

**立法會**  
**Legislative Council**

Ref : CB2/BC/3/18

LC Paper No. CB(2)1922/18-19  
(These minutes have been  
seen by the Administration)

**Bills Committee on National Anthem Bill**

**Minutes of the third meeting**  
**held on Saturday, 16 March 2019, from 9:00 am to 6:30 pm**  
**in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon Martin LIAO Cheung-kong, SBS, JP (Chairman)  
Hon CHEUNG Kwok-kwan, JP (Deputy Chairman)  
Hon LEUNG Yiu-chung  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Prof Hon Joseph LEE Kok-long, SBS, JP  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon WONG Ting-kwong, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Hak-kan, BBS, JP  
Hon CHAN Kin-por, GBS, 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 Michael TIEN Puk-sun, BBS, JP  
Hon Steven HO Chun-yin, BBS  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon YIU Si-wing, BBS  
Hon MA Fung-kwok, SBS, JP  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, BBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Kenneth LEUNG  
Hon Alice MAK Mei-kuen, BBS, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung, JP  
Hon Dennis KWOK Wing-hang  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Dr Hon CHIANG Lai-wan, SBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon Alvin YEUNG

Hon Andrew WAN Siu-kin  
Hon Jimmy NG Wing-ka, JP  
Dr Hon Junius HO Kwan-yiu, JP  
Hon HO Kai-ming  
Hon LAM Cheuk-ting  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-chun  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan  
Hon CHAN Chun-ying, JP  
Hon HUI Chi-fung  
Hon LUK Chung-hung, JP  
Hon LAU Kwok-fan, MH  
Hon Kenneth LAU Ip-keung, BBS, MH, JP  
Dr Hon CHENG Chung-tai  
Hon Jeremy TAM Man-ho  
Hon Gary FAN Kwok-wai  
Hon AU Nok-hin  
Hon Vincent CHENG Wing-shun, MH  
Hon Tony TSE Wai-chuen, BBS  
Hon CHAN Hoi-yan

**Members absent** : Hon James TO Kun-sun  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon WU Chi-wai, MH  
Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, BBS, JP  
Hon CHU Hoi-dick  
Hon SHIU Ka-fai  
Hon Tanya CHAN  
Hon KWONG Chun-yu

**Public Officers attending** : Mr Patrick NIP Tak-kuen, JP  
Secretary for Constitutional and Mainland Affairs  
  
Mr Roy TANG Yun-kwong, JP  
Permanent Secretary for Constitutional and Mainland Affairs

*Sessions One to Three*

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

*Sessions Four to Six*

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

**Attendance by : *Session One***  
**invitation**

Democratic Alliance for the Betterment and Progress of  
Hong Kong

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Mr TSANG Pak-ki

Mr Thomas LAI

Mr Jacky KO Chung-kit

The Hong Kong Taoist Association

Mr HAU Wing-cheong

Mr TSANG Chiu-yuk

Mr Manley LAU

Mr LEUNG Kwok-hung

Mr FU Wang-yan

Mr HAN Ping

Miss CHAN Po-ying

Mr Victor LAU Ngai

Miss TSUI Ho-yee

Mr Danny SIU Wai-chung

Mr Andrew NG Ka-chun

Mr TSANG Kin-shing

Mr LEE Kwok-pong

Liberal Party

曾卓兒女士

*Session Two*

Prof LAM Chi-wing

Hong Kong Electrical & Mechanical Engineering  
Professional Employees Association

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Mr WONG Chi-leong

Hong Kong Union of Chinese Workers in Western Style  
Employment

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Mr YAU Yiu-shing

Harbour Transportation Workers General Union

Mr FAN Keung

Hong Kong Registered Chinese Medicine Practitioners  
Association

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陳仿陽博士

League of Social Democrats

Mr NG Man-yuen

Mr Gary FONG Ka-wai

Labour Party

Mr KWOK Wing-kin

Mr LI Chung-chak

Hong Kong Manufacturing Industry Employee General  
Union

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Mrs LEE Wai-man

Mr Joey LEE

Zhongshan University Law Faculty Hong Kong Students  
Association

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Ms Frances IP

Mr Joshua WONG

Mr YAO Yiong

Mr Julian KAN Chi-chung

Mr William FUNG Hon-kwong

Mr SHIH Man-ngai

Democratic Party

Mr Victor YEUNG

Business and Professionals Alliance for Hong Kong

丁煌大律師

Mr WONG Ho-ming

Mr CHAN Ho-wun

*Session Three*

Mr Erwin CHU Hock-hoi

Civic Party

Mr Simon HUNG

Mr YIP Man-pan, Tuen Mun District Council Member

Mr LAM Chi-yeung

Mr Andy YU, Yau Tsim Mong District Council Member

Mr CHENG Tat-hung, Eastern District Council Member

陳海容小姐

Liberal Party Youth Committee

Mr Howard CHAO

Mr LEE Yue-shun

黃偉傑先生

錢祉熒小姐

Mr LAI Wai-tong

Miss HUNG Hoi-ki

Mr LAM Wang-kit

Hong Kong Human Rights Monitor

Mr LAW Yuk-kai

翁狄燊先生

Tai Po Youths Association

Mr MUI Siu-fung

Progressive Lawyers Group

Miss Angel WONG H.Y.

