

# 立法會 *Legislative Council*

LC Paper No. CB(3)113/14-15

## **Paper for the House Committee meeting of 7 November 2014**

### **Questions scheduled for the Legislative Council meeting of 12 November 2014**

Questions by:

- |      |  |                                |
|------|--|--------------------------------|
| (1)  | Hon Alice MAK  | (Oral reply)                   |
| (2)  | Hon Emily LAU<br><i>(Replacing her previous question)</i>                          | (Oral reply) (New question)    |
| (3)  | Hon WONG Yuk-man   | (Oral reply)                   |
| (4)  | Hon Dennis KWOK  | (Oral reply)                   |
| (5)  | Dr Hon KWOK Ka-ki  | (Oral reply)                   |
| (6)  | Hon TANG Ka-piu<br><i>(Hon NG Leung-sing has given up the<br/>question slot)</i>   | (Oral reply) (New question)    |
| (7)  | Prof Hon Joseph LEE  | (Written reply)                |
| (8)  | Dr Hon LAM Tai-fai<br><i>(Replacing his previous question)</i>                     | (Written reply) (New question) |
| (9)  | Dr Hon Kenneth CHAN  | (Written reply)                |
| (10) | Hon KWOK Wai-keung   | (Written reply)                |
| (11) | Hon TANG Ka-piu  | (Written reply)                |
| (12) | Hon Charles Peter MOK  | (Written reply)                |
| (13) | Hon Kenneth LEUNG  | (Written reply)                |
| (14) | Hon LEUNG Yiu-chung  | (Written reply)                |
| (15) | Prof Hon Joseph LEE  | (Written reply)                |
| (16) | Dr Hon KWOK Ka-ki<br><i>(Hon Abraham SHEK has given up the<br/>questison slot)</i> | (Written reply) (New question) |
| (17) | Hon LEUNG Yiu-chung  | (Written reply)                |
| (18) | Hon James TIEN   | (Written reply)                |
| (19) | Dr Hon Elizabeth QUAT  | (Written reply)                |
| (20) | Hon Emily LAU  | (Written reply)                |
| (21) | Hon CHAN Hak-kan   | (Written reply)                |
| (22) | Hon Paul TSE   | (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

Compliance with the International Covenant on Civil and Political Rights in the selection of the Chief Executive by universal suffrage

(2) Hon Emily LAU (Oral reply)

According to Article 25(b) of the International Covenant on Civil and Political Rights (“ICCPR”), citizens shall have the right and the opportunity, without unreasonable restrictions, to vote and to be elected at elections. On the other hand, the Standing Committee of the National People’s Congress (“NPCSC”) made a decision on 31 August this year on issues such as the selection of the Chief Executive (“CE”) of the Hong Kong Special Administrative Region (“SAR”) by universal suffrage (“the NPCSC decision”). The United Nations Human Rights Committee (“UNHRC”) convened a meeting in Geneva on the 23rd of last month to consider matters relating to the implementation of universal suffrage for the selection of CE in the Hong Kong SAR in accordance with ICCPR. It has been reported that UNHRC was of the view that Hong Kong should take all necessary measures to implement the rights of universal suffrage in conformity with ICCPR and that Hong Kong’s performance in following UNHRC’s recommendations was not satisfactory. In this connection, will the executive authorities inform this Council:

- (1) whether they have assessed if the selection of CE by universal suffrage in 2017, conducted under the framework of the NPCSC decision, will comply with the requirement of UNHRC; if the assessment outcome is in the negative, how the authorities will deal with the issue, including how and when they will give a reply to UNHRC; whether the authorities will formulate a universal suffrage system for the selection of CE in 2017 in compliance with the requirement of UNHRC, so as to ensure that Hong Kong people will enjoy the equal right to vote and to stand for election without unreasonable restrictions; if they will, of the details; if not, the reasons for that;
- (2) whether they have assessed if the Government has an obligation to ensure that the method for selecting CE by universal suffrage in 2017 complies with the relevant requirements of ICCPR; if the assessment outcome is in the affirmative, how the authorities will honour such obligation; if the assessment outcome is in the negative, of the justifications; and
- (3) as officials of both the Central Government and the Hong Kong SAR Government have said that Hong Kong shall follow the Basic Law and the NPCSC decision but not ICCPR in implementing universal suffrage and that the Government of the United Kingdom made a reservation not to apply Article 25(b) when it extended ICCPR to Hong Kong, what justifications, apart from the reservation, the authorities have in support of the statement that the universal suffrage system in Hong Kong is not regulated by ICCPR?

