

立法會

Legislative Council

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by the Administration)

Bills Committee on National Anthem Bill

Minutes of the thirteenth meeting
held on Saturday, 4 May 2019, from 9:00 am to 1:00 pm
in Conference Room 2 of the Legislative Council Complex

Members present : Hon Martin LIAO Cheung-kong, SBS, JP (Chairman)
Hon CHEUNG Kwok-kwan, JP (Deputy Chairman)
Hon James TO Kun-sun
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
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, 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 WU Chi-wai, MH
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 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 Helena WONG Pik-wan
Hon IP Kin-yuen

Dr Hon Elizabeth QUAT, BBS, JP
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 CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai
Hon 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
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Gary FAN Kwok-wai
Hon AU Nok-hin
Hon Vincent CHENG Wing-shun, MH
Hon Tony TSE Wai-chuen, BBS
Hon CHAN Hoi-yan

Members absent : Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon SHIU Ka-chun
Hon Tanya CHAN
Hon Kenneth LAU Ip-keung, BBS, MH, JP

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

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

Mr Lawrence PENG Si-yun
Deputy Law Draftsman (Acting)
Department of Justice

Mr Jonathan LUK King-hang
Senior Government Counsel
Department of Justice

Dr CHOI Yuk-lin, JP
Under Secretary for Education

Mrs HONG CHAN Tsui-wah
Deputy Secretary for Education

Mr Keith GIANG Tsz-sheung
Principal Assistant Secretary for Commerce and Economic
Development (Communications & Creative Industries)

Miss Gloria LO Kit-wai
Assistant Director (Broadcasting)
Office of the Communications Authority

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 Fanny TSANG
Legislative Assistant (2) 3

Action

I. Meeting with the Administration

[File Ref. CMAB E4/1/1, LC Paper Nos. CB(3)307/18-19, CB(2)903/18-19(01), CB(2)811/18-19(01) and CB(2)893/18-19(02)]

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee completed discussion of clause 9 and commenced discussion of clause 10 at this meeting. The major views and concerns raised are set out in paragraphs 3 to 18 below.

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Discussion

Directions to be given by the Secretary for Education under clause 9

3. Members noted that under clause 9 of the Bill, the Secretary for Education ("SED") must give directions for the inclusion of the national anthem in primary and secondary education. Dr CHENG Chung-tai raised concern about whether clause 9 would bring undue pressure to schools given that under the existing mechanism, the Education Bureau ("EDB") could request individual schools to make rectifications if they did not comply with the directions given by SED. He urged that a copy of the directions to be given by SED under clause 9 be provided for members' reference.

4. The Under Secretary for Education ("USED") pointed out that the national anthem was already being taught in primary and secondary schools as part of their curriculum and relevant schools had accumulated considerable experience in this regard. USED advised that the spirit of clause 9 was to provide opportunities for students to learn the national anthem. Upon passage of the Bill, EDB would issue, through the existing mechanism, circulars and related guidelines to all primary and secondary schools to direct them to take forward the relevant work. EDB had been in discussion with the education sector on relevant issues.

5. Mr James TO asked whether the directions to be given by SED under clause 9 were statutory or administrative in nature and why there was no penalty for failure on the part of SED to give the said directions.

6. The Secretary for Constitutional and Mainland Affairs ("SCMA") explained that clause 9 of the Bill sought to reflect the requirement in Article 11 of the Law of the People's Republic of China on the National Anthem ("the National Anthem Law") that the teaching of the national anthem should be included in primary and secondary education, while taking into account the actual circumstances in Hong Kong. SCMA advised that clause 9 only imposed a legal responsibility on SED to give directions for the inclusion of the national anthem in primary and secondary education. The directions were to require schools concerned to implement clause 9(1)(a) and (b). After passage of the Bill, SED would, through the existing mechanism and pursuant to the powers conferred by the Education Ordinance (Cap. 279) ("EO"), issue circulars and related guidelines to direct schools to take forward the relevant work. The Permanent Secretary for Constitutional and Mainland Affairs ("PSCMA") added that there were other pieces of local legislation (e.g. Official Languages Ordinance (Cap. 5) and Dumping at Sea Ordinance (Cap. 466)) which also imposed certain responsibilities on government officials without providing for penalties.

