

立法會
Legislative Council

Ref : CB2/PL/CA

LC Paper No. CB(2)499/18-19

(These minutes have been
seen by the Administration)

Panel on Constitutional Affairs

Minutes of special meeting

**held on Saturday, 5 May 2018, at 9:00 am in Conference Room 1 and
at 1:30 pm in Conference Room 2 of the Legislative Council Complex**

Members present : Hon Martin LIAO Cheung-kong, SBS, JP (Chairman)
Hon Holden CHOW Ho-ding (Deputy Chairman)
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 Mrs Regina IP LAU Suk-ye, 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
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 CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon CHU Hoi-dick
Hon LAM Cheuk-ting
Hon Wilson OR Chong-shing, MH
Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP

Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Dr Hon CHENG Chung-tai
Hon AU Nok-hin

Members attending : Hon YIU Si-wing, BBS
Hon HO Kai-ming
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon LUK Chung-hung
Hon Jeremy TAM Man-ho
Hon Gary FAN Kwok-wai
Hon Tony TSE Wai-chuen, BBS

Members absent : Hon Jimmy NG Wing-ka, JP
Hon HUI Chi-fung

Public Officers attending : Mr Patrick NIP Tak-kuen, JP
Secretary for Constitutional and Mainland Affairs

Ms Cordelia LAM Wai-ki
Principal Assistant Secretary for Constitutional and
Mainland Affairs

Sessions One to Two

Ms Jocelyn NG Wai-chung
Assistant Secretary for Constitutional and Mainland
Affairs

Sessions Three to Four

Miss Koronis LEUNG Chue-kay
Assistant Secretary for Constitutional and Mainland
Affairs

Attendance by invitation : *Session One*

門徒事工

Mr YEUNG Ho-yin

香港新界地區事務顧問協會

Mr CHAN Chun-chung

Labour Party

Mr KWOK Wing-kin

Miss KWOK Fu-yung

香港經濟民生聯盟

Mr Kacee TING Wong

Hong Kong Federation of Education Workers

Mr NG Pik-kin

自由黨青年團

Mr Howard CHAO

Mr Andrew TANG Wai-keung

Mr CHENG Kin

All-China Women's Federation Hong Kong Delegates
Association Ltd

Ms CHAN Man-ki

Mr SZETO Chun-hin

Mr WONG Chun-kit

League in Defense of Hong Kong's Freedoms

Mr HON Lin-shan

The Hong Kong Taoist Association

Mr HAU Wing-cheong

蒲公英(香港)兒童文化中心

Mr HUANG Puxing

Mr CHAN Kwan-po

Mr WU Kin-wa

Personal and Community Services Workers General
Union

Miss WONG Wing-chi

Mr LEUNG Ping-kin

粵港澳大灣區青年總會

Miss LI Huiyin

Miss TO Shun-wing

Session Two

徐天佑先生

張嘉峻先生

Miss HUI Po-chun

Dr CHUANG Tze-cheung

Miss CHEUNG Sin-ying

HK Association for Promotion of Peaceful Reunification
of China Limited

Mr CHU Kar-kin

Mr NG Tin-sang

Mr LING Chi-keung

Mr LAM Chun-hei

China Sportsman (HK) Union Ltd

Mr CHAN Man-yee

Hong Kong Youth Enlightenment

Miss TSE Hiu-hung

Mr Dominic LEE Tsz-king, Sham Shui Po District
Council Member

Hong Kong Professionals And Senior Executives
Association

Ms Maxine YAO Jiening

Mr LI Kai-hei

Mr William CHAN Kit

Association of China Trend Studies (HK)

Mr WONG Kam-chun

Mr LAI Wai-tong

Dr Michael CHAN

Session Three

Hong Kong Innovision Association

Mr NG Pak-kuen

The Hong Kong Association of Construction
Professionals

Mr LAU Chi-wan

Hong Kong KOL Project

Mr NG Tsz-lun

The Student Union of the Chinese University of Hong Kong

Mr AU Cheuk-hei

Zhangzhou District Association of Hong Kong

Mr CHUNG Hok-yu

Asterism, Proposed Cabinet of Executive Committee, The Hong Kong University Students' Union, Session 2018