People Power

Mr TAM Tak-chi

Mr KAM Man-fung

*Session Four*

錢寶芬女士

Mr MOK Ka-kit

周潔瑩小姐

Youth Committee of Business and Professionals Alliance  
for Hong Kong

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梁文廣先生

Mr CHENG Po-wai

Mr LAW Kwun-chung

Mr WONG Chin-hang

Mr TSUI King-sing

馬活言先生

Mr KWOK Chiu-lam

Mr LAM Hin-fai

Miss LEUNG Ho-wun

Ms Betty HUI Pui-yan

Miss CHIU Sze-yan

Hong Kong Fishermen Consortium

Mr YEUNG Sheung-chun

Hong Kong Fishermen's Youth Association

Mr CHUI King-hang

*Session Five*

Service Industry General Union

Mr CHAN Ting-fung

The Confucian Academy

Mr LUI Tin-tsang

Hong Kong Clerical and Professional Employees General Union

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Mr LAM Yuet-ching

Miss NG Ka-yi

Hong Kong Federation of Railway Trade Unions

Mr TAM Kin-chiu

Hong Kong Shipbuilding, Machinery Manufacturing, Electrical and Steel Industries Employees General Union

Miss YANG LI

Miss HO Sau-yee

Mr LEUNG Ming-yin

Mr CHENG Ka-long

Mr LAM Wing-shing

Mr Vincent POON

Mr RUAN Jianming

Island West Dynamic Movement

Mr SAM YIP Kam-lung

Mr CHAU Kwok-wa

Eating Establishment Employees General Union

招冠聰先生

Logistics Practitioners Union

Mr HO Ting-piu

Mr Sherman YAN Chuek-ning

Miss FUNG Hoi-ying

*Session Six*

Mr YIM Man-sing

Mr Roy PUN Long-chung

Mr TSANG Wing-fai

Hong Kong Construction Industry Employees General Union

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Mr NG Wai-leung

Mr Joe CHAN Wai-ki

Mr NG Chun-yu

Miss LO So-kwan

Mr LAM Hang-kwong

Mr LUI Man-kwong

Mr LAM War-wai

Mr CHU Pui-hung

Hong Kong Quality And Talent Migrants Association

Mr LUO Yong

Ms Lusan HUNG Lo-shan



Mr CHAN Ka-long

Hong Kong Chinese Medicine Industry

Mr TING Wing-fai

The Staffs & Workers Union Of Hong Kong Civil  
Airlines

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Mr IP Wai-ming

All China Women's Federation Hong Kong Delegates  
Association Limited

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蕭詠儀律師

Mr WONG Kin-long

- Clerk in attendance** : Ms Joanne MAK  
Chief Council Secretary (2) 3
- Staff in attendance** : Mr Kelvin LEE  
Senior Assistant Legal Adviser 3
- Miss Rachel DAI  
Assistant Legal Adviser 2
- Ms Jasmine TAM  
Senior Council Secretary (2) 3
- Mr Dennis HO  
Council Secretary (2) 3
- Mrs Fonny TSANG  
Legislative Assistant (2) 3
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**I. Meeting with deputations and the Administration**

[File Ref.: CMAB E4/1/1, LC Paper Nos. CB(3)307/18-19,  
LS42/18-19, CB(2)811/18-19(01) and CB(2)893/18-19(02)]

The Bills Committee received views from a total of 110 individuals/  
organizations attending the meeting (index of proceedings attached at **Annex**).

