

Legislative Council

Agenda

Wednesday 30 October 2019 at 11:00 am

I. Papers to be laid on the Table of the Council

8 items of subsidiary legislation/instruments and 10 other papers to be laid on the Table of the Council set out in **Appendix 1**

II. Questions

Members to ask 20 questions (6 for oral replies and 14 for written replies)
(Standing over from the meeting of 10 July 2019)

Questions for oral replies to be asked by

1. Hon Martin LIAO
(Forward-looking and competitive policies on attracting innovation and technology talents)
2. Prof Hon Joseph LEE
(Use of emergency ambulance service)
3. Hon Paul TSE
(Impacts of recent political situation)
4. Hon Wilson OR
(Supply of live pigs)
5. Hon Elizabeth QUAT
(Legislation and measures for protecting children)
6. Hon Holden CHOW
(Development of general hospitals)

Public officers to reply

Secretary for Innovation and Technology

Secretary for Security

Secretary for Financial Services and the Treasury
Secretary for Commerce and Economic Development

Secretary for Food and Health

Secretary for Labour and Welfare

Secretary for Food and Health

Contents of 20 questions, Members to ask such questions and public officers to reply set out in **Appendix 2**

III. Government Bills

First Reading and Second Reading (debate to be adjourned)

1. Supplementary Appropriation (2018-2019) Bill : Secretary for Financial Services and the Treasury
2. Pharmacy and Poisons (Amendment) Bill 2019 : Secretary for Food and Health

Consideration by committee of the whole Council and Third Reading

3. Inland Revenue (Amendment) (Tax Concessions) Bill 2019 : Secretary for Financial Services and the Treasury
(Standing over from the meeting of 26 June 2019)

Secretary for Financial Services and the Treasury to move amendments as set out in LC Paper No. CB(3) 26/19-20 issued on 15 October 2019

(Debate and voting arrangements set out in LC Paper No. CB(3) 59/19-20 issued on 22 October 2019)

Second Reading (debate to resume), consideration by committee of the whole Council and Third Reading

(Standing over from the meeting of 10 July 2019)

4. Judicial Officers (Extension of Retirement Age) (Amendment) Bill 2019 : Chief Secretary for Administration
5. Electoral Legislation (Miscellaneous Amendments) Bill 2019 : Secretary for Constitutional and Mainland Affairs

Secretary for Constitutional and Mainland Affairs to move an amendment as set out in LC Paper No. CB(3) 13/19-20 issued on 9 October 2019

IV. Government Motions

1st debate (to deal with the following 2 motions)

(Standing over from the meeting of 10 July 2019)

1. Proposed resolution under Article 73(7) of the Basic Law and section 7A of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) on appointment of a judge

Mover : Chief Secretary for Administration

Wording of the motion : **Appendix 3**

2. Proposed resolution under Article 73(7) of the Basic Law on appointment of a judge

Mover : Chief Secretary for Administration

Wording of the motion : **Appendix 4**

(Debate and voting arrangements set out in LC Paper Nos. CB(3) 760/18-19 and CB(3) 55/19-20 issued on 27 June and 21 October 2019)

V. Members' Motions on Subsidiary Legislation/Instruments

1st debate (to deal with the following motion)

1. Proposed resolution to extend the period for amending subsidiary legislation

Mover : Hon Kenneth LEUNG

Wording of the motion : **Appendix 5**

2nd debate (to deal with the following motion)

2. Proposed resolution to extend the period for amending subsidiary legislation

Mover : Hon WONG Ting-kwong

Wording of the motion : **Appendix 6**

VI. Member's Bill

First Reading and Second Reading (debate to be adjourned)

- 1. St. John's College (Amendment) Bill 2019 : Hon Jimmy NG**
(Standing over from the meeting of 10 July 2019)

VII. Members' Motions (not including those on Subsidiary Legislation/Instruments)

1st debate (to deal with the following motion)

(Standing over from the meeting of 10 July 2019)

1. Motion under Article 73(9) of the Basic Law to form an independent investigation committee to investigate the charges against the Chief Executive for serious breach of law and/or dereliction of duty

Mover : Hon Alvin YEUNG

Wording of the motion : **Appendix 7**

(This motion jointly initiated by 25 Members: Hon Alvin YEUNG, Hon James TO, Hon LEUNG Yiu-chung, Prof Hon Joseph LEE, Hon Claudia MO, Hon WU Chi-wai, Hon Charles Peter MOK, Hon CHAN Chi-chuen, Hon Kenneth LEUNG, Dr Hon KWOK Ka-ki, Hon Dennis KWOK, Dr Hon Fernando CHEUNG, Dr Hon Helena WONG, Hon IP Kin-yuen, Hon Andrew WAN, Hon CHU Hoi-dick, Hon LAM Cheuk-ting, Hon SHIU Ka-chun, Hon Tanya CHAN, Hon HUI Chi-fung, Dr Hon CHENG Chung-tai, Hon KWONG Chun-yu, Hon Jeremy TAM, Hon Gary FAN and Hon AU Nok-hin)

Public officer to attend : Chief Secretary for Administration

2nd debate (to deal with the following motion)

(Standing over from the meeting of 23 October 2019)

2. Motion under Rule 49B(1A) of the Rules of Procedure to censure Dr Hon Junius HO

Mover : Dr Hon KWOK Ka-ki

Wording of the motion : **Appendix 8**

(This motion jointly signed by Hon Alvin YEUNG, Hon Tanya CHAN and Hon Jeremy TAM)

3rd debate (to deal with the following motion)

3. Motion under Rule 49B(1A) of the Rules of Procedure to censure Dr Hon Junius HO

Mover : Hon Claudia MO

Wording of the motion : **Appendix 9**

(This motion jointly signed by Hon CHU Hoi-dick, Hon CHAN Chi-chuen and Hon Gary FAN)

4th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

4. Motion under Article 73(5) and (10) of the Basic Law to summon persons concerned to produce papers and testify

Mover : Hon Dennis KWOK

Wording of the motion : **Appendix 10**

Public officer to attend : Chief Secretary for Administration

5th debate (to deal with the following 2 motions)

(Standing over from the meeting of 10 July 2019)

5. Motion under Article 73(5) and (10) of the Basic Law to summon a person to produce papers and testify

Mover : Dr Hon KWOK Ka-ki

Wording of the motion : **Appendix 11**

6. Motion under the Legislative Council (Powers and Privileges) Ordinance to appoint a select committee to conduct an inquiry

Mover : Hon AU Nok-hin

Wording of the motion : **Appendix 12**

Public officers to attend items 5 and 6 : Secretary for Security
Under Secretary for Security

(Debate and voting arrangements set out in LC Paper No. CB(3) 771/18-19 issued on 27 June 2019)

Debate and voting arrangements for the following 3 motions to be notified*

(Standing over from the meeting of 23 October 2019)

