

立法會
Legislative Council

LC Paper No. CB(2)828/17-18

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House Committee of the Legislative Council

**Minutes of the 13th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 2 February 2018**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon Dennis KWOK Wing-hang (Deputy Chairman)
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan

Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho

Members absent :

Hon Abraham SHEK Lai-him, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Kenneth LEUNG

Clerk in attendance :

Miss Flora TAI

Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
Ms Connie FUNG	Legal Adviser
Miss Odelia LEUNG	Deputy Secretary General
Ms Anita SIT	Assistant Secretary General 1
Ms Dora WAI	Assistant Secretary General 3
Mr Matthew LOO	Assistant Secretary General 4
Mr Timothy TSO	Senior Assistant Legal Adviser 1
Mr YICK Wing-kin	Senior Assistant Legal Adviser 2
Mr Kelvin LEE	Senior Assistant Legal Adviser 3
Ms Amy YU	Principal Council Secretary 1
Ms Hallie CHAN	Head (Public Information)
Ms Alice LEUNG	Chief Council Secretary (2)6
Mr Alvin CHUI	Assistant Legal Adviser 3
Mr Richard WONG	Senior Council Secretary (2)6
Miss Connie AU	Senior Council Secretary (2)8
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

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I. Confirmation of minutes of meeting

Minutes of 12th meeting held on 26 January 2018

(LC Paper No. CB(2)794/17-18)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration

Request for calling a special House Committee ("HC") meeting to discuss issues relating to the co-location arrangement at the West Kowloon Station of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("the co-location arrangement")

2. The Chairman said that Members' views as to whether to call a special HC meeting to discuss the co-location arrangement raised at the last HC meeting on 26 January 2018 had been relayed to the Chief Secretary for Administration ("CS"), and CS had responded that the Administration was pleased to communicate with Members regarding the

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co-location arrangement. As such, while the Administration considered it more appropriate for the Secretary for Justice, the Secretary for Transport and Housing and the Secretary for Security ("the three Principal Officials") to explain to Members the details of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill at the first meeting of the Bills Committee to be formed to study the Bill ("the Bills Committee concerned"), if Members considered a special HC meeting a more suitable forum, the three Principal Officials would also be willing to consider Members' request accordingly. Furthermore, she and the Deputy Chairman had respectively told CS that they hoped that the three Principal Officials would meet as soon as possible with Members of different political parties and groupings to have more exchange on the co-location arrangement to solicit Members' support for the Bill.

3. The Chairman further said that after her last meeting with CS, she and the Deputy Chairman had respectively communicated with Members of different political parties and groupings regarding whether a special HC meeting should be called to discuss issues relating to the co-location arrangement. She understood that Members of the pro-establishment camp took the view that as the Bill had been gazetted, to avoid overlapping of work, it was appropriate for the three Principal Officials to brief and answer questions from Members on the Bill at the first meeting of the Bills Committee concerned.

4. At the invitation of the Chairman, the Deputy Chairman said that Members of the pro-democracy camp would not object to the arrangement that the three Principal Officials would explain to Members the details of the Bill and answer questions from Members at the first meeting of the Bills Committee concerned, provided that the Bills Committee would call its first meeting as soon as possible after its formation. He added that as Members had a lot of questions, the three Principal Officials should be prepared that there might not be sufficient time to fully respond to Members' questions at one meeting, and they might have to attend another meeting when there was a need.

5. Ms Tanya CHAN concurred with the Deputy Chairman, and stressed that the Administration should adopt an open and sincere attitude and provide Members with the updated and comprehensive information regarding the co-location arrangement as soon as possible. She added that she had since July 2017 sought information from the Administration through various channels, but not much information had been made available so far. She stressed that the Administration had the duty to answer Members' questions.

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6. Mr Martin LIAO said that it was the consensus of the Members of the pro-establishment camp that there was no need to call a special HC meeting to discuss issues relating to the Bill and it was more appropriate for the three Principal Officials to attend the first meeting of the Bills Committee concerned to give a briefing on the Bill and answer Members' questions. In their view, a precedent should not be set for HC to call a special meeting to discuss issues relating to a bill which would be studied by a Bills Committee to be formed, and it was more appropriate for the relevant issues to be studied in detail by the relevant Bills Committee.

