

立法會
Legislative Council

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**Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link
(Co-location) Bill**

**Minutes of the ninth meeting
held on Saturday, 7 April 2018, at 9:00 am
in Conference Room 1 of the Legislative Council Complex**

Members present : Hon Mrs Regina IP LAU Suk-yee, GBS, JP (Chairman)
Hon CHEUNG Kwok-kwan, JP (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon Starry LEE Wai-king, SBS, 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 Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon WU Chi-wai, MH
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon Dennis KWOK Wing-hang
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
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Alvin YEUNG
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
Hon CHAN Chun-ying
Hon Tanya CHAN
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
Hon Gary FAN Kwok-wai
Hon AU Nok-hin
Hon Vincent CHENG Wing-shun, MH
Hon Tony TSE Wai-chuen, BBS

**Members
absent**

: Hon James TO Kun-sun
Hon Abraham SHEK Lai-him, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon YIU Si-wing, BBS
Hon CHAN Han-pan, JP
Hon KWOK Wai-keung, JP
Dr Hon CHIANG Lai-wan, JP
Hon Andrew WAN Siu-kin
Hon HUI Chi-fung
Dr Hon Pierre CHAN

Member

: Hon Martin LIAO Cheung-kong, SBS, JP

attending

Public officers attending : Agenda Item I

Transport and Housing Bureau

Mr Frank CHAN Fan, JP
Secretary for Transport and Housing

Ms Rebecca PUN Ting-ting, JP
Deputy Secretary for Transport and Housing
(Transport) 1

Mr Andy LAM Siu-hong
Principal Assistant Secretary for Transport and Housing
(Transport) 3

Mr Ronald CHENG Long-fung
Assistant Secretary for Transport and Housing
(Transport) 3C

Department of Justice

Mr Dominic LAI Kai-sang
Deputy Law Officer (Civil Law)(Advisory)

Mr Llewellyn MUI Kei-fat
Deputy Solicitor General (Constitutional Affairs) (Acting)

