

**立法會**  
**Legislative Council**

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**House Committee of the Legislative Council**

**Minutes of the Special House Committee meeting  
held in Conference Room 1 of the Legislative Council Complex  
at 9:00 am on Tuesday, 15 October 2019**

**Members present :**

Hon Starry LEE Wai-king, SBS, JP (Chairman)  
Hon Dennis KWOK Wing-hang (Deputy Chairman)  
Hon James TO Kun-sun  
Hon LEUNG Yiu-chung  
Hon Abraham SHEK Lai-him, GBS, JP  
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 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 Mrs Regina IP LAU Suk-yea, 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 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 LEUNG Che-cheung, SBS, MH, JP  
Hon Kenneth LEUNG  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP

Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, GBS, JP  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, SBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon CHUNG Kwok-pan  
Hon Alvin YEUNG  
Hon Andrew WAN Siu-kin  
Hon CHU Hoi-dick  
Hon Jimmy NG Wing-ka, BBS, 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, JP  
Hon SHIU Ka-chun  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan, JP  
Dr Hon Pierre CHAN  
Hon CHAN Chun-ying, JP  
Hon Tanya CHAN  
Hon CHEUNG Kwok-kwan, JP  
Hon LUK Chung-hung, JP  
Hon LAU Kwok-fan, MH  
Hon Kenneth LAU Ip-keung, BBS, MH, JP  
Dr Hon CHENG Chung-tai  
Hon KWONG Chun-yu  
Hon Jeremy TAM Man-ho  
Hon Gary FAN Kwok-wai  
Hon AU Nok-hin  
Hon Vincent CHENG Wing-shun, MH, JP  
Hon Tony TSE Wai-chuen, BBS  
Hon CHAN Hoi-yan

**Members absent :**

Hon Alice MAK Mei-kuen, BBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon HUI Chi-fung

**Clerk in attendance :**

Miss Flora TAI Clerk to the House Committee

**Staff in attendance :**

Ms Connie FUNG	Legal Adviser
Ms Alice LEUNG	Chief Council Secretary (2)6
Miss Connie AU	Senior Council Secretary (2)6
Mr Richard WONG	Senior Council Secretary (2)8
Miss Michelle TANG	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

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**I. Election of the Chairman and Deputy Chairman of the House Committee for the 2019-2020 session**

In response to Mr Charles MOK's enquiry about the meeting arrangements and Mr Gary FAN's query as to whether the Chairman had communicated with Mr CHAN Kin-por, the Chairman of the Finance Committee ("FC") before scheduling this meeting, the Chairman said that the last House Committee ("HC") meeting held on 11 October 2019 had not proceeded to the election of the Chairman and Deputy Chairman of HC for the 2019-2020 session due to time constraints. Therefore, she had, in consultation with the Deputy Chairman, decided to schedule a special meeting on Tuesday (i.e. today) to conduct the election. While this meeting was scheduled for 9:00 am to 6:00 pm, it was her plan to have a lunch break between 12:30 pm and 2:30 pm. The Chairman added that if she was subsequently validly nominated for the chairmanship of HC, it would be for the presiding Member to decide on the matter.

Election of Chairman

2. The Chairman called for nominations for the chairmanship of HC for the 2019-2020 session. Ms Starry LEE was nominated by Mr SHIU Ka-fai and the nomination was seconded by Mr Christopher CHEUNG. Ms Starry LEE accepted the nomination. The Deputy Chairman then took over from Ms Starry LEE to preside over the meeting.

3. In response to enquiries raised by Mr James TO and Mr CHAN Chi-chuen concerning the meeting arrangements, the Deputy Chairman said that it was also his plan to have a lunch break between 12:30 pm and

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2:30 pm. However, if he was subsequently validly nominated for the election of the chairmanship of HC, the Member who took over from him to preside over the meeting would decide on the matter then.