Motions under Article 73(5) and (10) of the Basic Law to summon persons to produce papers and testify

7. Mover : Hon Alvin YEUNG
Wording of the motion : **Appendix 13**
Public officers to attend : Secretary for Security
Secretary for Transport and Housing
Under Secretary for Security
Under Secretary for Transport and Housing
8. Mover : Dr Hon KWOK Ka-ki
Wording of the motion : **Appendix 14**
Public officers to attend : Secretary for Security
Secretary for Food and Health
Under Secretary for Security
Under Secretary for Food and Health
9. Mover : Dr Hon Fernando CHEUNG
Wording of the motion : **Appendix 15**
Public officers to attend : Secretary for Labour and Welfare
Secretary for Security
Under Secretary for Security
Under Secretary for Labour and Welfare

6th debate (to deal with the following 2 motions)

(Standing over from the meeting of 3 July 2019)

Motions under the Legislative Council (Powers and Privileges) Ordinance to appoint select committees to conduct inquiries

10. Mover : Hon Andrew WAN
Wording of the motion : **Appendix 16**
11. Mover : Hon Jeremy TAM
Wording of the motion : **Appendix 17**
- Public officers to attend items 10 and 11 : Secretary for Security
Under Secretary for Security

(Debate and voting arrangements set out in LC Paper No. CB(3) 723/18-19 issued on 19 June 2019)

Debate and voting arrangements for the following 7 motions to be notified*

(Standing over from the meeting of 23 October 2019)

Motions under the Legislative Council (Powers and Privileges) Ordinance to appoint select committees to conduct inquiries

- 12.** Mover : Hon Claudia MO
Wording of the motion : **Appendix 18**
- 13 and 14.** Mover : Hon Tanya CHAN
Wording of the motions : **Appendices 19 and 20**
- 15 and 16.** Mover : Dr Hon KWOK Ka-ki
Wording of the motions : **Appendices 21 and 22**
- 17.** Mover : Hon LAM Cheuk-ting
Wording of the motion : **Appendix 23**
- 18.** Mover : Hon KWONG Chun-yu
Wording of the motion : **Appendix 24**
- Public officers to attend items 12 to 18 : Secretary for Security
Under Secretary for Security

7th debate (to deal with the following motion)

- 19. Motion under the Legislative Council (Powers and Privileges) Ordinance to appoint a select committee to conduct an inquiry**
- Mover : Hon Gary FAN
Wording of the motion : **Appendix 25**
Public officers to attend : Secretary for Security
Under Secretary for Security

8th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

20. Motion on “No confidence in the Fifth Term Government of the Hong Kong Special Administrative Region”

- Mover : Hon Dennis KWOK
- Wording of the motion : **Appendix 26**
- Amendment mover : Hon Claudia MO
(Amendment set out in LC Paper No. CB(3) 667/18-19 issued on 5 June 2019)
- Public officer to attend : Chief Secretary for Administration

9th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

21. Motion on “Ensuring children’s right to play for them to grow up happily”

- Mover : Hon HO Kai-ming
- Wording of the motion : **Appendix 27**
- 5 amendment movers : Hon IP Kin-yuen, Dr Hon KWOK Ka-ki,
Dr Hon Fernando CHEUNG,
Dr Hon CHIANG Lai-wan and
Hon HUI Chi-fung
(Amendments set out in LC Paper No. CB(3) 669/18-19 issued on 6 June 2019)
- Public officers to attend : Secretary for Labour and Welfare
Under Secretary for Labour and Welfare

* The order of debates on the motions concerned may be adjusted having regard to the debate arrangements to be made

Clerk to the Legislative Council

Council meeting of 30 October 2019

Papers to be laid on the Table of the Council

Subsidiary legislation/instruments	No.
1. <u>Conservation of Antarctic Marine Living Resources (Toothfish Catch Documentation Scheme) Regulation</u>	Legal Notice 150 of 2019
2. <u>Conservation of Antarctic Marine Living Resources (Port Inspection and Control) Regulation</u>	Legal Notice 151 of 2019
3. <u>Administrative Appeals Board Ordinance (Amendment of Schedule) (No. 2) Order 2019</u>	Legal Notice 152 of 2019
4. <u>Conservation of Antarctic Marine Living Resources Ordinance (Commencement) Notice</u>	Legal Notice 153 of 2019
5. <u>Merchant Shipping (Local Vessels) (Safety and Survey) (Amendment) Regulation 2019</u>	Legal Notice 154 of 2019
6. <u>Merchant Shipping (Local Vessels) (General) (Amendment) (No. 3) Regulation 2019</u>	Legal Notice 155 of 2019
7. <u>Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2019</u>	Legal Notice 156 of 2019
8. <u>Eighth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences</u>	Special Supplement No. 5 to Gazette No. 43/2019
Other papers	
9. <u>The Land Registry Trading Fund Hong Kong Annual Report 2018-19 (including Certified Financial Statements and Report of the Director of Audit)</u> (to be presented by Secretary for Development)	
10. <u>Electrical and Mechanical Services Trading Fund Report 2018/19 (including Financial Report and Report of the Director of Audit)</u> (to be presented by Secretary for Development)	

11. Property Management Services Authority
Annual Report 2018-19 (including Independent Auditor's Report and Financial Statements)
(to be presented by Secretary for Home Affairs)
12. Fish Marketing Organization
Financial Statements and Independent Auditor's Report for the year ended 31 March 2019
(to be presented by Secretary for Food and Health)
13. Vegetable Marketing Organization
Financial Statements and Independent Auditor's Report for the year ended 31 March 2019
(to be presented by Secretary for Food and Health)
14. Marine Fish Scholarship Fund
Report, Financial Statements and Independent Auditor's Report for the period from 1 April 2018 to 31 March 2019
(to be presented by Secretary for Food and Health)
15. Agricultural Products Scholarship Fund
Report, Financial Statements and Independent Auditor's Report for the period from 1 April 2018 to 31 March 2019
(to be presented by Secretary for Food and Health)
16. Consumer Council
Annual Report 2018-19 (including Financial Statements and Independent Auditor's Report)
(to be presented by Secretary for Commerce and Economic Development)
17. West Kowloon Cultural District Authority
Annual Report 2018/19
(to be presented by Financial Secretary)
18. Urban Renewal Authority
Annual Report 2018-19 (including Independent Auditor's Report and Financial Statements)
(to be presented by Financial Secretary)