2. In response to the deputations' views, the Administration made the  
following points:

Action

- (a) On 4 November 2017, the Standing Committee of the Twelfth National People's Congress adopted the decision to add the Law of the People's Republic of China on the National Anthem ("the National Anthem Law") to Annex III to the Basic Law. According to Article 18(2) of the Basic Law, the national laws listed in Annex III to the Basic Law shall be applied locally by way of promulgation or legislation by the Hong Kong Special Administrative Region ("HKSAR"). It was thus the constitutional duty of the HKSAR Government to implement the National Anthem Law locally. Implementing the National Anthem Law in HKSAR by local legislation through the introduction of the Bill was consistent with the "one country, two systems" principle and the requirements of the Basic Law;
- (b) the national flag, the national anthem and the national emblem were the symbol and sign of the country as stipulated in the Constitution of the People's Republic of China ("the Constitution"), and they were not matters within the limits of the autonomy of HKSAR. The addition of the National Anthem Law to Annex III to the Basic Law was in full compliance with the Constitution and the Basic Law;
- (c) the legislative principle of the Bill was to fully reflect the purpose and intent of the National Anthem Law, and at the same time to give due regard to the common law system and the actual circumstances in Hong Kong. The focus of the Bill was two-pronged: firstly, to state that the national anthem was the symbol and sign of the People's Republic of China ("PRC"), and to promote respect for the national anthem by means of directional provisions; secondly, to prescribe the penalties for publicly and intentionally insulting or misusing the national anthem;
- (d) the Administration did not consider that the Bill entailed interference in the educational autonomy of HKSAR. The learning contents of the national anthem were already covered in the existing curricula of primary and secondary education, which were updated as and when necessary;
- (e) the Court of Final Appeal had ruled that the freedom of speech and of expression was not without boundaries. As ruled by the court, limited restrictions on the freedom of speech and of

Action

expression that were proportionate to the legitimate interests in protecting the national flag as the unique symbol of the nation could be imposed. Similar restriction on the freedom of speech and of expression imposed by the Bill was limited and proportional, as it restricted only one mode of expression (i.e. expressing opinions by way of publicly and intentionally insulting the national anthem). It did not restrict the content of the message which the public wished to express;

- (f) the Bill was not to force people to be patriotic. The core spirit of the Bill was to promote respect for the national anthem, and the provisions concerning the standard and etiquette for playing and singing the national anthem in Part 2 of the Bill were directional and did not provide for any penalty. The penal provisions, contained in Part 3 of the Bill, were designed to deal with behaviour that amounted to an insult to the national anthem or a misuse of the national anthem. For the offence of insulting the national anthem, the law enforcement agencies would only enforce the law in accordance with clause 7 of the Bill;
- (g) to strike a balance between effective law enforcement and reasonable prosecution time bar on the offence of insulting the national anthem, which was a summary offence under the Bill, the Bill provided that the prosecution time bar was one year after the date on which the offence was discovered by, or came to the notice of, the Commissioner of Police, or two years after the date on which the offence was committed, whichever was the earlier. Such an arrangement was not unique to the Bill and there were other examples of similar provisions under the existing legislation in Hong Kong;
- (h) on whether a specific case would contravene clause 7 of the Bill, the Police would, based on the actual circumstances and the evidence collected in each case, make an assessment in accordance with the law. The Department of Justice would only initiate prosecution upon sufficient evidence showing that the relevant act constituted a public and intentional insult of the national anthem. The burden of proof was on the prosecution, and the courts would apply the usual standard of proof for criminal cases in Hong Kong (i.e. beyond reasonable doubt) in reaching a decision on each case. Since specified mens rea was required for establishing an offence under clause 7, there was no need for members of the public to worry about "inadvertently

Action

contravening the law" so long as they did not intend to insult the national anthem;

- (i) the maximum penalty for the offence of insulting the national anthem under the Bill was the same as that for similar offence under the National Flag and National Emblem Ordinance, which was in line with the Criminal Law of PRC, under which the maximum penalty for the offence of desecrating the national flag, national emblem or national anthem was also three years' imprisonment. The Hong Kong courts would impose sentences in accordance with the actual circumstances of each case; and
- (j) the Preamble to the Bill, which adopted the content of Articles 1, 3 and 5 of the National Anthem Law with suitable adaptation, served to reflect the legislative intent of the National Anthem Law and provide background information to facilitate understanding of the Bill. The Administration did not consider that the Preamble as currently drafted contained any ideological expression.

*(During the fifth session of the meeting, the Chairman ruled that the conduct of Mr CHENG Ka-long was grossly disorderly and ordered him to withdraw from the meeting in accordance with Rule 87 of the Rules of Procedure.)*

*(The Deputy Chairman took the chair during the sixth session held in the afternoon.)*

*(At 6:28 pm, the Deputy Chairman directed that the meeting be extended by 15 minutes beyond the appointed ending time.)*

Date of next meeting

- 3. Members noted that the next meeting would be held on Monday, 18 March 2019, from 8:45 am to 10:45 am.

**II. Any other business**

- 4. There being no other business, the meeting ended at 6:31 pm.

