

**立法會**  
***Legislative Council***

Ref : CB2/PL/CA

LC Paper No. CB(2)498/18-19

(These minutes have been  
seen by the Administration)

**Panel on Constitutional Affairs**

**Minutes of special meeting  
held on Saturday, 28 April 2018, at 9:00 am  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon Martin LIAO Cheung-kong, SBS, JP (Chairman)  
Hon Holden CHOW Ho-ding (Deputy Chairman)  
Hon WONG Ting-kwong, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Kin-por, GBS, JP  
Hon WONG Kwok-kin, SBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Claudia MO  
Hon Steven HO Chun-yin, BBS  
Hon MA Fung-kwok, SBS, JP  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon Dennis KWOK Wing-hang  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon IP Kin-yuen  
Dr Hon CHIANG Lai-wan, JP  
Hon CHUNG Kwok-pan  
Hon Alvin YEUNG  
Hon CHU Hoi-dick  
Hon Jimmy NG Wing-ka, JP  
Hon Wilson OR Chong-shing, MH  
Hon CHEUNG Kwok-kwan, JP  
Hon LAU Kwok-fan, MH  
Dr Hon CHENG Chung-tai  
Hon AU Nok-hin

**Members attending** : Hon YIU Si-wing, BBS  
Hon Andrew WAN Siu-kin  
Dr Hon Junius HO Kwan-yiu, JP  
Hon SHIU Ka-fai  
Hon Jeremy TAM Man-ho  
Hon Gary FAN Kwok-wai  
Hon Tony TSE Wai-chuen, BBS

**Members absent** : Hon Jeffrey LAM Kin-fung, GBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Helena WONG Pik-wan  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon LAM Cheuk-ting  
Hon Tanya CHAN  
Hon HUI Chi-fung  
Hon Kenneth LAU Ip-keung, BBS, MH, JP

**Public Officers attending** : Mr Patrick NIP Tak-kuen, JP  
Secretary for Constitutional and Mainland Affairs  
  
Miss Charmaine LEE Pui-sze, JP  
Deputy Secretary for Constitutional and Mainland Affairs  
  
Ms Jocelyn NG Wai-chung  
Assistant Secretary for Constitutional and Mainland Affairs