20 questions to be asked at the Council meeting of 30 October 2019

	Subject matters	Public officers to reply	
Questions for oral replies			
1	Hon Martin LIAO	<u>Forward-looking and competitive policies on attracting innovation and technology talents</u>	Secretary for Innovation and Technology
2	Prof Hon Joseph LEE	<u>Use of emergency ambulance service</u>	Secretary for Security
3	Hon Paul TSE	<u>Impacts of recent political situation</u>	Secretary for Financial Services and the Treasury Secretary for Commerce and Economic Development
4	Hon Wilson OR	<u>Supply of live pigs</u>	Secretary for Food and Health
5	Hon Elizabeth QUAT	<u>Legislation and measures for protecting children</u>	Secretary for Labour and Welfare
6	Hon Holden CHOW	<u>Development of general hospitals</u>	Secretary for Food and Health
Questions for written replies			
7	Hon Starry LEE	<u>A homicide case in Taiwan involving Hong Kong residents</u>	Secretary for Security
8	Hon Alvin YEUNG	<u>Use of force against demonstrators</u>	Secretary for Security
9	Dr Hon KWOK Ka-ki	<u>Access to patient information by the Police</u>	Secretary for Food and Health
10	Hon Martin LIAO	<u>Driving test centres under the Transport Department</u>	Secretary for Transport and Housing
11	Hon Tanya CHAN	<u>Arrest of demonstrators on 12 June this year</u>	Secretary for Security
12	Hon CHAN Han-pan	<u>Employment of persons with disabilities by the Government</u>	Secretary for the Civil Service
13	Hon Tommy CHEUNG	<u>Serving teachers changing their jobs to work for the Education Bureau</u>	Secretary for Education
14	Hon YUNG Hoi-yan	<u>Elderly Dental Assistance Programme</u>	Secretary for Food and Health
15	Hon CHAN Kin-por	<u>Talent training for the insurance sector and the asset and wealth management sector</u>	Secretary for Financial Services and the Treasury
16	Hon HUI Chi-fung	<u>Foreigners being held at the airport for questioning and denied entry</u>	Secretary for Security
17	Hon Steven HO	<u>Unauthorized display of items in country parks</u>	Secretary for the Environment
18	Hon IP Kin-yuen	<u>Vacant school premises under the Education Bureau</u>	Secretary for Education
19	Hon Vincent CHENG	<u>Provision of welfare facilities and services</u>	Secretary for Labour and Welfare
20	Hon LEUNG Yiu-chung	<u>Training courses offered as commissioned by the Employees Retraining Board</u>	Secretary for Labour and Welfare

Note: Only 14 written questions are scheduled for this meeting, as Hon KWOK Wai-keung and Hon SHIU Ka-fai have withdrawn their written questions.

Question 1
(For oral reply)

(Translation)

Forward-looking and competitive policies on
attracting innovation and technology talents

Hon Martin LIAO to ask:

In recent years, the Government has been committed to developing Hong Kong into an international innovation and technology (“I&T”) hub, as well as continuously enhancing policies on and measures for attracting talents outside Hong Kong to come here for work, with a view to maintaining Hong Kong’s edges amid the keen international competition for talents. In this connection, will the Government inform this Council:

- (1) given that the Government has, since last year, provided through the Quality Migrant Admission Scheme immigration facilitation to eligible persons under the Talent List of Hong Kong, and launched the Technology Talent Admission Scheme, of the respective numbers of applications from I&T talents for working in Hong Kong received, approved and rejected by the Government so far under these two initiatives; in respect of the approved cases, of the number of talents who are currently in Hong Kong and those who will come to Hong Kong within this year, the nationalities and places of origin of the persons concerned, as well as the time taken to vet and approve such cases; whether it has evaluated the effectiveness of such initiatives, including if the number of talents who have been granted entry approval as well as their expertise and qualifications meet the expectations;
- (2) given that authorities of overseas places and nearby municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area (“Greater Bay Area”) adjust from time to time their policies on and strategies for attracting outside talents, whether the Government has grasped and assessed the latest situation, reviewed and enhanced the talent admission arrangements of Hong Kong correspondingly, and introduced new schemes or measures to attract I&T talents, with a view to strengthening Hong Kong’s competitiveness in this regard; if so, of the details; if not, the reasons for that; and
- (3) of the Government’s short and medium term targets on attracting the various types of I&T talents from outside Hong Kong; given that the I&T development in Hong Kong is one of the integral parts in developing the Greater Bay Area into an international I&T hub, how the Government ensures that Hong Kong and other municipalities in the Greater Bay Area will complement, and will not compete viciously with, one another in attracting I&T talents?

Question 2
(For oral reply)

(Translation)

Use of emergency ambulance service

Prof Hon Joseph LEE to ask:

A large group of demonstrators surrounded the Police Headquarters (“PHQ”) for the whole day of 21 June this year, barring entry and exit of vehicles and persons. At night of that day, some persons inside PHQ reported feeling unwell and called emergency ambulance service. The Police subsequently accused that the demonstrators’ blocking the roads had delayed the rescue work. However, it has been reported that the Police refused to clear the way for the ambulances which had arrived in the vicinity of PHQ, and only after a protracted period of time did they open the eastern entrance gate of PHQ for entry of the ambulancemen. Furthermore, some of the persons who had been conveyed to the accident and emergency (“A&E”) department by ambulance left without receiving diagnoses and treatments. In this connection, will the Government inform this Council:

- (1) of the reasons why the Police refused to clear the way for the ambulances;
- (2) of the respective durations between the ambulances’ arrival in the vicinity of PHQ and their departure upon picking up the various persons who reported feeling unwell; and
- (3) whether it has assessed, among the aforesaid persons who were conveyed to the A&E department by ambulance, the number of those who had a genuine need for receiving emergency diagnoses and treatments, and if emergency ambulance service had been abused?

Question 3
(For oral reply)

(Translation)

Impacts of recent political situation

Hon Paul TSE to ask:

Since June this year, tens of thousands of people took to the street for many times to protest against the proposals to amend the law concerning surrender of fugitive offenders, and to demand the Chief Executive and relevant officials to take responsibility by stepping down. Some demonstrators blocked roads, besieged government buildings and clashed with the Police on a number of occasions. There are comments that the aforesaid situation shows that there is a serious dissension within society and a complete loss of mutual trust between the Government and the people. Also, disputes and agitation in society have caused instability in the economy as well as anxiety in people's mind. For example, a developer gave up, undeterred by forfeiture of the deposit it had paid, a site which it had won in a bidding exercise, and some companies shelved their listing plans. Moreover, it is learned that a tide of emigration from Hong Kong has recurred. In this connection, will the Government inform this Council:

- (1) whether it has assessed how the status of Hong Kong as an international city and a top-notch investment and financial centre has been undermined by the widespread anger among the people which has been triggered by the Government's proposed legislative amendments; of the measures put in place to restore the confidence of the international community and members of the public in Hong Kong's future;
- (2) whether it has assessed the negative impacts of the depressing social sentiment and the chaotic political situation on the local property and stock markets as well as the overall economy, and the mitigation measures; and
- (3) whether it has assessed the negative impacts of the resurgence of the emigration tide on Hong Kong's economic development and labour supply, and of the mitigation measures?