**Proceedings of the third meeting of the  
Bills Committee on National Anthem Bill  
on Saturday, 16 March 2019, from 9:00 am to 6:30 pm  
in Conference Room 1 of the Legislative Council Complex**

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
000824 - 002053	Chairman Mr LAM Cheuk-ting Administration	Opening remarks  Meeting with deputations to receive views on the National Anthem Bill ("the Bill")	
<b>Session One</b>			
002054 - 002329	Chairman Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views [LC Paper No. CB(2)1053/18-19(01)]	
002330 - 002633	Chairman Mr Thomas LAI	Presentation of views	
002634 - 002942	Chairman Mr Jacky KO Chung-kit	Presentation of views [LC Paper No. CB(2)986/18-19(01)]	
002943 - 003252	Chairman The Hong Kong Taoist Association	Presentation of views [LC Paper No. CB(2)986/18-19(02)]	
003253 - 003409	Chairman Mr TSANG Chiu-yuk	Presentation of views	
003410 - 003652	Chairman Mr Manley LAU	Presentation of views [LC Paper No. CB(2)1170/18-19(01)]	
003653 - 004001	Chairman Mr LEUNG Kwok-hung	Presentation of views	
004002 - 004041	Chairman Mr FU Wang-yan	Presentation of views [LC Paper No. CB(2)987/18-19(01)] [circulated to members only]	
004042 - 004136	Chairman Mr HAN Ping	Presentation of views [LC Paper No. CB(2)986/18-19(03)]	
004137 - 004447	Chairman Miss CHAN Po-ying	Presentation of views	
004448 - 004753	Chairman Mr Victor LAU Ngai	Presentation of views	
004754 - 005104	Chairman Miss TSUI Ho-yee	Presentation of views	
005105 - 005358	Chairman Mr Danny SIU Wai-chung	Presentation of views	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
005359 - 005532	Chairman Mr Andrew NG Ka-chun	Presentation of views	
005533 - 005845	Chairman Mr TSANG Kin-shing	Presentation of views	
005846 - 010011	Chairman Mr LEE Kwok-pong	Presentation of views	
010012 - 010313	Chairman Liberal Party	Presentation of views	
010314 - 010719	Chairman Administration	Administration's response to deputations' views	
010720 - 011125	Chairman Mr CHAN Chi-chuen Administration	Concern about whether the production or publication of derivative work of the national anthem with no intent to insult the national anthem would constitute an offence under the Bill; and a suggestion that the Administration should provide as many as possible examples of acts that the Bill sought to prohibit for public reference	
011126 - 011445	Chairman Mr HUI Chi-fung Administration	Query about the appropriateness of criminalizing disrespectful behaviour against the national anthem and of including ideological expression like "to promote patriotism" in the Preamble to the Bill	
011446 - 011750	Chairman Mr Tony TSE Administration	Enquiry about whether the Education Bureau would issue guidelines to schools regarding the handling of insulting behaviour against the national anthem at school	
011751 - 012129	Chairman Dr Fernando CHEUNG Administration	Enquiry about whether a member of the public who sang the national anthem when giving views at a meeting held in the Legislative Council ("LegCo") would commit an offence of misusing or insulting the national anthem under the Bill	
<b>Session Two</b>			
012606 - 013013	Chairman	Opening remarks	
013014 - 013321	Chairman Prof LAM Chi-wing	Presentation of views [LC Paper No. CB(2)986/18-19(04)]	
013322 - 013614	Chairman Hong Kong Electrical & Mechanical Engineering Professional Employees Association	Presentation of views [LC Paper No. CB(2)986/18-19(05)]	
013615 - 013836	Chairman Hong Kong Union of Chinese Workers in Western Style Employment	Presentation of views [LC Paper No. CB(2)1053/18-19(02)]	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
013837 - 013915	Chairman Harbour Transportation Workers General Union	Presentation of views [LC Paper No. CB(2)986/18-19(06)]	
013916 - 014129	Chairman Hong Kong Registered Chinese Medicine Practitioners Association	Presentation of views [LC Paper No. CB(2)1053/18-19(03)]	
014130 - 014436	Chairman League of Social Democrats	Presentation of views	
014437 - 014709	Chairman Mr Gary FONG Ka-wai	Presentation of views [LC Paper No. CB(2)986/18-19(08)]	
014710 015015	Chairman Labour Party	Presentation of views	
015016- 015254	Chairman Mr LI Chung-chak	Presentation of views [LC Paper No. CB(2)1053/18-19(04)]	
015255 - 015548	Chairman Hong Kong Manufacturing Industry Employee General Union	Presentation of views [LC Paper No. CB(2)986/18-19(09)]	
015549 - 015900	Chairman Mr Joey LEE	Presentation of views [LC Paper No. CB(2)1170/18-19(02)]	
015901 - 020215	Chairman Zhongshan University Law Faculty Hong Kong Students Association	Presentation of views [LC Paper No. CB(2)986/18-19(10)]	
020216 - 020606	Chairman Mr Joshua WONG	Presentation of views [LC Paper No. CB(2)986/18-19(11)]	
020607 - 020904	Chairman Mr YAO Yiong	Presentation of views [LC Paper No. CB(2)987/18-19(02)] <i>[circulated to members only]</i>	
020905 - 021145	Chairman Mr Julian KAN Chi-chung	Presentation of views [LC Paper No. CB(2)1053/18-19(05)]	
021146 - 021302	Chairman Mr William FUNG Hon-kwong	Presentation of views [LC Paper No. CB(2)986/18-19(12)]	
021303 - 021408	Chairman Mr SHIH Man-ngai	Presentation of views [LC Paper No. CB(2)986/18-19(13)]	
021409 - 021719	Chairman Democratic Party	Presentation of views [LC Paper No. CB(2)998/18-19(01)]	
021710 - 022030	Chairman Business and Professionals Alliance for Hong Kong	Presentation of views [LC Paper No. CB(2)1053/18-19(06)]	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
022031 - 022343	Chairman Mr WONG Ho-ming	Presentation of views	
022344 - 022705	Chairman Mr CHAN Ho-wun	Presentation of views	
022706 - 023400	Chairman Administration	Administration's response to deputations' views	
023401 - 023715	Chairman Ms Starry LEE	Expression of views that it was the constitutional duty of the Hong Kong Special Administrative Region Government to implement the Law of the People's Republic of China on the National Anthem ("the National Anthem Law") locally and that one would not contravene the law inadvertently if he/she had no intent to insult the national anthem	
023716 - 023923	Chairman Mr Alvin YEUNG Administration	Concern about the standard to be applied in law enforcement and whether relevant guidelines would be provided to law enforcement agencies	
023924 - 024143	Chairman Mr Christopher CHEUNG	Expression of views that the national anthem was the symbol and sign of the country and thus should be respected; and that there was a pressing need to enact local legislation to implement the National Anthem Law in the wake of incidents like booing the national anthem during football matches	
024144 - 024354	Chairman Mr SHIU Ka-chun Administration	Queries about the need for criminalizing disrespect for the national anthem and for including the national anthem in primary and secondary education	
024355 - 024602	Chairman Mr Kenneth LEUNG Administration	Queries about (a) whether the penalties provided in the Bill were the heaviest as compared with those provided in relevant legislation of other jurisdictions; and (b) why individual LegCo Members had not been consulted on the proposal to include the oath-taking ceremony for taking the LegCo Oath in Schedule 3 to the Bill	
024603 - 024820	Chairman Mr Steven HO Administration	Expression of support for early passage of the Bill to protect the dignity of the national anthem	
<b>Session Three</b>			
025213 - 025613	Chairman	Opening remarks	
025614 - 025803	Chairman Mr Erwin CHU Hock-hoi	Presentation of views [LC Paper No. CB(2)987/18-19(03)] [circulated to members only]	
025804 - 030110	Chairman Civic Party	Presentation of views [LC Paper No. CB(2)986/18-19(14)]	
030111 - 030415	Chairman Mr YIP Man-pan, Tuen Mun District Council Member	Presentation of views	