Mr Davin Kenneth WONG

hkvs

Mr LI Wing-choi

Mr LUI Man-kwong, Sai Kung District Council Member

何京文先生

The Young Civics

Mr Alan WONG Hok-ming

Island West Dynamic Movement

Mr Sam YIP Kam-lung

Hong Kong Human Rights Monitor

Mr LAW Yuk-kai

Mr TAI Chun-sang

Concern Group of Rights of Derivative Works

Mr Chiaki WOO

Mr CHONG Hok-him

Session Four

鄧焯謙先生

劉桂容女士

HKEd4All

Mr Simon HUNG

Mr WAN Yu-pui

Mr IP Tsz-fung

Hong Kong Hiking Association, China

Mr CHOW Kwok-keung

林錫添先生

Ms SHEK Mei-wan

何竝先生

Liberal Party

馮家亮先生

Students Independence Union

陳家駒先生

Copyrights & Derivative Works Alliance

Miss Anny CHENG

Hang Sang Management College Elected Cabinet
Embark

Mr FU Ka-sing

Hong Kong Higher Education Convergence

譚永康先生

Mr Joshua WONG

Mr MAK Tin-ho

香港新中史學社

張煒鏗先生

Mr WAN Kai-ming

Mr LAU Chi-hung

香港福建社團聯會新界西分會

Mr CHEUNG Ping

古俊軒先生

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 Fanny TSANG
Legislative Assistant (2) 3

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I. Local legislation to implement the National Anthem Law
[LC Paper No. CB(2)1063/17-18(03)]

The Panel received views from 75 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 75 deputations/individuals and the submissions received are in the **Appendix**.

(The Deputy Chairman took the chair during the fourth session 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 to the Basic Law ("BL"), 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 work at hand was to consider how to achieve the legislative intent under the principle of "one country, two systems". 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 of Hong Kong. It was necessary to provide for penalties under the proposed local legislation 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 level of penalties under the proposed local 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,

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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. Maliciously modifying the national anthem's lyrics or performing it in a derogatory manner with the intent to insult the national anthem would not be allowed under the law;
- (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 under the proposed local legislation were considered reasonable, as they only limited certain ways of expression and 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. As previously explained by the Education Bureau ("EDB"), 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;
- (f) the corresponding provision of 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
- (g) relevant issues (such as how the enforcement work would be conducted) would be considered by the Bills Committee to be formed to study the Bill. The Government would take into consideration Members' and deputations' views in drafting the legislative proposal.

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When the Bill was introduced into the Legislative Council ("LegCo"), Members would have the opportunity to discuss it in detail.

Discussion

Implementation of the National Anthem Law

3. Dr Priscilla LEUNG and Ms Starry LEE considered that enacting the proposed local legislation was the constitutional responsibility of Hong Kong. Ms LEE said that the blatant disrespect for the national anthem by soccer fans at recent matches was a major reason for the enactment of the Bill in Hong Kong. She called on the Administration to be more proactive in cultivating a sense of national identity among the people of Hong Kong as the past efforts made in this regard had been too passive. The Deputy Chairman stressed that what the law required was to respect the national anthem as the country's symbol, and he was disappointed to note that some young people had expressed their refusal to accept their Chinese national identity.

4. Mr IP Kin-yuen enquired about the background and legislative intent of the adoption of the National Anthem Law in the Mainland. SCMA advised that the National Anthem Law sought to preserve the dignity of the national anthem and to regulate the way the national anthem was played and sung. Mr Alvin YEUNG enquired about the enforcement situation in the Mainland since the enactment of the law. SCMA said that since the National Anthem Law came into force nationwide on 1 October 2017, the Administration was not aware of any major difficulty in enforcing the law in the Mainland. At the suggestion of Mr YEUNG, SCMA agreed to provide the relevant information in writing.