Question 4
(For oral reply)

(Translation)

Supply of live pigs

Hon Wilson OR to ask:

In May this year, the operation of Sheung Shui Slaughterhouse (“SSSH”) was suspended for several days on two occasions as some pig samples collected there had been tested positive for African Swine Fever (“ASF”) virus, with the import of Mainland live pigs being suspended during such periods of time. It is learnt that since the resumption of the operation of the slaughterhouse on 6 June, the average daily number of live pigs imported from the Mainland has been below 1 700, which is way lower than last year’s daily average of around 4 000. It has been reported that as live pigs imported from the Mainland account for more than 90% of the total live pig supply, and with demand outstripping supply, the auction price of live pigs and the retail price of fresh pork are substantially higher than the levels in the past. Furthermore, owing to the drop in the number of pigs slaughtered, there is a pressure for live pig delivery and slaughtering fees to rise. Therefore, the retail price of fresh pork might rise further. In this connection, will the Government inform this Council:

- (1) whether it knows why the import of live pigs from the Mainland has not returned to the previous level since the resumption of the operation of SSSH; whether it has taken measures to make the import of live pigs restore to the previous level as soon as possible, e.g. discussing with the Mainland authorities the expansion of the list of registered pig farms on the Mainland for supply to Hong Kong and Macao, or considering the exploration of new sources of live pigs;
- (2) whether it has assessed the impacts of the persistently high fresh pork price on those industries related to live pigs, restaurants and members of the public; and
- (3) whether it has taken new measures to prevent the contraction of ASF by local and imported pigs, the contraction of diseases by pigs through cross-transmission in the slaughterhouses, and the outbreak of ASF in Hong Kong?

Question 5
(For oral reply)

(Translation)

Legislation and measures for protecting children

Hon Elizabeth QUAT to ask:

In the past decade, the annual numbers of newly reported child abuse cases stood at around 1 000. Yet, among such cases, the annual numbers of neglect cases showed an upward trend. Regarding the law and measures for protecting children, will the Government inform this Council:

- (1) given that a sub-committee of the Law Reform Commission conducted earlier on a three-month public consultation on the introduction of a new criminal offence of “failure to protect a child or vulnerable person where the child’s or vulnerable person’s death or serious harm results from an unlawful act or neglect”, whether the Government has drawn up the relevant legislative timetable and, before such legislation is enacted, what interim measures are in place to step up the protection of children from high risk families;
- (2) given that young persons aged 15 or above may be lawfully employed, but some parents dare not leave their children aged below 16 unattended at home for fear of committing the offence of “ill-treatment or neglect by those in charge of child or young person” under section 27 of the Offences against the Person Ordinance, resulting in such children wandering in the streets all day long and running the risk of going astray, whether the Government will review the said provision and lower the age ceiling for the children who are subject to this provision, to dovetail with the actual situation; if so, of the details; if not, the reasons for that; and
- (3) given that the number of cases of psychological abuse of children received by a concern group in the last financial year more than doubled the figure of the year before, but no relevant offence is provided under the existing legislation, whether the Government will enact legislation in this regard; if so, of the details; if not, the reasons for that; of the details of the immediate and long-term treatments currently provided for the relevant child victims?

Question 6
(For oral reply)

(Translation)

Development of general hospitals

Hon Holden CHOW to ask:

At present, the North Lantau Hospital (“NLH”) is not a general hospital, making it necessary for quite a number of Tung Chung residents to travel a long distance to seek consultation at the Princess Margaret Hospital. In this connection, will the Government inform this Council if it knows:

- (1) the criteria adopted by the Hospital Authority (“HA”) for determining the need to develop a non-general hospital into a general one, and the existing general hospitals in the various districts across the territory;
- (2) whether HA has plans to develop NLH into a general hospital, so as to meet the incessantly increasing healthcare needs of Tung Chung brought about by its population growth; and
- (3) whether HA has plans to introduce new specialist outpatient services at NLH in the coming five years; if so, the details?

Question 7
(For written reply)

(Translation)

A homicide case in Taiwan involving Hong Kong residents

Hon Starry LEE to ask:

A Hong Kong man was suspected of murdering an accompanying Hong Kong woman in Taiwan in February last year and returned to Hong Kong afterwards. As the Government may not, under the existing legislation, transfer the man to Taiwan for trial, the Security Bureau submitted to this Council in February this year a legislative proposal seeking to amend the Fugitive Offenders Ordinance (Cap. 503) and the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525). On the 23rd of this month, the Government formally withdrew the bill concerned. On the other hand, that man, who had been sentenced to imprisonment for convicted offences of money laundering, finished serving the sentence and was released this month. In this connection, will the Government inform this Council whether, at present, it has any plans (e.g. through the existing mechanism) to expeditiously transfer the man to Taiwan for trial, in order to seek justice for the deceased, thereby upholding justice; if so, of the details; if not, the reasons for that?

Question 8
(For written reply)

(Translation)

Use of force against demonstrators

Hon Alvin YEUNG to ask:

It has been reported that on 9 June this year, over a million members of the public participated in a procession to protest against the Government's proposed legislative amendments concerning the surrender of fugitive offenders. After the end of the procession at night and up till the small hours of the following morning, some demonstrators who had stayed behind to continue to protest in the vicinity of the Legislative Council Complex had physical confrontations with police officers. Police officers used Oleoresin Capsicum ("OC") foam (commonly known as "pepper spray") against the demonstrators, hit them with batons, and arrested 19 young persons aged between 19 and 34. In this connection, will the Government inform this Council:

- (1) of the number of persons arrested, broken down by (i) the age group to which they belonged (as shown in Table 1) and their gender, and (ii) the offence that they were alleged to have committed and the location of arrest (to be set out in Table 1 and Table 2 respectively);

Table 1

Age group (years old)	Gender	Number of persons
19 to 20	Male	
	Female	
21 to 22	Male	
	Female	
23 to 25	Male	
	Female	
26 to 30	Male	
	Female	
31 to 34	Male	
	Female	

Table 2

		Location of arrest		
Alleged offence				

- (2) as it has been reported that in the small hours on 10 June this year, the names and identity card numbers of a number of demonstrators, who were besieged or pursued by police officers, were recorded, of the number of those demonstrators, with a breakdown by (i) the age group to which they belonged and (ii) their gender (to be set out in Table 3);

Table 3

Age group (years old)	Gender	Number of persons
Under 16	Male	
	Female	
16 to 18	Male	
	Female	
19 to 25	Male	
	Female	
26 to 40	Male	
	Female	
41 to 65	Male	
	Female	
Above 65	Male	
	Female	