<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
030416 - 030734	Chairman Mr LAM Chi-yeung	Presentation of views [LC Paper No. CB(2)1053/18-19(07)]	
030735 - 031044	Chairman Mr Andy YU, Yau Tsim Mong District Council Member	Presentation of views	
031045 - 031344	Chairman Mr CHENG Tat-hung, Eastern District Council Member	Presentation of views	
031345 - 031507	Chairman 陳海容小姐	Presentation of views [LC Paper No. CB(2)986/18-19(15)]	
031508 - 031735	Chairman Liberal Party Youth Committee	Presentation of views	
031736 - 032044	Chairman Mr LEE Yue-shun	Presentation of views	
032045 - 032314	Chairman 黃偉傑先生	Presentation of views	
032315 - 032434	Chairman 錢祉熒小姐	Presentation of views [LC Paper No. CB(2)986/18-19(16)]	
032435 - 032742	Chairman Mr LAI Wai-tong	Presentation of views	
032743 - 032922	Chairman Miss HUNG Hoi-ki	Presentation of views [LC Paper No. CB(2)986/18-19(17)]	
032743 - 033024	Chairman Mr LAM Wang-kit	Presentation of views [LC Paper No. CB(2)986/18-19(18)]	
033025 - 033338	Chairman Hong Kong Human Rights Monitor	Presentation of views	
033339 - 033650	Chairman 翁狄燊先生	Presentation of views [LC Paper No. CB(2)987/18-19(05)] [circulated to members only]	
033561 - 033927	Chairman Tai Po Youths Association	Presentation of views	
033928 - 034235	Chairman Progressive Lawyers Group	Presentation of views [LC Paper No. CB(2)986/18-19(19)]	
034236 - 034543	Chairman People Power	Presentation of views	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
034544 - 034854	Chairman Mr KAM Man-fung	Presentation of views [LC Paper No. CB(2)1170/18-19(03)]	
034855 - 035235	Chairman Administration	Administration's response to deputations' views	
035236 - 035508	Chairman Mr CHAN Chun-ying Administration	Expression of the view that it was necessary and reasonable to protect the national anthem, which was the symbol and sign of the country, from derogatory or insulting acts through legislation; and enquiry about clause 7(5) of the Bill	
035509 - 035715	Chairman Mr LAU Kwok-fan Administration	Enquiry about the enforcement of the National Flag and National Emblem Ordinance	
035716 - 035930	Chairman Mr Jeremy TAM Administration	Concern about whether students who insulted the national anthem at school would be subject to prosecution if the relevant acts were reported to the Police	
035931 - 040136	Chairman Hong Kong Human Rights Monitor	Discussion on whether the legislation relating to national anthem in Germany, which also prescribed a maximum penalty of three-year imprisonment for the offence of insulting the national anthem, was in conformity with international human rights treaties	
040137 - 040400	Chairman Mr CHAN Chi-chuen Administration	Enquiry about whether failure to stand up during the playing and singing of the national anthem on the occasions listed in Schedule 3 to the Bill would amount to an insult to the national anthem in breach of clause 7 of the Bill	
<b>Session Four</b>			
050530 - 050955	Chairman	Opening remarks	
050956 - 051315	Chairman 錢寶芬女士	Presentation of views	
051316 - 051631	Chairman Mr MOK Ka-kit	Presentation of views [LC Paper No. CB(2)986/18-19(22)]	
051632 - 051939	Chairman 周潔瑩小姐	Presentation of views [LC Paper No. CB(2)986/18-19(23)]	
051940 - 052213	Chairman Youth Committee of Business and Professionals Alliance for Hong Kong	Presentation of views	
052214 - 052350	Chairman Mr CHENG Po-wai	Presentation of views [LC Paper No. CB(2)987/18-19(06)] [circulated to members only]	
052351 - 052658	Chairman Mr LAW Kwun-chung	Presentation of views	