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5. The Chairman considered that based on what SCMA had said, since the National Anthem Law was added to the list of national laws in Annex III to the Basic Law, the laws listed therein should be applied locally by way of promulgation or legislation by Hong Kong according to BL 18. He did not see the need to discuss the question of whether the National Anthem Law should be implemented in Hong Kong. Mr WONG Kwok-kin echoed the Chairman's view. He considered that the current discussion should only focus on how to legislate on the subject matter. Dr CHIANG Lai-wan said that the national anthem was the symbol of the country. She disagreed with the view that enacting the law would undermine people's freedom of expression. She added that people who were not inclined to support the Bill could simply choose not to attend the occasions where the national

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anthem would be played in future after the enactment of the proposed local legislation.

6. 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. The Government was obliged to safeguard it from derogatory or insulting acts through legislation.

7. Mr CHAN Chi-chuen considered that a public consultation exercise was needed as people might have views on the subject such as the timing for enacting the proposed legislation. He further said that some people were worried about the approach and impartiality of the enforcement of the proposed legislation. Mr IP Kin-yuen said that people were very concerned about the possible impact of the law on people's freedom of expression and whether certain behaviour in different scenarios might breach the law. In the absence of the detailed provisions of the Bill, people were concerned whether the scope of the Bill would be too broad. He enquired whether a public consultation exercise would be conducted when details of the provisions of the Bill were available. SCMA said that there were many ways for people to express their views. When the Bill was introduced into LegCo, Members and the public would have time to discuss it in detail.

8. Ms Alice MAK said that she did not see the need to conduct further consultation with the public or to issue a white bill. She said that the current discussion should focus on how the local legislation should be enacted having regard to the circumstances of Hong Kong.

9. The Chairman requested the Administration to respond to some deputations regarding their allegations that the Bill did not comply with the International Covenant on Civil and Political Rights and that the Bill imposed unnecessary restrictions on human rights. SCMA said that the proposed local legislation would conform to the Basic Law and its provisions on the protection of people's freedom of speech and freedom of expression. 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.

10. Mr CHEUNG Kwok-kwan pointed out that while the Hong Kong Football Association was fined by the Federation Internationale de Football Association after the incidents of booing the national anthem by soccer fans at recent matches, such behaviour of disrespecting the national anthem, however, was currently not punishable by law in Hong Kong. He said that

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some people had used the freedom of expression as an excuse to oppose the legislation but such freedom was not without boundaries. Mr Steven HO said that the proposed local legislation was not to force people to be patriotic and similar laws had also been enacted overseas.

Application of the National Anthem Bill

11. Mr Gary FAN pointed out that relevant laws enacted by other jurisdictions merely defined the national anthem, the lyrics and etiquette when playing the national anthem on certain occasions, whereas the Bill would have the effect of restricting Hong Kong people's freedom of expression and forcing people to be patriotic. He further said that the Administration had not provided clear definitions for what constituted an insult to the national anthem and "behaviour that is disrespectful to the national anthem", as well as the expression "stand and deport themselves respectfully". He stressed that the principle of legal certainty under the common law was fundamental to the protection of people's rights and freedoms. The Administration was urged to address these concerns.

12. SCMA advised that anyone who publicly and intentionally insulted the national anthem would be held liable. He dismissed the allegations that the proposed local legislation contained provisions of an ideological nature or forced people to be patriotic. He reiterated that the Bill would only impose sanctions on those who had an intent to insult the national anthem, and any unlawful act under the proposed provisions of the Bill corresponding to Article 15 of the National Anthem Law would require the burden of proof for establishing criminal liability by the prosecution. 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. SCMA emphasized that the elements of "publicly", "wilfully" and "insult" would be taken into account in considering whether a person's specific act would constitute an offence.

13. Dr Priscilla LEUNG considered that there should be clear provisions to ban the production of derivative work of the national anthem with the intent to insult the national anthem. SCMA said 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 with an intent to insult the national anthem would not be allowed under the proposed provisions of the Bill corresponding to Article 15 of the National Anthem Law.