**Attendance by invitation** : *Session One*  
  
Hong Kong Professional Teachers' Union  
  
Dr FUNG Wai-wah  
  
Young Teachers' Activity Group  
  
Mr TIN Fong-chak

Tuen Mun Community Network

Mr WONG Tak-yuen

Democratic Alliance for the Betterment and Progress of  
Hong Kong

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Mr Alex TSANG

Mr MOK Kam-sum

Democratic Party

Miss Senia NG

The Civic Party

Miss Eunice CHAU Yuen-man

Savantas Policy Institute

Mr KONG Ho-ming

New People's Party

Ms Sammi FU Hiu-lam

Dr Calvin KWOK Ho-king

Maritime Silk Road Society

Mr Frank SIU

Ms Amy CHEAH

Mr CHAN Chi-ho

Ms CHAN Hoi-yung

Mr AU Wing-kwan

Mr LIN Jiasheng

Mr MUK Ka-chun

Mr WONG Kai-yeung

Mr David AU

Institute of Social Service Development

Miss LO Po-yee

The League of Social Democrats

Mr NG Man-yuen

Mr LEUNG Kwok-hung

Miss CHAN Po-ying

Miss TSUI Ho-yee

Mr WONG Ho-ming

Mr SZE Ching-wee

Hello World

Mr WONG Ho-wa

*Session Two*

Mr SIU Wai-chung

Mr LAM Ching-leung

Miss Christina LEE Sau-mei

Mr TO Cho-ki

Mr Jacky KO Chung-kit

Keyboard Frontline

Miss KWONG Chung-ching

Mr Victor LAU Ngai

Mr LEE Man-kit

Hong Kong Social Workers and Welfare Employees  
Union

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Mr CHAN Yee-fei

Mr CHAN Chi-hing

Mr CHU Wun-chiu

Mr TSANG Wing-fai

Mr IP Chun-yuen

Mr SO Cheuk-hei

Mr Timothy LAU Tin-ching

Mr KWAN Ho-cheung

吳奮金先生

Dr NG Su-san

Mr LAI Tak-keung

I don't know how to sing and against the National  
Anthem Law Concern Group

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Miss NG Ka-yi

Mr LAM Chi-yeung

Mr WHY

Mr WONG Yung

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Mr TSE Tsun-yin

Mr HUNG Chi-kit

Miss CHIN Yin-man

Mr WONG Chun-ting

*Session Three*

Miss Nixie LAM Lam

金融服務界國歌法關注小組

Mr LEE Yiu-sun

Mr CHENG Kwok-kee

Miss LAU Shun-ting

中國香港民族文化協會

Mr FU Ki-ming

嘉浩國際藝術交流協會

Mr ZHANG Peng

香港中華文化促進會

Ms KWAN Suk-yee

莊嚴文化藝術會

Mr CHONG Wai-keung

香港視覺創新教育學會

Miss CHAN Suet-yi

香港少年文化及康樂展演協會

Mr CHONG Hiu-yue

香港莊子文化研究會

Mr CHONG Wai-cheung

Hong Kong Fishermen Consortium

Mr YEUNG Sheung-chun

Dipper CEO

Miss LAI Na

Miss LAU Yuen-kum

Mr YUENG Wai-kwan

Mr Samson MA Mun-chung

Mr TONG Tak-chun

蘇查哈爾燦

Mr HO Wai-chun

Mr LIANG Li

Miss CHEN Jiahui

Mr LEUNG Yuk-sing

Ms YEUNG Oi-kwan

Mr CHAN Lup-chi

Mr C K Ginger KEUNG

Mr TSUI King-sing

Mr KWAN Cheuk-kui

Miss TANG Hau-tong

People Power

Mr TAM Tak-chi

反革命修正主義分子兼大右派田漢關注組

Mr TAM Kwok-sun

Ms CHIN Po-fun

香港福建社團聯會港島東分會

Mr SZE Wei-hung

Mr HO Kwun-yin

*Session Four*

Mr YIP Man-pan, Tuen Mun District Council Member

Ygtyouth

Mr CHONG Hok-him

Federation of New Territories Youth

Ms Ruby MOK

Mr LEE Kwok-pong

Hong Kong United Youth Association

Mr Johnny SZE Chun-hong

Mr Victor KWONG Man-tik

Mr WONG Kwok-wai



Hong Kong Information Technology Joint Council

Mr Kenneth CHAN

Mr CHAN Shung-fai

Mr Gilvig CHENG Lun-kwong

Mr LO Kon-ki

Mr LAM Man-fai

Mr Franco WONG Chak-hang

Mr Joshua LEE Chun-hei

費格中國教育交流協會

謝偉忠先生

港雋動力青年協會

Mr LAM Sze-ho

大窩口住區網絡

Mr HO Kai-wah

Mr TAN Jinjie

Lei Cheng Uk Residents Association

Miss CHAU Kit-ying

Mr FUNG Chi-wood

Football News

Mr Jacki Dominic LEE

Mr TAM Hoi-pong

The Confucian Academy

Dr Chris TAM Siu-cheong

Progressive Lawyers Group

Mr CHOY Ki

Mr WONG Yiu-kan

Mr Maverick LEUNG Chun-pong

張佐姣女士

Democratic Alliance for the Betterment and Progress of  
Hong Kong Industrial and Commercial Committee

Mr Clement WOO Kin-man

**Clerk in attendance** : Ms Joanne MAK  
Chief Council Secretary (2) 3

**Staff in attendance** : Mr Kelvin LEE  
Senior Assistant Legal Adviser 3

Miss Cindy HO  
Senior Council Secretary (2) 3

Mr Dennis HO  
Council Secretary (2) 3

Mrs Fonny TSANG  
Legislative Assistant (2) 3

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**I. Local legislation to implement the National Anthem Law**  
[LC Paper Nos. CB(2)1063/17-18(03) and (04)]

The Panel received views from 115 deputations/individuals on the local legislation to implement the Law of the People's Republic of China on the National Anthem ("the National Anthem Law"). A record of the

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115 deputations/individuals and the submissions received are in the **Appendix**.

*(The Deputy Chairman took the chair during the third and fourth sessions held in the afternoon.)*

Administration's response to deputations' views

2. At the invitation of the Chairman, the Secretary for Constitutional and Mainland Affairs ("SCMA") provided a consolidated response to the major issues raised by the deputations/individuals as follows:

- (a) following the adoption by the Standing Committee of the National People's Congress of the decision to add the National Anthem Law to Annex III of the Basic Law, the Hong Kong Special Administrative Region ("HKSAR") Government had a constitutional duty to enact local legislation to implement the National Anthem Law in compliance with the constitutional and legal regime of HKSAR. The legislative principle was to maintain the purpose and intent of the National Anthem Law to fully reflect its spirit and to preserve the dignity of the national anthem, so that Hong Kong citizens would respect the national anthem, whilst taking into account the common law system and local circumstances. It was necessary to provide for penalties in order to achieve deterrent effect. The Government had made reference to the relevant provisions of the existing National Flag and National Emblem Ordinance in proposing the current level of penalties under the proposed legislation;
- (b) according to the outline of the proposed content of the National Anthem Bill ("the Bill") summarizing the Government's proposed drafting direction [Annex 2 to LC Paper No. CB(2)1063/17-18(03)], the Bill would contain a provision based on Article 15 of the National Anthem Law, specifying that it would be a criminal offence to publicly and wilfully alter the lyrics or score of the national anthem, perform or sing it in a distorted or derogatory manner, or insult it in any other way;
- (c) as for the publication of derivative work of the national anthem with the intent to insult the national anthem, including broadcasting such work online, the provision in Article 15 would also be applicable. In general, laws in the physical world were applicable to the cyber world based on actual circumstances. At present, there were established

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mechanisms to deal with unlawful online activities through the Internet Service Providers/Online Service Providers;

- (d) the Court of Final Appeal had ruled that the freedom of speech and expression was not without boundaries. As ruled by the court, restrictions on freedom of speech and expression that were proportionate to the legitimate interests in protecting the national flag as the unique symbol of the nation could be imposed. The restrictions imposed were considered reasonable, as they only limited certain ways of expression but not the content expressed;
- (e) to reflect the requirement in Article 11 of the National Anthem Law, it was proposed under the corresponding provision of the Bill that the national anthem should be included in primary and secondary education. The Education Bureau ("EDB") had already explained that the learning contents of the national anthem had been incorporated into the subject curricula at primary and secondary levels and in Moral, Civic and National Education. Hence, no additional requirement would be imposed on schools under the law. The Administration would maintain close liaison with the education sector on relevant arrangements;
- (f) to reflect the requirements under Article 12 that news media shall actively publicize the national anthem and promote public understanding of the etiquette for performing and singing the national anthem, it was proposed, under the corresponding provision of the Bill, that domestic free and pay television ("TV") programme service licensees and sound broadcasting service licensees regulated by local ordinances must, pursuant to their respective licence conditions, broadcast materials in the public interest provided by the Government. The Administration would follow the existing arrangements for providing relevant Announcements in the Public Interests on TV and radio to TV/radio broadcasters;
- (g) in response to deputations' questions, the Bill would come into effect upon enactment by Legislative Council ("LegCo") and would not be applied with retrospective effect;
- (h) in response to concerns that innocent members of the public might breach the law if they failed to stand solemnly to show proper respect on hearing the national anthem when passing by or eating in a

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restaurant, or if they could not sing the national anthem well, the Administration explained that the Bill would only impose sanctions on those who had an intent to insult the national anthem. The courts would consider each case based on objective facts and decide whether a particular case violated the law based on evidence. The law enforcement agency would collect evidence during investigation, and prosecution would be made subject to circumstances and evidence; and

- (i) in terms of public consultation, the Government would take into consideration members' and deputations' views in drafting the legislative proposal. When the Bill was introduced into LegCo, members would have time to discuss it in detail.