- (3) of the respective quantities of (i) OC spray, (ii) OC jet pack solution and (iii) spray or solution of similar nature, used by the Police during the aforesaid incident;
- (4) of the objective criteria or guidelines adopted by the Police for determining if there is a need to use pepper spray;
- (5) as the Hong Kong Police Force Procedures Manual provides that when a person has been hit with batons, the Formation Commander or officer-in-charge of the Formation concerned is required to submit afterwards an initial report to the Major Formation Commander with a copy of the report forwarded to the Assistant Commissioner of Police (Support), of the number of initial reports concerning the aforesaid incident received by the Police so far; whether the Police will make public such reports;
- (6) of the following details of each case in the reports mentioned in (5): (i) the names of the officers using batons, (ii) their ranks, (iii) the injuries suffered by the persons being hit, (iv) the number of hits, and (v) the areas of hits (set out in Table 4); and

Table 4

(i)	(ii)	(iii)	(iv)	(v)	Other remarks

- (7) whether it will make public the latest versions of the Police General Orders and the Hong Kong Police Force Procedures Manual in their entirety, according to chapters and annexes, to facilitate public understanding of the law enforcement standards adopted by the Police; if so, please provide the latest versions of the Orders and the Manual (together with annexes); if not, of the reasons for that?

Question 9
(For written reply)

(Translation)

Access to patient information by the Police

Dr Hon KWOK Ka-ki to ask:

After serious confrontations between police officers and demonstrators in the vicinity of Admiralty on 12 June this year, some demonstrators who had gone to the accident and emergency (“A&E”) departments of public hospitals for treatment of injuries were arrested there by the Police. It was reported in the press on 18 June that any person could access, through the computers in the A&E departments without going through the procedure for logging in with a password, the patient information contained in the Accident and Emergency Information System (“AEIS”), and that the system had a page designated “For Police”. The Hospital Authority (“HA”) subsequently clarified that AEIS was for the exclusive use of healthcare workers and the page concerned was only a printing option in the “Disaster” module of AEIS. HA also indicated that from 20 June onwards, AEIS could be accessed only after going through the procedure for logging in with a password. In this connection, will the Government inform this Council:

- (1) of the number of aforesaid persons arrested in the A&E departments, with a tabulated breakdown by (i) name of hospital, (ii) the offences allegedly committed by them and (iii) the age group to which they belonged (i.e. under 16 years old, 16 to 18 years old, 19 to 25 years old, 26 to 40 years old, 41 to 65 years old, and above 65 years old);
- (2) regarding the situation about AEIS as mentioned in the aforesaid press report, whether the management staff of (i) the Food and Health Bureau, (ii) the Security Bureau, (iii) the Department of Health (“DH”) and (iv) HA were aware of it beforehand; if so, since when they became aware of it;
- (3) since which date the Police had been able to obtain the patient information contained in AEIS, of the types of information obtained and the to-date number of patients involved; the to-date number of persons arrested by the Police based on such information, with a tabulated breakdown by the offences allegedly committed by them and the locations of arrest (the name of hospital if in hospital); and
- (4) whether currently the Police are able to access the patient information contained in the computer systems of the clinics under DH and of private hospitals; if so, how the Government ensures that the privacy of patients is properly safeguarded?

Question 10
(For written reply)

(Translation)

Driving test centres under the Transport Department

Hon Martin LIAO to ask:

It has been reported that from time to time, certain driving test centres (“DTCs”) under the Transport Department are closed during opening days due to a shortage of driving examiners. As a result, candidates have to wait for a long time before they can take road tests of driving tests (“road tests”). In this connection, will the Government inform this Council:

- (1) of the average number of opening days per week on which the various DTCs were closed, in each of the past three years, as well as the major reasons for the closure;
- (2) of the staffing establishment, number of vacancies and wastage (broken down by the cause of wastage (e.g. retirement and resignation)) of driving examiners, in each of the past three years, as well as the estimated figures for each of the coming three years (set out in a table);
- (3) of the respective numbers of persons who took road tests for (i) non-commercial vehicles and (ii) commercial vehicles in each of the past three years, as well as the respective average, lowest and highest numbers of calendar days for which they had waited before taking the road tests (set out in a table);
- (4) as some members of the transport trade have relayed that there has been a serious shortage of commercial vehicle drivers in recent years, whether the Government has assessed if the long waiting time for candidates to take road tests for commercial vehicles has aggravated this problem; and
- (5) whether it will consider converting sites of DTCs with low utilization rates to other uses, so as to optimize the utilization of land resources?

Question 11
(For written reply)

(Translation)

Arrest of demonstrators on 12 June this year

Hon Tanya CHAN to ask:

On 12 June this year, quite a number of demonstrators gathered in the vicinity of the Legislative Council Complex, protesting against the Government's proposed legislative amendments concerning the surrender of fugitive offenders. Police officers used force to disperse the demonstrators and arrested quite a number of demonstrators on the spot and in the accident and emergency ("A&E") departments of public hospitals. In this connection, will the Government inform this Council:

- (1) of the total number of participants of the aforesaid demonstration arrested to date, with breakdowns (to be set out in Table 1 and Table 2 respectively) by (i) the offence that they were alleged to have committed and the location of arrest, and (ii) the age group to which they belonged (as set out in Table 2);

Table 1

Alleged offence	Location of arrest		

Table 2

Age group (years old)	Gender	Number of persons
Below 16	Male	
	Female	
16 to 18	Male	
	Female	
19 to 25	Male	
	Female	
26 to 40	Male	
	Female	
41 to 65	Male	
	Female	
Above 65	Male	
	Female	

- (2) how the Police came to know that some demonstrators were receiving treatment in the A&E departments of public hospitals, upon which police officers were sent there to arrest them; and
- (3) of the factors to be considered by the Department of Justice in deciding which of the offence provisions (e.g. section 17B (disorder in public places), section 18 (unlawful assembly) and section 19

(riot) under the Public Order Ordinance (Cap. 245) are to be invoked for instituting prosecutions against those arrestees?

Question 12
(For written reply)

(Translation)

Employment of persons with disabilities by the Government

Hon CHAN Han-pan to ask:

In recent years, while the overall employment rate in Hong Kong has remained at high levels, the employment rate of persons with disabilities (“PWDs”) has been persistently low. According to the findings of a survey conducted by the Census and Statistics Department in 2013, the employment rate of PWDs aged 15 and above was 13.6%, and that of the 43 000 PWDs holding post-secondary qualifications among them was around 34.7%. On the other hand, the percentage of civil servants with disabilities in the total number of civil servants had declined for five consecutive years, dropping from 2.1% in 2013-2014 to 1.7% in 2017-2018. In this connection, will the Government inform this Council:

- (1) of the respective numbers of the existing and newly recruited government employees with disabilities (including civil servants and non-civil service contract staff) and their percentages in the total number of government employees in each of the past three years, together with a tabulated breakdown by (i) the employing department of such employees, (ii) their type of disability, (iii) the grade to which they belonged and (iv) the type of jobs in which they were engaged;
- (2) whether the Government, being the largest employer in Hong Kong, will consider afresh implementing within the Government an employment quota system for PWDs, so as to take the lead; if so, of the details and timetable; if not, the reasons for that; and
- (3) given that quite a number of types of jobs within the government structure (e.g. telephone customer services and certain clerical work) can aptly be taken up by PWDs, whether the Government will consider giving PWDs priority for employment when conducting recruitment exercises for posts of designated types of jobs; if so, of the details; if not, the reasons for that?