7. Mr Tommy CHEUNG concurred with Mr Martin LAIO. He suggested that if Members had a lot of questions and were concerned that a two-hour meeting might not be sufficient for raising their questions, they should consider providing a list of written questions in advance so that the Administration could prepare their responses beforehand. He added that he did not hope that Members would ask the same questions repeatedly at the meetings of the Bills Committee concerned and request the three Principal Officials to attend numerous meetings of the Bills Committee concerned to answer their questions.

8. Ms Claudia MO said that she had no objection in principle to preparing a list of written questions in advance, but it was usual for Members to raise questions based on the Administration's briefing of its paper at a meeting. She added that she still considered a special HC meeting a more appropriate forum because the scope of discussion could be much wider as the Bills Committee concerned would focus more on the legal aspects of the Bill.

9. Mr CHAN Chi-chuen considered it acceptable that issues relating to the co-location arrangement would be followed up by the Bills Committee concerned. However, in his view, the three Principal Officials should attend at least two or three meetings of the Bills Committee concerned, as he expected that more than 50 Members would join the Bills Committee concerned, and it would take more than one meeting for all these Members who would like to raise their questions had the opportunity to do so.

10. In conclusion, the Chairman said that Members agreed that issues relating to the co-location arrangement would be followed up by the Bills Committee concerned, and the Secretariat would be requested to make the necessary arrangements for calling the first meeting of the Bills Committee concerned at the earliest possible and inviting the three Principal Officials to attend that meeting to respond to Members'

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questions. She added that she would relay to CS some Members' view that the three Principal Officials should attend another meeting(s) of the Bills Committee concerned when there was a need.

III. Business arising from previous Council meetings

(a) Legal Service Division report on bill referred to the House Committee in accordance with Rule 54(4)

**Guangzhou-Shenzhen-Hong Kong Express Rail Link
(Co-location) Bill**
(*LC Paper No. LS31/17-18*)

11. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the Bill.

12. Mr Tommy CHEUNG considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. The following Members agreed to join the Bills Committee: Mr Tommy CHEUNG, Mr CHAN Hak-kan, Mr WU Chi-wai, Mr Charles MOK, Dr Fernando CHEUNG and Ms Tanya CHAN.

(b) Legal Service Division report on subsidiary legislation gazetted on 26 January 2018

(*LC Paper No. LS28/17-18*)

13. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on four items of subsidiary legislation (i.e. L.N. 9 to L.N. 12) which were gazetted on 26 January 2018. Of these, three items (i.e. L.N. 9 to L.N. 11) were tabled in the Council on 31 January 2018 and the remaining item (i.e. the United Nations Sanctions (Mali) Regulation (L.N. 12)) was a regulation made under the United Nations Sanctions Ordinance (Cap. 537) ("UNSO") which was not required to be tabled in the Legislative Council ("LegCo") and was not subject to amendment by LegCo.

14. Mr WU Chi-wai considered it necessary to form a Subcommittee to study in detail the Antibiotics (Amendment) Regulation 2018 (L.N. 9). Members agreed. Mr WU Chi-wai agreed to join the proposed subcommittee.

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15. Members did not raise any questions on the other two items of subsidiary legislation (i.e. L.N. 10 and L.N. 11).

16. The Chairman reminded Members that the deadline for amending the above three items of subsidiary legislation would be the Council meeting of 28 February 2018, or that of 21 March 2018 if extended by a resolution of the Council.

17. Members also agreed that the United Nations Sanctions (Mali) Regulation (L.N. 12) made under UNSO be referred to the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions as it came within the Subcommittee's terms of reference.

IV. Further business for the Council meeting of 7 February 2018

Report No. 6/17-18 of the House Committee on Consideration of
Subsidiary Legislation and Other Instruments

18. The Chairman said that the draft report of HC on four items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 7 February 2018 had been issued to Members. No Member had indicated intention to speak on any of these items of subsidiary legislation.