Discussion

*Proposed content of the National Anthem Bill*

3. Dr Fernando CHEUNG said that while people should respect a country's national anthem, they should not be forced to respect the national anthem through law and punishment. He said that the Bill would contravene people's freedom of expression as safeguarded under the Basic Law. He pointed out that the proposal to suitably incorporate into the Preamble of the Bill wordings "to cultivate and practise the core values of socialism" was inconsistent with Article 5 of the Basic Law ("BL 5") which stipulated that "[t]he socialist system and policies shall not be practised in the Hong Kong Special Administrative Region". Besides, the relevant provision of the proposed content of the Bill was in contravention of BL 137 which stipulated that "[e]ducational institutions of all kinds may retain their autonomy and enjoy academic freedom". Owing to shortage of time, the Chairman requested the Administration to provide a written response.

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4. Mr Charles Peter MOK said that deputations opposing the Bill were concerned about the content of the Bill and the legal principles involved which might have the effect of undermining the principle of "one country, two systems". Noting that some deputations had cited the United States ("US") as an example, he stressed that even the US did not prescribe any penalties for non-compliance. He pointed out that the quality of the national anthem performed by different persons was different, and suggested that the Administration should also look at the possible impact of the Bill on issues related to intellectual property.

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5. Mr SHIU Ka-fai said that the national anthem, along with the national flag and national emblem, were symbolic representations of the country's dignity. It was reasonable to protect the country's symbols from derogating or insulting acts through legislation. Mr SHIU said that to help alleviate the public concern that people might breach the law inadvertently, publicity efforts should be enhanced in this regard. Noting that a number of deputations had questioned the need to introduce provisions requiring schools to teach the national anthem, Mr SHIU Ka-fai and Mr Steven HO considered that there was a clear need to enhance school education in this aspect as some people were booing the national anthem at soccer matches in recent years. SCMA said that the Government would step up efforts in education and publicity to promote respect for the national anthem.

6. The Deputy Chairman said that the HKSAR Government had the obligation to enact local legislation to implement the National Anthem Law which had been implemented nation-wide since October 2017. The Deputy Chairman and Mr Steven HO said that the legislative process should be completed as soon as possible to increase young people's awareness of respecting the national anthem as the national symbol. The Deputy Chairman emphasized that the Administration should strive to address people's concerns and clarify misconceptions about the Bill.

7. Ms Alice MAK supported early enactment of the Bill, taking into account the local circumstances such that enforcement actions could be done more effectively. She disagreed with the view of some deputations that media organizations should cease to broadcast announcements in the public interest on the national anthem on TV to avoid contravening the law based on their allegation that relevant offences were not defined clearly. In her view, more promotional and publicity efforts on the national anthem should be made instead.

8. Ms Starry LEE said that the principle of "one country, two systems" was subject to challenge in view of the blatant disrespect for the national anthem by soccer fans at recent matches. Hence, there was a practical need to legislate in this regard. The Administration was requested to be more proactive in strengthening its efforts on national identity education.

9. Pointing to incidents of booing the national anthem at soccer matches and acts of disrespecting the national anthem during graduation ceremonies, Mr YIU Si-wing, Mr CHEUNG Kwok-kwan, and the Deputy Chairman

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considered that there was a need to enact legislation as such behaviour had affected Hong Kong's reputation in the world and would have a negative impact on the young generation. Mr YIU said that the Government had done inadequately in terms of civic education among young people. Mr LAU Kwok-fun said that the majority of the deputations were supportive of enacting the law while only a handful of people opposed the proposed legislation because these people refused to acknowledge the development of the country.

10. Mr Wilson OR acknowledged the need to enact the legislation as respecting the national anthem as a national symbol was considered a civic duty. Other jurisdictions (e.g. US and Canada) had enacted such laws. He requested the Administration to explain further the meaning of "publicly", "wilfully" and "insult" under Article 15 of the Bill. SCMA said that it would be a criminal offence to publicly and wilfully alter the lyrics or score of the national anthem, perform or sing it in a distorted or derogatory manner, or insult it in any other way. He stressed that the Bill would only impose sanctions on people who showed an intent to insult the national anthem, and any unlawful act under Article 15 of the Bill would require the burden of proof for establishing criminal liability by the prosecution.

11. Mr Paul TSE requested the Administration to explain, under Article 15, what the expression "in any other manner" specifically referred to. Mr CHU Hoi-dick asked whether Article 15 of the Bill would be breached if a person remained seated during the performance and singing of the national anthem at large-scale events.

12. SCMA said that it was not possible to give an exhaustive list as to what constituted an insult to the national anthem. He said that performing or singing the national anthem in a distorted or derogatory manner, or insulting it in any other manner would be caught by Article 15. Whether an act would be considered an offence would depend on the intention and whether it was carried out in public. The law enforcement agency would gather the relevant evidence, and the decision to prosecute or not would depend on circumstances and the evidence collected. In response to Mr CHEUNG Kwok-kwan's enquiry on whether it would be an offence if Members continued with the proceedings of a LegCo meeting when someone deliberately played the "March of the Volunteers" ringtone during the meeting, SCMA advised that under the proposed provision which would correspond to Article 7 of the National Anthem Law, the etiquette of standing solemnly and deporting oneself with dignity and respect should

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only apply to persons who were taking part in or attending occasions on which the national anthem was played and sung.

13. Mr Gary FAN and Ms Claudia MO said that respect was a two-way street and people should not be forced to respect the national anthem through a draconian law and punishment. Mr FAN expressed concern about the possible impact of the law on people's freedom of speech and freedom of political expression. In response to Mr FAN's enquiry, Mr TAM Tak-chi of People Power criticized that the Central People's Government sought to command respect through imposing the law on Hong Kong. Mr FAN further said that implementing the law with retrospective effect was against the common law spirit and contravened the Basic Law. He urged the Administration to address Hong Kong people's concerns in this regard.

14. In response to Mr AU Nok-hin's enquiry, Mr CHENG Kwok-kee said that he did not think that it was a draconian law as the proposed legislation only targeted deliberate acts of insulting the national anthem. Mr AU Nok-hin considered that people should love their country by their own conscience instead of through legislation.