4. The Deputy Chairman then invited other nominations for the chairmanship. In response to Members' enquiries, the Clerk said that at the FC meeting on 11 October 2019, Members had been advised that a Member who had been validly nominated could no longer second the nominations of other Members. However, Appendix IV to the House Rules ("HR") did not have provisions restricting on a Member nominating multiple candidates. More than 30 nominations were made by Members, but some of these were not accepted by the Members being nominated and/or not seconded by another Member. After the nomination process was completed, there were a total of 23 valid nominations as follows:

<u>Nominees</u>	<u>Nominated by</u>	<u>Seconded by</u>
1. Ms Starry LEE	Mr SHIU Ka-fai	Mr Christopher CHEUNG
2. Mr Andrew WAN	Mr Alvin YEUNG	Ms Tanya CHAN
3. Mr AU Nok-hin	Mr Charles MOK	Ms Tanya CHAN
4. Mr James TO	Mr CHAN Chi-chuen	Ms Tanya CHAN
5. Mr HUI Chi-fung	Mr Gary FAN	Ms Tanya CHAN
6. Mr CHAN Chi-chuen	Mr James TO	Ms Tanya CHAN
7. Mr CHU Hoi-dick	Prof Joseph LEE	Ms Tanya CHAN
8. Mr LAM Cheuk-ting	Mr Gary FAN	Ms Tanya CHAN
9. Ms Claudia MO	Mr SHIU Ka-chun	Ms Tanya CHAN
10. Dr CHENG Chung-tai	Mr CHAN Chi-chuen	Ms Tanya CHAN
11. Prof Joseph LEE	Mr Gary FAN	Ms Tanya CHAN
12. Mr IP Kin-yuen	Mr LEUNG Yiu-chung	Ms Tanya CHAN
13. Mr Jeremy TAM	Mr Gary FAN	Mr Charles MOK
14. Mr Kenneth LEUNG	Mr Alvin YEUNG	Mr Charles MOK
15. Mr KWONG Chun-yu	Mr Charles MOK	Ms Tanya CHAN
16. Mr WU Chi-wai	Mr Charles MOK	Ms Tanya CHAN
17. Dr Helena WONG	Mr Gary FAN	Ms Tanya CHAN
18. Mr SHIU Ka-chun	Mr Gary FAN	Ms Tanya CHAN
19. Mr Gary FAN	Mr LEUNG Yiu-chung	Ms Tanya CHAN
20. Mr LEUNG Yiu-chung	Mr CHU Hoi-dick	Ms Tanya CHAN
21. Dr KWOK Ka-ki	Ms Claudia MO	Ms Tanya CHAN
22. Mr Alvin YEUNG	Ms Claudia MO	Ms Tanya CHAN
23. Mr Charles MOK	Mr Gary FAN	Ms Tanya CHAN

(*Post-meeting note:* Mr LEUNG Yiu-chung and Mr James TO had subsequently written to the Deputy Chairman on 14 and 15 November 2019 respectively advising that they would withdraw from the election.)

Other issues dealt with during the nomination process

*The manner in which the proceedings of this meeting should be recorded*

5. Mr CHU Hoi-dick and Ms Tanya CHAN enquired whether verbatim record would be made for the proceedings of this meeting. At the invitation of the Deputy Chairman, the Clerk advised that it was the practice of HC to prepare verbatim record for the proceedings of the election forum, if held. However, for the remaining proceedings of this meeting, the minutes would be prepared in the same manner as other regular meetings.

6. Mr KWONG Chun-yu suggested that the nomination process should be recorded in a more detailed way such that those Members who had not accepted nomination could be put on record in the minutes of this meeting. Mr AU Nok-hin, however, did not agree with Mr KWONG, and he considered that the minutes of this meeting should be kept in a simplified manner. Mr Alvin YEUNG enquired about the workload involved if adopting Mr KWONG's suggestion. The Clerk advised that there would not be a significant increase in the workload, but that would deviate from the normal practice (i.e. details of Members not accepting nomination would not be recorded in the minutes). After discussion, Mr KWONG and Mr AU agreed that the minutes of this meeting should be prepared according to the normal practice. No Members raised other views.

*Arrangements to be made in the event that the HC Chairman for the 2019-2020 session could not be elected at this meeting*

7. Mr CHU Hoi-dick enquired about the arrangements to be made in the event that the Chairman and/or the Deputy Chairman of HC for the 2019-2020 session could not be elected at this meeting, particularly whether or not normal business could be transacted. Mr AU Nok-hin wondered who would be in the position to call the next meeting if the HC Chairman for the 2019-2020 session could not be elected.

