

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2201/13-14  
(These minutes have been seen  
by the Administration)

Ref : CB2/BC/2/13

**Bills Committee on  
Marriage (Amendment) Bill 2014**

**Minutes of the sixth meeting  
held on Thursday, 5 June 2014, at 8:30 am  
in Conference Room 1 of the Legislative Council Complex**

- Members present** :
- Hon IP Kwok-him, GBS, JP (Chairman)
  - Hon Dennis KWOK (Deputy Chairman)
  - Hon James TO Kun-sun
  - Hon Emily LAU Wai-hing, JP
  - Hon Tommy CHEUNG Yu-yan, SBS, JP
  - Hon Ronny TONG Ka-wah, SC
  - Hon Cyd HO Sau-lan
  - Hon Starry LEE Wai-king, JP
  - Hon CHAN Kin-por, BBS, JP
  - Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
  - Hon Paul TSE Wai-chun, JP
  - Hon YIU Si-wing
  - Hon MA Fung-kwok, SBS, JP
  - Hon Charles Peter MOK
  - Hon CHAN Chi-chuen
  - Hon KWOK Wai-keung
  - Dr Hon Fernando CHEUNG Chiu-hung
  - Dr Hon Helena WONG Pik-wan
  - Hon Christopher CHUNG Shu-kun, BBS, MH, JP
  - Hon Tony TSE Wai-chuen
- Members absent** :
- Dr Hon LEUNG Ka-lau
  - Hon Mrs Regina IP LAU Suk-ye, GBS, JP
  - Hon LEUNG Kwok-hung
  - Hon Gary FAN Kwok-wai
  - Hon Martin LIAO Cheung-kong, JP
  - Hon TANG Ka-piu
  - Ir Dr Hon LO Wai-kwok, BBS, MH, JP

**Public Officers** : Items I and II  
**attending**

Ms Maggie WONG Siu-chu, JP  
Deputy Secretary for Security 3

Mr Billy WOO Tak-ying  
Principal Assistant Secretary for Security D

Mr David CHIU Wai-kai, IDSM  
Assistant Director (Personal Documentation)  
Immigration Department

Mr Alan CHONG Ka-ning  
Senior Government Counsel  
Department of Justice

**Attendance** : Item I  
**by invitation**

Medical professionals

Dr HO Pui-tat  
Associate Consultant  
Kwai Chung Hospital

Dr Greg MAK Kai-lok  
Associate Consultant  
Castle Peak Hospital

Dr NG Man-lun  
Clinical Co-Director  
Academy of Family Therapy

Dr HONG Kwai-wah  
Specialist in Psychiatry

**Clerk in** : Ms Amy YU  
**attendance** Chief Council Secretary (2) 6

**Staff in** : Mr Stephen LAM  
**attendance** Senior Assistant Legal Adviser 2

Miss Josephine SO  
Senior Council Secretary (2) 6

Miss Meisy KWOK  
Legislative Assistant (2) 6

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**I. Meeting with the Administration and relevant medical professionals**

(File Ref: SB CR 1/3231/13)

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee discussed with four medical professionals on issues relating to gender identity disorder ("GID")/gender dysphoria ("GD"), including treatment for patients with GID/GD.

Follow-up actions arising from the discussion

Admin 3. The Bills Committee requested the Administration to provide more detailed information on the prevalence rates of people suffering from GID/GD by countries and regions.

**II. Meeting with the Administration**

(LC Paper Nos. CB(2)1692/13-14(01)&(02), CB(2)1590/13-14(03), CB(2)1684/13-14(01), CB(2)1203/13-14(02)-(06) and CB(3)444/13-14)

4. Due to time constraint, the Bills Committee's discussion on the Bill with the Administration was deferred to the next meeting.

**III. Any other business**

Date of next meeting

5. The Bills Committee agreed that the next meeting be held on Tuesday, 10 June 2014, at 4:30 pm. As some members had expressed a wish to continue discussion with the medical professionals, it was also agreed that the five medical professionals who had attended this meeting and the Bills Committee meeting on 20 May 2014 would be invited to the next meeting.