15. The Deputy Chairman and Mr Paul TSE said that what the law required was to respect the national anthem as the country's symbol. Mr TSE said that a person would not commit an offence unless he/she did a specific act with the intention to insult the national anthem. He further said that under Article 15 of the National Anthem Law, the term "公共場合" ("public venue") was used whereas the term "公開" ("publicly") was used in the corresponding provision of the Bill. It appeared that the scope of "公開" was much wider than that of "公共場合". He also asked how effective enforcement would be carried out on the Internet. SCMA advised that public venue in the context of the National Anthem Law also included the Internet domain. In drawing up the corresponding provision of the Bill, reference would be drawn from the existing National Flag and National Emblem Ordinance.

16. Dr CHIANG Lai-wan enquired how people should place their hands while standing during the playing and singing of the national anthem. She further pointed out that there were textual inconsistencies in that under Article 5 of the National Anthem Law, the term "公民" was used in the Chinese version, whereas the term "市民" was used in the corresponding provision of the Bill and the term "居民" was used in the Basic Law.



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17. Mr CHAN Chi-chuen suggested that the Administration should look at how countries around the world fostered respect for their national anthem. At the suggestion of Mr CHAN Chi-chuen, the Administration was requested to provide information on the enforcement actions taken by the Mainland authorities against breaches of the National Anthem Law which came into force nationwide since 1 October 2017, including relevant statistics on arrests and prosecution, as well as convictions and penalties levied on those cases.

18. Noting that the Administration had made reference to the relevant provisions of the existing National Flag and National Emblem Ordinance in proposing the current level of penalties under the proposed legislation, Mr CHEUNG Kwok-kwan and Mr LAU Kwok-fun said that the proposed penalties under Articles 8 and 15 of the Bill were considered lenient and reasonable. Mr LAU Kwok-fun and Mr Paul TSE pointed out that the recent case of Dr CHENG Chung-tai who was charged after upending a number of replicas of national flag and regional flag in LegCo Chamber only ended up with a fine of HK\$5,000.

19. Mr CHU Hoi-dick said that when the national flag and national emblem laws were introduced into Hong Kong, there were no statutory provisions requiring the local schools to raise the national flag at schools daily, and it also did not seek to regulate people's daily activities. Along this line, he questioned the need to incorporate certain provisions such as Articles 7 and 11 into the Bill (e.g. requiring people to understand the "spirit of the national anthem"). He asked about the reason(s) for adopting different drafting approaches. SCMA reiterated that the legislative principle was to maintain the purpose and intent of the National Anthem Law to fully reflect its spirit and to preserve the dignity of the national anthem, whilst taking into account the common law system and the actual circumstances in Hong Kong. Accordingly, the Government would suitably incorporate Articles 1 and 3 into the Preamble of the Bill with suitable modifications of the wordings, and would reflect the requirements of Articles 7 and 11 in the corresponding provisions of the Bill.

*Impact on the education sector*

20. Dr CHENG Chung-tai enquired how the Administration would ensure that the proposed legislation would not infringe on people's freedom of

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expression (e.g. whether students would be removed from schools for displaying certain behaviour such as turning their backs or leaving the venue when the national anthem was played at ceremonies). Mr CHAN Chi-chuen said he noted that many parents were concerned about how the legislation would be enforced by the relevant authority (e.g. the Police or the venue management such as the Leisure and Cultural Services Department).

21. SCMA said that education institutions would handle relevant issues according to their established arrangements. He stressed that freedom of speech and expression was not without boundaries. The basic principle was to respect the national anthem and anyone who publicly and deliberately insulted the national anthem would be held liable.

22. Mr IP Kin-yuen stressed that the principle of "one country, two systems" should be respected and therefore certain provisions of the National Anthem Law should not be applied locally (e.g. practising the core values of socialism, etc.). He further said that it was unfair to attribute some people's acts of booing the national anthem, which was actually a social problem influenced by many factors, to deficiency in school education.

23. The Chairman enquired whether under the proposed legislation, provisions regarding education would not attract criminal penalties. SCMA said that the corresponding provision aimed to reflect the requirement in Article 11 of the National Anthem Law that the national anthem should be included in primary and secondary education. The Government did not plan to stipulate any penalty for this provision in the Bill. He pointed out that most local schools were already teaching students about the national anthem. In fact, EDB had already explained that the learning contents of the national anthem had been incorporated into the subject curricula at primary and secondary levels and in Moral, Civic and National Education. Schools generally played the national anthem during the flag-raising ceremony on important days and special occasions, such as speech day and sports day. Hence, no additional requirement would be imposed on schools under the law. Mr Paul TSE supported the aforesaid approach which, in his view, would ensure an appropriate balance between respecting the intent of the National Anthem Law while safeguarding the Administration's autonomy to maintain its own educational system under BL 136.

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24. In response to some deputations' concern that primary school students might violate the law if they misbehaved during the playing of the national anthem just for fun, Mrs Regina IP referred to the current age threshold for criminal responsibility in the laws of Hong Kong (i.e. no child under the age of seven could be guilty of an offence, and a child between the ages of seven and 14 was incapable of committing a crime, unless the prosecution proved beyond reasonable doubt that, at the time of the offence, the child was well aware that his or her act was seriously wrong, and not merely naughty or mischievous). Hence, there was no need to worry when primary students fooled around during the playing of the national anthem. Similar to the national flag and the national emblem laws, the law would require the proof of mens rea (i.e. criminal intent) by the prosecution and the worry that someone who might be unable to stand during the national anthem due to disability would contravene the law was groundless. She shared the view that any acts of booing the national anthem at stadium reflected that there was inadequacy in school education.

25. As regards whether students of other nationalities, who neither speak Putonghua nor read Chinese, would be required to sing "March of the Volunteers" along with their Chinese peers, Mr SHIU Ka-fai considered that students of other nationalities studying in Hong Kong would also need to develop their respect for the national anthem. Dr CHIANG Lai-wan was of the view that international schools which had more than 60% of students who were Hong Kong permanent residents should have the responsibility to teach national anthem in schools. Mr Jeremy TAM raised concern about possible double standards for international schools and other education institutions in implementing the Bill if certain schools were to be exempted.