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14. In response to concerns that innocent members of the public might breach the law inadvertently, Mr WONG Ting-kwong said that under the criminal law, the offence under provisions of the Bill corresponding to Article 15 of the National Anthem Law would require the proof of *mens rea* (i.e. criminal intent) by the prosecution, and that there must be both *actus reus* ("guilty act") and *mens rea* for a person to be guilty of the offence. He requested the Administration to clarify whether people would contravene the law in the following scenarios: altering the score and lyrics of the national anthem, performing a jazz rendition of the national anthem, singing the national anthem in Cantonese, etc. SCMA said that the national anthem was the symbol of the country and should be respected. The national anthem should not be used for derivative work with the intent to insult the national anthem. An official standard score and the official recorded version of the national anthem would be promulgated on the Government website. It should be sung in Putonghua.

15. Dr CHIANG Lai-wan requested the Administration to explain what the "occasions to be prescribed by the Chief Executive" were as opposed to the "appropriate occasions" where people were encouraged to sing the national anthem under Articles 4 and 5 respectively. Dr Helena WONG requested the Administration to narrow down the scope of application of the Bill instead of casting the net too wide to include schools, local community, or any performance venues within the scope of regulation.

16. SCMA explained that, with reference to Article 4 of the National Anthem Law, the Bill would specify the occasions on which the national anthem should be played and sung. These occasions included official occasions, e.g. the flag raising ceremonies at the Golden Bauhinia Square on 1 July HKSAR Establishment Day and 1 October National Day, as well as commemorative activities on the Victory Day of the Chinese people's war of resistance against Japanese aggression and Nanjing Massacre Memorial Day. As regards non-official occasions such as sports events organized by sports associations and similar bodies, respective event organizers would have the discretion to decide whether the national anthem should be played. However, when the national anthem was played on such occasions, people attending should stand and deport themselves respectfully and the proposed corresponding provision of the Bill (for the purpose of implementing Article 7 of the National Anthem Law) would provide guidelines without carrying penalties. SCMA reiterated that the elements of "publicly",

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"wilfully" and "insult" would be taken into account in considering whether a person's specific act would constitute an offence under the law.

17. In response to Dr CHIANG Lai-wan's enquiry on whether the provision to ban the use of the national anthem as background music in public venues would apply to shopping malls, SCMA said that background music played in shopping malls would fall into this category.

18. Dr CHIANG Lai-wan further enquired how people should place their hands as well as their gestures when the national anthem was being played. SCMA said that there was no plan to prescribe the behaviour in this regard. The Chairman considered that relevant issues could be followed up during the scrutiny of the Bill by the relevant Bills Committee.

19. Regarding Article 15 of the National Anthem Law and the corresponding provision of the Bill, Dr Helena WONG enquired what the expression "in any other manner" specifically referred to. She further asked whether a person would commit an offence if he/she could not sing the national anthem well or his/her Putonghua pronunciation was not accurate, or if he/she sang the national anthem in Cantonese. SCMA said that performing or singing the national anthem in a distorted or derogatory manner, or insulting it in any other manner would be caught under the provisions corresponding to Article 15 of the National Anthem Law. 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 evidence.

20. Dr Helena WONG further enquired that in the scenario of derivative work on the national anthem with the intent to insult the national anthem forming part of a drama, what liability the producers of the drama, the performers and the audience would bear. SCMA said that consideration would be given to whether an insult to the national anthem was constituted. He said that the court would consider each case based on objective facts and decide based on common law principles. Dr WONG considered that the Administration should issue a white bill setting out the detailed legislative provisions for public consultation. SCMA explained that it would be impossible to define what constituted an insult to the national anthem by giving an exhaustive list in the Bill.

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21. Mr AU Nok-hin enquired whether persons who were not permanent residents of Hong Kong would be subject to the law. SCMA said that anyone who publicly and intentionally insulted the national anthem would be held liable, irrespective of the person's nationality.