8. At the invitation of the Deputy Chairman, the Clerk advised that if the HC Chairman for the 2019-2020 session was elected at this meeting but the Deputy Chairman of HC for the 2019-2020 session was not, the newly elected HC Chairman would call the next meeting which might be a regular meeting or a special meeting, but in any case, the election of the Deputy Chairman of HC should be dealt with by HC before HC

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transacted other business. If the HC Chairman could not be elected at this meeting, the HC Chairman in office (i.e. Ms Starry LEE) would be responsible for calling another meeting for conducting the election of the Chairman and Deputy Chairman of HC.

*Security arrangements for the Legislative Council ("LegCo") Complex on 16 and 17 October 2019*

9. Ms Tanya CHAN said that at the last HC meeting held on 11 October 2019, various Members had raised concerns about the security arrangements for the Council meetings to be held for the Chief Executive's Policy Address on 16 October 2019 and the Chief Executive's Question and Answer Session on 17 October 2019, particularly about whether police officers would be permitted to perform duties in the LegCo Complex, and if so, whether they would do so according to the requests made by some Members at the last HC meeting on 11 October 2019. She considered it necessary for the Secretary General ("SG") to provide detailed information on the way he had followed up the matter with the Administration, preferably in a written document.

10. Mr Gary FAN and Ms Claudia MO concurred with Ms Tanya CHAN. Mr FAN said that in addition to security arrangements in the LegCo Complex, he was also concerned about the recent installation of water-filled barriers by the Police in the vicinity of the LegCo Complex. He enquired whether SG and/or the President had previously been informed of the matter. Ms MO considered that as the Chief Executive would deliver the Policy Address on the day after this HC meeting, it was necessary for Members to seek more relevant information at this meeting.

11. Ms Starry LEE, Chairman for the 2018-2019 session, said that while it was understandable for Members to be concerned about the security arrangements to be made for the Council meetings of 16 and 17 October 2019, she queried whether it was appropriate to raise such issues during the election of the HC Chairman. She considered that Members should instead ask the Secretariat to follow up the matter, or directly communicate with the President.

12. The Deputy Chairman said that issues relating to the security arrangements for the LegCo Complex on 16 and 17 October 2019 had been discussed at length at the last HC meeting. While he had learnt from the Clerk that SG had relayed Members' concerns to the Administration and the President respectively, the Administration's

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response had not yet been received. The Deputy Chairman further said that it was of paramount importance for the election to be held on a fair, equal and open basis, and therefore, all candidates should have equal access to information that would be relevant to the election of the HC Chairman. Given that the Chairman and Deputy Chairman of HC would be ex-officio members of The Legislative Council Commission ("LCC"), he considered it necessary for all candidates to be kept informed of issues relating to the security arrangements for the LegCo Complex before the conduct of the election forum, particularly in light of the many security incidents that took place in the vicinity of the LegCo Complex in the past few months.

13. Ms Starry LEE, Mr Martin LIAO, Mr CHEUNG Kwok-kwan and Mr Paul TSE were unconvinced of the Deputy Chairman's view. Ms LEE considered that as the election forum would cover a wide range of issues, it would be impracticable to provide Members with all the relevant information. Mr LIAO said that decisions on security arrangements for the LegCo Complex were made by LCC which consisted of 13 Members including the Chairman and Deputy Chairman of LCC, and there should not be any role for HC to perform in that regard. Mr CHEUNG queried whether such issues were directly related to the election of the HC Chairman, and considered that the Deputy Chairman should focus on dealing with the election of the HC Chairman. He requested the Legal Adviser ("LA") to advise on the relevant issues. Mr TSE considered that security arrangements for the LegCo Complex were not related to the election of the HC Chairman, and also queried whether security arrangements for the LegCo Complex should be regarded as a critical issue for the election of the HC Chairman.

14. Ms Elizabeth QUAT, Ms CHAN Hoi-yan and Mr CHAN Hak-kan expressed a similar view that the election of the HC Chairman had been side-tracked to other irrelevant issues. Mr CHAN also considered that decisions concerning security arrangements for the LegCo Complex were made by LCC in accordance with established mechanism. Therefore, it would be more appropriate if the mechanism was discussed at a future meeting of LCC, or Members put questions to candidates concerning how the Chairman and Deputy Chairman of HC should perform their duties as LCC members during the election forum.

15. Mr KWONG Chun-yu considered it reasonable to seek more information on the security arrangements to be made for the Council meetings on 16 and 17 October 2019, as some Members would need such

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information when considering whether to nominate and/or vote for certain candidates.