Mr Lawrence PENG Si-yun
Senior Assistant Law Draftsman

Mr Henry CHAN Ngai-him
Senior Government Counsel

Security Bureau

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

Mr Parson LAM Chun-wah
Principal Assistant Secretary for Security D

Attendance by invitation : Agenda Item I

Session one

Mr KWAN Chun-kit

陳志興先生

Ms LEE Yuek-ping

陳永德先生

Ms FUNG Wing-yin

香港工商專業界一地兩檢關注組

Mr LEE Yiu-sun
Representative

Co-location Arrangement Concern Alliance

Mr Clarence LEUNG Wang-ching
Spokesman

Tai Po Youth Association

Mr MUI Siu-fung
Vice Chairman

Mr POON Cheuk-hong

Vibrant TST West

Mr LEUNG Hang-fai
Vice-Chairperson

Mr Timothy LAU Tin-ching

單志明先生

梁文廣先生

The Chinese General Chamber of Commerce

Mr LAU Kar-wah
Committee Member

The Chinese Manufacturers' Association of Hong Kong

Dr WONG Chun
Deputy Chairman

左匯雄先生

Session two

Labour Party

Mr MAK Tak-ching
Vice Chairman

Mr CHIU Yan-loy

Mr HO Wai-lun

Mr KWOK Wing-kin

Southern Keen Youth

Miss LAM Wing-yee
Vice-Chairman

Mr Matthew HUI

Kowloon Chamber of Commerce

Mr Homer YU
Secretary of Business Affairs Department

Mr TONG Tak-chun

Real Hong Kongers' view

Mr LAM Wai-hong

Representative

Doctoral Exchange

Mr CHEUNG Francis-neoton
Convenor

Mr Riben LI Kai-lap

Mr TSOI Hing-fa

Island West Dynamic Movement

Mr Sam YIP Kam-lung
Convener

Democratic Party

Mr LO Chun-yu
Representative

Internet Professional Association

Mr Kenny CHIEN Kwok-keung
Vice President

Mr TSUI Pui-hung

Mr CHAN Chung-yu

Hong Kong Innovative Technology Development
Concern Group

Mr CHAN Tik-yuen
Convenor

The Hong Kong Taoist Association

Mr HAU Wing-cheong
Vice Chairman

Hong Kong Volunteers Federation

Mr Hoffman MA Ho-man

Executive Vice-Chairman

League in Defense of Hong Kong's Freedoms

Mr James HON
Convener

Hong Kong Tourism Association

Mr Timothy CHUI
Executive Director

Alliance for Peace and Democracy

Mr CHOW Yung

Session three

Association of Engineering Professional in Society Ltd

Mr LEE Ping-kuen
Honorary Secretary

Mr LAM Hon-wai

萬子殷先生

Travel Industry Council of Hong Kong

Mr Jason WONG
Chairman

Mr Erwin CHU Hock-hoi

Ap Lei Chau Care Association

Mr TAN Jinjie
Chairman

Miss Tracy LEUNG Pik-man

Yuen Long District Women's Association Limited

Mrs LAM Wai-ming
Chairlady

Mr Tony TANG Hing-tin

Hong Kong Youth Cultural And Entertainment
Association

Mr CHONG Hiu-yue
Chairperson

Hong Kong Bar Association

Mr Philip DYKES
Member of the Bar Council

Mr WONG Kai-yeung

香港陽光協會

謝緯武先生
會長

自由黨青年團

張景勛先生
團長

中西區交通關注組

馮家亮先生
召集人

Mr FU Ka-ho

Session four

Mr CHIU Chi-keung

Mr Andrew YU

陳建業先生

劉懿樂小姐

李嘉欣小姐

Federation of Hong Kong Industries

Mr KWOK Chun-wah
Chairman

Hong Kong Power Youth Association

Mr LAM Sze-ho
Vice President

Mr LEUNG Wing-yan

Mr LEE Chee-chung

The Association of Zhuangzi Culture & Research of
Hong Kong

Mr CHONG Wai-cheung
會長

Hong Kong Federation of Railway Trade Unions

Mr TAM Kin-chiu
Officer

新界元朗區坊眾互助會

Mr NGAI Kam-fai
主席

Mr TAM Hoi-pong

Mrs LAM Hang-ngoi

Hong Kong Auto Parts Industry Association

Mr LUI Sun-wing

Honorary President

Long Ping Resident Association

Ms CHAN Wai-ching

副會長

香港軍事觀察者聯盟

張智文先生

主席

Mr HO Wai

李鎮強先生

東區區議員

Railway Reform Association

Mr August TAM Wai-lam

Committee

香港中華攝影學會

Mr NG Lin-sing

永遠名譽會長

Dr YIM Fung

Mr Steve CHEUNG Kwan-kiu

Mr LEE Ka-ho

Mr LEE Kwok-pong

Mr WHY..

陳鑑波先生

黃君焯先生

謝雪英女士

Session five

The Hong Kong Island Federation

Mrs Carol CHEUNG Nga-lai
Vice President

The Chinese Manufacturers' Association of Hong Kong
Youth Committee

Mr NG Kevin-king Hon
Chairman

Heung To Middle School Alumni Association Ltd

Mr LEUNG Moon-lun
General Secretary

Hong Kong All Youth Alliance

Mrs WONG Chui-lan
Chairlady

Yung Ming-chau Michael's District Councillor Office

Mr Michael YUNG Ming-chau
District Councillor

Business Environment Council Limited

Mr LIN Chi-wai
Director of Development

Hong Kong Higher Education Convergence

Mr TAM Wing-hong
Chief Executive

Mr Joe LAM

The International Institute of Management

Dr LAN Hong-tsung
President

香港註冊中醫學會

陳仿陽先生
名譽會長

荃灣青年會

王緯綸先生
幹事

林婉濱女士

香港旅遊業僱員總會

Mr LAM Chi-ting

香港專業導遊總工會

鄧余莉華女士
主席

香港外遊領隊協會

陳兆麟先生
主席

Mr WONG Kai-chun

Hong Kong Chinese Institute of Engineers

Ir Aaron TONG
Chairman

The Hong Kong Registered Contractors Association

Mr Andrew KWOK Chi-wah
President

Hong Kong Federation of Innovative Technologies and
Manufacturing Industries

Prof CHAN Kei-biu
Representative

**Clerk in
attendance** : Ms Sophie LAU
Chief Council Secretary (4)2

Mr Daniel SIN
Chief Council Secretary (4)3

**Staff in
attendance** : Mr Timothy TSO
Senior Assistant Legal Adviser 1

Miss Joyce CHAN
Assistant Legal Adviser 1

Miss Joyce CHING
Senior Council Secretary (4)2

Ms Jacqueline LAW
Council Secretary (4)2

Miss Mandy LAM
Legislative Assistant (4)2

I. Meeting with deputations/ individuals and the Administration

The Chairman remarked that the Bills Committee would receive views of deputations and individuals, who had requested to attend one of the five sessions held this day; and that there would be a 50-minute meal break at about 1:00 pm. The Bills Committee deliberated (Index of proceedings attached at **Annex**).

Procedural matters

2. At the juncture of 11:32 am, the Chairman ordered the removal of a number of deputations from the meeting due to their behavior in a disorderly manner.

Discussions

3. The Bills Committee received views from 103 deputations/individuals attending the meeting, and noted 27 written submissions from deputations/individuals who did not attend the meeting.

4. The Bills Committee requested the Administration to provide an overall response to the views expressed by deputations/individuals at the meeting.

(Post-meeting note: The Administration's written response to views expressed by deputations/individuals at the meetings of 17 March and 7 April 2018 was circulated to members vide LC Paper No. CB(4)947/17-18(05) on 20 April 2018.)