22. Dr Priscilla LEUNG considered that EDB should provide guidelines to schools explaining the meaning of respecting the national anthem, as well as the historical background and spirit of the national anthem. She requested the Administration to enhance support to schools in this regard.

23. Noting that some provisions of the Bill carried no penalties, Mr Alvin YEUNG asked about the consequences for teachers who refused to teach the relevant background and history of the national anthem, and for teachers whose teaching was not fully in line with the Administration's guidelines. SCMA said that the proposed provisions of the Bill aimed to reflect the requirement in Article 11 of the National Anthem Law that the teaching of 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. Hence, no additional requirement would be imposed on schools under the Bill. In response to Mr YEUNG's further enquiry, SCMA advised that the proposed provision of the Bill corresponding to Article 7 of the National Anthem Law carried no penalty, whereas a person who breached the proposed provisions in the Bill corresponding to Article 15 of the National Anthem Law would commit an offence.

24. Mr SHIU Ka-fai requested the Administration to respond to some people's worries that primary school students might violate the law if they misbehaved during the playing of the national anthem just for fun. SCMA said that provisions corresponding to Article 11 of the National Anthem Law would be implemented through the existing education system, and EDB would maintain close liaison with the education sector on relevant arrangements and provide necessary support in the implementation of the Bill.

25. Mr Christopher CHEUNG enquired about the Administration's plan to promote the Bill and the resources to be devoted to complement the legislative work. SCMA said that the Administration would step up efforts in education and publicity to promote respect for the national anthem. To

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complement the legislative work, the Administration would broadcast Announcements in the Public Interests on television and radio to enhance public understanding of the background of the national anthem, as well as the etiquette for the performance and singing of the national anthem.

26. Ms Claudia MO said that she did not subscribe to the view that the proposed local legislation should be enacted in order for young people to learn and respect the national anthem. She noted that the national anthem was already played on television every day and online resources were also available for learning.

(At 12:08 pm, the Chairman ruled that the conduct of Miss CHEUNG Sin-ying and Mr Gary FAN was grossly disorderly and ordered them to withdraw immediately from the meeting in accordance with Rule 87 and Rule 45(2) respectively of the Rules of Procedure ("RoP").)

(During the fourth session, the Deputy Chairman ruled that the conduct of Mr 陳家駒 of Students Independence Union was grossly disorderly and ordered him to withdraw from the meeting in accordance with RoP 87.)

II. Any other business

27. There being no other business, the meeting ended at 4:35 pm.

Council Business Division 2
Legislative Council Secretariat
20 December 2018

Panel on Constitutional Affairs

Special meeting on Saturday, 5 May 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.	門徒事工	<ul style="list-style-type: none"> • LC Paper No. CB(2)1268/17-18(17)
2.*	香港新界地區事務顧問協會	<ul style="list-style-type: none"> • Supported 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"). • The Hong Kong Special Administration Region ("HKSAR") had the constitutional duty to enact the proposed local legislation as the national anthem was an important symbol of the country. Relevant laws had been enacted in overseas jurisdictions.
3.*	Labour Party	<ul style="list-style-type: none"> • Opposed the enactment of the Bill to implement the National Anthem Law as it would restrict people's civil rights. • Considered that the country did not deserve respect from its people because it did not show respect to its Constitution.
4.*	Miss KWOK Fu-yung	<ul style="list-style-type: none"> • Supported the enactment of the Bill to implement the National Anthem Law. • HKSAR had the constitutional duty to enact the proposed local legislation, which would only target people who showed wilful intent to insult the national anthem.
5.	Business and Professionals Alliance for Hong Kong	<ul style="list-style-type: none"> • LC Paper No. CB(2)1338/17-18(01)
6.	Hong Kong Federation of Education Workers	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(01)
7.*	自由黨青年團	<ul style="list-style-type: none"> • Supported the enactment of the Bill to implement the National Anthem Law. • The national anthem as an important symbol of the country should be respected. • While supporting the requirement for secondary and primary schools to teach students to sing the national anthem as well as to observe the etiquette during the performance and singing of the national anthem, the deputation considered that relevant