Industrial accidents at  
the Hong Kong-Zhuhai-Macao Bridge construction sites

(6) Hon TANG Ka-piu (Oral reply)

It has been reported that industrial accidents occurred incessantly at the construction sites of the Hong Kong-Zhuhai-Macao Bridge related local projects (“the HZMB projects”) since their commencement in 2009, including cases occurring this year in which several workers died after falling into the sea and one in which several workers fell from a collapsed working platform. Some trade unions have expressed worries that the contractors may neglect industrial safety in a bid to catch up with works progress to meet the target of completing HZMB in 2016. In this connection, will the Government inform this Council:

- (1) in each year since 2009, of a breakdown of the number of industrial accidents related to the HZMB projects by accident type, the resultant casualties, the causes and injury rate of such accidents, and how such rate compares to that of the industrial accidents of the construction sector throughout Hong Kong; the respective numbers of regular and surprise inspections conducted at the construction sites of the HZMB projects, the respective numbers and a breakdown of suspension notices and improvement notices issued, and the number of prosecutions instituted against contractors under the Factories and Industrial Undertakings Ordinance, by the Labour Department (“LD”); and the total fines imposed on contractors;
- (2) of the monitoring measures put in place by LD to ensure the safety of the medium-risk and high-risk processes for the HZMB projects, such as work-at-height, lifting operations, operation of heavy plant and machinery and work-at-height above sea level; whether the authorities will review the legislation governing the relevant work processes; if they will, of the timetable; if not, the reasons for that; and
- (3) whether it knows if the current progress and costs of the HZMB projects are on target; if there are delays in the HZMB projects, whether contractors have required their workers to work overtime to catch up with the works progress; if they have, of the average duration of overtime work that workers (including imported labour) need to perform each week; what measures the authorities have put in place to ensure sufficient rest time for workers so as to prevent the occurrence of industrial accidents?

Teaching of the subjects of Chinese History and  
National Education in secondary schools

(8) Dr Hon LAM Tai-fai (Written reply)

On 8 September 2012, the Chief Executive announced changes to the policy on implementing the Moral and National Education (“MNE”) subject in secondary schools. Under the new policy, school sponsoring bodies may decide on their own whether the MNE subject should be taught and whether it should be taught as an independent subject in the curriculum of the secondary schools under their sponsorship. In view of the latest political situation in recent days, quite a number of members of the education sector have pointed out that young people in Hong Kong have inadequate understanding of our country and its situation, and they have therefore requested that the MNE subject be implemented again and the Chinese History subject be made compulsory in the secondary school curriculum. However, in reply to my question on the 29th of last month, the Secretary for Education did not directly respond to whether he would revoke the decision on shelving the implementation of the MNE subject and said that students could learn Chinese history through the subjects of Chinese Language, Liberal Studies and Geography. In this connection, will the Government inform this Council:

- (1) whether it will consider afresh requiring various secondary schools to teach Chinese History as an independent subject in the curriculum of the junior secondary level; if it will, of the details; if not, the reasons for that;
- (2) whether it will make the Chinese History subject compulsory in the curricula of the junior and senior secondary levels; if it will, of the respective details; if not, the reasons for that;
- (3) whether it has compiled statistics on the number of secondary schools which currently teach Chinese History as a compulsory subject in the curriculum of the junior secondary level; if it has, of the details; if not, the reasons for that;
- (4) whether it has compiled statistics on the number of secondary schools which currently teach Chinese History as a compulsory subject in the curriculum of the senior secondary level; if it has, of the details; if not, the reasons for that;
- (5) whether it has gauged the effectiveness of students learning Chinese history through the subjects of Chinese Language, Liberal Studies and Geography; if it has, of the details and effectiveness; if not, the reasons for that;
- (6) whether it knows the respective candidates who applied to sit for the examinations of the Chinese History subject in the Hong Kong Certificate of Education Examination, the Hong Kong Advanced Level Examination and the Hong Kong Diploma of Secondary Education Examination in each year since 1997;