Time Marker	Speaker(s)	Subject(s)/Discussion	Action required
052659 - 052759	Chairman Mr WONG Chin-hang	Presentation of views [LC Paper No. CB(2)987/18-19(07)] [ <i>circulated to members only</i> ]	
052760 - 053106	Chairman Mr TSUI King-sing	Presentation of views [LC Paper No. CB(2)987/18-19(08)] [ <i>circulated to members only</i> ]	
053107 - 053424	Chairman 馬活言先生	Presentation of views	
053425 - 053737	Chairman Mr KWOK Chiu-lam	Presentation of views [LC Paper No. CB(2)1053/18-19(08)]	
053738 - 054009	Chairman Mr LAM Hin-fai	Presentation of views [LC Paper No. CB(2)986/18-19(25)]	
054010 - 054245	Chairman Miss LEUNG Ho-wun	Presentation of views	
054246 - 054343	Chairman Ms Betty HUI Pui-yan	Presentation of views [LC Paper No. CB(2)986/18-19(26)]	
054343 - 054614	Chairman Miss CHIU Sze-yan	Presentation of views	
054615 - 054914	Chairman Hong Kong Fishermen Consortium	Presentation of views	
054915 - 055145	Chairman Hong Kong Fishermen's Youth Association	Presentation of views	
055146 - 055956	Chairman Administration	Administration's response to deputations' views	
055957 - 060414	Chairman Mr AU Nok-hin Administration	Expression of concern that the penalties prescribed by the Bill were particularly harsh as compared with relevant legislation of many overseas jurisdictions	
060415 - 060819	Chairman Dr CHIANG Lai-wan Administration	Enquiry about how cases involving teachers who performed acts or made speeches that amounted to an insult to the national anthem would be handled	
060820 - 061228	Chairman Mr LUK Chung-hung Administration	Expression of views that the national anthem was the symbol and sign of the country and thus should be respected; and that the Administration should step up public education and publicity efforts to dispel misconceptions about the Bill	
061229 - 061700	Chairman Dr CHENG Chung-tai Administration	Enquiry about whether cases relating to the national anthem would have to be adjudicated by judges who understood Chinese	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
061701 - 062053	Chairman Mr Alvin YEUNG Administration	Enquiry about whether guidelines would be provided to schools regarding the handling of insulting behaviour against the national anthem at school	
062054 - 062532	Chairman Mr Kenneth LEUNG Administration	Enquiries about (a) whether persons under a certain age would be presumed to be incapable of committing an offence under the Bill; and (b) whether an alleged act of insulting the national anthem done in private premises would be regarded as being done "publicly", and whether the person who performed such act or the person who published the footage of such act on the Internet would be held liable under the Bill	
<b>Session Five</b>			
063508 - 063909	Chairman	Opening remarks	
063910 - 064123	Chairman Service Industry General Union	Presentation of views	
064124 - 064438	Chairman The Confucian Academy	Presentation of views [LC Paper No. CB(2)1053/18-19(09)]	
064439 - 064718	Chairman Hong Kong Clerical and Professional Employees General Union	Presentation of views [LC Paper No. CB(2)1053/18-19(10)]	
064719 - 065007	Chairman Miss NG Ka-yi	Presentation of views	
065008 - 065204	Chairman Hong Kong Federation of Railway Trade Unions	Presentation of views	
065205 - 065426	Chairman Hong Kong Shipbuilding, Machinery Manufacturing, Electrical and Steel Industries Employees General Union	Presentation of views [LC Paper No. CB(2)1053/18-19(21)]	
065427 - 065647	Chairman Miss HO Sau-yee	Presentation of views	
065648 - 065913	Chairman Mr LEUNG Ming-yin	Presentation of views [LC Paper No. CB(2)986/18-19(28)]	
065914 - 070316	Chairman Mr CHENG Ka-long	Presentation of views	
070317 - 070544	Chairman Mr LAM Wing-shing	Presentation of views [LC Paper No. CB(2)986/18-19(29)]	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
070545 - 070747	Chairman Mr Vincent POON	Presentation of views [LC Paper No. CB(2)986/18-19(30)]	
070748 - 071016	Chairman Mr RUAN Jianming	Presentation of views [LC Paper No. CB(2)986/18-19(31)]	
071017 - 071324	Chairman Island West Dynamic Movement	Presentation of views	
071325 - 071455	Chairman Mr CHAU Kwok-wa	Presentation of views [LC Paper No. CB(2)986/18-19(33)]	
071456 - 071630	Chairman Eating Establishment Employees General Union	Presentation of views [LC Paper No. CB(2)986/18-19(34)]	
071631 - 071724	Chairman Logistics Practitioners Union	Presentation of views [LC Paper No. CB(2)987/18-19(11)] [ <i>circulated to members only</i> ]	
071725 - 072035	Chairman Mr Sherman YAN Chuek-ning	Presentation of views [LC Paper No. CB(2)986/18-19(36)]	
072036 - 072155	Chairman Miss FUNG Hoi-ying	Presentation of views [LC Paper No. CB(2)1053/18-19(11)]	
072156 - 072923	Chairman Administration	Administration's response to deputations views	
072924 - 073826	Chairman Ms Claudia MO Administration	Enquiries about (a) the handling of the disorderly conduct of several members of the public during this session; and (b) whether giving an a cappella performance of the national anthem would constitute an offence under the Bill	
073827 - 074152	Chairman Mr WONG Ting-kwong Administration	Expression of concern that the Government had done inadequately in terms of national identity education among young people	
074153 - 074534	Chairman Mrs Regina IP Administration	Enquiries about (a) the minimum age of criminal responsibility in Hong Kong; and (b) whether playing a recording of the national anthem when serving drinks in a private club would constitute an offence under the Bill	
074535 - 074845	Chairman Mr YIU Si-wing Administration	Expression of views that all Chinese people should respect the national anthem; and that the Administration should, apart from enacting legislation on the national anthem, strengthen its efforts on moral, civil and national education to promote "respect" as a fundamental value among young people	
074846 - 075155	Chairman Mr KWOK Wai-keung Administration	Expression of the view that many concerns raised over the Bill arose from misunderstanding or misinterpretation of the provisions of the Basic Law; and enquiry about the	