16. Mr CHU Hoi-dick noted that the election might be presided by the Deputy Chairman or the Member with the highest precedence. He enquired whether issues that could be dealt with during the election would be different if it was the Member with the highest precedence presiding instead of the Deputy Chairman.

17. Regarding Members' views on the security arrangements for the LegCo Complex, the Deputy Chairman reiterated that all candidates should have equal access to information that would be relevant to the election, including the decisions made by LCC on the security arrangements for the LegCo Complex. He further said that it was the practice that before giving permission for the deployment of police officers in the LegCo Complex, SG would inform the President, and the Chairman and the Deputy Chairman of HC. Upon receiving information on the security arrangements for the LegCo Complex, he would inform Members of the pro-democracy camp about such arrangements. Therefore, he considered such issues to be directly relevant to the election. Nevertheless, he would suspend the meeting and invite LA and SG to clarify issues relating to the security arrangements and other procedural issues raised by Members.

*(The meeting was suspended at 10:44 am and resumed at 11:08 am.)*

18. After the meeting was resumed, the Deputy Chairman informed Members that SG had told him that SG had relayed to the Administration the concerns raised by some Members about the deployment of police officers in the LegCo Complex, and there was still no written reply from the Administration concerning the security arrangements to be made in the LegCo Complex on 16 and 17 October 2019.

19. At the invitation of the Deputy Chairman, LA advised that at the election of the HC Chairman, the Deputy Chairman or any Member presiding should enjoy all those powers conferred by the Rules of Procedures ("RoP") on the HC Chairman in respect of the election. LA noted that the Deputy Chairman took the view that security arrangements for the LegCo Complex would be issues of concern by many Members during the election forum to be held. Against the background that the HC Chairman would be an ex-officio member of LCC and LCC would make decisions concerning the security arrangements for the LegCo



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Complex, there might be reasonable grounds for the Deputy Chairman to regard issues relating to the security arrangements for the LegCo Complex as being directly related to the election of the HC Chairman.

20. Mr CHEUNG Kwok-kwan considered that even if issues relating to the security arrangements for the LegCo Complex were to be dealt with during the election of the HC Chairman, it would be more appropriate to raise such issues during the election forum rather than the nomination process.

21. Mr Kenneth LEUNG considered that not only should issues relating to security arrangements for Council meetings be raised by Members during the election forum, all candidates nominated for the chairmanship of HC should also clearly indicate their position on the matter for Members' consideration.

Proposed arrangements for the election forum

22. Upon completion of the nomination, the Deputy Chairman said that in light of the unprecedented situation that 23 candidates were validly nominated, he would like to consult Members on the arrangements for the election forum. At the invitation of the Deputy Chairman, the Clerk advised that the past practice of election forum, if held, was that following each candidate presenting his/her election platform within a specified period of time (e.g. one minute), Members would put forward their questions and each candidate would respond to each question within a specified period of time. However, should Members decide not to adopt the past practice for this election, Members might wish to make reference to the election forum adopted by FC for the election of its chairman and deputy chairman for the 2019-2020 session.

23. Mr Gary FAN, Mr Kenneth LEUNG, Ms Tanya CHAN and Mr AU Nok-hin considered that the arrangements adopted by FC for its election forum in the 2019-2020 session was far from ideal, and therefore, HC should not adopt the same arrangements. In the view of these Members, it was undesirable for each candidate to give a consolidated response to the questions put by Members, and instead, more time should be allocated to the election forum so that each candidate would have sufficient time to answer the questions put by Members. Ms CHAN also considered that Members should be given an opportunity to discuss the way HC should conduct its election forum, based on the three options put forward for Members' consideration at the FC meeting on 11 October 2019. Mr AU

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considered that modifications should be made to the option of the election forum arrangements adopted by FC, so as to avoid an undesirable situation that irrespective of the number of questions put by Members, each candidate would be given the same amount of time to answer these questions.

24. Mr Steven HO considered that the election forum conducted by FC for the election of its chairman for the 2019-2020 session was efficient, and it was appropriate for HC to adopt the same arrangements. In his view, an election forum should be completed within a reasonable period of time, and if not, Members should be given the opportunity to consider not conducting an election forum at all.