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7. Noting that clause 9 of the Bill sought to reflect the requirement stipulated in Article 11 of the National Anthem Law that "[t]he national anthem shall be included in the curricula for primary and secondary schools", Mr CHU Hoi-dick queried whether clause 9 was in contravention of Article 136 of the Basic Law ("BL 136") which stipulated that "the Government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on the development and improvement of education". SCMA explained that the legislative principle of the Bill was to fully reflect the purpose and intent of the National Anthem Law, while giving due regard to the common law system practised in Hong Kong and the actual circumstances in Hong Kong. The Bill was in line with the legislative purpose and intent of the National Anthem Law by stipulating the inclusion of the national anthem in primary and secondary education in clause 9. SCMA added that the actual implementation would be handled by EDB in the form of curriculum and administrative guidelines in accordance with the existing mechanism, which was in full compliance with BL 136 that the Hong Kong Special Administrative Region Government would on its own formulate policies on the development of education.

8. In reply to Mr HUI Chi-fung's enquiry, the Deputy Law Draftsman (Acting) advised that clause 9 did not impose any statutory duty on primary and secondary schools. Mr CHAN Chi-chuen and Dr Fernando CHEUNG asked whether EDB would assess whether individual schools had complied with the directions to be given by SED under clause 9 through, e.g., testing whether their students could sing the national anthem. Mr CHAN Chi-chuen and Mr Jeremy TAM asked whether EDB would invoke EO to direct a school to take remedial measures, or even suspend the operation or cancel the registration of a school, if it did not comply with the directions to be given by SED under clause 9. Mr LEUNG Yiu-chung also asked whether teachers would be subject to sanctions if they refused to teach the national anthem after passage of the Bill.

9. USED advised that EDB had been issuing guidelines on various matters (e.g. curriculum guides for various Key Learning Areas/subjects at primary and secondary levels and school administrative guidelines) to schools. Under the existing mechanism, EDB would conduct school inspections or visits and External School Review to monitor whether individual schools had complied with the relevant legislation and guidelines from EDB. EDB all along had administrative measures in place, such as giving verbal or written advice and warnings, to follow up irregularities identified in school operation (including non-compliance with the directions given by SED). If individual schools still did not comply with the requirements and make rectifications, EDB would take into account all relevant factors including the overall operation and the teaching quality of the school concerned in considering whether further follow-up actions should be taken pursuant to the relevant provisions of EO. At present, primary and secondary students were already being taught to sing the national anthem and

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the learning contents of the national anthem were covered in the relevant subject curricula. The Administration did not envisage that schools would fail to comply with the directions to be given by SED in the implementation of clause 9.

10. USED further advised that the spirit of clause 9 was to provide opportunities for students to learn and develop respect for the national anthem. Clause 9 did not prescribe how the national anthem was to be taught or any learning outcome to be demonstrated by students. After SED had given directions to primary and secondary schools pursuant to clause 9, schools and teachers were to deal with matters related to learning and teaching, including "how to teach", in a professional manner. If a teacher encountered difficulties in teaching the national anthem or their teaching fell short of expectations, as with the learning and teaching of other curricula, schools should study the issue and provide necessary support for improvement.

11. Mr IP Kin-yuen sought clarification on whether SED would give directions under clause 9 through issuing circulars ("通告") or circular memoranda ("通函") to schools after passage of the Bill. USED advised that upon passage of the Bill, SED would, through the existing mechanism, issue circulars to direct schools to take forward the relevant work. The Deputy Secretary for Education explained that both circulars and circular memoranda issued by EDB served to provide general guidelines to schools. The difference was that the guidelines provided in circular memoranda were usually concerned with matters of a time-limited nature (e.g. holding of an event or activity), whereas the guidelines provided in circulars were related to policy matters which were expected to continue to apply.

