd HO just now, and she opined that some factors must be taken into consideration. Actually, both the Mainland and Hong Kong have already been implementing a "double control" policy to control the number of fishing vessels and the power of fishing vessel engines. Fishermen's capacity is limited, even if we provide them with loans, we can only help them engage in different types of operation on a limited scale. As such, if we do not provide them with loans, we are actually following the positive non-interventionism of the SAR Government in the past, the objective of which was to avoid making mistakes by doing nothing.

For these reasons, I hope Members will really support the sustainable development of our agriculture and fisheries industry. Lastly, I wish to make a remark in response to Mr CHAN Han-pan, as he has referred to the agriculture and fisheries industry as a sunset industry. That reminds me of a saying from the Mainland which goes: "Our meals depend on two 'pings', one is DENG Xiaoping, the other YUAN Longping". YUAN Longping has successfully developed different varieties of hybrid rice and thereby raised China's total rice output by more than 100%. He is really very successful in this respect. Given that many other countries will be committed to developing biotechnology and agriculture in the coming 30 years, I hope Members will support my motion.

Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Steven HO be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Dr KWOK Ka-ki rose to claim a division.

PRESIDENT (in Cantonese): Dr KWOK Ka-ki has claimed a division. The division bell will ring for one minute.

(Some Members spoke loudly in their seats)

PRESIDENT (in Cantonese): Will Members please not speak loudly in their seats.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Tommy CHEUNG, Mr Frederick FUNG, Mr WONG Ting-kwong, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Steven HO, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr Charles Peter MOK, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Mr Martin LIAO, Mr POON Siu-ping, Ir Dr LO Wai-kwok and Mr Tony TSE voted for the motion.

Mr Kenneth LEUNG voted against the motion.

Mr James TO, Mr CHEUNG Kwok-che and Mr IP Kin-yuen abstained.

Geographical Constituencies:

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr CHAN Hak-kan, Mrs Regina IP, Mr Paul TSE, Mr LEUNG Kwok-hung, Mr Michael TIEN, Mr James TIEN, Mr CHAN Han-pan, Miss Alice MAK, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted for the motion.

Mr LEE Cheuk-yan, Ms Emily LAU, Mr Ronny TONG, Ms Cyd HO, Mr Alan LEONG, Mr Albert CHAN, Ms Claudia MO, Mr Gary FAN, Mr CHAN Chi-chuen, Dr Kenneth CHAN, Dr KWOK Ka-ki, Mr SIN Chung-kai and Dr Helena WONG abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 21 were present, 17 were in favour of the motion, one against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 14 were in favour of the motion and 13 abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the motion was negatived.

PRESIDENT (in Cantonese): Motion for adjournment: Motion for the adjournment of the Council under Rule 16(4) of the Rules of Procedure.

PRESIDENT (in Cantonese): In accordance with Rule 16(6) and (7) of the Rules of Procedure, the total speaking time for this debate is one and a half hours, of which 75 minutes are for speeches by Members, and in accordance with rule 18(b) of the House Rules, each Member (including the mover of the motion) may only speak once and may speak for up to five minutes. The speaking time limit for the reply by the public officer is 15 minutes. I wish to remind Members that if the total speaking time of Members reaches 75 minutes, even if there is a Member speaking, I am obliged to direct the Member to discontinue immediately.

PRESIDENT (in Cantonese): It is now 4.13 pm. The debate will now begin.

Members who wish to speak on the motion will please press the "Request to speak" button.

I now call upon Ms Claudia MO to speak and move the motion.

**MOTION FOR THE ADJOURNMENT OF THE COUNCIL UNDER
RULE 16(4) OF THE RULES OF PROCEDURE**

MS CLAUDIA MO (in Cantonese): President, this is the annual report of the Hong Kong Journalists Association (HKJA) in 2000, the title of which was "Patriot Games", and the subtitle was "Hong Kong's media face to face with the Taiwan factor". The content was about a high Beijing official who came to Hong Kong to enlighten and teach the Hong Kong journalists how they should conduct themselves in talking about the Taiwan issue. There was a public outcry then. However, regrettably, more than a decade down the line, history really repeats itself. Now, the title remains the same, but the subject has become what the Hong Kong media should do in face of the issue of Hong Kong.

President, today, we are having this debate, and I am grateful that you approved the wording of the motion. This is definitely pertinent to freedom of the press. Today, we learnt that Prof Johannes CHAN of the Faculty of Law of the University of Hong Kong said he was very worried because we were subject to attacks of the central style, which is "offensive by the pen and offensive by the word". Are there really "offensives by the sword"? We are very much worried.

(Mr CHAN Han-pan stood up)

PRESIDENT (in Cantonese): Mr CHAN, what is your point?

MR CHAN HAN-PAN (in Cantonese): President, point of order. According to Rule 83A of the Rules of Procedure, a Member shall not speak on a motion in which he has a pecuniary interest, whether direct or indirect, except where he declares. According to reports in the *Oriental Daily News*, Mr Jimmy LAI of the Next Media admitted that shortly within two years, he had given pecuniary

interest of more than \$20 million to the pan-democratic camp or individual Members, and Ms Claudia MO is one of them. Should the Member therefore not declare her interest before moving the motion?

PRESIDENT (in Cantonese): Members should be aware of the relevant provision of the Rules of Procedure. As regards Members speaking in breach of the Rules of Procedure, there are also provisions on how the situation should be handled. Ms Claudia MO, please continue with your speech.

MS CLAUDIA MO (in Cantonese): President, on this subject which he is so much concerned about, I think he should make enquiries Mr IP Kwok-him afterwards. If he has any queries regarding Members' interests, he can ask Mr IP Kwok-him. The Committee on Members' Interests, of which Mr IP is the Chairman, has made it very clear that the case involving me is totally unsubstantiated. Nothing whatsoever has ever taken place.

President, this time, someone blamed personal grudges or some dealings between the Chinese and Western forces for the three petrol bombs which were hurled at Mr Jimmy LAI's media office and his mansion within two minutes. If that is the case, President, the major international media, such as CNN, BBC, media of Australia and Germany, *The Wall Street Journal* and *The Times*, would not have covered the incident so eagerly when it happened, and linked it to press freedom and even political considerations.

President, I have worked as a journalist for 30 years, and I have been engaged in the electronic and print media, covering local and international news in Chinese and English. We in the industry have witnessed what has been happening to us. I deeply believe that this violent attack is linked to freedom of the press. Last year, I believed the attack on Mr Kevin LAU was also related to press freedom. Up to now, I still believe it was.

President, many people say freedom of the press is not something you can eat or put on, why then are you in this state of panic? Because it is the very last defence for a civilized society. Without press freedom, the rule of law will disappear as there is no way for you to know what has happened. Human rights will also disappear as a result. I believe in press freedom. If I have to declare my interest, freedom of the press is also my boss.

President, some people said, "You said freedom of the press is the fourth estate of a civilized society. You monitor the executive, the legislature and the judiciary, so you are supreme and can do everything." This is not the case. Rather, it is the people who exercise monitoring. If you do not like the approach adopted by a newspaper in reporting news, or the attitude of a television station in reporting news, you can cease watching it or buying it, but you cannot resort to violent attacks. Nonetheless, of course, when it comes to freedom of the press, there are some exceptions, and the official media should not be included. The official media is most adept at "offensive by pen". However, it is actually this weapon of self-censorship which inflicts the biggest harm on press freedom in Hong Kong. Let us take a look at the media bosses in Hong Kong. Almost all of them are members of the NPC or the CPPCC, and awardees of the gold, silver and bronze Grand Bauhinia Medal. We have a very clear idea.

President, the title of the HKJA's annual report in 2001 was "FOLLOWING THE FLAG — China's sensitivities threaten freedom of expression in HK". It was published one year after that annual report which I mentioned earlier, and appealed to the then government to "stand firm" for Hong Kong. If you easily tighten the grip here in this territory for fear of hitting China's nerves, Hong Kong's "high degree of autonomy" will end. The same appeal exists in 2015. It is not necessary for a government to interfere with press freedom, but it has its basic duty.

President, earlier, I was disturbed by him. I doubt the timer was not stopped then. I cannot remember who the Member was, but he disturbed me.

PRESIDENT (in Cantonese): Ms Claudia MO, please continue with your speech until the buzzer sounds.

MS CLAUDIA MO (in Cantonese): Can I? Please then do not sound the buzzer for now. President, the Government should not interfere with press freedom. It should not cross over. There should be no law to strangle freedom. For instance, I am very happy that the Government has withdrawn the stalking law. Yet, the Government is duty-bound to give society a very free and healthy environment for freedom of the press to be exercised.

During his election campaign, LEUNG Chun-ying undertook to enact an archive law and legislation on information freedom, but after assuming office, he made no mention at all. The four words "freedom of the press" were nowhere to be found in his Policy Address. Is this not overly unreasonable?