25. Mr LAM Cheuk-ting, Mr CHU Hoi-dick and Mr CHAN Chi-chuen raised objection to adopting the same election forum arrangements as FC, and they expressed a similar view that the election forum should be conducted in such a way that candidates would need to directly respond to the questions put by Members. Mr LAM considered that if candidates were asked to give a consolidated response to Members' questions, candidates might easily avoid addressing certain critical issues. Mr CHU considered it more desirable to follow the past practice that Members would put forward their questions and each candidate would respond to each question within a specified period of time. Mr CHAN suggested that Members should be given an opportunity to have a thorough discussion on various possibilities concerning the election forum arrangements.

26. Dr Junius HO considered that instead of conducting a lengthy discussion on the arrangements for election forum, the Deputy Chairman should immediately set out a few options and put to vote these options. He also said that the Deputy Chairman, who had been trained as a legal practitioner, should be able to deal with the relevant proceedings in an organized manner.

Point of order concerning Rule 41(4) of the Rules of Procedure

27. Ms Claudia MO raised a point of order. She queried whether Dr Junius HO's remark had discriminated against those Members who were not legal practitioners. In response, Dr Junius HO said that he wondered whether only those who "habitually eat foreign sausage" ("食慣洋腸" in Chinese) would see his earlier remark as discrimination. Ms MO and Ms Tanya CHAN were outraged about the remark just made by Dr HO,

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which in their view were of sexist and racist nature and amounted to sexual harassment. They considered that Dr HO had already breached RoP 41(4) concerning the use of offensive/insulting language and requested the Deputy Chairman to rule on the matter.

28. The Deputy Chairman responded that Dr Junius HO should not use expressions which were of sexist nature and that he would ask Dr HO to withdraw his remark. Noting that Dr HO had just left the meeting room, he decided to suspend the meeting and asked Dr HO back to the meeting so that he could deal with the matter.

*(The meeting was suspended at 11:52 am and resumed at 12:03 pm.)*

29. After the meeting was resumed, Dr Junius HO explained that his earlier remark had not meant to be anything offensive or insulting. Mr LAM Cheuk-ting, Mr Andrew WAN and Dr CHENG Chung-tai expressed a strong view that the earlier remark made by Dr HO was utterly unacceptable. Mr LAM said that only "a scumbag" would make such a remark, and given that Dr HO refused to withdraw that remark, he considered Dr HO to be "a scumbag".

30. The Deputy Chairman disapproved of Dr Junius HO's explanation and ruled that his earlier remark was of sexist nature and was offensive and insulting language. The Deputy Chairman requested Dr HO to withdraw his remark, but Dr HO refused to do so. The Deputy Chairman then ordered Dr HO to withdraw from the meeting.

*(Dr Junius HO then left the conference room.)*

31. Dr Junius HO raised a point of order before withdrawing from the meeting. He considered that the remark just made by Mr LAM Chuek-ting on him amounted to offensive/insulting language. The Deputy Chairman requested Mr LAM to withdraw his earlier remark, but Mr LAM made clear that he would not do so, and then withdrew from the meeting himself.

32. Before suspending the meeting for the lunch break, the Deputy Chairman concluded that having regard to Members' views and concerns raised at this meeting, he would come up with a few options of the election forum arrangements for Members' consideration after the lunch break.

*(The meeting was suspended at 12:30 pm and resumed at 2:40 pm.)*

33. After the meeting was resumed, the Deputy Chairman said that having regard to Members' earlier views, he had amended the three options of election forum arrangements which Members had considered at the FC meeting on 11 October 2019. These options were set out in the document tabled at the meeting (see **Appendix** for details), and it was estimated that Options A, B and C would respectively take 1 726 minutes, 346 minutes and 253 minutes to complete.

34. Ms Tanya CHAN reiterated her request that the Administration should provide a written response to issues relating to whether the Administration would deploy police officers in the LegCo Complex on 16 and 17 October 2019, and if so, whether these police officers would be deployed in accordance with the requests raised by some Members at the last HC meeting on 11 October 2019. The Deputy Chairman informed Members that there was no further update in that regard, and he would first consult Members on the three options of election forum arrangements.

#### Three options of election forum arrangements

35. Dr KWOK Ka-ki considered that the three options each had their merits and demerits, and therefore, it was desirable if Members would be given the opportunity to further amend these options by combining various components of these options. For example, Option A should also allow each candidate to make concluding remarks.