Bills - resumption of debates on Second Reading, Consideration by Committee of the Whole Council and Third Reading

(a) **Road Tunnels (Government) (Amendment) Bill 2017**

(b) **Dutiable Commodities (Amendment) Bill 2017**

(c) **Waterworks (Amendment) Bill 2017**

19. The Chairman said that the Second Reading debates on the above Bills would be resumed at the meeting.

V. Advance information on business for the Council meeting of 21 March 2018

Bill - First Reading and moving of Second Reading

20. The Chairman said that HC would consider the Road Traffic (Amendment) Bill 2018 at its meeting on 23 March 2018.

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VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)795/17-18)

21. The Chairman said that as at 1 February 2018, there were 10 Bills Committees, seven subcommittees under HC and two subcommittees on policy issues under Panels in action. Eleven subcommittees on policy issues were on the waiting list.

VII. Any other business

Proposal of Hon Tanya CHAN to seek the House Committee's agreement for asking an urgent oral question at the Council meeting of 7 February 2018 on the incident concerning some members of the Eastern District Council being obstructed from entering the venue of the Eastern District Council meeting on 30 January 2018

(LC Paper No. CB(2)805/17-18(01))

22. The Chairman informed Members that the Secretariat had received in the early afternoon of 31 January 2018 a letter from Ms Tanya CHAN requesting discussion at this meeting of her proposal to ask an urgent oral question at the Council meeting of 7 February 2018 on the incident concerning some members of the Eastern District Council ("DC") being obstructed from entering the venue of the Eastern DC meeting on 30 January 2018 ("the incident concerned"). The Chairman further said that after taking into account the relevant requirements of the House Rules ("HR"), she agreed to put Ms CHAN's proposal on the agenda for this meeting under "Any other business" ("AOB") in accordance with the past practice in handling similar requests.

23. At the invitation of the Chairman, Ms Tanya CHAN said that to her understanding, the four unidentified men dressed in black involved in the incident concerned were security guards ("the four security guards concerned") hired by the Eastern District Office, and in her view, they might have committed an offence for contravening section 23 "Resisting or obstructing a public officer or other person lawfully engaged in a public duty" of the Summary Offences Ordinance (Cap. 228). She considered that the incident concerned was a very serious matter as some DC members engaged in public duties were obstructed by the four security guards concerned and could not enter the venue of the Eastern DC meeting ("the meeting venue"). Ms CHAN called on other Members' support for her proposal to ask an urgent oral question on the incident concerned at the Council meeting of 7 February 2018.

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24. The Chairman said that she had received a request from Mr SHIU Ka-fai, who was also a member of the Eastern DC, before this meeting that he would like to give an account of what he had seen on that day. Noting that Mr KWOK Wai-keung was also an Eastern DC member, she invited both Mr SHIU and Mr KWOK to speak.

25. Mr SHIU Ka-fai said that he had arrived at the meeting room of the Eastern DC before the scheduled meeting time at 2:30 pm on 30 January 2018 and heard some noises outside the meeting room at about 2:20 pm. When he went out of the meeting room, he saw that the glass door of the entrance of the Eastern DC was closed and the four security guards concerned were standing in front of the glass door. He had asked the four security guards concerned to open the glass door to let those Eastern DC members behind the glass door in but to no avail. After relaying the situation to the Eastern DC Chairman, the Eastern DC Chairman walked out of the meeting room and asked the four security guards concerned to open the glass door. After the glass door was opened, only three Eastern DC members walked into the entrance area of the Eastern DC and another Eastern DC member behind them did not follow them and just stood at the entrance area so blocking other Eastern DC members at his back from entering through the glass door. Mr SHIU further said that while Mr Joshua WONG Chi-fung and Miss Agnes CHOW Ting claimed that they were being denied access to observe the Eastern DC meeting although they had obtained the passes for members of the public to observe the meeting, he was told that their passes were registered under the names of some other persons and Mr WONG and Miss CHOW were therefore barred from entering the meeting room.