President, life in this world is but brief. In a hundred years' time, you and me will turn to ashes. Today, we are here in public office. No matter what, you should care not only about how you will be put down in news reports, but also how you will go down in history. In the many deeds we do, we should act according to our basic conscience.

President, what we are doing here is not only for today, but all the more also for tomorrow. We are doing this for history, for our future generations.

Thank you, President.

Ms Claudia MO moved the following motion: (Translation)

"That this Council do now adjourn for the purpose of debating the following issue: the relationship between the incident of petrol bomb attack on a media organization and freedom of the press in Hong Kong."

MR KENNETH LEUNG (in Cantonese): President, *Charlie Hebdo*, a weekly magazine in Paris, was attacked by terrorists on 7 January 2015 and the attack cost the lives of 12 persons including media staff and the general public.

At 1 am on 12 January this year, firebombs were hurled at two of the entrances of Next Media Limited's headquarters in Tseung Kwan O; besides, the residence of Jimmy LAI, Next Media's owner, was also under firebomb attack. President, the blatant attack on the Next Media is actually not the single incident, as there have been other incidents of violent and bloody attacks on the media. Let us recap some history. On 14 May 1996, some assailants attacked Mr LEUNG Tin-wai, publisher of *Surprise Weekly*, when he was in his Quarry Bay office, and his left arm was severed in the incident. Despite the bounty offered by the media sector for catching the assailants, the real culprits have not yet been caught so far. On 19 August 1998, Mr Albert CHENG was attacked by two men when he was on his way to work in the Commercial Radio. He was slashed

eight times, his hand tendons were severed and his life was once at risk. At that time the Police and the radio station had respectively put up \$1 million and \$3 million as bounty for catching the assailants, but the case remains unresolved so far. In the morning of 26 February last year, Mr Kevin LAU Chun-to, the former chief editor of *Ming Pao Daily News* was attacked and slashed several times. Even though the Police said they have arrested the assailants, have they found out who is the chief culprit masterminding the attack? Why has the investigation carried out by the Police not made any real progress so far?

President, the Reporters Without Borders issued their World Press Freedom Index on 12 February 2014, and Hong Kong's ranking has dropped from the 58th to the 61st, even lower than some developing countries like Rumania. On 16 January this year, the PEN American Center also published its report on the freedom of the press situation in Hong Kong and considered the situation worrying. According to its Executive Director, Suzanne NOSSEL, freedom of the press in Hong Kong is under increasingly huge threats, including not only the aforesaid violent incidents but also hacker attacks on network media, self-censorship of the media, withdrawal of advertisement placements from individual media by business co-operations, and so on. The PEN American Center also remarked that they were surprised to see LEUNG Chun-ying recklessly condemning the contents of a students' newspaper in the first page of his Policy Address, and they could not help but wondered what the motive behind this move was. This situation is indeed worrying.

I am afraid I cannot agree with some of the remarks made by Ms Claudia MO. In her view, while we cannot feed on freedom of the press, freedom of the press is not something tangible. Actually, freedom of the press and freedom of information are very important to the normal operation of the commercial sector. In making business transactions, the absence of accurate information of the firms concerned or some relevant financial data can be detrimental. Let me cite an example with this Government which loves to boast about figures. What happens if it exaggerates the rate of economic growth from 2% to 15% and claims that the inflation rate stands at 5% when it is actually 20%? That being the case, President, how can we make international business transactions? From this we can see that freedom of the press is not only our core value but also an important factor affecting our source of income. Freedom of the press and freedom of information are of the utmost importance to Hong Kong as an international financial centre, and I believe Members from the business sector must subscribe to my views in this respect.

President, the weapon in the hands of the media workers is but a fragile pencil. This pencil is used to voice out for the underprivileged and for social justice. President, this pencil may look fragile, but I am sure we may all be frightened when it gives full play to its power. Nevertheless, this pencil is inevitably subject to attacks by different weapons: knives, guns, and bombs. Hence, we must protect this pencil. As for the Government, the most important function it needs to perform is to protect and ensure our freedom of the press and the personal safety of our journalists.

President, I so submit.

MR GARY FAN (in Cantonese): President, I would like to thank Ms Claudia MO for moving this motion. It has again aroused public concern for violent threats to press freedom. In the early hours of 12 January, someone hurled three petrol bombs within two minutes at the building of the Next Media group and the mansion of Mr Jimmy LAI respectively. On the same night, a newspaper stall in Hung Hom was robbed of about 100 copies of newspapers, including copies of the *Apple Daily*. These cases which happened in succession were all targeted at the same press group. They are stark threats that make the people of Hong Kong query: Today, is blood the price we have to pay in order to tell and report the truth in Hong Kong?

President, since the current-term Government under LEUNG Chun-ying took office, there have been repeated attacks by thugs on journalists. Last year, that is, in February 2014, Mr Kevin LAU, the former Chief Editor of *Ming Pao Daily News*, was ambushed by knifemen. He sustained six knife wounds and his life was at one time at stake. After the high-profile announcement by the Commissioner of Police, Mr Andy TSANG, of the arrest of two knifemen, one year has passed but the masterminds behind the scenes are still at large, leaving an open end to the case. Representing the Neo Democrats, I had in this Council asked Secretary LAI Tung-kwok and the Commissioner of Police, Mr Andy TSANG, to set a deadline for cracking the case. At that time, Secretary LAI Tung-kwok said if a deadline for cracking the case was set, it would put too much pressure on the Police and that would backfire. Yet, what is happening now? Last month, the Commissioner, Mr Andy TSANG, vowed to complete the investigation into the occupation movement within three months to arrest the masterminds of the movement and bring them to justice. In the case of the Umbrella Movement, the Police could withstand pressure and set a deadline for

conclusion of the investigation, but when the media were attacked, they could just let the case remain open-ended. With such double standards, the Police are no longer neutral in law enforcement.

Let us review the attitude of the Police towards the media during the Umbrella Movement. When WONG Chun-lung, a cameraman of the *Apple Daily*, was carrying out his duty in Mong Kok, he was wrongly accused of attacking the Police and arrested despite having absolutely no physical contact with the police officers. A staff member of now News who was also covering the movement in Mong Kok was also alleged of attacking the Police when he bumped into a police officer with the aluminium ladder he was carrying. He was also arrested. However, the aluminium ladder is an important tool for the cameraman. Given the chaotic situation then, if he was only careless when he bumped into the police officer, how could it be regarded as a case of attack on the Police? Today, such political prosecution targeting at the media, and the distortion of right and wrong are nothing new in Hong Kong. With the executive authorities abetting suppression, press freedom in Hong Kong is in peril.

President, during the Umbrella Movement, the Police held daily press conferences to openly denounce as weapons the umbrellas held by the protesters, the cling wrap, the masks and the cardboard shields and having inflicted injuries on the police officers. Nonetheless, the Police turned a blind eye to real weapons, such as the petrol bombs. Earlier, the pro-government camp kept smearing the peaceful protesters. Why did they not have the courage to come forth to condemn genuine violence? That day, Mr WONG Yuk-man only remarked in this Chamber that "sooner or later there will be the hurling of petrol bombs", but this had drawn condemnation from both the Government and the pro-government camp. Today, we have seen genuine violence, genuine petrol bombs. Why do you apply double standards like the Government?

Therefore, the public and the Legislative Council have to strongly demand a thorough investigation into this case by the Government — and we should also exert pressure on the Government. The masterminds behind the scene must be identified and brought to justice. In the past, the Neo Democrats had said that we did not expect a Chief Executive who issued legal letters to a news agency for libel would sincerely uphold press freedom. However, as the law-enforcement agencies, the Hong Kong Police Force and the Security Bureau are no doubt duty-bound to ensure that journalists can cover news freely, and without any

threat. Then, the "rule of law" which LEUNG Chun-ying has always referred to, as well as the principle of political neutrality to which the Police should adhere, will be upheld.

President, I support the most significant principle of this motion for adjournment moved by Ms Claudia MO, that is, to defend Hong Kong's press freedom. I so submit.

DR KWOK KA-KI (in Cantonese): President, the mansion of Mr Jimmy LAI, founder of the *Apple Daily*, was attacked, and someone had further tossed fire bombs at his media headquarters. These are certainly not individual or isolated incidents. Actually, ever since June 2013, we have seen incidents happening to this newspaper one after another: assailants hurled a Chinese cleaver at the office of this newspaper, copies of this newspaper were burnt in an arson, and Mr Jimmy LAI's personal computer and the computer of his news organization were intruded by hackers.

