

立法會
Legislative Council

LC Paper No. CB(3) 170/14-15

**Paper for the House Committee meeting
of 21 November 2014**

**Questions scheduled for the
Legislative Council meeting of 26 November 2014**

Questions by:

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|------|---|-------------------------------|
| (1) | Hon Ronny TONG | (Oral reply) |
| (2) | Hon LEUNG Yiu-chung | (Oral reply) |
| (3) | Hon SIN Chung-kai
<i>(Replacing his previous question)</i> | (Oral reply) (New question) |
| (4) | Hon TAM Yiu-chung
<i>(Replacing his previous question)</i> | (Oral reply) (New question) |
| (5) | Hon Dennis KWOK | (Oral reply) |
| (6) | Hon Kenneth LEUNG | (Oral reply) |
| (7) | Hon Tommy CHEUNG | (Written reply) |
| (8) | Hon Michael TIEN | (Written reply) |
| (9) | Hon Claudia MO
<i>(Replacing her previous question)</i> | (Written reply)(New question) |
| (10) | Hon WONG Ting-kwong | (Written reply) |
| (11) | Hon Emily LAU | (Written reply) |
| (12) | Dr Hon Kenneth CHAN | (Written reply) |
| (13) | Dr Hon Elizabeth QUAT | (Written reply) |
| (14) | Hon Charles Peter MOK | (Written reply) |
| (15) | Hon TAM Yiu-chung | (Written reply) |
| (16) | Dr Hon Elizabeth QUAT | (Written reply) |
| (17) | Hon Kenneth LEUNG | (Written reply) |
| (18) | Hon Vincent FANG | (Written reply) |
| (19) | Hon Jeffrey LAM | (Written reply) |
| (20) | Hon CHAN Hak-kan | (Written reply) |
| (21) | Hon WONG Kwok-hing | (Written reply) |
| (22) | Hon Alan LEONG | (Written reply) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

Recommendations of the United Nations Committee on
the Elimination of Discrimination against Women

(3) Hon SIN Chung-kai (Oral reply)

At its meeting held on the 23rd of last month in Geneva, the United Nations (“UN”) Committee on the Elimination of Discrimination against Women (“the Committee”) considered the report submitted by the Government of the Hong Kong Special Administrative Region (“HKSAR”) on Hong Kong’s fulfillment of her obligations under the UN Convention on the Elimination of All Forms of Discrimination against Women. The Committee published its concluding observations on the 7th of this month, putting forward a number of recommendations to HKSAR Government. In this connection, will the Executive Authorities inform this Council:

- (1) as the Committee is concerned that maternity leave in Hong Kong is limited to 10 weeks which does not comply with international standards, and urges the authorities to increase the maternity leave period, as well as their efforts to promote the use of flexible working arrangements and paternity leave to encourage men to participate equally in childcare responsibilities, whether the authorities will accept and implement the Committee’s recommendations with a view to complying with international standards;
- (2) as the Committee has pointed out the low level representation of women in politics in HKSAR, and recommends the authorities to conduct a study on the impact of the electoral system of functional constituencies on the equal participation of women in political life, whether the authorities will conduct such a study; if they will, of the details; if not, the reasons for that; and
- (3) as the Committee is concerned that women foreign domestic helpers (“FDHs”) are subjected to abuse and unfavourable working conditions, and urges the authorities to strengthen the protection of FDHs from discrimination and abuse by employers and by recruitment and placement agencies, whether the authorities will accept the recommendation?

The rule of law in Hong Kong

(4) Hon TAM Yiu-chung (Oral Reply)

Some members of the public have relayed to me that the remarks about the rule of law recently made on a number of occasions by some politicians with legal background, who are also supporters of the illegal road occupation movement, may have misled the public. For instance, these politicians have claimed that even if some people have deliberately breached the law, the rule of law will not be undermined insofar as they subsequently turn themselves in to bear the legal consequences, and that the rule of law does not mean unconditional compliance with the law. In addition, these politicians have also criticized the Police for their earlier arrest of two occupiers for allegedly fighting with three other persons in a public place, claiming that these two occupiers were then merely exercising “the power of citizens to arrest” under section 101A of the Criminal Procedure Ordinance (“section 101A”) to stop those three persons from throwing objects at the occupiers. In this connection, will the Government inform this Council:

- (1) whether it has studied the impacts of the aforesaid remarks made by these politicians (i.e. the rule of law will not be undermined insofar as the people who have deliberately breached the law subsequently turn themselves in, and the rule of law does not mean unconditional compliance with the law, etc.) on the proper understanding of the public about the concept of the rule of law; if the study outcome indicates that there are negative impacts, how the authorities will refute such remarks; if the study outcome indicates that there are no negative impacts, of the justifications for that;
- (2) whether it will step up publicity and education to instill in members of the public the correct concept of the rule of law; if it will, of the details; if not, the reasons for that; and
- (3) whether it can clearly explain “the power of citizens to arrest” under section 101A in concrete terms, including the criteria for determining whether members of the public have lawfully exercised such power, as well as the degree of force they may use in arresting suspected offenders?

Support for ethnic minority students in school

(9) Hon Claudia MO (Written Reply)

I have recently received complaints from the parents, students and ex-teachers of a school, alleging that the school has been incessantly admitting ethnic minority (“EM”) students in a bid to avoid being requested by the Government to cease operation due to under-enrolment under the policy on consolidation of schools (commonly known as “closure of schools”). However, the school has not provided appropriate learning support for these students who have therefore become the victims of the prevailing education policy. In this connection, will the Government inform this Council:

- (1) whether the Education Bureau (“EDB”) received complaints in the past three years about EM students not receiving appropriate learning support in schools; if it did, how EDB followed up such complaints; if not, whether EDB will take the initiative to understand the learning condition of EM students and consider setting up a task force to conduct investigations;
- (2) whether EDB has measures in place to prevent schools from enrolling, in a bid to avoid closure of schools, EM students to a number beyond the coping capacity of their teaching resources; if EDB does, of the details; if not, the reasons for that;
- (3) whether EDB will conduct regular reviews to see if those schools which have admitted relatively more EM students but whose total numbers of students are on the low side have sufficient teaching resources, so as to ensure that EM students can receive appropriate learning support and integrate into school life;
- (4) of the name of each of the schools which admitted 10 or more EM students in the 2013-2014 and 2014-2015 school years (please use codes to replace school names if it is considered inappropriate to make public the names of the schools concerned), the districts in which the schools are situated, as well as the respective numbers of EM students admitted by each school and their percentages in the total numbers of students, broken down by the race and grade of EM students; and
- (5) of the number of schools which admitted EM students in the 2014-2015 school year, with a breakdown by the number of EM students admitted (below 10, 10 to 19, 20 to 29 and 30 or more) and its percentage in the total numbers of students?