II. Any other business

5. There being no other business, the meeting ended at 7:36 pm.

Council Business Division 4
Legislative Council Secretariat
8 June 2020

**Proceedings of the ninth meeting of the
Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location)
Bill
held on Saturday, 7 April 2018, at 9:00 am
in Conference Room 1 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
Meeting with deputations / individuals and the Administration			
<i>Session one</i>			
001010- 001504	Chairman	Welcoming remarks and meeting arrangement	
001505- 001736	Chairman Administration	Introduction	
001737- 001959	Chairman Mr KWAN Chun-kit	Presentation of views	
002000- 002313	Chairman 陳志興先生	Presentation of views	
002314- 002545	Chairman Ms LEE Yuek-ping	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(01) (Chinese version only)).	
002546- 002839	Chairman 陳永德先生	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(02) (Chinese version only)).	
002840- 003129	Chairman Ms FUNG Wing-yin	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(03) (Chinese version only)).	
003130- 003446	Chairman 香港工商專業界一 地兩檢關注組	Presentation of views as set out in submission (LC Paper No. CB(4)969/17-18(06) (Chinese version only)).	
003447- 003746	Chairman Co-location Arrangement Concern Alliance	Presentation of views	

Time Marker	Speaker(s)	Subject(s)	Action required
003747-004039	Chairman Tai Po Youth Association	Presentation of views	
004040-004331	Chairman Mr POON Cheuk-hong	Presentation of views	
004332-004655	Chairman Vibrant TST West	Presentation of views	
004656-005003	Chairman Mr LAU Tin-ching Timothy	Presentation of views	
005004-005307	Chairman 單志明先生	Presentation of views	
005308-005558	Chairman 梁文廣先生	Presentation of views	
005559-005923	Chairman The Chinese General Chamber of Commerce	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(05) (Chinese version only)).	
005924-010239	Chairman The Chinese Manufacturers' Association of Hong Kong	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(25) (Chinese version only)).	
010240-010532	Chairman 左匯雄先生	Presentation of views	
010533-010754	Chairman Administration	The Administration's response to the views expressed by deputations/individuals at the meeting.	
010755-010999	Chairman Ms Tanya CHAN Mr Gary FAN	Chairman's remark on meeting arrangement.	
011000-011406	Chairman Ms Tanya CHAN Administration	Ms CHAN enquired about the recent incident of the derailment of a high-speed rail train during trial run at the Shek Kong Stabling Sidings on 3 April 2018 ("derailment incident"), and whether investigation would be conducted in relation to the safety of the trains before the commissioning of the Hong Kong	

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		<p>Section ("HKS") of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("XRL").</p> <p>The Administration responded that both the MTR Corporation Limited ("MTRCL") and the Administration were conducting independent investigations into the incident. The Administration would ensure safety of the operation of the XRL.</p>	
011407-011902	Chairman Mr Gary FAN Administration	<p>Mr FAN requested the Administration to provide forecasts on patronage of the HKS of the XRL, cost and benefit analysis of the XRL and to quantify the economic benefits to be brought by the XRL to Hong Kong's economy.</p> <p>The Administration responded that relevant forecasts had been provided to the Legislative Council ("LegCo") previously, and the Administration would publish latest statistics on the economic benefits brought by the XRL subsequently.</p>	
011903-012337	Chairman Ms Starry LEE Administration	<p>Ms Lee enquired about the legislative timetable for the Bill and whether the Bills Committee had to complete the scrutiny of the Bill by a certain time in order that the HKS of the XRL could be commissioned within the anticipated timeframe.</p> <p>The Administration responded that for the HKS of the XRL to be commissioned in September 2018, it would be necessary for the Bill to be passed by LegCo within the 2017-2018 legislative session, and thus essential for the Bills Committee to complete the scrutiny of the Bill in May 2018.</p>	
012338-012612	Chairman Mr Holden CHOW	<p>Mr CHOW expressed support for the co-location arrangement and called for the passage of the Bill to ensure timely commissioning of the HKS of the XRL to meet the public's expectations.</p>	
012613-013020	Chairman Mr Alvin YEUNG Administration	<p>Mr YEUNG enquired about the recent derailment incident and timetable for MTRCL and the Administration to publish their investigation reports.</p> <p>The Administration responded that MTRCL might provide an initial response to the incident very soon, and reports would be published once investigation into the incident was completed.</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
013021-013425	Chairman Mr Kenneth LEUNG Administration	Mr LEUNG enquired about the conduct of further testing to ensure railway safety and investigation of the derailment incident. The Administration responded that it would continue to conduct different testing to ensure railway safety, and would report findings of the investigation to the Subcommittee on Matters Relating to Railways in due course.	
013426-013830	Chairman Mr Jeffrey LAM	Mr LAM urged the Administration to take actions expeditiously to rectify any problem arising from the derailment incident.	
013831-014446	Chairman Mr LEUNG Che-cheung Administration	Mr LEUNG suggested the Administration to launch more publicity programmes to educate the public regarding the legality of the co-location arrangement and benefits that the XRL would bring to Hong Kong. The Administration took note of the member's suggestion.	
014447-014949	Chairman Dr Priscilla LEUNG Administration	Dr LEUNG suggested the Administration to explain to the public the constitutional and legal basis of the co-location arrangement. The Administration took note of the member's suggestion.	
014950-015419	Chairman Mr Jeremy TAM Administration	Mr TAM enquired whether the HKS of the XRL would extend to the Hong Kong Island. The Administration responded that Hong Kong terminus of the HKS of the XRL would be at the West Kowloon Station ("WKS").	
015420-015901	Chairman Mr WONG Ting- kwong Administration	Mr WONG suggested the Administration to organize site visits and seminars on how the Mainland authorities would carry out duties at the WKS for the public to better understand the co-location arrangement. The Administration responded that open days would be organized after construction works of the HKS of the XRL were completed.	
015902-020322	Chairman Mr Paul TSE	Mr TSE commented that the Bills Committee should focus its discussion on the constitutional and legal	