36. Mr CHEUNG Kwok-kwan, Mr Vincent CHENG, Mr Steven HO, Ms Elizabeth QUAT and Mr CHAN Han-pan expressed dissatisfaction with the way the Deputy Chairman consulted Members on the election forum arrangements. These Members took the view that conducting the election forum in accordance with any of the three options would be too time consuming, and that the Deputy Chairman should also include the option adopted by FC (i.e. the election forum could be completed in 132 minutes) for Members' consideration. Mr HO indicated that while it was desirable to conduct an election forum, the election forum should be completed within a reasonable period of time. He reiterated that if the option of the election forum arrangements adopted by FC was not made available for Members' consideration, Members should be given an option that no election forum be held. Ms QUAT considered it absurd

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for the Deputy Chairman to put forward for Members' consideration an option which might last for more than 28 hours (i.e. Option A).

37. Mr CHAN Chi-chuen and Mr AU Nok-hin reiterated their views that Members should have a thorough discussion on the election forum arrangements. Mr CHAN added that even though he did not find any of the three options ideal, he considered that it was desirable if Members could make compromise, and in any case, Members should be given ample time for discussion before making a decision concerning whether and how the election forum should be conducted.

38. Ms Tanya CHAN and Mr Andrew WAN considered that sufficient time should be allocated to the conduct of the election forum, and they expressed preference for Option A over the other two options. Ms CHAN considered Option A to be a fair arrangement as each candidate would be given the same amount of time. Besides, even if Option A was to be adopted by HC for conducting the election forum, the actual duration would be much shorter than the expected time as it was likely that the number of Members putting questions to candidates would be much smaller than expected. Mr WAN considered that it was of the utmost importance for the election forum to be conducted held in a manner that each candidate would be given sufficient time to answer the questions put by Members.

39. Mr CHAN Kin-por and Ms Starry LEE took the view that any of the three options of election forum arrangements put forward by the Deputy Chairman for Members' consideration would take unreasonably long time to complete, and therefore, it was questionable whether the election of the HC Chairman could be conducted in an efficient manner. Mr CHAN, referring to a ruling previously made by the court, said that any presiding Member should ensure the orderly, efficient and fair disposition of business. Ms LEE said that in considering the time required for conducting the election, the presiding Member should be aware that if an election forum was held for the election of the HC Chairman, it was likely that an election forum would also be required for the election of the Deputy Chairman. Given that normal business of HC would only be transacted after its Chairman and Deputy Chairman for the 2019-2020 session were both elected, she was worried that the business of HC could not be dealt with in a timely manner.

40. Mr Kenneth LEUNG and Mr CHAN Chi-chuen took the view that the way the Deputy Chairman presided at the election was in order. Mr

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LEUNG considered that the Deputy Chairman could exercise the powers conferred on him by RoP in respect of presiding at the election. Mr CHAN considered it appropriate for the Deputy Chairman to put forward three options for Members' consideration. In Mr CHAN's view, it would be unmanageable if Members could each propose their options of the election forum arrangements as they saw fit. However, if further amendments could be made to these options, he suggested that all candidates should each be given a specified period of time (say, 10 minutes) which they could determine how to use, e.g. to put questions to other candidates or to express their own views.

41. Mr CHU Hoi-dick said that based on his observation, the way the Deputy Chairman consulted Members on the election forum arrangements was the same as that of Mr CHAN Chun-ying, the Member presiding at the election of the FC Chairman for the 2019-2020 session. In gist, the presiding Member put forward three options of the election forum arrangements having regard to Members' views, and Members would decide which option to be adopted by voting. Mr Andrew WAN concurred with Mr CHU, and he added that Members could cast their votes in accordance with their own preferences for these options.

42. The Deputy Chairman said that given the different functions between HC and FC and the different roles between the Chairmen of HC and FC, the option of the election forum arrangements suitable for FC might not be so for HC. Having regard to Members' views raised before the lunch break, he had made amendments to the three options put forward for Members' consideration at the FC meeting on 11 October 2019. The Deputy Chairman affirmed that the way he consulted Members on the election forum arrangements was modelled after Mr CHAN Chun-ying, the Member presiding at the election of the FC Chairman for the 2019-2020 session.

43. Mr CHAN Kin-por said that he was one of the candidates for the FC chairmanship for the 2019-2020 session, and during that election forum, a large number of Members put questions to him and he did not have sufficient time to answer all those questions. He considered it more appropriate if the election forum could be conducted in a more flexible manner such that those candidates to whom many Members had put questions would be allocated more time to answer the questions. Ms Starry LEE said that she, as the only Member of the pro-establishment camp who had been validly nominated for the chairmanship of HC, supported Mr CHAN's proposal.