Question 13
(For written reply)

(Translation)

Serving teachers changing their jobs to work for the Education Bureau

Hon Tommy CHEUNG to ask:

Some members of the education sector have complained to me that in recent years, the Education Bureau (“EDB”) has, from time to time, conducted open recruitment exercises for positions the entry requirements of which include a certain number of years’ teaching experience. As the appointees are usually serving teachers, the schools at which such teachers originally teach often have to recruit teachers midway through a school term in order to fill the vacancies, thus affecting the operation of the schools and the learning progress of the students. In this connection, will the Government inform this Council:

- (1) of the number of serving teachers who changed their jobs to work for EDB in each of the past 10 years and, among them, the number of those who changed their jobs midway through a school term; and
- (2) whether EDB will, in future, arrange as far as possible the serving teachers appointed by it to report for duty during the summer break, so as to avoid affecting the operation of the schools at which they originally teach as well as the learning progress of the students; if so, of the details; if not, the reasons for that?

Question 14
(For written reply)

(Translation)

Elderly Dental Assistance Programme

Hon YUNG Hoi-yan to ask:

The Elderly Dental Assistance Programme (“the Programme”), launched by the Community Care Fund in September 2012, provides free removable dentures and related dental services to low-income elderly persons who are users of home care service or home help service subvented by the Social Welfare Department. The eligibility for participating in the Programme was relaxed in September 2015, October 2016, July 2017 and February 2019 to cover elderly persons who were/are Old Age Living Allowance recipients aged 80 or above, aged 75 or above, aged 70 or above and aged 65 or above respectively. In this connection, will the Government inform this Council:

- (1) of the respective numbers of elderly persons eligible for participating in the Programme when it was first launched and upon each relaxation of the eligibility; the number of elderly persons participating in the Programme in the three months after each relaxation, and the percentage of such number in the total number of eligible elderly persons, as well as how such figures compare with the relevant figures for three months prior to that relaxation;
- (2) of the respective numbers of participating dental clinics and dentists in each year since the launch of the Programme, with a breakdown by District Council district;
- (3) of the largest, smallest and average numbers of elderly persons to whom the participating dentists provided dental services under the Programme, and the number of dentists who did not provide such services throughout the year (and the reasons for that), in each of the past three years; and
- (4) whether it has reviewed if the implementation of the Programme (including the numbers of participating elderly persons and dentists) has achieved the expected results; if it has reviewed and the outcome is that the expected results have not been achieved, of the measures put in place to (i) boost the participation rate of elderly persons, and (ii) avoid the situation that participating dentists do not provide the relevant services at all throughout a year?

Question 15
(For written reply)

(Translation)

Talent training for the insurance sector and
the asset and wealth management sector

Hon CHAN Kin-por to ask:

In view of the persistent shortage of talents faced by the insurance sector as well as the asset and wealth management sector, the Government launched a three-year Pilot Programme to Enhance Talent Training for the Insurance Sector and the Asset and Wealth Management Sector (“Pilot Programme”) in August 2016 to help promote these two sectors and enhance the professional competence of their practitioners. The initiatives under the Pilot Programme include public education, financial incentive schemes for professional training, summer internship programmes and a work-and-learn programme. In this connection, will the Government inform this Council:

- (1) of the respective numbers of participants in the professional training, summer internship and work-and-learn programmes since the launch of the Pilot Programme, as well as the latest progress of the various initiatives;
- (2) whether it has assessed the effectiveness of the training and promotional efforts under the Pilot Programme; if so, of the details; if not, the reasons for that;
- (3) whether it will regularize the Pilot Programme to train talents for and attract new blood to the two sectors on an on-going basis, so as to seize the opportunities brought by the development of the Guangdong-Hong Kong-Macao Greater Bay Area and the “Belt and Road” Initiative; and
- (4) whether it will consider establishing an academy of insurance so as to assist the insurance sector in training talents more effectively; if so, of the details and the timetable; if not, the reasons for that?

Question 16
(For written reply)

(Translation)

Foreigners being held at the airport for questioning and denied entry

Hon HUI Chi-fung to ask:

It has been reported that a former Secretary of Foreign Affairs of the Philippines, who arrived in Hong Kong with a diplomatic passport in June this year, was denied entry into Hong Kong after having been held by the Immigration Department (“ImmD”) for questioning for over five hours. In May this year, a former Ombudsman of the Philippines, who arrived in Hong Kong with an ordinary passport, was also held for questioning, notwithstanding that she was eventually granted entry. On the other hand, in March this year, these two persons, together with some Filipino fishermen, filed a lawsuit with the International Criminal Court against various Chinese officials, including the State President, for alleged crimes against humanity. In this connection, will the Government inform this Council:

- (1) of the general reasons for ImmD to reject the entry of foreigners;
- (2) of the reasons for subjecting these two persons to the aforesaid treatment upon their arrival in Hong Kong, and whether such reasons include their posing security threats to Hong Kong;
- (3) of the Central Authorities’ roles in the immigration matters of the Hong Kong Special Administrative Region (“SAR”); whether the SAR Government had received any instruction beforehand from the Central Authorities regarding the entry of these two persons into Hong Kong; if so, of the details;
- (4) whether the SAR Government’s handling of the entry of these two persons had been affected by the stance of the Central Authorities; if so, whether it has assessed if the Central Authorities had contravened (i) the principles and policies of implementing “Hong Kong people administering Hong Kong” and a high degree of autonomy in SAR, or (ii) Article 22 of the Basic Law; if it has assessed and the outcome is in the affirmative, of the follow-up actions; if the assessment outcome is in the negative, the justifications for that;
- (5) whether, under those provisions of the Vienna Convention on Consular Relations having the force of law in Hong Kong, ImmD is empowered to hold a foreigner with a diplomatic passport for questioning or to deny his/her entry; whether it has assessed if

ImmD's treatment of the aforesaid diplomatic passport holder contravened the relevant provision(s); and

- (6) whether it has assessed if the aforesaid incident, which has aroused much international concern, has adverse impacts on Hong Kong's international reputation and investment environment; if it has assessed and the outcome is in the affirmative, of the measures in place to prevent the occurrence of similar incidents; if the assessment outcome is in the negative, the reasons for that?