These incidents can hardly be compared to the *Charlie Hebdo* incident which has just happened in Paris. But in terms of the blows dealt to the media, to journalists and to the freedom of speech, Hong Kong fares not much better than France. We should not feel complacent just because we have not seen any fatality. The room for the freedom of speech in Hong Kong today, as we can see, is persistently being reduced. Some people may say that the contents of the *Apple Daily* are biased and it is reasonable for the newspaper to have met with attacks and harassment. However, we see that many pro-China newspapers such as *Wen Wei Po*, *Ta Kung Pao*, and the *Hong Kong Commercial Daily* continue to survive. Furthermore, some television stations, for instance "CCTVB" and ATV, and so on, have been nationalized.

Therefore, Hong Kong basically does not have too many independent media, the remaining few may only be isolated instances. If even the *Apple Daily* is successfully suppressed as well, the Central Government and the Communist Party may have all their problems solved, as everything will then be under control. However, is this what Hong Kong people would like to see?

If we remain silent about the situations we see today, what will become of Hong Kong? A journalist, LAM Hei, has recently published an article on online media, saying that 2014 is the most hectic year for media workers. A number of

incidents have given them a lot of pressure, their work have been heavily interfered with by media bosses, and they have experienced withdrawals of advertisement and other repercussions from the financial side. Take the *Apple Daily* as an example, during the Occupy Central movement period, on top of having pro-China advertisements pulled out, some of the organizations friendly to them dared not place advertisements with it. Furthermore, media bosses are under serious attack and media workers see their work interfered with blatantly.

People within the Government are also consistently acting in insidious ways. For instance, they hold "briefings" and propagate information favourable to them via pro-Government media. Take the case of LEUNG Chun-ying's acceptance of \$50 million commission from DTZ as an example, a government guy rang up a reporter for three consecutive days to ask how the latter was going to report on the case. The guy meanwhile took the initiative to disclose information to the reporter. The interference from Beijing is even more alarming. Beijing personnel are permanently stationed in Hong Kong to collect information, take media workers to tea and even tell them how to do news reporting: how to blow up reports on anti-Occupy Central activities and play down those on pro-Occupy Central activities. These practices are all running contrary to the principles of "one country, two systems" and "Hong Kong people ruling Hong Kong". We see not only media management or reporters doing these but also some other very outrageous and even illegal behaviour. For instance, reports on hackers' interception of Jimmy LAI's emails made the front page of pro-China newspapers in Hong Kong, to our dismay. On the same day, some people staged protests in the University of Hong Kong, in media organizations and some other places. These people all belong to the same group.

We are very much worried upon seeing these incidents and phenomena. Therefore, we must discuss this incident today. We hope to continue maintaining freedoms of the press and of speech, freedoms which have not come by easily over the years and will definitely be defended by Hong Kong people. In view of the incessant occurrences of violence and intimidations, we are not going to connive at them but rather to rise to these challenges without fear. Bring it on, we are undaunted.

President, I so submit.

MR MA FUNG-KWOK (in Cantonese): President, peace and reason, mutual acceptance and respect as well as freedom of the press are important values of Hong Kong society. Any act of violence is absolutely not tolerated in our society and should be strongly denounced. The public is deeply concerned about and have no tolerance for acts of violence targeting journalists and press workers.

The subject of this debate is to explore whether there is any connection between the attack on the *Apple Daily* and freedom of the press. Some consider the attack an attempt to exert pressure on press workers and therefore conclude that it absolutely is related to freedom of the press. Yet some others hold the view that the arson attack did not necessarily come after freedom of the press, for it may involve other motives. Meanwhile, when the Police are still conducting investigations and have not yet found out the truth, it is difficult for us to rule out any possibility and draw any conclusion. Most importantly, no matter what is the motive of the assailants, an arson attack by itself is an extreme form of violence and illegal act. In addition, press workers are even more worried about their personal safety in the light of these acts of violence. Therefore, the Police will make extra efforts in investigation, expeditiously crack the case and arrest and sanction the assailants. This is the best way to stop violent acts. I believe the Police are well aware of the great concern of the public and press workers about the incident, and they will make their best endeavours to find out the truth so as to ease the worries of the public and press workers.

President, press workers play an indispensable role in a civilized society. We need them to dispatch messages to the public accurately and expeditiously for the purpose of monitoring the Government and revealing various unfair phenomena in society. Article 27 of the Basic Law stipulates that all Hong Kong residents shall have freedom of speech, of the press and of publication; Article 16 of the Hong Kong Bill of Rights Ordinance covers the provisions on protecting the expression of opinions, and safeguarding freedom of speech, of the press and of publication set out in the International Covenant on Civil and Political Rights. Hence, freedom of the press is a basic right of the people, and it is also a necessary safeguard, under which media workers can work without fear and worry. The Government is duty-bound to exert its best to provide assurance in this respect.

President, in a plural society, in addition to ensuring that freedom of the press is protected, should we also reflect on what kind of media ecology and ethics do we look forward to? Recently, the French magazine *Charlie Hebdo*

was attacked by terrorists. The incident has aroused indignation internationally and were strongly denounced worldwide. Nonetheless, the incident has also drawn global attention to *Charlie Hebdo's* sarcastic style in reporting religious news. Facing the cruelty and violence of the terrorists, the report of *Charlie Hebdo*, no matter how instigating or unreasonable it is, cannot be used as the reason or excuse to initiate violent attacks or killings. While Pope Francis remarked that no one can slaughter in the name of God, one should avoid provoking others, and more importantly, avoid insulting and mocking the religious faith of other people.

In fact, once the incident has cooled down a bit, it has soon aroused in-depth discussions on a number of issues: what European media have been doing to strike a balance between upholding the values of freedom of the press and respecting various religions; whether freedom of the press is tantamount to giving a green light to insulting and provoking different religions or races; how to achieve mutual respect in society and what role can media play in this respect, and so on. These discussions may not generate any immediate conclusion, but what deserve a rethink is that freedom of the press and media ethics are indeed equally important. Despite the fact that some irresponsible and unfair reports will not bring any physical harm, yet this kind of violence between lines of language and print will cause serious damages likewise, hence we should pay attention heed to this respect and conduct relevant retrospection. Given the time constraint, it is difficult for me to conduct an in-depth discussion with Members on these issues, but they still deserve thorough and detailed consideration by Members and the public.

President, here I once again strongly denounce the act of making an arson attack, and I hope the Police can step up their investigation efforts in order to protect social and public safety. Thank you, President.

DR ELIZABETH QUAT (in Cantonese): President, I denounce all violent acts and disapprove of the belief that violence is the solution to all problems. Regarding the incident of petrol bomb attack on the office building of Next Media, in addition to seriously denouncing such an act, I urge the Police to make their best endeavours to find out the truth and arrest the assailants.

Ms Claudia MO pointed out in the Legislative Council that the incident is related to freedom of the press and in her view, it is comparable to the incident of terrorist attack on a magazine publisher in Paris. I believe the motive and truth

of the incident, such as whether any personal dispute is involved, whether the incident has anything to do with freedom of the press, or whether there is another story as rumored, will only be known after the completion of the necessary investigation. I believe the majority of Legislative Council Members do not know the truth at this moment. Ms Claudia MO has today initiated a debate on the relationship between the incident of petrol bomb attack on a media organization and freedom of the press in Hong Kong. It is indeed hard to understand what on earth does she want to debate, and I have no idea what convinces her that the incident is necessarily related to freedom of the press.

That said, in respect of Ms Claudia MO's notion that this incident can be compared to the terrorist attack in Paris, it is worthy of some discussions. In the incident of terrorist attack on the office of *Charlie Hebdo* in Paris, France, in early January, several extremist Islamist terrorists armed with heavy weapons forced their way into the office building of the publisher, and killed 12 editorial staff and cartoonists by gunshots. The incident had prompted over 3 million people taking to the streets, many among whom hoisting placards that read "I am Charlie" in a bid to defend freedom of the press. Just now we also have Members displaying placards that read "I am Charlie" in this Chamber. However, do all of them who chant "I am Charlie" know anything about the background of *Charlie Hebdo*? *Charlie Hebdo* is a satirical magazine that has repeatedly published contents showing disrespect to Muslim prophet Muhammad, uglified and insulted the religion of others. Does upholding the slogan of "I am Charlie" spell approval of insulting the religion of others? Will this further intensify the incident? Certainly, I do not mean to say that these factors can justify the violence of the terrorists. Yet the incident serves to remind us: Is it time we reassessed the boundary of freedom of the press?

On 15 January, Catholic Pope Francis openly commented on the terrorist attack relating to *Charlie Hebdo*. He said "in freedom of expression there are limits", and he went on to say "If my good friend ... says a curse word against my mother, he can expect a punch. It's normal. It's normal. You cannot provoke. You cannot insult the faith of others. You cannot make fun of the faith of others." These remarks by the Pope merit serious reading between the lines and thoughts by those who advocate freedom of the press all the time.