Time Marker	Speaker(s)	Subject(s)/Discussion	Action required
		handling of alleged acts of insulting the national anthem committed before the passage the Bill	
075156 - 075545	Chairman Mr CHAN Chi-chuen Administration	Enquiries on whether it was the behaviour (e.g. altering the lyrics of the national anthem) alone that determined whether an offence of insulting the national anthem had been committed, or the element of "with intent to insult the national anthem" was also required in establishing that an offence of insulting the national anthem had been committed	
075546 - 075820	Chairman Ms Claudia MO Administration	Expression of the view that the level of penalty proposed in the Bill was not directly comparable with that provided in the legislation relating to national anthem in Germany, as the threshold for establishing a contravention of the relevant legislation in Germany was much higher	
<b>Session Six</b>			
080416 - 080900	Deputy Chairman	Opening remarks	
080901 - 080954	Deputy Chairman Mr YIM Man-sing	Presentation of views [LC Paper No. CB(2)1053/18-19(12)]	
080955 - 081303	Deputy Chairman Mr Roy PUN Long-chung	Presentation of views [LC Paper No. CB(2)987/18-19(12)] <i>[circulated to members only]</i>	
081304 - 081537	Deputy Chairman Mr TSANG Wing-fai	Presentation of views [LC Paper No. CB(2)1053/18-19(13)]	
081538 - 081631	Deputy Chairman Hong Kong Construction Industry Employees General Union	Presentation of views [LC Paper No. CB(2)1053/18-19(14)]	
081632 - 081756	Deputy Chairman Mr Joe CHAN Wai-ki	Presentation of views [LC Paper No. CB(2)1053/18-19(15)]	
081757 - 082053	Deputy Chairman Mr NG Chun-yu	Presentation of views	
082054 - 082240	Deputy Chairman Miss LO So-kwan	Presentation of views [LC Paper No. CB(2)1053/18-19(16)]	
082241 - 082425	Deputy Chairman Mr LAM Hang-kwong	Presentation of views [LC Paper No. CB(2)1053/18-19(17)]	
082426 - 082730	Deputy Chairman Mr LUI Man-kwong	Presentation of views	
082731 - 082848	Deputy Chairman Mr LAM War-wai	Presentation of views [LC Paper No. CB(2)1053/18-19(18)]	
082849 - 082939	Deputy Chairman Mr CHU Pui-hung	Presentation of views [LC Paper No. CB(2)1053/18-19(19)]	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
082940 - 083136	Deputy Chairman Hong Kong Quality And Talent Migrants Association	Presentation of views [LC Paper No. CB(2)986/18-19(40)]	
083137 - 083436	Deputy Chairman Ms Lusan HUNG Lo-shan	Presentation of views [LC Paper No. CB(2)987/18-19(13)] [ <i>circulated to members only</i> ]	
083437 - 083657	Deputy Chairman Mr CHAN Ka-long	Presentation of views	
083658 - 083904	Deputy Chairman Hong Kong Chinese Medicine Industry	Presentation of views [LC Paper No. CB(2)986/18-19(42)]	
083905 - 084205	Deputy Chairman The Staffs & Workers Union Of Hong Kong Civil Airlines	Presentation of views [LC Paper No. CB(2)1053/18-19(20)]	
084206 - 084513	Deputy Chairman All China Women's Federation Hong Kong Delegates Association Limited	Presentation of views [LC Paper No. CB(2)1053/18-19(22)]	
084514 - 084826	Deputy Chairman Mr WONG Kin-long	Presentation of views [LC Paper No. CB(2)986/18-19(44)]	
084827 - 085728	Deputy Chairman Administration	Administration's response to deputations' views	
085729 - 090049	Deputy Chairman Mr HO Kai-ming Administration	Expression of views that dissatisfaction with the Chinese regime was not a valid ground for opposing the Bill; and that the national anthem, which was the symbol and sign of the country, should be respected	
090050 - 090514	Deputy Chairman Mr OR Chong-shing Administration	Expression of support for the Bill and request for clarification on the criteria for determining whether clause 7(1)(b) of the Bill had been breached	
090515 - 090903	Deputy Chairman Mr KWOK Wai-keung	Expression of views that many concerns and queries about the Bill were unfounded; and that the legislative process of the Bill should be completed as soon as possible	
090904 - 091256	Deputy Chairman Mr WONG Ting-kwong Administration	Expression of views on the fact that the Bill only imposed sanctions on people who showed intent to insult the national anthem; and that upon conviction of the offence, the courts would impose sentences in accordance with the actual circumstance of each case and with reference to relevant case law	