*Issues relating to the Internet*

26. Concerning law enforcement, Mr Charles Peter MOK expressed concern on how enforcement actions would be taken for online behaviours. For example, whether the law enforcement agencies would act on complaints, whether there would be a take-down procedure for relevant content to be removed online, and whether the Internet service provider should shoulder any legal responsibility. He also saw the need to examine other relevant issues, such as whether academic exemptions would be applicable (e.g. websites with content which conveyed defamatory meaning), acts of insulting the national anthem which might also constitute an offence under other pieces of legislation (e.g. "access to computer with criminal or dishonest intent") as well as the liability for hyperlinking etc.

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27. In response to Miss KWONG Chung-ching of the Keyboard Frontline, Mr SHIU Ka-fai said that there were ways to identify a person and audit online activities through the Internet Protocol address.

28. Mr CHAN Chi-chuen said that with the popular use of smartphones and social media platforms nowadays, some people were concerned about whether forwarding a post or video clippings of national anthem with altered lyrics might be caught by the Bill. He asked about the legal responsibility of different parties involved. For example, whether the host of the website had to be held accountable or whether the Internet service provider had the responsibility to take it down similar to the copyright legislation (e.g. whether exemptions would be provided, etc.). SCMA advised that relevant issues raised by members would be considered in the drafting of the Bill. He said that it was clear that publicly and wilfully altering the lyrics or the score of the national anthem or performing or singing the national anthem in a distorted or derogatory manner would not be allowed under Article 15.

*Public consultation*

29. Mr CHAN Chi-chuen said that the Bill had aroused public concern but the Government had evaded launching a public consultation. He questioned why the "Guidelines on Public Consultation" published by the Constitutional Affairs Bureau in 2003, which set out the general guiding principles in undertaking public consultation, were not followed in the current legislative exercise. Mr Alvin YEUNG suggested that the Administration should conduct a public consultation during the summer recess. SCMA said that local legislation should be enacted to implement the National Anthem Law taking into account the views received through various channels. Mr YEUNG called on the Administration to explain more fully to the public as many people were very concerned that they might breach the law under different scenarios.

30. Dr CHENG Chung-tai said that there would be white terror as the Administration had been selective in law enforcement and prosecution against breaches of the laws. He considered that the Administration should issue a white bill setting out the detailed legislative provisions for public consultation in order to show respect for the national anthem. SCMA said that there were many ways for people to express their views. The Government would take into consideration the views of members and

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deputations in drafting the legislative proposal. Moreover, when the bill was introduced into LegCo, members would have time to discuss it in detail.

31. In response to Ms Claudia MO's enquiry, deputation (蘇查哈爾燦) took the view that relevant issues should be spelled out clearly by the Administration before starting the legislative process or else it was tantamount to imposing the law on Hong Kong people, and that a consultation with the public should not be ruled out in the first place.

32. Mr Paul TSE said that he acknowledged the request of Mr CHOI Kei of Progressive Lawyers Group regarding the need for a comprehensive public consultation. He believed that various issues raised would be considered by the Administration in the legislative process.

(During the third session of the meeting, the Deputy Chairman ordered the removal of Ms CHIN Po-fun from the meeting due to her disorderly manner as ruled by the Deputy Chairman.)

**II. Any other business**

33. There being no other business, the meeting ended at 6:39 pm.

Council Business Division 2  
Legislative Council Secretariat  
20 December 2018

## Panel on Constitutional Affairs

**Special meeting on Saturday, 28 April 2018, at 9:00 am**  
**Meeting to receive views on "Local legislation to implement the National Anthem Law"**