- (7) whether it knows the number of local secondary school students admitted by each local university as undergraduates majoring in Chinese History and the total number of undergraduates majoring in Chinese History, in each year since 1997;
- (8) given that following the decision of the Education Bureau in 2000 not to make the Chinese History subject compulsory, there has been a general downward trend in the number of students sitting for the examinations of the Chinese History subject in public examinations, whether it has reviewed if the decision made in that year was wrong; if it has conducted such a review, of the details; if not, the reasons for that;
- (9) whether the authorities will revoke within the current term of the Government the decision to shelve the implementation of the MNE subject; if they will, of the timetable; if not, the reasons for that;
- (10) whether it has regularly and comprehensively reviewed the feasibility of revoking the decision to shelve the implementation of the MNE subject; if it has, of the details; if not, the reasons for that;
- (11) whether it knows the numbers of primary and secondary schools in Hong Kong which are currently implementing the MNE subject and the relevant details (including the mode of teaching, teaching hours and qualifications of the teachers concerned); and
- (12) whether it has provided guidance or support for the primary and secondary schools which are implementing the MNE subject and monitored the effectiveness of teaching and learning of the subject; if it has, of the details; if not, the reasons for that?

## Police's purchase and use etc. of arms

(16) Dr Hon KWOK Ka-ki (Written reply)

It was reported in the press on 28 October this year that the Police had purchased arms totaling £1.4 billion from the United Kingdom ("UK") since 2008. Regarding the Police's purchase and use etc. of arms, will the Government inform this Council:

- (1) of the countries other than UK from which the Police purchased arms in the past five years, and the criteria for choosing suppliers of arms;
- (2) of the quantity, expenditure involved, closing inventory and usage of the various types of arms purchased by the Police each year from 2010 till the end of October this year, and set out such information in tables of the same format as Table 1;

Table 1

Year : \_\_\_\_\_

Type of arms	Quantity purchased	Expenditure involved	Closing inventory	Usage
Sniper rifle				
Assault rifle				
Machine gun				
Rifle				
Semi-automatic pistol				
General purpose machine gun				
Submachine gun				
Tear gas round				

- (3) of the respective specific criteria adopted by the Police for deciding the purchase quantity and inventory level of the arms mentioned in (2);
- (4) of the guidelines issued by the Police to police officers on the use of the arms mentioned in (2), and the lowest ranks of the police officers who are authorized to approve the use of such arms respectively, and set out such information in Table 2;

Table 2

Type of arms	Guidelines on the use of arms	Lowest rank of police officers authorized to approve the use of arms
Sniper rifle		
Assault rifle		
Machine gun		
Rifle		
Semi-automatic pistol		
General purpose machine gun		
Submachine gun		
Tear gas round		

- (5) of the specific occasions on which police officers used the arms mentioned in (2) in the past five years and the respective casualties inflicted by the use of such arms, and set out such information in Table 3;

Table 3

Type of arms	Specific occasions on which arms were used	Casualties inflicted
Sniper rifle		
Assault rifle		
Machine gun		
Rifle		
Semi-automatic pistol		
General purpose machine gun		
Submachine gun		
Tear gas round		

- (6) of the details of the complaints received by the Police in the past five years about police officers' use of the arms mentioned in (2), including (i) the number of complaints, (ii) the number of cases substantiated among these complaints, (iii) the number of police officers involved, and (iv) the number of police officers who were disciplined for misuse of arms, and set out such information in Table 4; and

Table 4

Type of arms	(i)	(ii)	(iii)	(iv)
Sniper rifle				
Assault rifle				
Machine gun				
Rifle				
Semi-automatic pistol				
General purpose machine gun				
Submachine gun				
Tear gas round				

- (7) whether the Police will review the guidelines or codes on the use of arms to ensure that the arms mentioned in (2) will not be abused as well as to reduce the casualties inflicted by the use of such arms; if they will, of the timetable?