Time Marker	Speaker(s)	Subject(s)	Action required
	Chairman	basis of the Bill and made suggestions on the meeting arrangement.	
020323-020642	Chairman Mr Gary FAN Administration	Mr FAN requested the Administration to provide statistics regarding economic benefits to be brought about by the XRL vis-a-vis the cost of constructing the HKS of the XRL. The Administration reiterated its stance.	
<i>Session two</i>			
022000-022133	Chairman	Introductory remarks	
022134-022448	Chairman Labour Party	Presentation of views	
022449-022745	Chairman Mr CHIU Yan-loy	Presentation of views	
022746-023049	Chairman Mr HO Wai-lun	Presentation of views	
023050-023353	Chairman Mr KWOK Wing-kin	Presentation of views	
023354-023606	Chairman Southern Keen Youth	Presentation of views	
023607-023735	Chairman	The Chairman directed that some deputations be removed from the meeting due to their behavior in a disorderly manner.	
023736-023811	Chairman Mr Matthew HUI	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(07) (Chinese version only)).	
023812-024122	Chairman Kowloon Chamber of Commerce	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(07) (Chinese version only)).	
024123-024342	Chairman Mr TONG Tak-chun	Presentation of views	
024343-024604	Chairman Real Hong Kongers' view	Presentation of views as set out in submission (LC Paper No. CB(4)825/17-18(03) (Chinese version only)).	

Time Marker	Speaker(s)	Subject(s)	Action required
024605-024916	Chairman Doctoral Exchange	Presentation of views as set out in submission (LC Paper No. CB(4)861/17-18(01) (Chinese version only)).	
024917-025201	Chairman Mr LI Kai-lap Riben	Presentation of views	
025202-025514	Chairman Mr TSOI Hing-fa	Presentation of views	
025515-025822	Chairman Island West Dynamic Movement	Presentation of views	
025823-030139	Chairman Democratic Party	Presentation of views	
030140-030405	Chairman Internet Professional Association	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(09) (Chinese version only)).	
030406-030633	Chairman Mr TSUI Pui-hung	Presentation of views	
030634-030846	Chairman Mr CHAN Chung-yu	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(10) (Chinese version only)).	
030847-031149	Chairman Hong Kong Innovative Technology Development Concern Group	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(11) (Chinese version only)).	
031150-031428	Chairman The Hong Kong Taoist Association	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(12) (Chinese version only)).	
031429-031747	Chairman Hong Kong Volunteers Federation	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(13) (Chinese version only)).	
031748-032057	Chairman League in Defense of Hong Kong's Freedoms	Presentation of views	

Time Marker	Speaker(s)	Subject(s)	Action required
032058-032410	Chairman Hong Kong Tourism Association	Presentation of views as set out in submission (LC Paper No. CB(4)878/17-18(01) (Chinese version only)).	
032411-032822	Chairman Alliance for Peace and Democracy	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(46) (Chinese version only)).	
032823-033822	Chairman Administration	The Administration's response to the views expressed by deputations/individuals at the meeting.	
033823-034704	Chairman Mr Dennis KWOK Administration	<p>Mr KWOK concurred with the views of the Hong Kong Bar Association ("HKBA") that the co-location arrangement would contravene Article 18 of the Basic Law ("BL") and had the effect of undermining the jurisdiction of Hong Kong courts.</p> <p>The Administration responded that the intent of Article 18 of the BL ("BL 18") was to restrict the general application of national laws to all persons within the whole territory of the Hong Kong Special Administrative Region ("HKSAR"), while the Bill only sought to provide for the application of Mainland laws over non-reserved matters in the WKS Mainland Port Area ("MPA"). Clause 6(1) of the Bill also provided that for reserved matters, Hong Kong courts would apply Hong Kong laws to adjudicate matters relating to the MPA.</p>	
034705-035203	Chairman Mr CHU Hoi-dick Administration	<p>Mr CHU enquired whether the decision of the Standing Committee of the National People's Congress ("NPCSC") on approving and endorsing the Co-operation Arrangement was legally binding on the HKSAR, having regard to the relationship between the Central Authorities and the HKSAR as set out in Chapter II of the BL.</p> <p>The Administration responded that the decision of the NPCSC was made pursuant to the Constitution of the People's Republic of China ("PRC"). The Administration added that according to the NPCSC's decision, the HKSAR should enact legislation to ensure the implementation of the Co-operation Arrangement.</p>	
035204-035704	Chairman Mr WU Chi-wai Administration	Mr WU enquired whether the Administration was confident that leave for judicial review applications challenging the constitutionality of the enacted	