**Summary of views and concerns expressed by deputations/individuals**

No.	Name of Deputation/individual	Submission / Major views and concerns
<i>Session One</i>		
1.	Hong Kong Professional Teachers' Union	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(01)</li> </ul>
2.	Young Teachers' Activity Group	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(02)</li> </ul>
3.*	Tuen Mun Community Network	<ul style="list-style-type: none"> <li>Opposed the enactment of the National Anthem Bill ("the Bill") to implement the Law of the People's Republic of China on the National Anthem ("National Anthem Law").</li> <li>Expressed concerns about the impact of the Bill on Hong Kong people's freedom of speech, and there were worries that people who were not singing the national anthem well might breach the law.</li> </ul>
4.	Democratic Alliance for the Betterment and Progress of Hong Kong	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(11)</li> </ul>
5.	Mr MOK Kam-sum	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(03)</li> </ul>
6.	Democratic Party	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1295/17-18(01)</li> </ul>
7.	The Civic Party	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(04)</li> </ul>
8.	Savantas Policy Institute	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(01)</li> </ul>
9.*	New People's Party	<ul style="list-style-type: none"> <li>The Hong Kong Special Administration Region ("HKSAR") Government had the constitutional duty to enact such local legislation as the national anthem was an important symbol of the country and should be respected. Relevant laws had been enacted in overseas jurisdictions including the United States, France, Germany.</li> <li>To alleviate public concerns, the Administration should strive to explain more fully the intended meanings of the law to enhance public understanding so that people would not breach the law inadvertently.</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
10.	Dr Calvin KWOK Ho-king	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1482/17-18(01)</li> </ul>
11.	Maritime Silk Road Society	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1482/17-18(02)</li> </ul>
12.	Ms Amy CHEAH	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(02)</li> </ul>
13.*	Mr CHAN Chi-ho	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>HKSAR Government had the constitutional duty to enact such local legislation and restrictions on the freedom of speech and expression that were proportionate to legitimate interests in protecting a unique symbol of the nation were reasonable.</li> </ul>
14.*	Ms CHAN Hoi-yung	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>HKSAR Government had the constitutional duty to enact such local legislation and there was a pressing need to do so in the wake of incidents like booing the national anthem during football matches.</li> </ul>
15.	Mr AU Wing-kwan	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1293/17-18(01)</li> </ul>
16.	Mr LIN Jiasheng	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(06)</li> </ul>
17.*	Mr MUK Ka-chun	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Welcomed the corresponding provision of the Bill based on Article 11 of the National Anthem Law given that local schools were already teaching students about the national anthem and the learning contents of the national anthem had already been incorporated into the subject curricula at primary and secondary levels.</li> <li>The corresponding provision of the Bill based on Article 7 of the National Anthem Law provided a clear definition to include those "who takes part in" an occasion where the national anthem was performed or sung.</li> </ul>
18.*	Mr WONG Kai-yeung	<ul style="list-style-type: none"> <li>Expressed concerns about the possible impact of the Bill on restricting people's freedom of thought and speech, and would violate Article 136 of the Basic Law which provided the Government with the autonomy to maintain its own educational system and to set its own policies.</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
		<ul style="list-style-type: none"> <li>The Administration should not evade its responsibility of conducting a public consultation on the proposed content of the Bill before it was introduced into the Legislative Council ("LegCo").</li> </ul>
19.*	Mr David AU	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Public education and publicity about the proposed national anthem legislation should be stepped up to dispel doubts as to whether some people might violate the law inadvertently under certain circumstances.</li> <li>The Government should strive to improve the public's knowledge of the national symbols through education so that young people would realize respecting the country as part of their civic duty.</li> </ul>
20.	Institute of Social Service Development	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(13)</li> </ul>
21.*	The League of Social Democrats	<ul style="list-style-type: none"> <li>Opposed the enactment of the Bill to implement the National Anthem Law as it would restrict people's freedom of thought and speech.</li> <li>It had set a bad precedence for listing national laws in Annex III to the Basic Law for application of such laws in HKSAR (e.g. a national security law).</li> <li>Criminalizing disrespect for the national symbols such as the national anthem was unprecedented in Hong Kong. People were forced to show patriotism and respect for national symbols under the law.</li> </ul>
22.*	Mr LEUNG Kwok-hung	<ul style="list-style-type: none"> <li>Expressed doubts on whether certain Government officials were truly patriotic and knew the historical background of the national anthem.</li> </ul>
23.*	Miss CHAN Po-ying	<ul style="list-style-type: none"> <li>Considered that some people showed disrespect to the national anthem because they did not agree with the governing party of China. Enacting the proposed local legislation was not necessary.</li> <li>People should not be forced to show patriotism.</li> </ul>
24.*	Miss TSUI Ho-yee	<ul style="list-style-type: none"> <li>Expressed concern that there was no public consultation in the law-making process, and that people might breach the law inadvertently.</li> </ul>