Question 17
(For written reply)

(Translation)

Unauthorized display of items in country parks

Hon Steven HO to ask:

From time to time in recent years, there have been people displaying large vertical banners on prominent cliff faces or posting slogans and painting graffiti on both sides of hiking trails within country parks for expressing political aspirations or publicizing political messages. The Government has to spend public money and deploy manpower to remove such items and carry out clearance work. In recent months, there were again a spate of cases of displaying large vertical banners. Some members of the public are annoyed at this, and have expressed concern that the Government has all along been unable to curb such acts over the years. In this connection, will the Government inform this Council:

- (1) of the respective numbers of reports received in each of the past five years on unauthorized (i) display of vertical banners and (ii) posting of slogans and painting of graffiti in country parks; the procedure, manpower and expenditure involved in the operations to remove or clear such items;
- (2) of (i) the number of patrols conducted in country parks and special areas for combating unauthorized display of vertical banners, and (ii) the number of operations conducted during patrols to remove or clear such items, by government officers in each month of the past five years; the respective manpower, expenditure and time involved in such operations;
- (3) of the respective current staffing establishment of those civil servants responsible for patrolling country parks and special areas;
- (4) as the Country Parks and Special Areas Regulations (Cap. 208A) provides that no person without permission shall, within a country park or special area, display any sign, notice, poster, banner or advertisement, of the respective numbers of persons prosecuted and convicted in each of the past five years for unauthorized display of large vertical banners within country parks, and the punishments imposed on those convicted; if there were no cases of prosecution and conviction, whether it has studied if this situation was due to insufficient efforts in combating such acts; and
- (5) whether it will raise the relevant penalties and step up law enforcement efforts so as to curb this undesirable trend; if so, of the details; if not, the reasons for that?

Question 18
(For written reply)

(Translation)

Vacant school premises under the Education Bureau

Hon IP Kin-yuen to ask:

It has been reported that the Education Bureau (“EDB”) has planned to lend the premises of a primary school, which will soon be vacated, to a service organization for the visually impaired, for use as a decanting site for the sheltered workshop under it. Regarding the vacant school premises under EDB, will the Government inform this Council:

- (1) when the application for borrowing the school premises concerned from the aforesaid organization was received, the time taken for vetting and approval of the application, and the reasons for approving the application, by EDB, and the duration of the tenancy;
- (2) given that the facilities in the school premises concerned are not even up to current standards, whether the Government had assessed if the school premises were suitable for operating a sheltered workshop or factory; if it had assessed and the outcome was in the affirmative, of the method and criteria adopted for the assessment, as well as the details of the assessment outcome (including whether the premises could accommodate the workshop’s existing large-scale machinery, whether the various floors could withstand the weight of such machinery, the maximum number of trainees that the premises could accommodate, and whether the workshop in operation would generate noise exceeding the standards);
- (3) whether, before approving the said service organization’s application, EDB had received other applications for borrowing the school premises concerned; if so, of the details of such applications, including (i) the number of such applications, (ii) the dates of receipt, (iii) the nature of business in which the applicants were engaged, (iv) the proposed uses of the school premises, and (v) the reasons for such applications being rejected;
- (4) of the long-term planned uses of the school premises concerned and of its site;
- (5) of the following details in respect of each application approved in each of the past five school years for borrowing school premises under EDB (set out in a table):
 - (i) the name of the school which had used the premises concerned before the premises were left vacant,
 - (ii) the address of the premises,

- (iii) the floor area of the premises,
 - (iv) the number of years for which the premises had been left vacant,
 - (v) the name and type of the borrower unit (e.g. policy bureau/government department, school sponsoring body, non-profit making organization),
 - (vi) the proposed use(s),
 - (vii) the number of years of borrowing the premises, and
 - (viii) the charges/rents for borrowing the premises;
- (6) of the current channel(s) through which the public can access the information about those vacant school premises under EDB that are available for borrowing; and
- (7) whether non-governmental organizations (“NGOs”) (including schools) may apply for borrowing vacant or soon-to-be-vacated school premises under EDB at present; if so, of the details, including (i) the channel(s) for making applications, (ii) the vetting and approval procedure, (iii) the approving authority, (iv) the criteria for vetting and approval of applications, as well as (v) whether policy bureaux/government departments are given priority for borrowing the premises; if NGOs may not, the reasons for that?

Question 19
(For written reply)

(Translation)

Provision of welfare facilities and services

Hon Vincent CHENG to ask:

The Financial Secretary announced in this year's Budget the allocation of \$20 billion for the Government to purchase properties over some three years for the operation of welfare facilities and services, such as child care centres ("CCCs"), day care centres for the elderly, neighbourhood elderly centres, and on-site pre-school rehabilitation services. On the other hand, the Government has, in accordance with the recommendations in the Final Report of the Consultancy Study on the Long-term Development of Child Care Services, formulated a planning ratio for aided CCC places (i.e. 103 places for children aged below three per 20 000 persons). In this connection, will the Government inform this Council:

- (1) of the respective current numbers of CCCs, day care centres for the elderly, neighbourhood elderly centres, district elderly community centres, and on-site pre-school rehabilitation service units in the territory, as well as the respective numbers and utilization rates of service places provided by them, with a breakdown by District Council ("DC") district;
- (2) given that the Government plans to purchase properties for providing at least one additional CCC in each DC district, whether this number is set according to the aforesaid planning ratio; and
- (3) regarding the three DC districts of Sham Shui Po, Yau Tsim Mong and Kowloon City respectively,
 - (a) of the current (i) number of service places, (ii) manpower and (iii) utilization rates in respect of each subsidized child care service in the district, and set out in a table the relevant details by name of organization providing the service;
 - (b) whether it has assessed if the provision of one additional CCC in the district can meet the demand of local residents for the relevant services; of the indicators (such as utilization rates) adopted for determining whether child care services in the district are adequate; and
 - (c) whether it will consider further increasing the number of service places and manpower for subsidized child care services in the district, so as to alleviate the pressure on dual-income parents in taking care of their children; if so, of the details?

Question 20
(For written reply)

(Translation)

Training courses offered as commissioned
by the Employees Retraining Board

Hon LEUNG Yiu-chung to ask:

Will the Government inform this Council of (i) the number of training courses offered by each Training Body as commissioned by the Employees Retraining Board (“ERB”), and (ii) the amount of funding provided by ERB to each Training Body for offering such courses, in each of the financial years from 2017-2018 to 2019-2020?

**Basic Law of the Hong Kong Special Administrative
Region of the People's Republic of China
and
Hong Kong Court of Final Appeal Ordinance**

Resolution

(Under Article 73(7) of the Basic Law of the Hong Kong Special
Administrative Region of the People's Republic of China and section 7A of
the Hong Kong Court of Final Appeal Ordinance (Cap. 484))

Resolved that the appointment of the Right Honourable Lord Jonathan
Sumption as a judge of the Hong Kong Court of Final Appeal from another
common law jurisdiction pursuant to section 9 of the Hong Kong Court of
Final Appeal Ordinance (Cap. 484) be endorsed.

