

Panel on Constitutional Affairs

List of follow-up actions

(position as at 8 October 2018)

Subject	Date of meeting	Follow-up actions required	Administration's response
1. An initial assessment of the recommendations in the Discrimination Law Review ("DLR") submitted by the Equal Opportunities Commission ("EOC")	20 March 2017	Of the 27 recommendations in DLR which were considered by EOC to be of higher priority, the Administration was requested to provide in writing a timetable for taking forward these recommendations, and provide explanation(s) should the Administration decide not to take forward any of these recommendations. For the rest of the recommendations made by EOC, the Administration was also requested to provide a timetable for their implementation.	Response awaited.
2. An outline of the topics in the second report of the Hong Kong Special Administrative Region ("HKSAR") under the United Nations Convention on the Rights of Persons with Disabilities ("CRPD")	30 April 2018	The Administration was requested to provide a written response to address the concern raised by Hon SHIU Ka-chun regarding the Mental Health Ordinance (Cap. 136) governing compulsory admission of mental patients to hospitals in recognition of the rights and freedoms of the person with disabilities under Articles 14 and 19 of CRPD.	Response awaited.
3. Local legislation to implement the National Anthem Law	28 April 2018 and 5 May 2018	The Administration was requested to provide written responses to:	Response awaited.

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		<p>(a) address members' concern about the fundamental issues to be clarified in the context of the Basic Law ("BL") including that: (i) Article 1 of the National Anthem Law stipulated "practise the core values of socialism", which was inconsistent with Article 5 of the Basic Law ("BL 5") which stipulated that "[t]he socialist system and policies shall not be practised in the Hong Kong Special Administrative Region"; and that (ii) the relevant provision of the proposed content of the National Anthem Bill ("the Bill") was in contravention of BL 137 which stipulated that "[e]ducational institutions of all kinds may retain their autonomy and enjoy academic freedom";</p> <p>(b) address members' concerns on how relevant provisions of the Bill would be enforced, including the law enforcement agencies responsible for taking enforcement actions, and how enforcement actions would be taken online; and</p> <p>(c) provide information on the enforcement actions taken by the Mainland authorities against breaches of the Law of the People's Republic of China on the National Anthem which came into force nationwide since 1 October 2017, including relevant statistics on arrests and prosecution, as well as convictions and penalties levied on those cases.</p>	

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4. An outline of the topics to be covered in the Fourth Report of HKSAR under the United Nations Convention on the Elimination of All Forms of Discrimination against Women	21 May 2018	<p>The Administration was requested to provide written response to address members' concerns on:</p> <ul style="list-style-type: none"> (a) setting of targets with regard to the provision of childcare services; (b) adopting gender mainstreaming in the policy formulation process on issues relating to retirement protection; and (c) measures to be taken to improve women welfare in the following areas: labour protection, support for foreign domestic helpers, women's shelter for victims of domestic violence, support for ethnic minority women of low-income families, and support for carers. 	Response awaited.
5. Discrimination Legislation (Miscellaneous Amendments) Bill	22 June 2018	<p>The Administration was requested to provide supplementary information on:</p> <ul style="list-style-type: none"> (a) whether there were any relevant Mainland laws which protected customers and service providers from sex, racial and disability harassment in public transport; and (b) the definition of "associate" in the proposed amendment to the Race Discrimination Ordinance (Cap. 602). 	The Administration provided a written response on 27 July 2018 [LC Paper No. CB(2)1898/17-18(01)].

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6. 2018 Voter Registration ("VR")	22 June 2018	<p>The Administration agreed to provide information on:</p> <p>(a) the age profiles of newly registered geographical constituency ("GC") electors and of the GC electors who were no longer eligible for registration and removed in the 2018 VR cycle; and</p> <p>(b) the situation of replies by electors included in the random sample checks.</p>	<p>The Administration provided a written response on 1 August 2018 [LC Paper No. CB(2)1904/17-18(01)].</p>
7. The third report of HKSAR under the International Convention on the Elimination of All Forms of Racial Discrimination	16 July 2018	<p>The Administration was requested to provide supplementary information to address members' concern on developing a "Chinese as a second language" curriculum.</p>	<p>Response awaited.</p>