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44. Regarding the situation in which certain candidates might not have sufficient time to answer all the questions put to them, Mr Alvin YEUNG, Mr AU Nok-hin and Mr CHAN Chi-chuen considered that the presiding Member could exercise discretion as appropriate. Ms Claudia MO, however, considered it important to uphold the fairness principle that each candidate should be given the same amount of speaking time in the election forum. Mr CHU Hoi-dick considered it unnecessary to make any favourable arrangements for those candidates to whom many Members had put questions, as a situation like that could be an opportunity for those candidates to rise to the challenge.

45. Mr LEUNG Che-cheung considered that Members should be allowed to propose alternative options of the election forum arrangements if they found none of the three options put forward by the Deputy Chairman acceptable. Noting that 21 out of the 24 candidates nominated for the FC Chairmanship for the 2019-2020 session eventually received zero vote, Mr LEUNG considered that these Members had participated in the election as "con artists" ("做媒" in Chinese) for the purpose of prolonging the election process.

46. Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Mr James TO, Mr AU Nok-hin, Mr Andrew WAN and Ms Claudia MO expressed a strong view that it was unacceptable for Mr LEUNG Che-cheung to make such a serious allegation against other Members. In the view of these Members, Mr LEUNG's remark was offensive and insulting, and the remark had already breached RoP 41(5). They requested the Deputy Chairman to rule on the matter.

47. Mr Abraham SHEK, however, considered that Mr LEUNG Che-cheung's remark was not directed at any Member, and that the remark was a fair comment.

48. The Deputy Chairman decided to suspend the meeting and review the video record in order to make a ruling on the point of order.

*(The meeting was suspended at 3:24 pm and resumed at 3:39 pm.)*

49. After reviewing the video record, the Deputy Chairman said that he noticed that Mr LEUNG Che-cheung had more than once alleged other Members to be acting as "con artists" ("做媒" in Chinese). To his understanding, such an expression meant that those Members had some

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ulterior motive for participating in the election. The Deputy Chairman referred to RoP 41(5) which stipulated that "A Member shall not impute improper motives to another Member", and ruled that Mr LEUNG had breached that Rule in his earlier remark. The Deputy Chairman requested Mr LEUNG to withdraw that remark but Mr LEUNG refused to do so. The Deputy Chairman then ordered Mr LEUNG to withdraw from the meeting.

*(Mr LEUNG Che-cheung then left the Conference room.)*

50. Ms Starry LEE expressed disapproval of the ruling made by the Deputy Chairman. She considered that the standard applied by the Deputy Chairman in Mr LEUNG Che-cheung's case was overly strict. She also wondered whether or not the same strict standard was to be applied at future meetings of HC, and if so, it would be much more often for Members to be requested to withdraw their remarks and/or be ordered to withdraw from a meeting.

51. Regarding the election forum arrangements, Mr Gary FAN, Mr WU Chi-wai and Mr AU Nok-hin took the view that it was of the utmost importance and urgency for the Administration to respond to the five demands put forward by members of the public participating in the protests against the Administration's proposed legislative amendments concerning the surrender of fugitive offenders. Mr FAN considered that the election forum would provide Members with an opportunity to express their views on relevant issues and put pressure on the Administration to respond. Mr WU considered that Members of the pro-establishment camp should not put too much emphasis on expeditiously completing the election of the HC Chairman. Instead, during the election forum, Members should take the opportunity to deliberate on ways to solve the current political impasse. Mr AU considered that given the importance of the duties to be performed by the HC Chairman, Members should be given ample time to put questions to candidates during the election forum, particularly about what and how these candidates would do to make the Administration respond to those five demands.

52. Ms CHAN Hoi-yan and Dr CHIANG Lai-wan took the view that it was inappropriate to conduct the election forum in a lengthy manner. Ms CHAN considered it more desirable if the meeting time would be spent on monitoring the Administration's work instead of Members putting questions to one another. Dr CHIANG considered that HC



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should adopt the same option as FC so that the election forum could be completed in about two hours. Besides, Dr CHIANG commented that Mr Gary FAN should be held responsible for a large number of youngsters getting arrested as he had incited them to take to the streets to protest, and she also criticized Mr FAN for having "acted impudently and shamelessly" ("厚顏無耻" in Chinese).