No.	Name of Deputation/individual	Submission / Major views and concerns
		terms such as "deport themselves respectfully" in the Bill should be clearly defined with proper illustration by examples.
8.	Mr Andrew TANG Wai-keung	<ul style="list-style-type: none"> • LC Paper No. CB(2)1382/17-18(14)
9.	Mr CHENG Kin	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(02)
10.	All-China Women's Federation Hong Kong Delegates Association Ltd	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(03)
11.*	Mr SZETO Chun-hin	<ul style="list-style-type: none"> • Supported the enactment of the Bill to implement the National Anthem Law. • Behaviour with the intent to insult the national anthem should be discouraged.
12.	Mr WONG Chun-kit	<ul style="list-style-type: none"> • LC Paper No. CB(2)1382/17-18(15)
13.*	League in Defense of Hong Kong's Freedoms	<ul style="list-style-type: none"> • Considered that there was a lack of trust and confidence in the governing party of the Mainland and hence people were opposed to enacting local legislation to implement the National Anthem Law . • Expressed concern that the proposed local legislation might be subject to selective enforcement and prosecution by the Government after its enactment.
14.	The Hong Kong Taoist Association	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(04)
15.	蒲公英(香港)兒童文化中心	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(05)
16.	Mr CHAN Kwan-po	<ul style="list-style-type: none"> • LC Paper No. CB(2)1482/17-18(07)
17.	Mr WU Kin-wa	<ul style="list-style-type: none"> • LC Paper No. CB(2)1382/17-18(16)
18.	Personal and Community Services Workers General Union	<ul style="list-style-type: none"> • LC Paper No. CB(2)1482/17-18(08)
19.*	Mr LEUNG Ping-kin	<ul style="list-style-type: none"> • Supported the enactment of the Bill to implement the National Anthem Law. • The national anthem represented the dignity of the country and should deserve respect.

No.	Name of Deputation/individual	Submission / Major views and concerns
20.*	粵港澳大灣區青年總會	<ul style="list-style-type: none"> ● Supported the enactment of the Bill to implement the National Anthem Law. The current discussion should focus on how to legislate on the subject matter. ● There was a pressing need to enact the proposed local legislation in view of the blatant disrespect for the national anthem by soccer fans at recent matches.
21.	Miss TO Shun-wing	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(08)
<i>Session Two</i>		
22.	徐天佑先生	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1338/17-18(01)
23.	張嘉峻先生	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1338/17-18(01)
24.*	Miss HUI Po-chun	<ul style="list-style-type: none"> ● Supported the enactment of the Bill to implement the National Anthem Law. ● The Administration should step up efforts in education and publicity to promote respect for the national anthem.
25.	Dr CHUANG Tze-cheung	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1382/17-18(17)
26.	Miss CHEUNG Sin-ying	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(09)
27.	HK Association for Promotion of Peaceful Reunification of China Limited	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(10)
28.	Mr NG Tin-sang	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(11)
29.	Mr LING Chi-keung	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(12)
30.	Mr LAM Chun-hei	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1382/17-18(19)
31.	China Sportsman (HK) Union Ltd	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(13)
32.*	Hong Kong Youth Enlightenment	<ul style="list-style-type: none"> ● Supported the enactment of the Bill to implement the National Anthem Law. ● HKSAR had the constitutional duty and there was a pressing need to enact the proposed local legislation. The law would only target people who had an intent to insult the national anthem. ● The Government should strive to promote respect for the national anthem through education so that young people would realize respecting the country as part of their civic duty.