26. Mr KWOK Wai-keung said that he objected to Ms Tanya CHAN's proposal. He pointed out that at the request of the Eastern DC Chairman and Mr SHIU Ka-fai, the glass door was opened. However, the Eastern DC members of the opposition camp apparently did not intend to enter the meeting room and chose to stay in the entrance area, and they blocked other Eastern DC members of the pro-establishment camp outside the entrance area from entering the meeting room. Mr KWOK added that if the four security guards concerned were indeed hired by the Eastern District Office, the Eastern District Office had the duty to give an account of the security arrangements for the DC meeting on 30 January 2018.

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27. Mr LAU Kwok-fan said that he objected to Ms Tanya CHAN's proposal. He stressed that DCs should focus on dealing with district affairs rather than political issues, and that DCs should not be involved in issues relating to the ruling of the Returning Officer of the Hong Kong Island geographical constituency in the 2018 LegCo by-election (i.e. the District Officer of the Eastern District) concerning the disqualification of Miss Agnes CHOW as a candidate for the LegCo by-election ("the ruling of the Returning Officer"). Mr LAU further said that while obstructing the normal functioning of DCs was unacceptable, those members of the public who attempted to enter the meeting venue with the passes registered under the names of some other persons should be held accountable for the incident concerned.

28. Mr IP Kin-yuen expressed support for Ms Tanya CHAN's proposal. In his view, in order to ensure the smooth functioning of DC meetings in future, it was necessary to seek clarifications on the incident concerned, including why the four security guards concerned obstructed some DC members from entering the meeting venue, and whether those DC members of the pro-democracy camp had blocked other DC members from entering the meeting venue as claimed by Members of the pro-establishment camp.

29. Mr Jeremy TAM considered it unacceptable that the four security guards concerned who were hired by the Eastern District Office obstructed DC members from entering the meeting venue, and therefore, it was necessary to find out who had given such instructions. He also commented that it was absurd if discussion of political issues were not allowed at DC meetings and expressed grave concerns whether some Eastern DC members were obstructed from entering the meeting venue because of their intention to raise a motion to discuss at the meeting the ruling of the Returning Officer.

30. Ms Claudia MO criticized that it was only after the Eastern DC Chairman and an Eastern DC member had intervened to ask the four security guards concerned to open the glass door that certain Eastern DC members could walk into the entrance area of the Eastern DC. She expressed grave concerns that Hong Kong was undergoing rapid "Mainlandization" and the abuse of power by public officers was becoming common in Hong Kong. Ms MO considered that the incident concerned was of an urgent character and related to a matter of public importance, and to prevent its recurrence, it was necessary to seek clarifications from the Administration as soon as possible.

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31. Expressing support for Ms Tanya CHAN's proposal, Mr HUI Chi-fung considered the incident concerned a very serious matter. He said that the Eastern District Office was using public money to hire the four security guards concerned and they had obstructed some Eastern DC members and members of the public from entering the meeting venue. The parties concerned including the Home Affairs Bureau, the Home Affairs Department, the Eastern DC Chairman and the Eastern District Office should have provided an explanation on the incident concerned. Mr HUI also expressed worries that DC members who intended to raise contentious political issues at DC meetings in future would be treated in the same way.

32. Mr Holden CHOW said that the incident concerned arose from some members of the public attempting to storm into the meeting venue and confront the Returning Officer who was also the Eastern District Officer. He considered it understandable for the four security guards concerned to try to keep order at the Eastern DC and safeguard the personal safety of the Eastern District Officer, adding that any allegation of an offence committed by those security officers should be a matter for the Police to follow up. Mr CHOW therefore considered it unnecessary for Ms Tanya CHAN to ask the proposed urgent oral question.

33. Mr Alvin YEUNG commented that if the security arrangements made by the Eastern District Office were indeed justifiable as claimed by Members of the pro-establishment camp, Members of the pro-establishment camp should support Ms Tanya CHAN's proposal so that the Secretary for Home Affairs would have the opportunity to give an account of the incident concerned openly. He criticized that there was no reason for Members of the pro-establishment camp not supporting Ms CHAN's proposal.

34. Mr WONG Kwok-kin said that he saw no urgency in asking the question proposed by Ms Tanya CHAN. He criticized that the incident concerned was merely a political show and considered that even if an investigation was warranted in case of any wrongdoing as claimed, the responsibility to investigate rested with the Eastern DC or the Police. Mr WONG held a very strong view that the incident concerned was none of the business of LegCo and LegCo should not interfere with the operations of DCs.