President, the freedom of speech is a basic human right, and freedom of the press enables the public to know the truth, yet any kind of freedom must have limits. Freedom is not a "yes" to violation of law, and freedom should not be taken as a "yes" to harm or casually insult others.

News reporting is in fact a social instrument, which should report the facts in a fair, balanced, impartial, objective and unbiased manner, so that readers can make their own judgment and gain insights into worldly matters. If the report of news is biased and impartial, it will lose its credibility and may mislead the public, the impact of which can be far-reaching. Freedom of the press should neither be abused nor used as an excuse by those with ulterior motives.

Let us look at Mr Jimmy LAI who is the focus of today's debate. He, as the major sponsor of the pan-democratic camp, has provided to them over tens of million dollars of funding. During the so-called Umbrella Revolution, the *Apple Daily*, as usual, publicized its strong political stance and encouraged the illegal actions of occupying the streets. The *Apple Daily* is in fact the private instrument of Mr Jimmy LAI that serves his personal political purposes rather than serving the public. Have the publications of Next Media performed the function of a social instrument? Is Next Media purely reporting news?

When some people keep abusing freedom of the press, disregard media ethics, keep spreading hatred, insult others, and even encourage and instigate illegal acts, can they still use freedom of the press as an excuse? What kind of freedom do we have to defend theirs?

President, subsequent to the mega demonstration in Paris, the people of various countries also took to the streets protesting against *Charlie Hebdo's* insult to the Muslim prophet and that has resulted in heavy casualties. The protests in African country Niger even developed into riots that have claimed ten lives. This shows the spread of hatred by the media can lead to dangerous consequences.

Unsurprisingly, the remarks of the Pope have invited extensive criticisms, so my remarks today may also attract criticisms. I only hope everyone can think twice about this: Should we wish to defend the freedoms of speech and of the press, it is necessary for the media to observe media ethics firmly. In addition, I call on everyone to respect the freedom of speech of others, and agree to disagree like gentlemen.

President, I respect the freedoms of speech and of the press, but "I am not Charlie". I so submit.

MR LEE CHEUK-YAN (in Cantonese): President, Members from the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB), the Hong Kong Federation of Trade Unions and Mr WONG Kwok-hing are now present in the Chamber. They surely will ask me to declare interests. In fact, I have already declared my interest many times. People also know that I have, on behalf of the Labour Party, received \$1.5 million from Mr Jimmy LAI. This is what I have been saying all along. However, can Members from the DAB also say something about the \$60 million they raised in a fund-raising activity on one certain night? They should also declare their interest. Mr Steven HO just spoke for the fishing industry. Did he propose a motion for the businessmen in the fisheries sector as part of the \$60 million donation raised by the DAB came from them? Hence, they should also declare their interest. As I have already made a clear declaration now, Mr WONG Kwok-hing will not need to say anything about this later.

However, in respect of this incident, I hope that we can defend freedom of the press and condemn violence together in one single voice. In Hong Kong society nowadays, we are still unable to fight for the most precious democracy and universal suffrage, while the freedom of speech and freedom of the press, which we equally treasure, are in fact also in peril. The situation is so critical that not only do people resort to violence, but money is also involved, and both of them are intertwined. People like to use the term "dark money". In fact, some people are actually dealing with freedom of the press through "dark money". "Dark" refers to the use of violence by the triads, while "money" refers to collusion between government officials and businessmen. The businessmen are making use of money to influence the mass media. They also influence the community through collusion with government officials. Hence, "money politics" is affecting freedom of the press now.

I will not discuss how businessmen influence Hong Kong society through controlling the mass media, but I will talk about violence, that is, using violence to deal with freedom of the press. Dr Elizabeth QUAT has just mentioned that — I believe many Members from the pro-establishment camp will also say so — they also condemn violence, but this incident should not be related to freedom of the press. However, she just made a Freudian slip and slapped her own face. It is because in her speech, she mentioned that Mr Jimmy LAI had been using the public instrument for private purposes, as the press was only used for promoting his own political ideas, and during the Occupy Central period, he also showed support for the unlawful act of occupation. She talked and talked and the

subject finally came back to the press. Although she said that the incident was unrelated to freedom of the press, she also mentioned the relationship with the press in her own speech.

Members could refer to history. There are a number of incidents targeting at the *Apple Daily* and Next Media. For instance, on 26 January 2008, three fire bombs were tossed at the building concerned. On 18 June 2013, someone crashed a vehicle into the gate of Mr Jimmy LAI's residence. Afterwards, a knife and an axe were left at the gate. And on 12 November 2014, Mr Jimmy LAI was pelted with pig organs. In this incident, an innocent person who tried to help stopping the attacker was implicated wrongly. He was turned from a witness into a defendant. However, this is another incident and I am not going to elaborate it here. Thus, we can see the thread of the whole incident, in which the *Apple Daily* building had been besieged for many times. If this is unrelated to freedom of the press, what is it related to? In her speech, she said that this involved personal disputes. But what are the personal disputes? In the many incidents, the *Apple Daily* and its staff were targeted, and not Mr Jimmy LAI alone. Even the *Apple Daily* building was besieged. If this does not involve freedom of the press, what is the problem?

Members can also see the thread concerned. I hope that we can defend freedom of the press and condemn such violent acts together, only then will Hong Kong have hope. If we blur the incident and then separate the problem of violence from freedom of the press, the message struck home will be very simple: Hong Kong basically does not have any problem involving freedom of the press. But in fact, our freedom of the press is now in a critical condition indeed. If we review history, we will find that in cases of attack involving freedom of the press and news or media figures, most of them could not be cracked eventually. Therefore, the Secretary should also explain in due course why the attackers cannot be arrested in the three cases in which Mr LEUNG Tin-wai and Mr Albert CHENG were attacked with a knife, and Mr CHEN Ping, publisher of political weekly *iSun Affairs*, was assaulted. In the Kevin LAU case, although the assailants were arrested, the mastermind behind the scene cannot be found eventually. Facing the many violent cases, the Government and the Police seem to have their hands tied. Therefore, if the community cannot voice our condemnation of violence together, freedom of the press in Hong Kong will be sacrificed.

Thank you, President.

MR WONG KWOK-HING (in Cantonese): President, just now Mr LEE Cheuk-yan admitted in his speech that he had received dark gold from Jimmy LAI, will the Secretary for Security and ICAC please follow up the matter immediately, and will Mr IP Kwok-him please follow up in your Committee on Members' Interests immediately.

Now it is time to come back to the subject. President, I condemn any form of violence, and I urge the Secretary for Security and all law-enforcement agencies to find out the truth, to pursue responsibility and give an account to the public.

President, as to Ms Claudia MO's approach of using preconceived ideas to keep a strong hold in order to protect her master, I consider it an eye-opener, thus I wrote a few verses for Ms Claudia MO. However, she is not present now, as she left after delivering her speech. The title of the doggerel is "Disgusting, a few verses to Ms Claudia MO". Here are the verses, "The truth of the menace, is spoken freely; to take sides with the sponsor, MO rivals keenly; press freedom; a firearm in guise; in one fell swoop, the false charge resides."

President, the truth of this intimidation case is very complicated, for it involves money politics, triad connections, international politics, personal grudges; it is a massive entanglement. After all, why are Jimmy LAI and Next Media threatened by some people with this approach? I consider that the truth should be dug out thoroughly. But before the truth is investigated thoroughly, now Ms Claudia MO is associating the incidents with press freedom. The way she takes sides with her sponsor is really an eye-opener. Ms Claudia MO said she had never received the money, but the fact that she has pocketed \$500,000 is indisputable. It is not difficult for one to comprehend the idea that you take other people's money and help them ward off misfortune. For that reason, I wrote "to take sides with the sponsor, MO rivals keenly", I hope Ms Claudia MO can kindly accept it.

President, "Press freedom; a firearm in guise", can really be put to good use, and it can be used as a powerful assault weapon, which is invincible. "Press freedom; a firearm in guise; in one fell swoop, the false charge resides." Why should I say "In one fell swoop"? First, it is doing the sponsor a favour, because she takes other people's money and help others ward off misfortune. Second, she can become famous, as she, in proposing this adjournment motion, can play the role of a champion for the defender of press freedom. Therefore, she can

achieve fame. Third, she can attack her opponents and prevail as she can smear all of her rivals, therefore, this is the fourth advantage. Maybe there are more advantages. "In one fell swoop, the false charge resides." There is no need to find out the reason, and there is no need to find out the rationale and the truth by giving strained interpretations and drawing farfetched analogies, then she can associate press freedom with the terrorizing tactics. I believe everyone in Hong Kong should take a good look at what she is doing. For that reason, I hope everyone will understand that, in particular the Secretary for Security should conduct a thorough investigation and then give the public an account.