No.	Name of Deputation/individual	Submission / Major views and concerns
33.*	Mr Dominic LEE Tsz-king, Sham Shui Po Council Member	<ul style="list-style-type: none"> • Supported the enactment of the Bill to implement the National Anthem Law. • Considered that restrictions on the freedom of speech that were proportionate to legitimate interests in protecting the unique symbol of the nation could be imposed.
34.	Hong Kong Professionals And Senior Executives Association	<ul style="list-style-type: none"> • LC Paper No. CB(2)1339/17-18(01)
35.*	Mr LI Kai-hei	<ul style="list-style-type: none"> • Supported the enactment of the Bill to implement the National Anthem Law. • The national anthem as an important symbol of the country should be respected and protected.
36.	Mr William CHAN Kit	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(14)
37.	Association of China Trend Studies (HK)	<ul style="list-style-type: none"> • LC Paper No. CB(2)1339/17-18(02)
38.*	Mr LAI Wai-tong	<ul style="list-style-type: none"> • Young people lacked a sense of belonging and their national identity as the country did not show respect to its Constitution. • The Administration should issue a white bill setting out the detailed legislative provisions for public consultation.
39.	Dr Michael CHAN	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(21)
<i>Session Three</i>		
40.	Hong Kong Innovision Association	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(15)
41.	The Hong Kong Association of Construction Professionals	<ul style="list-style-type: none"> • LC Paper No. CB(2)1339/17-18(03)
42.	Hong Kong KOL Project	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(16)
43.	The Student Union of the Chinese University of Hong Kong	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(17)
44.	Zhangzhou District Association of Hong Kong	<ul style="list-style-type: none"> • LC Paper No. CB(2)1338/17-18(04)
45.	Asterism, Proposed	<ul style="list-style-type: none"> • LC Paper No. CB(2)1300/17-18(18)

No.	Name of Deputation/individual	Submission / Major views and concerns
	Cabinet of Executive Committee, The Hong Kong University Students' Union, Session 2018	
46.*	hkvsu	<ul style="list-style-type: none"> ● Opposed the enactment of the Bill to implement the National Anthem Law. ● Considered that the proposed local legislation would restrict people's freedom of thought. ● Expressed concern on whether people would contravene the law if singing the national anthem in Cantonese.
47.*	Mr LUI Man-kwong, Sai Kung District Council Member	<ul style="list-style-type: none"> ● Expressed concern that the outline of the proposed content of the Bill was too vague and people might contravene the law inadvertently. The Administration should provide clear definitions for relevant terms in the Bill. ● Questioned the need to introduce provisions requiring schools to teach the national anthem as most local schools were already teaching students about the national anthem. ● The Administration should consult the public on the proposed local legislation.
48.	何京文先生	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1339/17-18(04)
49.*	The Young Civics	<ul style="list-style-type: none"> ● Opposed the enactment of the Bill to implement the National Anthem Law. ● Expressed concern on whether people would contravene the law if performing a Jazz rendition of the national anthem. ● Expressed concern that the proposed local legislation would undermine people's freedom of expression and creation. ● The national anthem was not a physical object and it was impossible to write an exhaustive list of conduct prohibited by law for the protection of the national anthem.
50.*	Island West Dynamic Movement	<ul style="list-style-type: none"> ● Expressed concern that the outline of the proposed content of the Bill was too vague. ● Considered that the penalty level for committing the relevant offences under the proposed local legislation (i.e. a fine of HK\$50,000 and an imprisonment for three years) was