Time Marker	Speaker(s)	Subject(s)	Action required
		<p>ordinance would not be granted by Hong Kong courts.</p> <p>The Administration responded that Hong Kong courts could exercise jurisdiction and grant leave to judicial review applications challenging the constitutionality of the enacted ordinance. The Administration added that it would make all necessary preparations for the potential legal challenges.</p>	
035705-040109	Chairman Mr SHIU Ka-fai Administration	<p>Mr SHIU expressed his view that the wholesale and retail sector supported the passage of the Bill as the implementation of the co-location arrangement and the construction of the HKS of the XRL would bring long-term benefits to Hong Kong's economy.</p> <p>The Administration concurred with Mr SHIU's view on the long-term economic benefits that the XRL would bring to Hong Kong.</p>	
040110-040525	Chairman Dr Junius HO Administration	<p>Dr HO expressed his view that pursuant to Article 19(2) of the BL, statutory law or legislation could impose restrictions on Hong Kong courts' jurisdiction. He also enquired whether the decision made by the NPCSC on approving the Co-operation Arrangement was legally binding on the HKSAR.</p> <p>The Administration affirmed Dr HO's stance regarding his view on Article 19(2) of the BL. The Administration reiterated that the decision was made by the NPCSC pursuant to the PRC Constitution, and the decision confirmed that the Co-operation Arrangement was consistent with the PRC Constitution and the BL.</p>	
040526-040924	Chairman Mr Paul TSE Administration	<p>Mr TSE expressed his view that the Administration should consider seeking an interpretation by the NPCSC on BL 18 so as to clarify its intent and provide a sound legal basis for the Bill. He also sought examples of legislation restricting Hong Kong courts' jurisdiction pursuant to Article 19(2) of the BL.</p> <p>The Administration reiterated its stance that the Bill was in compliance with the BL. The Administration explained that the International Organizations and Diplomatic Privileges Ordinance (Cap. 190) was an example of a legislation having the effect of</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
		restricting Hong Kong courts' jurisdiction. The Administration explained that clause 6 of the Bill, which sought to provide for the delineation of jurisdiction in the MPA, would have the effect of restricting jurisdiction of Hong Kong courts over non-reserved matters.	
040925-041435	Chairman Ms Starry LEE Administration	<p>Ms LEE stressed that the Bills Committee should focus its discussion on the provisions of the Bill and the co-location arrangement. She opined that in the event that LegCo did not pass the Bill, it would be impossible to implement the co-location arrangement. She remarked that this was a clear demonstration of the high degree of autonomy that the HKSAR enjoyed under the principle of "One Country, Two Systems".</p> <p>The Administration concurred with Ms LEE's view as the Co-operation Arrangement could only take effect upon completing the final step of the "Three-step Process", i.e. local legislation to implement the co-location arrangement.</p>	
<i>Session three</i>			
050607-050819	Chairman Ms Tanya CHAN	<p>Introduction</p> <p>Attendance of deputations</p>	
050820-051155	Chairman Association of Engineering Professional in Society Ltd	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(23) (Chinese version only)).	
051156-051345	Chairman Mr LAM Hon-wai	Presentation of views	
051346-051517	Chairman 萬子殷先生	Presentation of views	
051518-051728	Chairman Travel Industry Council of Hong Kong	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(20) (Chinese version only)).	
051729-051845	Chairman Mr Erwin CHU Hock-hoi	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(21) (Chinese version only)).	

Time Marker	Speaker(s)	Subject(s)	Action required
051846-052138	Chairman Ap Lei Chau Care Association	Presentation of views	
052139-052454	Chairman Miss Tracy LEUNG Pik-man	Presentation of views	
052455-052805	Chairman Yuen Long District Women's Association Limited	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(06) (Chinese version only)).	
052806-053016	Chairman Mr Tony TANG Hing-tin	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(26) (Chinese version only)).	
053017-053315	Chairman Hong Kong Youth Cultural And Entertainment Association	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(27) (Chinese version only)).	
053316-053624	Chairman HKBA	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(29) and CB(4)847/17-18(01) (English version only)).	
053625-053949	Chairman Mr WONG Kai-yeung	Presentation of views	
053950-054300	Chairman 香港陽光協會	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(59) (Chinese version only)).	
054301-054607	Chairman 自由黨青年團	Presentation of views	
054608-054911	Chairman 中西區交通關注組	Presentation of views	
054912-055219	Chairman Mr FU Ka-ho	Presentation of views	
055220-060302	Chairman Administration	The Administration's response to the views expressed by deputations/individuals at the meeting.	
060303-060659	Chairman Ms Claudia MO	Ms MO sought the response from HKBA to the following:	