No.	Name of Deputation/individual	Submission / Major views and concerns
		<ul style="list-style-type: none"> <li>The proposed content of the Bill did not provide clear definitions and it contained concepts which deviated from the common law principles.</li> </ul>
25.*	Mr WONG Ho-ming	<ul style="list-style-type: none"> <li>Opposed the enactment of the Bill to implement the National Anthem Law.</li> <li>It was difficult for people to respect the governing party if the governing party did not respect the people.</li> <li>The full biographies of the late lyricist and composer of the national anthem (including the tragic death of Mr TIAN Han who was persecuted till death in the Cultural Revolution) should be added to the Education Bureau's website.</li> </ul>
26.*	Mr SZE Ching-wee	<ul style="list-style-type: none"> <li>Opposed the enactment of the Bill as it would serve as a tool to suppress views against the governing party of China.</li> </ul>
27.	Hello World	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1482/17-18(03)</li> </ul>
<i>Session Two</i>		
28.*	Mr SIU Wai-chung	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The proposed legislation would only impose sanctions on people who showed wilful intent to insult the national anthem.</li> </ul>
29.*	Mr LAM Ching-leung	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The proposed local legislation was necessary in the wake of incidents like booing the national anthem during football matches.</li> </ul>
30.	Miss Christina LEE Sau-mei	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(03)</li> </ul>
31.*	Mr TO Cho-ki	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Under the proposed local legislation, only the people who showed wilful intent to insult the national anthem would be subject to penalties.</li> <li>Since the national anthem was already being taught at schools, the existing school curriculum would not be much affected by the proposed local legislation.</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
32.	Mr Jacky KO Chung-kit	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(05)</li> </ul>
33.	Keyboard Frontline	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(07)</li> </ul>
34.	Mr Victor LAU Ngai	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(08)</li> </ul>
35.	Mr LEE Man-kit	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(04)</li> </ul>
36.	Hong Kong Social Workers and Welfare Employees Union	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(05)</li> </ul>
37.*	Mr CHAN Chi-hing	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Considered that insulting the national anthem was not an acceptable way in expressing views about the Mainland authorities.</li> </ul>
38.*	Mr CHU Wun-chiu	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The proposed local legislation would only target people who showed wilful intent to insult the national anthem.</li> </ul>
39.*	Mr TSANG Wing-fai	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Some people had over-exaggerated the possible impact of the proposed local legislation.</li> </ul>
40.*	Mr IP Chun-yuen	<ul style="list-style-type: none"> <li>HKSAR had the constitutional duty to enact local legislation to implement the National Anthem Law.</li> <li>Considered that restrictions on the freedom of expression that were proportionate to legitimate interests in protecting the unique symbol of the nation were reasonable.</li> </ul>
41.*	Mr SO Cheuk-hei	<ul style="list-style-type: none"> <li>HKSAR Government had the constitutional duty to enact local legislation to implement the National Anthem Law.</li> <li>Considered that broadcasters should not be mandated to broadcast the national anthem on television.</li> </ul>
42.*	Mr Timothy LAU Tin-ching	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law and HKSAR Government had the constitutional duty to enact such legislation.</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
		<ul style="list-style-type: none"> <li>Some people had over-exaggerated the possible impact of the proposed local legislation.</li> </ul>
43.*	Mr KWAN Ho-cheung	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The proposed local legislation would only target people who showed wilful intent to insult the national anthem.</li> <li>Public education on the national anthem should be enhanced.</li> </ul>
44.*	吳奮金先生	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The national anthem represented the dignity of the country and should deserve respect.</li> </ul>
45.*	Dr NG Su-san	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Considered that the Administration should step up efforts to promote the historical background of the national anthem.</li> </ul>
46.	Mr LAI Tak-keung	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(10)</li> </ul>
47.*	I don't know how to sing and against the National Anthem Law Concern Group	<ul style="list-style-type: none"> <li>Considered that the Administration should clearly define what would constitute an insult to the national anthem under the Bill.</li> <li>The Government should consult the public on the proposed local legislation.</li> </ul>
48.*	Mr LAM Chi-yeung	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill implement the National Anthem Law.</li> <li>The proposed local legislation would only target people who showed wilful intent to insult the national anthem.</li> </ul>
49.*	Mr WHY	<ul style="list-style-type: none"> <li>Considered that the Administration should step up efforts to promote the historical background of the national anthem.</li> </ul>
50.	Mr WONG Yung	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1482/17-18(04)</li> </ul>
51.	Left 21	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(11)</li> </ul>
52.	Mr HUNG Chi-kit	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(06)</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
53.*	Miss CHIN Yin-man	<ul style="list-style-type: none"> <li>Expressed that she had intended to present views on behalf of an organization.</li> </ul>
54.*	Mr WONG Chun-ting	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Considered that restrictions on the freedom of speech and expression that were proportionate to legitimate interests in protecting a unique symbol of the nation were reasonable.</li> </ul>
<i>Session Three</i>		
55.*	Miss Nixie LAM Lam	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Considered that only people who had wilful intent to insult the national anthem would oppose the proposed local legislation.</li> </ul>
56.	金融服務界國歌法關注小組	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(12)</li> </ul>
57.	Mr CHENG Kwok-kee	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1482/17-18(05)</li> </ul>
58.*	Miss LAU Shun-ting	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law. There was a pressing need to protect the national anthem from being wilfully insulted by certain activists.</li> </ul>
59.	中國香港民族文化協會	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(02)</li> </ul>
60.	嘉浩國際藝術交流協會	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(03)</li> </ul>
61.	香港中華文化促進會	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(04)</li> </ul>
62.	莊嚴文化藝術會	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(05)</li> </ul>
63.	香港視覺創新教育學會	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(06)</li> </ul>
64.	香港少年文化及康樂展演協會	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(07)</li> </ul>
65.	香港莊子文化研究會	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(08)</li> </ul>
66.	Hong Kong Fishermen Consortium	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(09)</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
67.*	Dipper CEO	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>HKSAR Government had the constitutional duty to enact such legislation as the national anthem was an important symbol of the country and should be protected.</li> </ul>
68.*	Miss LAU Yuen-kum	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The Administration should strictly enforce the local national anthem law once being enacted.</li> </ul>
69.	Mr YUENG Wai-kwan	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(07)</li> </ul>
70.*	Mr Samson MA Mun-chung	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Considered that the national anthem was an important symbol of the nation and should be respected.</li> </ul>
71.*	Mr TONG Tak-chun	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Some people had over-exaggerated the possible impact of the proposed local legislation.</li> </ul>
72.*	蘇查哈爾燦	<ul style="list-style-type: none"> <li>Instead of enacting local legislation to implement the National Anthem Law, the better ways to discourage people from showing disrespect to the national anthem would be to resolve the social problems in Hong Kong and safeguard the freedoms and rights enjoyed by the people.</li> </ul>
73.*	Mr HO Wai-chun	<ul style="list-style-type: none"> <li>Some people had over-exaggerated the possible impact of the proposed local legislation.</li> <li>The national anthem was an important symbol of the nation and should be respected.</li> </ul>
74.	Mr LIANG Li	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(08)</li> </ul>
75.*	Miss CHEN Jiahui	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The national anthem symbolized the dignity of the country.</li> </ul>
76.*	Mr LEUNG Yuk-sing	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
		<ul style="list-style-type: none"> <li>HKSAR Government had the constitutional duty to enact such local legislation to protect the dignity of the country.</li> </ul>
77.*	Ms YEUNG Oi-kwan	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The proposed local legislation would only target people who showed wilful intent to insult the national anthem.</li> </ul>
78.*	Mr CHAN Lup-chi	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>HKSAR Government had the constitutional duty to enact such local legislation. Enacting legislation in this regard would help promote people's sense of belonging to the country.</li> </ul>
79.*	Mr C K Ginger KEUNG	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>HKSAR Government had the constitutional duty to enact such local legislation as the national anthem, as an important symbol of the country, should be respected.</li> </ul>
80.*	Mr TSUI King-sing	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Considered that public education should be stepped up to promote the historical background of the national anthem.</li> </ul>
81.	Mr KWAN Cheuk-kui	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1268/17-18(16)</li> </ul>
82.*	Miss TANG Hau-tong	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Considered that the national anthem was an important symbol of the country and that public education to promote public understanding of the proposed local legislation should be stepped up.</li> </ul>
83.*	People Power	<ul style="list-style-type: none"> <li>Opposed the enactment of the Bill to implement the National Anthem Law.</li> <li>Considered that the country should gain respect by respecting its people.</li> </ul>
84.*	反革命修正主義分子	<ul style="list-style-type: none"> <li>Opposed the enactment of the Bill to implement the National Anthem Law.</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
	兼大右派田漢關注組	<ul style="list-style-type: none"> <li>Considered that implementing genuine universal suffrage for Chief Executive and LegCo elections in Hong Kong would help foster people's sense of belonging to the country .</li> </ul>
85.*	Ms CHIN Po-fun	<ul style="list-style-type: none"> <li>Opposed the enactment of the Bill to implement the National Anthem Law.</li> <li>Taking legislative measure was not the appropriate means to foster respect for the country.</li> </ul>
86.	香港福建社團聯會港島東分會	<ul style="list-style-type: none"> <li>LC Paper Nos. CB(2)1293/17-18(02) and CB(2)1482/17-18(06)</li> </ul>
87.	Mr HO Kwun-yin	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(10)</li> </ul>
<i>Session Four</i>		
88.*	Mr YIP Man-pan, Tuen Mun District Council Member	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The Administration should step up efforts to promote the proposed local legislation to dispel doubts as to whether some people might violate the law inadvertently under certain circumstances.</li> </ul>
89.*	Ygtyouth	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The proposed local legislation would only target people who showed wilful intent to insult the national anthem.</li> </ul>
90.	Federation of New Territories Youth	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(09)</li> </ul>
91.*	Mr LEE Kwok-pong	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>Some people had over-exaggerated the possible impact of the proposed local legislation.</li> </ul>
92.	Hong Kong United Youth Association	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1382/17-18(10)</li> </ul>
93.*	Mr Victor KWONG Man-tik	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
		<ul style="list-style-type: none"> <li>• The proposed local legislation would only target people who showed wilful intent to insult the national anthem.</li> <li>• The Administration should dispel doubts as to whether some people might violate the law inadvertently under certain circumstances.</li> </ul>
94.*	Mr WONG Kwok-wai	<ul style="list-style-type: none"> <li>• Supported the enactment of the Bill to implement the National Anthem Law. There was a pressing need to protect the national anthem from being wilfully insulted by certain activists.</li> </ul>
95.	Hong Kong Information Technology Joint Council	<ul style="list-style-type: none"> <li>• LC Paper No. CB(2)1268/17-18(20)</li> </ul>
96.*	Mr CHAN Shung-fai	<ul style="list-style-type: none"> <li>• Supported the enactment of the Bill to implement the National Anthem Law. There was a pressing need for such legislation in the wake of incidents like booing the national anthem during football matches.</li> <li>• Considered that restrictions on the freedom of expression that were proportionate to legitimate interests in protecting the unique symbol of the nation were reasonable.</li> </ul>
97.	Mr Gilvig CHENG Lun-kwong	<ul style="list-style-type: none"> <li>• LC Paper No. CB(2)1285/17-18(11)</li> </ul>
98.	Mr LO Kon-ki	<ul style="list-style-type: none"> <li>• LC Paper No. CB(2)1268/17-18(21)</li> </ul>
99.*	Mr LAM Man-fai	<ul style="list-style-type: none"> <li>• Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>• The national anthem symbolized the dignity of the country and should deserve respect.</li> </ul>
100.*	Mr Franco WONG Chak-hang	<ul style="list-style-type: none"> <li>• Opposed the enactment of the Bill to implement the National Anthem Law.</li> <li>• Considered that the proposed local legislation would undermine people's freedom of expression and would achieve a "brainwashing" effect.</li> </ul>