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)/Discussion</b>	<b>Action required</b>
091257 - 091802	Deputy Chairman Mr Tony TSE Administration	Expression of the view that the national anthem, being the symbol and sign of the country, should be protected from derogatory or insulting acts through legislation; and enquiry about the procedure for taking enforcement action against any alleged act of insulting the national anthem	
091803 - 092250	Deputy Chairman Dr KWOK Ka-ki Administration	Expression of the view that opposition to the Bill stemmed from distrust of the Chinese regime and dissatisfaction with the political systems in the Mainland and in Hong Kong	
092251 - 092757	Deputy Chairman Mr Andrew WAN	Expression of the view that people should not be forced to respect the national anthem through law and punishment; and concerns about (a) the extended prosecution time bar under clause 7; (b) the inclusion of ideological expression like "to promote patriotism" in the Preamble to the Bill; and (c) whether not singing the national anthem on the occasions specified in Schedule 3 to the Bill would constitute an offence under the Bill	
092758 - 093211	Deputy Chairman Ms Starry LEE	Expression of the view that worries about "contravening the law inadvertently" were unwarranted because (a) one would not commit the relevant offence under the Bill if one did not intentionally perform any act to insult the national anthem; and (b) all cases of alleged offences would be adjudicated by the courts in accordance with the usual standard of proof for handling criminal cases in Hong Kong (i.e. beyond reasonable doubt)	
093212 - 093457	Deputy Chairman	Expression of views that (a) it was reasonable to institute prosecution against people who allegedly insulted the national anthem and the proposed prosecution time bar was also reasonable; and (b) while the Bill had prescribed the maximum penalty for the offence of insulting the national anthem, it was for the courts to decide the sentences to be imposed having regard to the actual circumstance of each case as well as other relevant factors  Date of next meeting  Closing remarks	