6. There being no other business, the meeting ended at 10:30 am.

**Proceedings of the sixth meeting of the  
Bills Committee on Marriage (Amendment) Bill 2014  
on Thursday, 5 June 2014, at 8:30 am  
in Conference Room 1 of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<i>Agenda Item I - Meeting with the Administration and relevant medical professionals</i>			
000400 – 000724	Chairman	Opening remarks	
000725 – 001836	Chairman Dr HO Pui-tat	Briefing by Dr HO Pui-tat, Associate Consultant of Kwai Chung Hospital, on gender identity disorder ("GID")/gender dysphoria ("GD") in Hong Kong and treatment services provided under the Hospital Authority ("HA") for patients with GID/GD (LC Paper No. CB(2)1708/13-14(02)).	
001837 – 002142	Chairman Dr Greg MAK	Briefing by Dr Greg MAK Kai-lok, Associate Consultant of Castle Peak Hospital.	
002143 – 003023	Chairman Dr NG Man-lun	Briefing by Dr NG Man-lun, Clinical Co-Director of The Academy of Family Therapy.	
003024 – 003924	Chairman Dr HONG Kwai-wah	Briefing by Dr HONG Kwai-wah, Specialist in Psychiatry (LC Paper No. CB(2)1708/13-14(03)).	
003925 – 004529	Chairman Dr Priscilla LEUNG Dr HONG Kwai-wah	Dr Priscilla LEUNG's enquiry and Dr HONG Kwai-wah's response on whether, from the medical point of view, transsexual persons who had received sex re-assignment surgeries ("SRS") were regarded as persons with disabilities; and whether there were cases where transsexual persons who had undergone part of or full SRS subsequently sought to revert to their biological sex.	
004530 – 005013	Chairman Mr MA Fung-kwok Dr HONG Kwai-wah	Mr MA Fung-kwok's enquiry and Dr HONG Kwai-wah's explanation on the diagnostic criteria for GID/GD and variation in the extent of desire to undergo SRS for patients suffering from different degree of GID/GD.	
005014 – 010610	Chairman Ms Starry LEE Dr NG Man-lun Mr Tommy CHEUNG Dr HO Pui-tat Admin Mr CHAN Kin-por	Ms Starry LEE and Mr CHAN Kin-por considered that a balance should be struck between the rights of transsexual persons and the rights of other affected persons. They sought Dr NG Man-lun's views in this regard.  Mr CHAN Kin-por was of the view that the degree of social acceptance of transsexual persons was an important factor which needed to be taken into account. He expressed concern whether a low threshold for qualification of transsexual persons to marry in their preferred gender would receive social acceptance.	

Time marker	Speaker	Subject(s)	Action required
		<p>Mr Tommy CHEUNG's enquiry and Dr HO Pui-tat's explanation on -</p> <p>(a) whether patients diagnosed as suffering from GD were regarded as persons with disabilities; and</p> <p>(b) the age groups of patients suffering from GD.</p> <p>Mr Tommy CHEUNG noted the prevalence rates of people suffering from GID/GD worldwide. He requested the Administration to provide more detailed information on such rates by countries and regions.</p>	<b>Admin</b>
010611 – 011011	<p>Chairman Mr YIU Si-wing Dr NG Man-lun Dr HONG Kwai-wah</p>	<p>Mr YIU Si-wing's enquiry and the medical professionals' advice on the likelihood/risk of a child having GD if his/her parents were homosexual.</p>	
011012 – 011542	<p>Chairman Ms Emily LAU Dr Greg MAK Mr CHAN Kin-por Dr HONG Kwai-wah</p>	<p>In response to Ms Emily LAU's enquiry on whether the Administration had any plan to allocate more resources to treatment services for transsexual persons, Dr Greg MAK advised that it was the plan of HA to improve the treatment services provided for patients diagnosed as suffering from GID/GD. A dedicated medical centre for transsexuals would be established at the Prince of Wales Hospital to meet the increasing demand.</p>	
011543 – 012045	<p>Chairman Ms Cyd HO Dr NG Man-lun</p>	<p>Ms Cyd HO sought the view of Dr NG Man-lun on the appropriateness of the full SRS requirement proposed in the Bill. Ms HO held the view that if it was expressly provided in legislation that a full SRS was the requirement for gender change for the purpose of marriage, it would constitute a form of torture. She questioned whether the full SRS requirement proposed in the Bill was too high a threshold.</p>	
012046 – 012520	<p>Chairman Mr Paul TSE Dr HO Pui-tat Dr NG Man-lun</p>	<p>Mr Paul TSE's enquiry and the medical professionals' response on the extent of rights transsexual persons wished to enjoy.</p>	
012521 – 013033	<p>Chairman Dr Helena WONG Dr HONG Kwai-wah</p>	<p>Dr Helena WONG invited the views of medical professionals on whether the definition of "full SRS" under the proposed new section 40A(2), which involved both the surgical removal and construction of genital organs, could cater for transsexuals in different situations and help ameliorate their difficulties.</p>	
013034 – 013553	<p>Chairman Dr Fernando CHEUNG Dr HONG Kwai-wah Dr NG Man-lun</p>	<p>Dr Fernando CHEUNG sought the views of the medical professionals on whether the requirement of full SRS would cause anxiety and distress in transsexual persons who were not willing to go through full SRS and would have the effect of coercing such transsexual persons to undergo full SRS in order to be granted the right to marry in their preferred gender.</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
013554 – 014019	Chairman Mr Christopher CHUNG Dr HONG Kwai-wah	Mr Christopher CHUNG sought clarification whether a person with GID/GD who had subsequently undergone SRS would be regarded as a person with disability.	
014020 – 014503	Chairman Mr CHAN Chi-chuen Dr NG Man-lun	Mr CHAN Chi-chuen sought the views of Dr NG Man-lun on the treatment process for patients with GID/GD and whether the trend in other countries towards liberalization in the requirement for gender recognition were caused by changes in social attitude or in response to recommendations of the medical sector.	
014504 – 015040	Chairman Mr KWOK Wai-keung Dr HO Pui-tat Dr HONG Kwai-wah	Mr KWOK Wai-keung sought the advice of the medical professionals on the yardsticks for assessing the mental and psychological conditions of a transsexual person in ascertaining his/her readiness for gender change.	
015041 – 020120	Chairman Deputy Chairman Dr Helena WONG Dr Fernando CHEUNG Mr Paul TSE Mr Tommy CHEUNG Ms Emily LAU	The Deputy Chairman, Dr Helena WONG and Dr Fernando CHEUNG expressed a wish to continue discussion with the medical professionals at another meeting of the Bills Committee.  Scheduling of further meetings.  Date of and arrangements for the next meeting.	