Time Marker	Speaker(s)	Subject(s)	Action required
	HKBA	<p>(a) the Bill, if passed, would have the effect of restricting the powers of the local courts; and</p> <p>(b) how the rule of law in Hong Kong could be protected if the Bill, which, according to HKBA, would contravene the BL and lacked legal basis, was passed.</p> <p>HKBA's response.</p>	
060700-060954	Chairman Dr Fernando CHEUNG HKBA	Dr CHEUNG sought HKBA's view on whether it was correct to say that the proposed co-location arrangement would not contravene BL 18, provided that it was not applicable to the entire HKSAR, and HKBA's response.	
060955-061302	Chairman Mr Charles Peter MOK HKBA	<p>Mr MOK sought HKBA's response to the following:</p> <p>(a) the Administration's view that the Bill would satisfy the proportionality test;</p> <p>(b) the Bill's contravention of BL 18; and</p> <p>(c) the feasibility of handling the disputes over the Bill by the courts.</p> <p>HKBA's response.</p>	
061303-061610	Chairman Mr CHAN Chi- chuen HKBA	<p>Mr CHAN sought HKBA's response to his following enquiries about:</p> <p>(a) the consequence(s) if the Bill, which, according to HKBA, would contravene BL 18, was passed; and</p> <p>(b) whether the passage of the Bill would set a bad precedent for future legislation.</p> <p>HKBA's response.</p>	
061611-062550	Chairman Deputy Chairman Administration	<p>The Deputy Chairman's view on the handling of disputes over the Bill by the courts.</p> <p>The Deputy Chairman's enquiry about whether the Government had confidence in facing the legal challenges that might arise from the Bill in the future, and the Administration's response.</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
		The Administration's response to HKBA's view that LegCo had no authority to pass the Bill if it contravened the BL.	
062551-063104	Chairman Ms YUNG Hoi-yan Administration	Ms YUNG's enquiries about: (a) the legal basis and principle(s) in support of the proposition that the Bill could satisfy the four-step proportionality test; and (b) whether the Administration had any contingency plan if the co-location arrangement was successfully challenged in subsequent judicial review proceedings. The Administration's response.	
063105-063459	Chairman Mr SHIU Ka-chun Mr WONG Kai-yeung (a deputation)	Mr SHIU invited Mr WONG to respond to the Administration's view that the Bill could satisfy the proportionality test. Mr WONG's response.	
063500-063812	Chairman Dr KWOK Ka-ki HKBA	Dr KWOK sought HKBA's response to his enquiry on how the principle of "One Country, Two Systems" could be upheld if the Bill, which, in his view would contravene BL 18, was passed. HKBA's response.	
063813-064246	Chairman Mr WU Chi-wai Administration Dr CHENG Chung-tai	Mr WU's enquiry about whether the Administration had the authority not to order the immediate cessation of the commissioning or continuous operation of the HKS of the XRL when a judicial review was brought against the co-location arrangement, and the Administration's response. Dr CHENG followed up on Mr WU's enquiry and requested for the Administration's further response.	
064247-064442	Dr CHENG Chung-tai Chairman Administration	Dr CHENG's enquiry about the effect of a future Court order in the MPA and the Administration's response.	
064443-064818	Chairman Mr Dennis KWOK HKBA	Mr KWOK sought HKBA's elaboration on its view that Cap. 190 cited by the Administration to justify that the Bill would not contravene Article 19(2) of the BL was inappropriate, and HKBA's response.	