53. Mr Kenneth LEUNG and Mr AU Nok-hin raised a point of order. They considered that the remark just made by Dr CHIANG Lai-wan on Mr Gary FAN had breached RoP 41(4) concerning the use of offensive/insulting language. Mr LEUNG also pointed out that the expression "has acted impudently and shamelessly" ("厚顏無耻" in Chinese) had been ruled at the Council meeting of 13 October 2004 to be offensive and insulting language about Members. In response, the Deputy Chairman said that Dr CHIANG had left the meeting, and he could only deal with the matter when Dr CHIANG got back to the conference room.

54. Dr KWOK Ka-ki, referring to the remark made earlier by Ms Starry LEE regarding the standard to be applied for ruling on RoP 41(4) and (5), considered that Ms LEE had threatened other Members. Ms Starry LEE raised a point of order and said that the remark just made by Dr KWOK had breached RoP 41(5). She requested the Deputy Chairman to rule on the matter.

55. The Deputy Chairman decided to suspend the meeting to review the video record in order to make a ruling on the point of order.

*(The meeting was suspended at 4:47 pm and resumed at 5:01 pm.)*

56. After the meeting was resumed, at the request of the Deputy Chairman, Dr KWOK Ka-ki made clear that he would withdraw his earlier remark on Ms Starry LEE. He then reiterated his views on the three options of the election forum arrangements that it was desirable if Members would be given the opportunity to further amend these options by combining various components of these options. Dr KWOK, however, considered it acceptable for the Deputy Chairman to put forward the existing three options for Members' consideration.

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57. At 5:09 pm, Mr Alvin YEUNG raised a point of order. He said that it was unlikely that the election of the HC Chairman could be completed at this meeting, and he enquired whether or not the 23 candidates would be consulted on the date and time of the next meeting.

58. At the invitation of the Deputy Chairman, the Clerk advised that in accordance with the relevant rules of HR, the HC Chairman in office (i.e. Ms Starry LEE) would be responsible for calling the next meeting to continue the proceedings of the election of the HC Chairman for the 2019-2020 session. While it was advisable for the presiding Member (i.e. the Deputy Chairman) to be consulted on the date and time of the next meeting, it would be up to the HC Chairman for the 2018-2019 session to consider whether to also consult all the candidates.

59. At the invitation of the Deputy Chairman, Ms Starry LEE said that in the capacity as the HC Chairman for the 2018-2019 session, she would, in consultation with the Deputy Chairman, schedule the next meeting. Having regard to the availability of Members, particularly the 23 candidates, it was her preliminary thinking that the next meeting would be held at 2:30 pm on next Friday (i.e. the time slot where the regular meeting of HC would usually be held).

60. Before closing the meeting, the Deputy Chairman said that having regard to various views raised by Members at this meeting, he would consider how to further amend the three options of the election forum arrangements, and the proceedings of the election of the HC Chairman would continue at the next meeting.

61. The meeting ended at 5:21 pm.

## Appendix

### Options for conducting the election forum for the election of the Chairman of the House Committee for the 2019-2020 session (Number of candidates: 23)

	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>
<b>Presentation of platforms by candidates</b> (The order to be determined by drawing of lots)	Two minutes for each candidate	Two minutes for each candidate	One minute for each candidate
<b>Questions from Members</b>	Two minutes for each Member	Two minutes for each Member	Each candidate to be allocated eight minutes. Within this period of time, each Member who has indicated intention to speak to raise questions for not more than one minute, and each candidate to make immediate response for not more than one minute
<b>Response by candidates</b>	After each Member has raised questions, each candidate to make immediate response for not more than two minutes (The order of candidates making response to be determined by drawing of lots)	After all Members who intend to raise questions have done so, each candidate to make a consolidated response for not more than eight minutes (The order of candidates making response to be determined by drawing of lots)	
<b>Concluding remarks by candidates</b>	No concluding remarks	Two minutes for each candidate (the order to be determined by the drawing of lots)	Two minutes for each candidate (the order to be determined by the drawing of lots)
<b>Estimated time required</b> (assuming that 35 Members will raise questions)	1 726 minutes	346 minutes	253minutes*

\* Not to be affected by the number of Members raising questions