Earlier, the chief editor of *Ming Pao Daily News* was attacked. At that time, there were opinions from individuals and political parties claiming that it was a threat to press freedom. However, eventually, the relevant authorities and the Mainland authorities brought the culprits to justice. Therefore, I consider that the case should be investigated thoroughly. For that reason, I repeat this doggerel titled "Disgusting, a few verses to Ms Claudia MO". "The truth of the menace, is spoken freely; to take sides with the sponsor, MO rivals keenly; press freedom; a firearm in guise; in one fell swoop, the false charge resides." I hope Hong Kong people will sharpen their vigilance. They should not be misled by this type of smearing approach of using preconceived ideas to keep a strong hold. The truth should be thoroughly investigated, but the smearing tactic is unacceptable. Besides, the fact that she has used this tactic to rise to fame is quite despicable and deplorable. I consider this tactic will only make her an infamous person far and wide, and I also believe that the truth will come to light one day.

MR IP KWOK-HIM (in Cantonese): President, concerning the firebomb attacks just outside the Next Media Limited (the Next Media) building and also the mansion of the Next Media founder Jimmy LAI, certain Members from the opposition camp have hastened to establish a connection between the attacks and press freedom. They have even gone so far as to compare the incidents to the terrorist attack on *Charlie Hebdo* in France. Members from the opposition camp have already mentioned this in their speeches just now. All of a sudden, the slogan "I am Charlie" has been turned into "I am *Apple Daily*", a slogan for defending press freedom in Hong Kong. President, the banner of press freedom is given too many moral halos, so those with ulterior motives may conveniently make use of it as a pretext for criticizing the SAR Government and the Central Government.

Since the firebomb attacks, some Members from the opposition camp have hastened to take advantage of the situation by citing again the various incidents of violence involving Next Media and Jimmy LAI in recent years. The tossing of red paint, the hurling of a chopper and also the burning of its newspapers are some examples cited by these Members just now, and they have asserted that these incidents arose from the political stance of Next Media and Jimmy LAI. Describing such incidents as "silencing schemes", Ms Claudia MO has attributed them to the SAR Government and the Central Government and argued that the Hong Kong media are facing imminent "white terror" and "red terror" imposed by the SAR Government and the Central Authorities respectively. I must make it a point to say that her remarks are totally devoid of any factual basis and nonsense.

The Police are now conducting an investigation into this incident. At present, there is no evidence to show that it involved political motives. Instead, I have learnt — from media reports — that the culprit was a yellow ribboner. Ms Claudia MO has said that this incident involved political motives. I hope she can produce evidence and pass her comments based on objective facts. At the House Committee meeting last week, some pro-establishment Members doubted whether a connection could be established between the firebomb attack on Next Media and press freedom. Ms Claudia MO immediately criticized the pro-establishment camp by saying, "Having a conscience is basic to conducting oneself in life." I likewise strongly hope that Members from the opposition camp can show their conscience and a sense of responsibility, and refrain from making use of the attacks on Next Media to criticize anybody, including the SAR Government and the Central Government.

Press freedom is a core value of Hong Kong. But it also emphasizes the credibility of media organizations. Recently, the *Apple Daily* under Next Media covered the alleged arrest of some Hong Kong police officers in Dongguang for prostitution. But later, it was found to be mere fabrication. Why have any Members from the opposition camp not come forward and condemned the *Apple Daily*? Members from the opposition camp always talk about "defending press freedom", especially when interests of the *Apple Daily* are involved. In what they call the "incident of withdrawing advertisements", for example, they all acted so very fiercely. Their acts can only be explained with an "in" phrase these days — "You naturally understand"!

At the House Committee meeting last week, Ms Claudia MO quoted what I said in announcing the decision of the Committee on Members' Interests in a bid to defend herself. More outrageously, she made an accusation of my party

comrade, Mr Christopher CHUNG, saying that his criticisms against her were indicative of his betrayal of the DAB. I must point out that the decision was made by the Committee on Members' Interests instead of the DAB. Ms MO, please get this right. In that case, how could she possibly accuse Mr Christopher CHUNG of betraying the DAB? Her accusation was sheer nonsense! As Ms MO mentioned the decision again in her earlier speech, I as the Chairman must also reiterate the decision here to set the record straight. After considering the information provided by Ms Claudia MO, the Committee on Members' Interests opined that there was no concrete evidence to prove her receipt of donations from Mr Jimmy LAI as her election funding. More importantly, Ms Claudia MO was not a Legislative Council Member at the material time, so she was not required to declare any donations not for election purpose under the Rules of Procedure. For these reasons, I found that the complaint against her was unsubstantiated. This is what I told the media that day.

Next I will put forth my personal views. I believe the President will likewise agree with what I am going to say. To my understanding, or to Members' understanding, even if the complaint was found to be unsubstantiated, it does not mean that Ms Claudia MO did not receive any election funding donated by Mr Jimmy LAI. A clear account of the facts will be given to the community by other government departments. I so submit.

MS EMILY LAU (in Cantonese): President, just now Mr LEE Cheuk-yan mentioned in his speech that he hoped Members would voice out together to defend freedom of the press. Hmm, this is no different from asking a tiger for its hide. Indeed, freedom of the press is now in a most critical situation. I believe the journalists outside covering the news of this Council and other journalists all know that their situation is getting grimmer and more difficult every day.

I have written an article for today's *Apple Daily*. I have recently been to Taiwan and found that the media in Taiwan (actually not only the media but also the people in Taiwan) care very much about the development of Hong Kong. In particular, they are concerned that the media in Taiwan might develop along Hong Kong's path one day. What we are discussing now is the incidents where firebombs were tossed at the residence of an owner of a media group and the office of that media group. In my view, no matter from what angle one looks at these incidents, they are definitely alarming and worrying. Indeed, someone has

mentioned the LAM Bun incident on the very day those two incidents took place. President, I certainly do not wish to see any media staff or any person being tossed firebombs, burnt to death or suffering burn injuries. However, when some people keep doing such things to a media group, why do Members not wonder if those incidents are related to freedom of the press? Why do they not suspect that the media group incurs such incidents because some people are unhappy with the comments made by the group?

As we all know, and many people in Taiwan also know, more and more media in Hong Kong are keeping their mouths shut, as they dare not say anything not pleasing to the rich and powerful in Beijing or Hong Kong. Perhaps the media are exercising self-censorship or advertisement placements have been withdrawn from them, we can just see that many things have been done to stop the media from making their voices heard. Actually, the essay read out by Dr KWOK Ka-ki just now could be found on the Internet, and this essay tells of the heartfelt feelings of the media people. They find their situation getting increasingly grimmer because officials from both the Mainland and Hong Kong Government are calling them or visiting them frequently to exert pressure on them. And this is just one of the problems facing them. On the other hand, if they are subject to some violent acts, should they not consider they are being threatened? I certainly believe they should. However, if you listen to the views expressed by some Members, you will find that they believe such violent acts not a problem at all.

It is under such circumstances that Mr LEE Cheuk-yan has urged Members to voice out together to defend freedom of the press. In my view, we should understand what place we are living in and we really need to keep our eyes wide open. Even if you do not want to ask anyone else, you should ask the media people, as they know very well the pressure on them and on the organizations they work for. You should ask them the number of news stories they have not written because they dared not, were unwilling, did not wish, or were not permitted to write. If the media are subject to so much pressure, who else have to suffer apart from the media people themselves? It must be the community as a whole that suffers, as the people's right to know will be undermined as a result. Many things we should be informed of through the television, radio, newspapers or magazines are being kept away from us. Nevertheless, I have heard some Hong Kong people, some pro-government Members and other people opined that such should not be a problem. What is more, they even believe that such "noises" should have been muted long ago.

So, this is the kind of society we are living in, and our media have to face such huge pressure and even violent attacks. I really have no idea what the authorities have investigated or done in this respect. Certainly, we are very much anxious about the situation. While it is our hope that all kinds of media can cover news in an independent, objective and professional manner, the media people are now telling us that many of them cannot bear with it any longer, as they are always forbidden by the rich and powerful, their bosses or chief editors from covering certain news stories. They cannot write the news stories even though they really want to. Besides, some people are always bothering them, teaching them how to write articles, telling them the perspective from which they should write their articles, teaching them how to glorify the Government and defuse political bombs for the Government. But then, these are by no means the jobs of the media. Hence, we should really keep our eyes wide open. If things should be allowed to go on like this, the pro-government Members might have to suffer as well in future.

If we participated in strangling the media, society would be deprived of the right to freedom of expression, freedom of the press, as well as our right to know. Should that be the case, our society has to suffer as a whole. Hence, I hope very much that the authorities will really investigate such violent acts thoroughly and make it very clear that Hong Kong will not tolerate any of such attempts to threaten the media.