Time Marker	Speaker(s)	Subject(s)	Action required
		<p>Mr KWOK's enquiries and HKBA's response about whether there was any legal precedent where:</p> <ul style="list-style-type: none"> (a) the jurisdiction of courts was removed by legislation from an area of Hong Kong; and (b) the legislature or the Administration had the power to deem an area inside Hong Kong as an area lying within the Mainland. <p>Mr KWOK concluded his view that LegCo had no authority to pass the Bill since it had the effect of contravening the BL.</p>	
064819-064900	Chairman Ms Tanya CHAN	Allocation of speaking time.	
064901-065508	Ms Tanya CHAN HKBA Chairman Mr Alvin YEUNG Administration	<p>At the invitation of Ms CHAN, HKBA explained how the Bill would contravene Article 22(3) of the BL.</p> <p>The Administration was requested by Ms CHAN and Mr YEUNG to respond to HKBA's query about issues relating to "reserved matter" and "non-reserved matter". Mr YEUNG sought HKBA's view on the Administration's response.</p>	
065509-065928	Chairman Mr SHIU Ka-fai Administration	Mr SHIU invited the Administration's further response to HKBA's queries about "reserved matter" and "non-reserved matter", and whether the Bill would contravene Articles 18 and 19 of the BL.	
065929-070234	Chairman Mr Paul TSE	Mr TSE's view on whether the Bills Committee should continue with its scrutiny of the Bill.	
070235-070610	Chairman Dr Junius HO HKBA Administration	<p>Dr HO sought HKBA's response/view on:</p> <ul style="list-style-type: none"> (a) whether any of HKBA's member(s) was/were qualified to advise on Chinese Constitutional law; and (b) whether the PRC Constitution or the BL should prevail if there were conflicts between them. <p>HKBA's response.</p> <p>Dr HO's sought confirmation from the</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
		Administration on the fact that the delineation of jurisdiction in the MPA had been provided in the Co-operation Arrangement which was endorsed by the NPCSC, and the Administration's response.	
070611-070624	Chairman	Closing remarks	
<i>Session four</i>			
071758-071850	Deputy Chairman	Introduction	
071851-072208	Deputy Chairman Mr CHIU Chi-keung	Presentation of views as set out in submission (LC Paper No. CB(4)969/17-18(07) (Chinese version only)).	
072209-072424	Deputy Chairman Mr Andrew YU	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(30) (Chinese version only)).	
072425-072720	Deputy Chairman 陳建業先生	Presentation of views	
072721-072830	Deputy Chairman 劉懿樂小姐	Presentation of views	
072831-073135	Deputy Chairman 李嘉欣小姐	Presentation of views	
073136-073440	Deputy Chairman Federation of Hong Kong Industries	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(58) (Chinese version only)).	
073441-073740	Deputy Chairman Hong Kong Power Youth Association	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(31) (Chinese version only)).	
073741-073946	Deputy Chairman Mr LEUNG Wing-yan	Presentation of views	
073947-074220	Deputy Chairman Mr LEE Chee-chung	Presentation of views as set out in submission (LC Paper Nos. CB(4)743/17-18(32) and CB(4)825/17-18(05) (Chinese version only)).	
074221-074529	Deputy Chairman The Association of Zhuangzi Culture & Research of Hong Kong	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(57) (Chinese version only)).	

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074530-074831	Deputy Chairman Hong Kong Federation of Railway Trade Unions	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(33) (Chinese version only)).	
074832-075055	Deputy Chairman 新界元朗區坊眾互助會	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(34) (Chinese version only)).	
075056-075401	Deputy Chairman Mr TAM Hoi-pong	Presentation of views	
075402-075517	Deputy Chairman Mrs LAM Hang-ngoi	Presentation of views	
075518-075830	Deputy Chairman Hong Kong Auto Parts Industry Association	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(35) (Chinese version only)).	
075831-080136	Deputy Chairman Long Ping Resident Association	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(36) (Chinese version only)).	
080137-080345	Deputy Chairman 香港軍事觀察者聯盟	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(37) (Chinese version only)).	
080346-080600	Deputy Chairman Mr HO Wai	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(38) (Chinese version only)).	
080601-080910	Deputy Chairman 李鎮強先生	Presentation of views	
080911-081215	Deputy Chairman Railway Reform Association	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(39) (Chinese version only)).	
081216-081520	Deputy Chairman 香港中華攝影學會	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(41) (Chinese version only)).	
081521-081810	Deputy Chairman Dr YIM Fung	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(42) (Chinese version only)).	

Time Marker	Speaker(s)	Subject(s)	Action required
081811-082116	Deputy Chairman Mr Steve CHEUNG Kwan-kiu	Presentation of views	
082117-082420	Deputy Chairman Mr LEE Ka-ho	Presentation of views	
082421-082710	Deputy Chairman Mr LEE Kwok-pong	Presentation of views	
082711-083015	Deputy Chairman Mr WHY..	Presentation of views	
083016-083120	Deputy Chairman 陳鑑波先生	Presentation of views	
083121-083206	Deputy Chairman 黃君焯先生	Presentation of views	
083207-083314	Deputy Chairman 謝雪英女士	Presentation of views	
083315-083649	Deputy Chairman Administration	The Administration's response to the views expressed by deputations/individuals at the meeting.	
083650-083729	Deputy Chairman	Declaration of interest and meeting arrangement	
083730-084155	Deputy Chairman Mr LUK Chung-hung Administration	Mr LUK considered that the Administration should step up publicity to raise public awareness of the issue of the legality of the Bill and the environmental benefits brought about by railway as a transportation means. The Administration's response.	
084156-084600	Deputy Chairman Mr AU Nok-hin Administration	Mr AU's enquiry about the application of laws and the delineation of jurisdiction in the MPA and the Administration's response.	
084601-085012	Deputy Chairman Dr Helena WONG Administration	Dr WONG's enquiry about the action that would be taken by the Administration if an application for leave to apply for judicial review against the passage of the Bill by LegCo was made, and the Administration's response.	