Provision of guidelines to schools

12. Mr Gary FAN expressed concern that some students with special educational needs ("SEN") (e.g. those with visual or hearing impairments or other physical disabilities) might not be able to sing the national anthem or stand when it was played and sung. He was also concerned that ethnic minority ("EM") students might not be able to sing the national anthem in Putonghua. He asked whether guidelines regarding the learning of the national anthem by SEN and EM students would be provided to schools concerned. Dr Fernando CHEUNG held a strong view that the Administration should consider deleting the requirement to "stand solemnly" in clause 4(2)(a), which, in his view, was discriminatory against persons who were physically unable to do so.

13. SCMA explained that as clause 4 was a directional provision which did not provide for penalties, there would be no problem if a person was unable to stand during the playing and singing of the national anthem in accordance with clause 4(2)(a) due to his/her physical condition. USED added that clause 9 did not

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prescribe how the national anthem was to be taught or any learning outcome to be demonstrated by students. USED stressed that as respect was a fundamental value, all primary and secondary students, irrespective of nationality and physical condition, should be provided with the opportunities to learn and develop respect for the national anthem.

14. Mr Alvin YEUNG, Mr Jeremy TAM, Mr IP Kin-yuen and Ms Claudia MO expressed concern about how clause 9 was to be enforced in international schools. USED advised that upon passage of the Bill, EDB would issue the same set of directional guidelines to all primary and secondary schools, including international schools, to take forward the relevant work. EDB had communicated with international schools on relevant issues and learnt that they also attached importance to developing students' respect for the national anthems of other countries and appreciation for cultural diversity. In reply to Mr Gary FAN's enquiry, PSCMA advised that Article 11 of the National Anthem Law also applied to all primary and secondary schools, including international schools, in the Mainland.

15. While agreeing that schools and teachers should be given full discretion over how to teach the national anthem, Dr Priscilla LEUNG took the view that EDB should consider stating clearly in the relevant guidelines to be issued to schools that the teaching of the national anthem should place emphasis on cultivating students' moral qualities with a view to ensuring that the conduct of students met the expectations of the public.

Handling of students' insulting behaviour against the national anthem

16. Mr Tony TSE sought clarification as to whether a student who performed acts that showed disrespect for the national anthem just for fun at school would be considered as committing an offence under clause 7 of the Bill. Mr Gary FAN also expressed concern about whether schools would report relevant cases to the Police.

17. PSCMA advised that according to common law principles, the requirement for proving that a child was capable of and had the necessary capacity of committing a crime was much higher than in the case of an adult. Section 3 of the Juvenile Offenders Ordinance (Cap. 226) conclusively presumed that no child under the age of 10 could be capable of committing an offence. The law also presumed that a child between the age of 10 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 being naughty or mischievous. PSCMA further pointed out that while students' improper behaviour within the school premises should be handled by schools and teachers, the Police was obliged to follow up reports of crime filed by any members of the public.

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18. Mr Alvin YEUNG asked whether EDB would impose sanctions on schools if their students engaged in insulting behaviour against the national anthem. USED replied that clause 9 did not prescribe any requirement on the learning outcome to be demonstrated by students after learning the national anthem.

(In response to the points of order raised by Mr HUI Chi-fung, Dr Fernando CHEUNG and Mr Jeremy TAM at 10:05 am, 10:18 am and 10:20 am respectively in relation to the remarks made by Dr Elizabeth QUAT, the Chairman ruled that he did not consider that Dr QUAT had imputed improper motives to another Member in contravention of Rule 41(5) of the Rules of Procedure ("RoP") or introduced matter irrelevant to the subject under discussion in contravention of RoP 41(1).)

(At 12:11 pm, Mr CHAN Chi-chuen drew to the Chairman's attention that a quorum was not present. The Chairman ordered the ringing of the quorum bell to summon members to the meeting. The meeting resumed at 12:15 pm when a quorum was present.)

Follow-up actions required of the Administration

19. The Administration was requested to provide a written response to address the following issues raised by members:

- Admin
- (a) under what circumstances a school would be considered as having complied with the directions given by SED under clause 9;
 - (b) whether there were similar arrangements in the existing laws of Hong Kong as in clause 9, i.e. while there was no penalty under clause 9, the implementation of clause 9 was related to EO; and
 - (c) the present arrangement for broadcasting announcements or material in the public interest ("APIs") on the national anthem, including the number of channels for and the frequency of broadcasting such APIs.