No.	Name of Deputation/individual	Submission / Major views and concerns
101.*	Mr Joshua LEE Chun-hei	<ul style="list-style-type: none"> <li>• Opposed the enactment of the Bill to implement the National Anthem Law. The Government should conduct a public consultation on the proposed content of the Bill.</li> <li>• Expressed concerns that the outline of the proposed content of the Bill was too vague and people might easily violate the proposed local legislation inadvertently.</li> </ul>
102.*	費格中國教育交流協會	<ul style="list-style-type: none"> <li>• Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>• HKSAR Government had the constitutional duty to enact such local legislation.</li> <li>• Considered that the Administration should find out the reasons for some people's sentiment against the country.</li> </ul>
103.	港雋動力青年協會	<ul style="list-style-type: none"> <li>• LC Paper No. CB(2)1268/17-18(23)</li> </ul>
104.*	大窩口住區網絡	<ul style="list-style-type: none"> <li>• Supported the enactment of the Bill to implement the National Anthem Law. There was a pressing need to protect the national anthem as the symbol of the country.</li> </ul>
105.*	Mr TAN Jinjie	<ul style="list-style-type: none"> <li>• Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>• HKSAR Government had the constitutional duty to enact such legislation. The national anthem was an important symbol of the country and should be respected and protected.</li> </ul>
106.	Lei Cheng Uk Residents Association	<ul style="list-style-type: none"> <li>• LC Paper No. CB(2)1285/17-18(12)</li> </ul>
107.*	Mr FUNG Chi-wood	<ul style="list-style-type: none"> <li>• The proposed local legislation was considered not necessary.</li> <li>• Patriotism could not be boosted through legislative means and respect for the national anthem should be fostered through education.</li> </ul>
108.	Football News	<ul style="list-style-type: none"> <li>• LC Paper No. CB(2)1285/17-18(14)</li> </ul>
109.*	Mr TAM Hoi-pong	<ul style="list-style-type: none"> <li>• Opposed the enactment of the Bill to implement the National Anthem Law as patriotism could not be compelled.</li> <li>• Hong Kong people's freedoms and existing way of life had been affected in recent years and many Hong Kong people were furious about that.</li> </ul>

No.	Name of Deputation/individual	Submission / Major views and concerns
110.*	The Confucian Academy	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The national anthem symbolized the dignity of the country and should deserve respect.</li> </ul>
111.*	Progressive Lawyers Group	<ul style="list-style-type: none"> <li>Expressed concerns that the proposed local legislation would impose restrictions on the freedom of thought and creation and would violate Article 5 of the Basic Law.</li> <li>The outline of the proposed content of the Bill was too vague and people might easily violate the law inadvertently.</li> <li>The Administration should consult the public on the proposed local legislation.</li> </ul>
112.	Mr WONG Yiu-kan	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(15)</li> </ul>
113.	Mr Maverick LEUNG Chun-pong	<ul style="list-style-type: none"> <li>LC Paper No. CB(2)1285/17-18(16)</li> </ul>
114.*	張佐姣女士	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>HKSAR Government had the constitutional duty to enact such local legislation as the national anthem was an important symbol of the country and should be respected.</li> </ul>
115.*	Democratic Alliance for the Betterment and Progress of Hong Kong Industrial and Commercial Committee	<ul style="list-style-type: none"> <li>Supported the enactment of the Bill to implement the National Anthem Law.</li> <li>The national anthem was an important symbol of the country and should be respected.</li> <li>The proposed local legislation would only target people who showed wilful intent to insult the national anthem.</li> </ul>

\* No submissions provided for this meeting

Council Business Division 2  
Legislative Council Secretariat  
20 December 2018