Time Marker	Speaker(s)	Subject(s)	Action required
085013-085351	Deputy Chairman Mr Jeffrey LAM Administration	Mr LAM sought the Administration's further elaboration on whether the Bill would contravene Articles 18 and 19 of the BL, and the Administration's response.	
085352-085728	Deputy Chairman Mr WONG Ting-kwong Administration	Mr WONG's suggestion of enhancing the commercial and retail facilities inside the WKS and the Administration's response.	
085729-090203	Deputy Chairman Ms Tanya CHAN Administration	Ms CHAN's enquiries about the right to use or to lease the space inside the MPA, as well as the projected operating profit of the XRL. The Administration's response.	
090204-090532	Deputy Chairman Mr AU Nok-hin Administration	Mr AU's query about the cost-effectiveness of the XRL and the Administration's response.	
090533-091010	Deputy Chairman Mr Jeremy TAM Administration	Mr TAM followed up on Ms Tanya CHAN's question about the projected operating profit of the XRL, and the Administration's response.	
091011-091151	Deputy Chairman Mr Frankie YICK	Mr YICK's affirmation of the Administration's response regarding the economic returns of the XRL.	
091152-091218	Deputy Chairman	Closing remarks	
<i>Session five</i>			
092148-092400	Deputy Chairman Ms Tanya CHAN Clerk	Introduction Attendance of deputations	
092401-092712	Deputy Chairman The Hong Kong Island Federation	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(44) (Chinese version only)).	
092713-092944	Deputy Chairman The Chinese Manufacturers' Association of Hong Kong Youth Committee	Presentation of views	
092945-093215	Deputy Chairman Heung To Middle School Alumni	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(45) (Chinese version only)).	

Time Marker	Speaker(s)	Subject(s)	Action required
	Association Ltd		
093216-093524	Deputy Chairman Hong Kong All Youth Alliance	Presentation of views	
093525-093832	Deputy Chairman Yung Ming-chau Michael's District Councillor Office	Presentation of views	
093833-094015	Deputy Chairman Business Environment Council Limited	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(47) (English version only)).	
094016-094220	Deputy Chairman Hong Kong Higher Education Convergence	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(48) (Chinese version only)).	
094221-094525	Deputy Chairman Mr Joe LAM	Presentation of views as set out in submission (LC Paper No. CB(4)825/17-18(02) (Chinese version only)).	
094526-094835	Deputy Chairman The International Institute of Management	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(50) (Chinese version only)).	
094836-095002	Deputy Chairman 香港註冊中醫學會	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(51) (Chinese version only)).	
095003-095249	Deputy Chairman 荃灣青年會	Presentation of views	
095250-095450	Deputy Chairman 林婉瀆女士	Presentation of views	
095451-095650	Deputy Chairman 香港旅遊業僱員總會	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(53) (Chinese version only)).	
095651-095909	Deputy Chairman 香港專業導遊總工會	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(54) (Chinese version only)).	

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095910-100142	Deputy Chairman 香港外遊領隊協會	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(55) (Chinese version only)).	
100143-100440	Deputy Chairman 黃啟進先生	Presentation of views	
100441-100801	Deputy Chairman Hong Kong Chinese Institute of Engineers	Presentation of views as set out in submission (LC Paper No. CB(4)969/17-18(05) (Chinese version only)).	
100802-100920	Deputy Chairman The Hong Kong Registered Contractors Association	Presentation of views as set out in submission (LC Paper No. CB(4)743/17-18(56) (Chinese version only)).	
100921-101231	Deputy Chairman Hong Kong Federation of Innovative Technologies and Manufacturing Industries	Presentation of views	
101232-101650	Deputy Chairman Administration Dr Junius HO	Dr HO's expression of his view and support for the Bill.	
101651-102045	Deputy Chairman Mr HO Kai-ming Administration	Mr HO's enquiry about the boundary of the administrative division of the HKSAR and the delineation of jurisdiction in the MPA, and the Administration's response.	
102046-102400	Deputy Chairman Dr Elizabeth QUAT	Dr QUAT's expression of her view and support for the Bill.	
102401-102905	Deputy Chairman Mr CHU Hoi-dick Administration	Mr CHU's suggestion of conducting a visit to the MPA, and his enquiry about the action(s) that could be taken if the co-location arrangement was found to be in contravention of the PRC Constitution. The Administration's response.	
102906-103213	Deputy Chairman Ms Tanya CHAN	Ms CHAN reiterated her question about the leasing of space inside the MPA and echoed the suggestion	

Time Marker	Speaker(s)	Subject(s)	Action required
	Administration	of conducting a visit to the MPA. The Administration's response.	
103214-103850	Deputy Chairman Administration	The Administration's consolidated response to the views and concerns expressed by deputations/individuals at the meeting. The Administration's call for Members' support for early passage of the Bill.	
103851-103910	Deputy Chairman	Closing remarks	
Any other business			
103911-104016	Deputy Chairman Ms Tanya CHAN	Date of the next meeting Ms CHAN's request for the Administration's written response to the issues raised at the meeting.	Admin to provide written response. Para 4 of the minutes refers.