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35. Dr KWOK Ka-ki expressed dissatisfaction that the Member who was returned through election from among elected DC members failed to take up his responsibility to follow-up the incident concerned in LegCo. In his view, the incident concerned was due to fears that queries or questions would be raised by some Eastern DC members concerning the ruling of the Returning Officer. Dr KWOK was gravely concerned that some Eastern DC members were being obstructed from entering the meeting venue as it was their right to attend DC meetings.

36. Expressing support for Ms Tanya CHAN's proposal, Mr CHAN Chi-chuen considered that the key issues of concern were whether the four security guards concerned who obstructed some Eastern DC members from entering the meeting venue were just acted according to instructions and if so, who gave such instructions. Regarding the earlier remarks of Mr WONG Kwok-kin that the incident concerned was not LegCo's business, Mr CHAN said that he recalled that the Public Complaints Office of the LegCo Secretariat had received a complaint some time ago in which the staff of a District Office were alleged to have obstructed a DC member from entering the venue of an informal meeting held by DC. The District Officer concerned had been invited to explain the case concerned to Members in a case conference.

37. Mr Paul TSE considered it inappropriate to ask an urgent oral question on the incident concerned so as to deal with any of the following issues: (a) whether or not the four security guards concerned had exercised their powers in a proper manner; (b) whether or not certain members of the public had violated the requirement that those who intended to observe DC meetings should register under their own names; or (c) whether certain Eastern DC members were unable or in fact unwilling to enter the venue of the DC meeting which was subsequently adjourned due to a lack of quorum. Mr TSE stressed that in considering whether a proposal for asking an urgent oral question should be supported, consideration should be given to whether or not the issue of concern related to a matter of public importance and was of an urgent character. Mr TSE added that in his view, section 23 of the Summary Offences Ordinance (Cap. 228) was not applicable to the incident concerned.

38. Mr Steven HO said that he did not support Ms Tanya CHAN's proposal. While he agreed with the view of some Members from the opposition camp that there was a need for the Administration to explain the incident concerned openly, he considered it more appropriate for the Administration to do so at public platforms other than a LegCo meeting. Mr HO considered that the incident concerned was caused by certain

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members of the public who were trying to observe the Eastern DC meeting by using the passes registered under the names of other persons. Should there be concerns about the legality of the actions taken by the four security guards concerned, the incident concerned should be reported to the Police for investigation.

39. Mr CHEUNG Kwok-kwan commented that some Members were trying to confuse the facts and divert the focus of the incident concerned to the acts of the four security guards concerned. In his view, the incident concerned was mainly caused by some Eastern DC members who had attempted to make use of the DC meeting as a platform to pursue issues relating to the ruling of the Returning Officer.

40. At the invitation of the Chairman, Mr KWOK Wai-keung informed Members that the Eastern DC had condemned the 10 Eastern DC members of the pro-democracy camp for their acts on 30 January 2018. In his view, some of the Eastern DC members of the pro-democracy camp did not enter the meeting venue because they hoped to assist Mr Joshua WONG and Miss Agnes CHOW to enter the meeting venue. He also heard that one of these Eastern DC members had indicated that he was not concerned whether the meeting would be adjourned due to a lack of quorum.

41. At the invitation of the Chairman, Mr SHIU Ka-fai spoke further on what had happened on 30 January 2018, saying that the quorum of the Eastern DC should be 17 members and 15 Eastern DC members were already present in the meeting. After the glass door was opened, three Eastern DC members of the pro-democracy camp had walked into the entrance area of the Eastern DC but chosen to stay outside the meeting venue when the DC meeting was adjourned due to a lack of quorum. Mr SHIU added that to his understanding, the glass door was closed by security guards because some people had earlier on attempted to use force to enter the building where the Eastern DC was located.