II. Any other business

20. There being no other business, the meeting ended at 12:59 pm.

**Proceedings of the thirteenth meeting of the
Bills Committee on National Anthem Bill
on Saturday, 4 May 2019, from 9:00 am to 1:00 pm
in Conference Room 2 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)/Discussion	Action required
000556 - 000706	Chairman	Opening remarks	
000707 - 000814	Chairman Administration	Part 4 - Promotion of National Anthem <u>Examination of clause 9</u>	
000815 - 001306	Chairman Mr Gary FAN Administration	Query about whether, in addition to the directions to be given under clause 9 of the Bill, there would be other guidelines for primary and secondary schools on the handling of cases in which students with disabilities or special educational needs were not able to sing the national anthem.	
001307 - 001751	Chairman Mr Tony TSE Administration	Query about the handling of students' insulting behaviour against the national anthem at school.	
001752 - 002227	Chairman Dr CHENG Chung-tai Mr CHAN Chi-chuen Administration	Discussion on the directions to be given by the Secretary for Education ("SED") under clause 9.	
002228 002707	Chairman Mr CHAN Chi-chuen Administration	Queries about when the directions would be given by SED under clause 9 and the monitoring of the implementation of clause 9.	
002708 - 003041	Chairman Dr Priscilla LEUNG Administration	Discussion on the teaching of the national anthem at school.	
003042 - 003458	Chairman Mr Alvin YEUNG Administration	Queries about the handling of students' insulting behaviour against the national anthem at school; the applicability of clause 9 to international schools and schools admitting non-Chinese speaking students; whether the Education Bureau would provide guidelines regarding the teaching of the national anthem to foreign students in international schools; and whether foreign students could opt-out from learning the history and spirit of national anthem.	
003459 - 003920	Chairman Mr IP Kin-yuen Administration	Query about whether the directions for teaching local students and foreign students the national anthem would be different.	
003921 - 004414	Chairman Mr HUI Chi-fung Administration	Queries about whether clause 9 imposed any statutory duty on primary and secondary schools; and the legal consequence for non-compliance with the directions given by SED under clause 9.	

Time Marker	Speaker(s)	Subject(s)/Discussion	Action required
004415 - 004859	Chairman Mr KWONG Chun-yu Administration	Discussion on the impact of clause 9 on the autonomy of primary and secondary school teaching and the consequence for non-compliance with the directions given by SED under clause 9.	
004900 - 005316	Chairman Mr Jeremy TAM Administration	Discussion on the directions to be given to local and international schools for inclusion of the national anthem in primary and secondary education.	
005317 - 005741	Chairman Mr CHU Hoi-dick Administration	Query about whether SED would, through giving directions under clause 9, require schools to educate students to love the regime.	
005742 - 010207	Chairman Mr LEUNG Yiu-chung Senior Assistant Legal Adviser ("SALA") Administration	Query about the difference in meaning and legal effect between "directions" and "guidelines"; and suggestion of replacing "directions" with "guidelines" in clause 9(1).	
010208 - 010630	Chairman Dr Fernando CHEUNG Administration	Suggestion of deleting the words "stand solemnly" in clause 4(2)(a).	
010631 - 010856	Chairman Dr Elizabeth QUAT	Response to the views expressed earlier by Mr HUI Chi-fung and Dr Fernando CHEUNG.	
010857 - 012556	Chairman members	The Chairman's rulings on the points of order raised by Mr HUI Chi-fung, Dr Fernando CHEUNG and Mr Jeremy TAM respectively in relation to the remarks made by Dr Elizabeth QUAT.	
012557 - 013103	Chairman Mr James TO Administration	Query about why no penalty was provided for failure on the part of SED to comply with clause 9.	
013104 - 013548	Chairman Dr KWOK Ka-ki Administration	Discussion on the rationale for imposing a legal responsibility on SED under clause 9, and the legal consequence for failure on the part of SED to comply with clause 9.	
013549 - 014034	Chairman Ms Claudia MO Administration	Discussion on whether the directions given by SED under clause 9 had any binding effect.	
014035 - 014414	Chairman Dr CHENG Chung-tai Administration	Discussion on the drafting issue in relation to clause 9(1)(a).	
014415 - 014738	Chairman Mr Gary FAN Administration	Query about the handling of students' insulting behaviour against the national anthem at school.	
014739 - 015047	Chairman Mr CHAN Chi-chuen Administration	Discussion on the drafting issue in relation to clause 9(1) and suggestion of replacing "must" with "has the power to" in clause 9(1).	