MR CHRISTOPHER CHUNG (in Cantonese): President, if one does not want people to know what he is doing, just do not do it. In the last House Committee meeting, Ms Claudia MO did literally call Jimmy LAI "Boss LAI". And her "boss" Jimmy LAI has admitted personally in the *Apple Daily* last July that he had made donations to people like Ms Claudia MO, Mr LEE Cheuk-yan, Mr James TO and Tanya CHAN. As for the political parties, those Members who have made impassioned speeches a moment ago all come from pan-democratic parties which include the Democratic Party, Civic Party, Labour Party and the League of Social Democrats. They have all taken money from Jimmy LAI.

Mr IP Kwok-him said just now that the Committee on Members' Interests has not found any evidence showing that they have taken money from Jimmy LAI. In spite of this, it does not mean they have not taken money from him, only that the Council has yet to come up with evidence on this. We are not the Court and hence cannot judge whether they have taken money or not. However,

looking at their performance, if they have not taken money from their "boss" Jimmy LAI, they should not have so eagerly proposed this adjournment debate for no reason at all. Moreover, when she proposed the adjournment debate in the last House Committee meeting, she was unable to put forward any convincing argument. Many pan-democrat Members did not say anything to help her. Probably they have taken money and dared not utter anything, right?

In this incident in which their "boss" Jimmy LAI was attacked with petrol bombs, they jumped in to protect the boss but what they have done are nothing but harping on the old tune. They elevated the importance of freedom of the press to the political plane and spoke on the incidents as if they concerned the issue of freedom of the press. Even if they have not got bored with repeating the same contents again and again, Hong Kong people have begun to grow fed up with them. Looking back at the past, a lot have happened to Jimmy LAI's *Apple Daily* as well as his entire media group, such as the theft of newspaper copies, withdrawals of advertisement, flinging of pig organs to the "boss", and now it is a petrol bomb attack. In every such instance, Members from the pan-democratic camp take it as an issue of freedom of the press but actually failing to produce any concrete evidence,. I wonder if this is acting on hearsay evidence. Anyway, this should be left to the Police for investigation.

While there are actually some 20 pay and free newspapers in Hong Kong, more than 90% of the attacks have been related to Next Media. If infringement on freedom of the press does exist, why do the other newspapers remain safe and sound? I reckon that we can all realize the implicit reasons behind it. Indeed, the *Apple Daily* always abuses freedom of the press to sling mud at others, whereas Next Media is in frequent financial trouble. During the Occupy Central period, their "boss" Jimmy LAI regularly stationed at Admiralty, making close contact with a suspected triad member. All these show that Next Media has a very complicated background. Is this petrol bomb incident related to freedom of the press, to his personal financial disputes, or to grudges incurred in the underworld? Today, a nonsensical motion is under debate here. I believe people will probably understand what actually is going on. They are aware that Members from the pan-democratic camp are now doing a paid job, speaking up for "Boss LAI" as they have taken money from him.

Therefore, I would also like to comment on the freedom of the press in Hong Kong. We support freedom of the press which is our core value. However, the *Apple Daily* has all along been biased in its news reporting, and

even go so far as to make up news stories. For instance, in the CHAN Kin-hong incident which happened in 1998, they sent reporters to fabricate an incident about CHAN patronizing prostitutes and faked it as a news story. A good deal of reasons have led people to consider this newspaper biased and prone to making up news stories. These pose the biggest threat to our freedom of the press, and they are even more dangerous than one or two so-called petrol bombs.

President, I believe that our press workers should now reflect on the true meaning of freedom of the press. Does it mean that they can freely and relentlessly smear other people's names and fabricate news stories? We hope that we can have a reflection on this together and defend our core value, freedom of the press. Thank you, President.

MR CHAN KAM-LAM (in Cantonese): President, today Ms Claudia MO has moved this adjournment motion in the Legislative Council to discuss the incidents of petrol bomb attack on Next Media's headquarters and Jimmy LAI's residence, and maintained that it is related to freedom of the press in Hong Kong. Members should know that this debate will not lead to any conclusion, and it is not legally binding. Furthermore, it has not asked the Government to take any form of action, so it is purely a declaration of one's political stand. At present, the Police have yet to conduct an in-depth investigation into the two petrol bomb attack incidents, but Ms Claudia MO is trying to associate it with press freedom in no time. Is it too premature to jump to this conclusion? Or is it because Ms Claudia MO wishes to seek justice for her friend, Jimmy LAI, therefore she proposes an adjournment debate in the Legislative Council? Of course, the reason behind it is something more than press freedom. We condemn all forms of violent acts. Regardless of any grudge or any difference in stand, we should never resort to violence as a solution to any problem. Besides, we urge the Police to press on with the apprehension of the culprits.

We respect press freedom, but we can see that over the years, the *Apple Daily* has been taking a stark stance against communism and China. Since Hong Kong's reunification with China, it has all along been drumming for separatism, nurturing the Hong Kong identity awareness and arousing strong opposition to national education, particularly before and after Occupy Central. It keeps on fanning the flames and propagating the civic nomination package which violates the Basic Law in a blatant way, goading people into taking to the streets and occupying roads and streets, major government buildings, with the intention of

paralysing government operation. It harbours an ulterior motive. Besides, it sows discord between people holding opposing views in society, prompts hostility between people of different stances and triggers social division. It magnifies infinitely the dark side of a developing country of 1.3 billion population and attacks it recklessly, but it has not breathed a word about the nation's advancement and progress. Basically, as a media organization, it ought to adhere to the principle of making unbiased and honest news reports of everyday social issues. Unfortunately, the *Apple Daily* is doing exactly the opposite by making biased reports, trumping up stories and fabricating purely fictitious events. Even if the parties concerned were treated unjustly, they could not find any channel to air their grievances, thus it is widely criticized in society as a "rotten apple".

In Hong Kong, a place which advocates the freedom of speech, it is natural for the media to have their own stance, and this is not to be reprimanded. Sadly, the *Apple Daily* and the Next Media group have been providing funds to local political parties covertly for taking an opposition stance against the SAR Government. According to information disclosed, those involved include a majority of opposition political parties, opposition groups and some anti-government individuals in society, academics or even clergymen. The incident of "money" politics makes people feel concerned that Hong Kong affairs are seriously manipulated by "dark money", and people are concerned about the extent of the negative impact on our future development. Besides paying for money politics, the boss of the Next Media group to which the *Apple Daily* belongs, Jimmy LAI, even attends to the matter personally by assuming personal command in the occupied district in Admiralty and meeting with foreigners, local politicians and social figures like "a monarch sitting in his imperial seat" almost every day, as if he was the highest commander of the Occupy action.

Money politics is a scandal to Hong Kong, particularly the disgraceful manners of Members of this legislature who have been receiving "dark money". Some admitted frankly of receiving "dark money", some are just hemming and hawing and reluctant to admit it; and there are also people who do not admit initially, but have just "pocketed it first". Among them, the case of Ms Claudia MO is the most intriguing. The "sponsor" said he has paid the money, but Ms MO said she has never received any, and the one who has received the money is her husband.

Today, Ms Claudia MO is calling for doing justice to Jimmy LAI. It is so obvious to everyone as the saying goes, "dogs wag their tails not so much in love to you as to your bread". One can see that these Members of the opposition are not speaking out for the freedom of speech or press freedom, but just for their own people. I advise the opposition not to strike a theatrical attitude or make an issue of their own people anymore.

Originally, journalists are "crownless kings", and they are dubbed "the fourth estate". Just because the influence of the media is so significant that they should uphold the principle of being fair, impartial, unbiased and honest. We respect press freedom and the freedom of speech, but if the fourth estate is abused, it will cross the line of the sacred duty of the media. Moreover, when some people are paying money and making an effort to disrupt Hong Kong, Hong Kong people will not approve of them.

President, I consider today's motion debate can show Hong Kong people a clearer picture of the relationship between the Next Media group and the local opposition.

PRESIDENT (in Cantonese): The motion debate commenced at 4.13 pm, and the speaking time limit for speeches by Members is 75 minutes. Thus the motion debate should end by 5.28 pm. However, there was a delay of four minutes because of a problem of the timer at the beginning of the motion debate, therefore the speaking time for Members will stop by 5.32 pm.

MS CYD HO (in Cantonese): The Labour Party has indeed received donations from Mr Jimmy LAI, but I have to challenge the Democratic Alliance for Betterment of Hong Kong (DAB); I request them to declare the amount of donations received from people of the business sector. When the Legislative Council was discussing the granting of the 3G and 4G licenses, I had never heard any DAB member's declaration concerning their receipt of donations from New World or other relevant people from the business sector.