42. Ms Tanya CHAN said that the security guards had indeed obstructed some Eastern DC members from entering the meeting venue, as evidenced by the fact that the DC Chairman had to personally attend to the matter. While she would find it agreeable if the Police would proactively investigate the incident concerned, she considered that there was a great urgency to seek clarifications from the Administration as meetings of DCs were held almost every day. Furthermore, as DCs were established in accordance with Articles 97 and 98 of the Basic Law, she considered it appropriate for LegCo to raise questions in relation to the work of DCs.

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43. The Chairman said that given Members' diverse views, she would put to vote the proposal of Ms Tanya CHAN to seek HC's agreement for asking an urgent oral question at the Council meeting of 7 February 2018 on the incident concerning some members of the Eastern District Council being obstructed from entering the venue of the Eastern District Council meeting on 30 January 2018. The Chairman ordered a division.

(At 3:10 pm, the Chairman secured the consent of the Chairman of the Finance Committee ("FC") for the HC meeting to continue for not more than 10 minutes beyond 3:15 pm.)

The following Members voted in favour of the proposal:

Ms Claudia MO, Mr Charles MOK, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Dr Helena WONG, Mr IP Kin-yuen, Mr Alvin YEUNG, Mr Andrew WAN, Mr CHU Hoi-dick, Mr LAM Cheuk-ting, Mr SHIU Ka-chun, Dr Pierre CHAN, Ms Tanya CHAN, Mr HUI Chi-fung, Dr CHENG Chung-tai, Mr KWONG Chun-yu and Mr Jeremy TAM.

(18 Members)

The following Members voted against the proposal:

Mr Tommy CHEUNG, Mr CHAN Hak-kan, Mr CHAN Kin-por, Dr Priscilla LEUNG, Mr WONG Kwok-kin, Mr Paul TSE, Mr Steven HO, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr CHAN Han-pan, Mr LEUNG Che-cheung, Ms Alice MAK, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Dr Elizabeth QUAT, Mr Martin LIAO, Mr POON Siu-ping, Dr CHIANG Lai-wan, Ir Dr LO Wai-kwok, Mr CHUNG Kwok-pan, Mr Jimmy NG, Dr Junius HO, Mr HO Kai-ming, Mr Holden CHOW, Mr SHIU Ka-fai, Mr Wilson OR, Ms YUNG Hoi-yan, Mr CHAN Chun-ying, Mr CHEUNG Kwok-kwan, Mr LUK Chung-hung and Mr LAU Kwok-fan.

(32 Members)

44. The Chairman declared that 18 Members voted for and 32 Members voted against the proposal, and no Member abstained from voting. The Chairman declared that the proposal was not supported.

45. The Chairman advised that in accordance with HR 10, Members who intended to make requests for asking urgent questions without the required notice should, where practicable, first seek the agreement of HC before submitting the urgent questions to the Clerk to LegCo. Should a

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Member made such a request after the deadline for proposing agenda items for an HC meeting, the request from the Member would be dealt with under the item of "AOB" of the relevant HC meeting.

46. The Chairman further advised that since the beginning of the Sixth LegCo, HC had received a total of nine proposals for raising urgent oral questions at the Council meetings, some of which were received on Thursdays or even Fridays. This situation had caused inconvenience in respect of estimating the duration of HC meetings and setting the starting time of FC meetings. Furthermore, when HC dealt with these proposals, Members had a tendency to discuss the subject matters raised in the proposals instead of focusing on whether permission should be given for the asking of the proposed urgent questions at the Council meetings. As in the case of this meeting, although she had reminded Members that they should focus on discussing whether they supported Ms Tanya CHAN's proposal, many Members had in fact discussed details of the incident concerned. The Chairman further said that in accordance with RoP 24(4), the President, in determining if the question was of an "urgent character", would consider whether the question would become meaningless or would have no effect if it were asked at a later date, and the President also needed to be satisfied that the question was on a matter of public importance. As such, the threshold for raising an urgent oral question was rather high. She pointed out that the Chief Executive's Question Time was launched in January 2018 with a view to facilitating Members to put topical questions to the Administration. In light of the above, the Chairman would request the Committee on Rules of Procedure to consider whether it was necessary to review the existing arrangement provided in HR 10.

47. There being no other business, the meeting ended at 3:16 pm.