Time Marker	Speaker(s)	Subject(s)/Discussion	Action required
015048 - 015449	Chairman Mr IP Kin-yuen Administration	Query about the mechanism through which SED would give directions under clause 9 and whether such directions were mandatory.	
015450 - 020149	Chairman Mr Jeremy TAM Mr KWONG Chun-yu Administration	Discussion on the teaching of the national anthem at school and the consequence for non-compliance with the directions given by SED under clause 9.	
020150 - 021142	<i>Break</i>		
021143 - 021535	Chairman Mr CHU Hoi-dick Administration	Query about whether clause 9 was in contravention of Article 136 of the Basic Law.	
021536 - 021847	Chairman Mr LEUNG Yiu-chung Administration	Suggestion of replacing "directions" with "guidelines" in clause 9(1).	
021848 - 022256	Chairman Dr Fernando CHEUNG Administration	Query about whether SED would state clearly in his directions to be given under clause 9 that the teaching of the spirit of the national anthem should not involve educating students to love the Chinese Community Party.	
022257 - 022710	Chairman Mr James TO Administration	Queries about whether the directions given by SED under clause 9 were statutory or administrative in nature; and why it was not stipulated that SED must give direction under the empowering provision in the Education Ordinance (Cap. 279) ("EO").	
022711 - 023140	Chairman Mr AU Nok-hin Administration	Query about the impact of clause 9 on the curricula of primary and secondary education and the autonomy of primary and school teaching.	
023141 - 023451	Chairman Ms Claudia MO SALA	Further discussion on whether the directions given by SED under clause 9 had any binding effect.	
023452 - 023830	Chairman Mr AU Nok-hin Administration	Discussion on the impact of clause 9 on the curricula of primary and secondary education and the autonomy of primary and school teaching; and the rationale for including clause 9 in the Bill.	
023831 - 024102	Chairman Mr CHAN Chi-chuen Administration	Discussion on the consequence for non-compliance with the directions given by SED under clause 9.	
024103 - 024312	Chairman Mr IP Kin-yuen	Discussion on the mechanism through which SED would give directions under clause 9; and queries about the difference between circular memorandum and direction, and whether such directions were mandatory.	

Time Marker	Speaker(s)	Subject(s)/Discussion	Action required
024313 - 024554	Chairman Mr CHU Hoi-dick Administration	Query about the teaching of the national anthem in respect of the history and spirit of the national anthem.	
024555 - 024917	Chairman Mr Alvin YEUNG Administration	Query about the mechanism through which SED would give directions under clause 9.	
024918 - 025234	Chairman Mr KWOK Ka-ki Administration	Discussion on the consequence for failure on the part of SED to comply with clause 9 and the monitoring of the implementation of clause 9.	
025235 - 025459	Chairman Dr CHENG Chung-tai Administration	Discussion on the teaching of the national anthem at school and the drafting issue in relation to clause 9(1)(a).	
025500 - 025729	Chairman Dr Fernando CHEUNG Administration	Further discussion on the directions to be given by SED under clause 9.	
025730 - 025944	Chairman Mr James TO Administration	The Chairman's request for the Administration to provide a written response to Mr James TO's query about compliance with the directions given by SED under clause 9. Discussion on whether clause 9(1)(a) and (b) could be merged into a single subclause.	Admin (para 19(a) of minutes)
025945 - 030237	Chairman Ms Claudia MO Administration	Discussion on the applicability of clause 9 to international schools.	
030238 - 030456	Chairman Mr Gary FAN Administration	Query about the applicability of Article 11 of the Law of the People's Republic of China on National Anthem to international schools in the Mainland.	
030457 - 030811	Chairman Mr KWONG Chun-yu Administration	Query about the handling of cases of insulting the national anthem at school by students aged 14 or above.	
030812 - 031035	Chairman Mr James TO Mr HUI Chi-fung	Discussion on meeting arrangements	
031036 - 031303	Chairman Mr Alvin YEUNG Administration	The Chairman's request for the Administration to provide a written response to Mr Alvin's YEUNG's query about whether there were arrangements in the existing laws of Hong Kong similar to those in clause 9, i.e. the provision in relation to SED's responsibility to give directions was not provided directly under EO.	Admin (para 19(b) of minutes)
031304 - 031503	Chairman Mr AU Nok-hin Administration	Query about whether there were any provisions in the existing laws in Hong Kong under which SED was empowered to give directions on matters relating to education.	