President, regarding the issue of attacks on members of the media that we discuss today, it is not confined to Mr Jimmy LAI alone. From the case of LAM Bun being burnt to death in 1967, to cases relating to LEUNG Tin-wai, Albert CHENG, CHEN Ping, SHIH Wing-ching and Kevin LAU, none of them was detected. Moreover, there are cases we have seen on the Internet and news

reports, including RTHK's female journalist and TVB's reporters being assaulted on 23 October in Tsim Sha Tsui when they were trying to cover the anti-occupy central campaign staged by a blue ribbon group; RTHK's "face to face" presenter Erik MAK being roughed up in Mong Kok; and plain-clothes police officers attacking RTHK reporter Luther NG in the designated demonstration area under the drum of the Legislative Council Complex in June.

President, reporters are just holding their pens, not carrying guns. Reporters in Hong Kong have no intention to become war correspondents. But nobody has ever expected besides the attack on a celebrated media tycoon by petrol bombs, front-line journalists were also roughed up by people holding dissenting political views in the course of their news coverage work. Actually, reporters will not take sides. They are just filming for the news and then the news footage would be broadcast by the relevant news agency. Why are reporters roughed up? President, in fact the term "media" has already spelt out their intermediary position; they are just responsible for covering things that take place in society. Of course, they would "quote something out of context" as it is impossible for them to use two hours to broadcast an incident for two hours, and so that would definitely be compressed to a 20-second or at the most two-minute footage. For that reason, someone may dislike the approach. This can also explain why we should have a diversification of media.

There are *Ta Kung Pao* and *Wen Wei Po* in this world, then why should we not allow other media to co-exist? Do Members consider the reports of *Ta Kung Pao* and *Wen Wei Po* very accurate? It is possible that Members consider these media do not want to use their influence, even though their circulation is not that high, to convey their political message by way of the use of some political languages? Due to the limitation in space, it just happens that media cannot report the matter from a to z. Therefore, we need a diversification of media to reflect the actual situation of this diversified society.

However, the present-day Hong Kong is not only suppressing the freedom of speech, it is also blindfolding the eyes, ears, mouth and nose of journalists with a view to quashing their work, so that the public will have no way to find out the truth. They cannot make the best informed decision and they cannot get a diversification of information. Is it possible that everyone should read *Ta Kung Pao* and *Wen Wei Po* every day? But, excuse me, even if Hong Kong newspapers are being censored, they still hold a slightly different angle, and their editing and reporting methods are also different.

President, I wish to make a concrete suggestion to the Secretary for Security. Facing a series of attack on journalists, the Police are duty-bound to follow them up. They should not only need to find out the attackers, but also the masterminds. In particular, when the ones who attacked the reporters are identified as members of the Police, the Police should investigate them and take action according to the law and deal with the matter conscientiously and cautiously. It should never try to harbour or cosset the suspects.

President, thank you.

MR PAUL TSE (in Cantonese): President, the question under debate today is the relationship between the petrol bomb attack on a media organization and press freedom. To begin with, I wish to point out that the question itself has already assumed that they are related. Second, I think the question of whether the incident is related to news-reporting or press freedom is still open to discussion. Many colleagues have already talked about a number of past incidents involving news organizations and their practitioners. Some of the incidents can definitely, more or less, probably, and even credibly be attributed to the practice adopted by certain individuals in reporting or handling news stories.

But indeed, many question marks still hang over this incident involving Mr Jimmy LAI. President, I must make a declaration of interest here. Since the inception of the *Apple Daily*, I have been its reader. While I am very often a bit skeptical about its contents after reading it, I would still say that it is an entertaining newspaper after all. Many Hong Kong people are likewise its readers. In that case, I think that as I am a member of the Hong Kong community, I should get a sense of the reportage style of this relatively popular newspaper in Hong Kong.

But since I have the benefit — or habit — of reading several newspapers a day, I think my views in the end are relatively balanced. But many people probably read only one newspaper, or only have the chance to steal a glance at the headlines when passing by newspaper stalls. In that case, they may very often form a certain view or impression based on a simple glance at the headlines or photographs which may not reflect the whole truth.

Press freedom is certainly precious, in the sense that anybody can advocate his stance and viewpoints in whatever ways he prefers. Sometimes, press freedom should not be viewed from a single perspective. And sometimes,

people may be a bit exaggerating when they talk about press freedom. But after all, there are certain objective standards. Many people have criticized the Hong Kong press sector for being out of balance, to the extent that anybody seems to have "immunity" as long as he is flaunting the banner of "news-reporting" or "journalists". We can often see that a person who is just halfway through what he wants to say is criticized by a whole lot of people immediately. An apt example is Mrs Regina IP. Not long ago, she was already severely criticized when she was only halfway through what she intended to say.

Under these circumstances, I think we must exercise extra caution in examining this incident, because Mr Jimmy LAI's backgrounds are ... Well, out of respect, one may well say that the business achievements he has made through personal struggles are enlightening. But he is likewise known as a "fierce warrior". The good thing about this is that he is always able to revolutionize the industries he engages in. But the bad thing is that he may hurt many people with vested interests. Whether speaking of the manufacturing industry he engaged in long ago, the media industry he shifted to later on, or Taiwan just across the strait, I believe this personality of Mr Jimmy LAI, as reflected by how he runs the *Apple Daily* and Next Media, has jeopardized the interests of numerous people. Under these circumstances, I wonder if we can immediately establish a direct connection between this individual incident and press freedom. Of course, I must add that we oppose and condemn any incident of violence, including the use of violence to disturb social order, and also the order in the Legislative Council, government departments, and even in the streets. We oppose all this.

President, despite all this, I think we should look at this matter from yet another angle. Many people have said that a pen as a weapon is mightier than a sword. Simply by looking at the *Apple Daily*, we can already see that countless people have been hurt by both its section A and section C covering celebrity news. If a victim merely sues Jimmy LAI under the formal process of the law and do not do anything else, the rich and powerful Mr Jimmy LAI will just use his money to fight back. In that case, the victim will be utterly unable to seek redress for his grievances, just as many colleagues have said. As a member of the legal sector, I have handled numerous cases involving people hurt by the *Apple Daily* and Next Media. Due to uncertainties of lawsuits and their inability to afford lawyer fees, they have turned completely hopeless in the end. Under these circumstances, I am afraid we cannot possibly jump to the definite conclusion that this incident is related to press freedom. Quite the contrary, it may be related to the fact that the media enjoy too much freedom. Members can

listen to an Internet programme hosted by Mr WONG Yuk-man if they have the opportunity. I believe he may keep condemning "Fat LAI" to hell on behalf of those victims and saying that he will fix him. There are many, many such instances out there.

Thank you, President.

MR CHAN CHI-CHUEN (in Cantonese): President, the adjournment debate proposed by Ms Claudia MO today is triggered off by the incidents in which two groups of assailants hurled firebombs respectively at the residence of Jimmy LAI, founder of the Next Media Limited, and the headquarters of the *Apple Daily* in Tseung Kwan O. Even though the incidents have not resulted in any casualties, it is very obvious that the attacks were targeted at the Next Media Limited. I have not received any money from Jimmy LAI, nor have I received any money from the Next Media Limited. But then, what I wish to say is that even if some people have received money from them, they could still make some fair and impartial comments on the incident. I have listened to the speech made by Mr Paul TSE just now, and it seems to me that he considers these incidents serve Jimmy LAI right because he has hurt many people, this is his karma and he has only himself to blame. Is that what he really means?

Actually, this is not the only case in which a media person is subject to attack. During the Umbrella Revolution, Mr Stephen SHIU Yeuk-yuen, founder of Memehk.com, was attacked by assailants after hosting a programme at his network broadcasting station in Taikoo. He was on his car and ready to go when two private cars blocked his way, and a masked man smashed the windows of his car with a two-foot long iron rod. Here, I need to make a declaration: I had worked for Mr SHIU's network broadcasting station before I was elected as a Member of the Council. Nevertheless, I believe this does not matter at all, as every person has the right to denounce evil deeds like inflicting attacks on media people. Certainly, some may argue that the attacks could be related to some personal disputes. Perhaps some very mean persons may query whether the persons concerned have set the scene up themselves and hired someone to attack them. On the other hand, however, we also cannot rule out the possibility that the attacks are related to the journalistic work.

These two incidents have both involved crimes like theft of vehicles, use of fake licence plates and burning up vehicles. The violence used in attempts to intimidate high-level personnel of media groups has been escalating, involving

not only knives and guns but also firebombs, bloodshed and even employing people to knife someone. We can see that while a number of attack cases involving media people have taken place in recent years, the real culprits of most of the cases are still at large. Even in the case of attack of Kevin LAU Chun-to which alarmed the entire city last year, the Police could only arrest the person responsible for knifing LAU, the mastermind behind the scene is not yet known. Even though Secretary for Justice Rimsky YUEN subsequently explained that as seen in previous attack cases involving media people, it was rather difficult to arrest the masterminds behind the scene because the law offenders would cover up their true identity very carefully. Nevertheless, we just cannot help but feel that the majority of such cases will remain unsolved forever, as the cases will not be cracked down in the foreseeable future.