No.	Name of Deputation/individual	Submission / Major views and concerns
		disproportionately harsh as compared with Article 15 of the National Anthem Law of the Mainland (i.e. detention for up to 15 days).
51.*	Hong Kong Human Rights Monitor	<ul style="list-style-type: none"> ● Considered that the Bill would have the effect of restricting Hong Kong people's freedom of expression and freedom of thought. ● Considered that the Legislative Council should consider to what extent the National Anthem Law could be implemented in Hong Kong through local legislation, and that the penalty provisions should be removed.
52.*	Mr TAI Chun-sang	<ul style="list-style-type: none"> ● Expressed concern that the outline of the proposed content of the Bill was too vague as well as imposing provisions of an ideological nature, and the enforcement agency might enforce the law selectively. ● Considered that the Bill would have the effect of restricting people's freedom of creation, hence affecting the practitioners in the music industry.
53.	Concern Group of Rights of Derivative Works	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(20)
54.*	Mr CHONG Hok-him	<ul style="list-style-type: none"> ● While enacting the proposed local legislation would provide the basis for teaching the national anthem and the related etiquette in schools, schools should not be required to impose regulations to ensure compliance by students.
<i>Session Four</i>		
55.*	鄧焯謙先生	<ul style="list-style-type: none"> ● The Bill would only target people who showed wilful intent to insult the national anthem. ● The Administration should step up efforts to explain clearly the application of the penalty provisions.
56.*	劉桂容女士	<ul style="list-style-type: none"> ● Supported the enactment of the Bill to implement the National Anthem Law. Relevant laws had been enacted in overseas jurisdictions such as Singapore, India and Canada. ● The national anthem symbolized the dignity of the country and the proposed local legislation would help foster respect for the national anthem.
57.	HKEd4All	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1482/17-18(09)
58.	Mr WAN Yu-pui	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1338/17-18(05)

No.	Name of Deputation/individual	Submission / Major views and concerns
59.	Mr IP Tsz-fung	<ul style="list-style-type: none"> LC Paper No. CB(2)1300/17-18(22)
60.	Hong Kong Hiking Association, China	<ul style="list-style-type: none"> LC Paper No. CB(2)1382/17-18(18)
61.*	林錫添先生	<ul style="list-style-type: none"> The teaching of the national anthem should include the historical background of the national anthem, particularly the biographies of the late lyricist and composer of the national anthem (including the tragic death of Mr TIAN Han, the lyricist of the national anthem, who was persecuted till death in the Cultural Revolution.) There was no need to enact legislation to protect the national anthem as people would respect the governing party and the country's symbol if the governing party truly respected its people.
62.	Ms SHEK Mei-wan	<ul style="list-style-type: none"> LC Paper No. CB(2)1300/17-18(23)
63.*	何竑先生	<ul style="list-style-type: none"> Supported the enactment of the Bill to implement the National Anthem Law. There was a pressing need to enact the proposed local legislation in view of the blatant disrespect for the national anthem by soccer fans at recent matches
64.*	Liberal Party	<ul style="list-style-type: none"> Supported the enactment of the Bill to implement the National Anthem Law and there was a pressing need to protect the national anthem from being wilfully insulted. Supported the requirement for secondary and primary schools to teach students to sing the national anthem and understand the historical background and spirit of the national anthem, as well as to observe the etiquette during the performance and singing of the national anthem.
65.*	Students Independence Union	<ul style="list-style-type: none"> Opposed the enactment of the Bill to implement the National Anthem Law. It was difficult for people to respect the governing party if the governing party did not respect the people.
66.	Copyrights & Derivative Works Alliance	<ul style="list-style-type: none"> LC Paper No. CB(2)1300/17-18(24)
67.	Hang Sang Management College Elected Cabinet Embark	<ul style="list-style-type: none"> LC Paper No. CB(2)1300/17-18(25)

No.	Name of Deputation/individual	Submission / Major views and concerns
68.	Hong Kong Higher Education Convergence	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(26)
69.	Mr Joshua WONG	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1482/17-18(10)
70.*	Mr MAK Tin-ho	<ul style="list-style-type: none"> ● Expressed views on examples of disrespecting the national symbols including the national day and national anthem in the Mainland.
71.	香港新中史學社	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1339/17-18(05)
72.	Mr WAN Kai-ming	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1338/17-18(06)
73.	Mr LAU Chi-hung	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1338/17-18(07)
74.	香港福建社團聯會新界西分會	<ul style="list-style-type: none"> ● LC Paper No. CB(2)1300/17-18(27)
75.*	古俊軒先生	<ul style="list-style-type: none"> ● People should not be forced to show patriotism and respect for national anthem under the law. ● There were no penalty provisions in relevant legislation enacted by overseas jurisdictions such as Japan. ● Expressed reservation about enacting the proposed local legislation as it might undermine people's freedom of thought.

* No written submissions provided for this meeting