Time Marker	Speaker(s)	Subject(s)/Discussion	Action required
031504 - 032103	Chairman Mr CHAN Chi-chuen	Quorum call Query about the rationale for imposing a legal responsibility on SED under clause 9.	
032104 032258	Chairman Mr IP Kin-yuen Administration	Query about the contents of the directions to be given by SED under clause 9.	
032259 - 032414	Chairman Dr CHENG Chung-tai Administration	Discussion on the teaching of the national anthem at international schools.	
032415 - 032519	Chairman Dr Fernando CHEUNG Administration	Discussion on the monitoring of the implementation of clause 9 and the consequence for non-compliance with the directions given by SED under clause 9.	
032520 - 032708	Chairman Mr Gary FAN Administration	Query about the meaning of "the spirit of the national anthem" in clause 9(1)(b)(i).	
032709 - 032832	Chairman Mr James TO Administration	Query about whether there would be a general exemption from criminal liabilities under the Bill for things done by a teacher in the course of teaching the national anthem.	
032833 - 033042	Chairman Administration	<u>Examination of clause 10</u>	
033043 - 033504	Chairman Mr James TO Administration	Query about the justification for conferring the power to stipulate a date for domestic television and sound broadcasting licensees ("licensees") to broadcast the national anthem by announcements or material in the public interest ("APIs") to the Chief Executive ("CE").	
033505 - 033912	Deputy Chairman Dr Fernando CHEUNG Administration	<i>(The Deputy Chairman took the chair in the absence of the Chairman)</i> Query about the extent of the power of CE under clause 10(4).	
033913 - 034341	Deputy Chairman Mr CHAN Chi-chuen Administration	Queries about the rationale behind the inclusion of clause 10 in the Bill and the impact of clause 10 on licensees. The Chairman's request for the Administration to provide a written response to Mr CHAN Chi-chuen's query about the present arrangement for broadcasting APIs on the national anthem.	Admin (para. 19(c) of minutes)
034342 - 034741	Chairman Mr AU Nok-hin Administration	<i>(The Chairman resumed the chair at this juncture)</i> Query about the justification for adding a mechanism under clause 10 for requiring the licensees to broadcast the national anthem by APIs.	
034742 - 034944	Chairman Mr Holden CHOW	Expression of support for including clause 10 in the Bill.	

Time Marker	Speaker(s)	Subject(s)/Discussion	Action required
034945 - 035243	Chairman Mr Gary FAN Administration	Query about the rationale for including clause 10(1) in the Bill.	
035244 - 035533	Chairman Dr Fernando CHEUNG Administration	Suggestion of providing expressly in clause 10 that sign language interpretation should be included in the API on the national anthem.	
035534 - 035844	Chairman Mr AU Nok-hin Administration	Query about the legal consequence for non-compliance with the determination or direction made by the Communications Authority under clause 10(3).	
035845 - 040304	Chairman Mr CHAN Chi-chuen Administration SALA	Discussion on drafting issue in relation to clause 10(1) and the existing mechanism for broadcasting APIs by the licensees.	
040305 - 040351	Chairman	Closing remarks	