President, the picture I have in hand was uploaded onto some social networking sites by the Alliance in Support of our Police Force. The picture is a parody of a picture in which a number of people are held hostage by the ISIS. We can see in this picture media personnel Jimmy LAI, several network broadcasting station presenters, as well as eight Legislative Council Members. Certainly, some may argue that the picture is made for fun, but we can also see it as an attempt to pose a threat or even instigate people to do something. Even if some people really made that picture for fun, such people are indeed ignorant, mean, cold-blooded and wicked-hearted. Naturally, we have made a report on the picture on the Internet, and we hold that such kind of act should never be encouraged but forcefully denounced. Is it really an intimidation? Will any other attacks be inflicted subsequently? I really have no idea. As such, I believe the Police should keep a close watch on such online activities. Certainly, if the persons under attack are the pro-democrats or media tycoons supporting the so-called pro-democrats, the Police will hardly make any open denouncement. However, if the targets of such attacks are the Chief Executive and the rich and powerful pro-government Members, the Police will most probably take the cases seriously.

President, the freedom and space enjoyable by the media in Hong Kong is really very limited. It is true that we are unable to resist the political and financial influences imposed on us, but we should never sit idly by when the influences are developing into acts of real violence, including fists, bats, iron rods, guns and even firebombs. In striving for editorial independence, the journalists have been reduced to beggars. I hope the authorities concerned can

arrest the real culprits and crack the case expeditiously. Nobody can rule out the possibility that the attacks are related to journalistic work. I hope the Police can crack the cases to show the public whether the attacks are really related to journalism or personal disputes, or they were all made up by the media people concerned. And I hope Members will not say anything that is mean, ignorant, wicked-hearted or clod blooded; otherwise, the people of Hong Kong will feel so helpless when they see such attacks on the media taking place incessantly.

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, you have about 20 seconds to speak.

MR LEUNG KWOK-HUNG (in Cantonese): President, it is a waste of time repeating the same arguments. If our colleague has been attacked by a knifeman, even though he is a Member of the pro-establishment camp, I will not say that he deserves it, especially when he was attacked outside the Legislative Council Complex.

Of course, his being attacked outside the Legislative Council Complex has nothing to do with his discharge of the duty as a Legislative Council Member. Hence simply, I have no comments.

PRESIDENT (in Cantonese): Mr LEUNG, your speaking time is up. Please stop speaking.

Members' speaking time is up. I now call upon the Secretary for Security to reply.

SECRETARY FOR SECURITY (in Cantonese): President, I have listened attentively to the speeches by Members on this motion of "The relationship between the incident of petrol bomb attack on a media organization and freedom of the press in Hong Kong". Since the motion covers police investigations of violent incidents and press freedom, the following reply which I am going to give will also include views of the Constitutional and Mainland Affairs Bureau on press freedom.

Follow-up by the Police on the incident

On 12 January 2015, outside the metal gate of a Ho Man Tin mansion and the headquarters of a media group in Tseung Kwan O, two cases involving the hurling of glass bottles filled with inflammable liquid occurred. The Police attached great importance to the cases and referred them to the Kowloon East Organized Crime and Triad Bureau for in-depth investigation. Currently, the investigation is still underway. Here, I have to condemn the violent acts involved in the cases. Earlier in their speeches, some Members opined that the detection rate was low, or no satisfactory progress had been made by the Police with regard to the many violent cases involving the media or media personnel. I must reiterate that the Hong Kong Police Force have all along striven to maintain Hong Kong as one of the safest cities in the world, and cracking down on violent crimes has always been one of the top action priority for the Force. The main duty of the Police is to protect the life and property of the people. The Police make no difference as to whether the cases involve media personnel or other individuals. It will devote all efforts to investigations so as to bring the culprits to justice as early as possible.

Insofar as detection is concerned, it is impossible for any police force worldwide to attain a 100% detection rate. As regards the two cases mentioned in the motion, the Police will do all they can to follow up all traceable leads.

Actually, the progress and result of police investigations are subject to various subjective and objective factors. In terms of subjective factors, they include the arrangements for the Police to investigate the crime. The Police pay great attention to every case and will strive to collect evidence to bring the perpetrators to justice. The objective factors include the time and place of the crime, the approach employed by the culprits, the leads left behind, whether witnesses can be found, whether anyone has witnessed the process of the crime, whether the closed-circuit video recordings are clear enough to help identify the perpetrators, and so on. In general, most of the objective factors are beyond the control of the Police.

I must point out that the Police will spare no efforts in each case, and will not come up with any definition for "a case which involves a media organization". On the whole, of the cases handled by the Police in 2014, the detection rate was above 40%. As for violent cases involving wounding and

serious assault in 2014, the detection rate was even as high as around 70%. In the past, there had been cases pertaining to public figures and organizations in which the Police had made successful arrests and prosecutions, including the case in 2008 of the plotted assassination of Mr Martin LEE and Mr Jimmy LAI. Two persons were arrested by the Police, and the Court subsequently sentenced them to imprisonment of three years and 16 years respectively. Moreover, for the criminal damage case of Hong Kong In-media in 2012, the Police arrested four persons in total, and all were given prison terms of eight months.

Some Members mentioned that in the early hours of the same day this January, there was a shooting case in Hung Hom when copies of newspaper were stolen. I have to point out that after investigation, the Police have arrested two females and one male in succession. All three have been granted bail pending investigation and have to report to the Police next month. According to the information at hand, there is no evidence to indicate that this shooting case involving the theft of newspaper copies is related to the other two cases in which glass bottles containing inflammable liquid were hurled. In the former case, the copies of newspapers stolen were different, rather than belonging to a single media organization.

President, I emphasize that the investigation progress of every case is different given individual circumstances, and not all cases in which the Police have made arrests mean that all suspects can be convicted. Under the common law system, the requirement for criminal burden of proof is very strict. In the past, there had been cases in which suspects could not be prosecuted or the Court failed to convict them due to a lack of sufficient evidence.

Freedom of the Press

President, the question today is the relationship between two cases which took place lately with freedom of the press. Earlier, some Members related the cases to the violent terrorist attack on *Charlie Hebdo* which happened in Paris, France lately. Some Members considered that the two cases on 12 January constitute intimidation of the media in Hong Kong.

Regarding these various comments, it is not appropriate to jump to any conclusion before the investigation by the Police is completed and the motives of the perpetrators are established. However, I can assure Members that the

investigation by the Police will be comprehensive and thorough. The Police have appealed to those concerned for assistance in the investigation. The Force have also called on the public to provide relevant information. In fact, the SAR Government, the Police Force and the public all wish to see an early detection of the case, and the arrest of the perpetrators.

Some Members said that this time, the perpetrators meant to silence the media. I must point out that press freedom and the freedom of speech in Hong Kong are assured by Article 27 of the Basic Law and the Hong Kong Bill of Rights Ordinance. The Government and the general public take these freedoms seriously. In our opinion, freedom of the press and the freedom of speech are among the important factors for Hong Kong to maintain our status as a cosmopolitan city, and for society to maintain its development.

In Hong Kong, the media industry has always been able to develop in a liberal and free environment, and has proactively played a monitoring role. All along, the news media, including newspapers and periodicals, radio stations and television stations, have been reporting news information, opinions and comments freely. At present, close to 50 local newspapers and 720 periodicals are published in Hong Kong. Furthermore, almost 90 international media organizations have set up offices here. Hong Kong also serves as the regional base for many international media organizations. Local and overseas journalists can freely cover and report news and make comments in Hong Kong.

The Government has always striven to facilitate journalists in carrying out their work. Whenever a major policy or initiative is to be announced, or a major event has happened in society, the relevant bureau or executive department will timely release information and will make every possible arrangement for the press to cover such news. The Government will carry on with its relaxed policy to provide an appropriate environment for the press to flourish freely, and to facilitate journalists in making accurate reports on current affairs in a professional manner.

The Police have also exchanged opinions with the media organizations and journalistic bodies on matters of common concern. Both sides have maintained close contact with each other. The Police understand that media practitioners are concerned about these two cases. The authorities will not tolerate any violence. Let me reiterate: The personal safety of any person, regardless of his

profession, background or race, is of the utmost importance. The Police will continue to discharge their duty to strive to maintain law and order, and protect the life and property of the Hong Kong public.

Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That this Council do now adjourn. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

NEXT MEETING

PRESIDENT (in Cantonese): I now adjourn the Council until 11 am on Wednesday 4 February 2015.

Adjourned accordingly at 5.42 pm.