Resolution of the Legislative Council

1

**Basic Law of the Hong Kong Special Administrative
Region of the People's Republic of China**

Resolution

(Under Article 73(7) of the Basic Law of the Hong Kong Special
Administrative Region of the People's Republic of China)

Resolved that the appointment of the Honourable Mr. Justice Jeremy Poon
Shiu-chor as the Chief Judge of the High Court of Hong Kong be endorsed.

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(4) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Resolved that in relation to the —

- (a) Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Kingdom of Cambodia) Order, published in the Gazette as Legal Notice No. 117 of 2019; and
- (b) Specification of Arrangements (The Mainland of China) (Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income) (Fifth Protocol) Order, published in the Gazette as Legal Notice No. 118 of 2019,

and laid on the table of the Legislative Council on 16 October 2019, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 4 December 2019.

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(4) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Resolved that in relation to the Prohibition on Face Covering Regulation, published in the Gazette as Legal Notice No. 119 of 2019, and laid on the table of the Legislative Council on 16 October 2019, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 4 December 2019.

The 25 Members below jointly initiate the following motion:

Hon Alvin YEUNG (mover), Hon James TO Kun-sun, Hon LEUNG Yiu-chung,
Prof Hon Joseph LEE Kok-long, Hon Claudia MO, Hon WU Chi-wai,
Hon Charles Peter MOK, Hon CHAN Chi-chuen, Hon Kenneth LEUNG,
Hon KWOK ka-ki, Hon Dennis KWOK Wing-hang,
Dr Hon Fernando CHEUNG Chiu-hung, Dr Hon Helena WONG Pik-wan,
Hon IP Kin-yuen, Hon Andrew WAN Siu-kin, Hon CHU Hoi-dick,
Hon LAM Cheuk-ting, Hon SHIU Ka-chun, Hon Tanya CHAN,
Hon HUI Chi-fung, Dr Hon CHENG Chung-tai, Hon KWONG Chun-yu,
Hon Jeremy TAM Man-ho, Hon Gary FAN Kwok-wai, Hon AU Nok-hin

Motion under Article 73(9) of the Basic Law

Wording of the Motion

Whereas not less than one-fourth of all Members of this Council have jointly initiated this motion charging the Chief Executive Mrs Carrie LAM CHENG Yuet-ngor with serious breach of law and/or dereliction of duty (as particularized in the Schedule to this motion), and whereas the said Mrs Carrie LAM CHENG Yuet-ngor has refused to resign within a reasonable time, this Council, in accordance with Article 73(9) of the Basic Law, hereby gives a mandate to the Chief Justice of the Court to form and chair an independent investigation committee to investigate the alleged serious breaches of law and/or dereliction of duty and report its findings to this Council.

Schedule

Particulars of serious breaches of law and/or dereliction of duty of the Chief Executive Mrs Carrie LAM CHENG Yuet-ngor:

Disregard of mainstream opposing views and unrelentingly pushing through a highly controversial bill

As the Chief Executive of the Hong Kong Special Administrative Region, Mrs Carrie LAM CHENG Yuet-ngor introduced the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 (“the Bill”), which has ignited widespread controversy across Hong Kong society. After the Bill had been submitted to

the Legislative Council for first reading, the business sector and many professional sectors expressed their concerns. On 9 June 2019, up to 1.03 million people took to the streets in a march to express their strong opposition to the Bill. A majority of the participants in the march also demanded that the Chief Executive should step down. After the march on 9 June 2019, Mrs Carrie LAM CHENG Yuet-ngor not only ignored the overwhelming mainstream opinion in Hong Kong, but also insisted the resumption of the second reading debate on the Bill at the Legislative Council as scheduled.

The second reading debate on the Bill was originally scheduled to resume at the Legislative Council on 12 June 2019. Thousands of citizens gathered in the vicinity of the Legislative Council Complex demanding the withdrawal of the Bill. The Hong Kong Police Force, under the leadership of the Chief Executive Mrs Carrie LAM CHENG Yuet-ngor, used excessive force to crack down on the protest, resulting in violent conflicts in which many were injured. It was truly fortunate that there was no fatality that day. (More details about this incident will be provided in the next part.)

As of 15 June 2019, Chief Executive Mrs Carrie LAM CHENG Yuet-ngor withdrew the notice of resumption of the second reading debate on the Bill, but refused to withdraw the Bill. The next day, almost 2 million people took to the streets in a march, their demands included withdrawal of the Bill, stopping the arrests of protestors against the Bill, dropping all charges against people who were arrested for participating in the protests against the Bill, retracting the Government's classification of the protests on 12 June 2019 as a riot and the stepping down of the Chief Executive. Up to 24 June 2019, Chief Executive Mrs Carrie LAM CHENG Yuet-ngor only agreed to withdraw the notice of resumption of the second reading debate on the Bill.

Use of excessive force to crack down on peaceful assembly

In the early morning of 10 June 2019, many protestors who participated in the march against the Bill on 9 June 2019 were subjected to the use of pepper sprays, beating with batons and pursuit by the Police.

In the afternoon of 12 June 2019, during the crackdown on the protests in the vicinity of the Legislative Council Complex, the Police used excessive force on protestors, including use of pepper sprays, beating with batons, and firing of many tear gas canisters, bean bag rounds and rubber bullets. (According to the Police statistics, 150 tear gas canisters, 20 rounds of bean bag shots and several rounds of rubber bullets were fired that day.) And before the Police fired at the protestors, they did not follow the guidelines under which flags should be raised as a warning. Moreover, many witnesses saw that the Police officers aimed at protestors' vital body parts when they fired. The press also took many

photos and recorded many video clips proving that Police officers had thrown tear gas canisters at the areas where crowds gathered, regardless of the fact that letters of no objections had been obtained in respect of the peaceful assembly in those areas, which might have caused tragedies. Such level of force was really unnecessary, which endangered the lives of those participating in the assembly.

In the aforementioned crackdown, the Police used excessive force resulting in injuries of many people. Some of the injured people being hospitalized were arrested by police officers in public hospitals, causing fear among the citizens, and the injured people were too fearful to seek medical help. It was sheer luck that no fatality resulted from the two incidents.

Intimidating protestors with disproportionate criminal charges

Targeting those who were arrested for participating in the protests in the vicinity of the Legislative Council Complex on 12 June 2019, the Police indicated that they were considering laying riot charges against the arrested. That day, most people protesting in the vicinity of the Legislative Council Complex were assembling peacefully without causing severe damage to public or private properties or endangering other people's lives. The gravity of the Police charges was disproportionate.

In fact, the citizens gathering that day were just exercising their freedom of assembly and speech protected by the Basic Law. By laying grave charges with an intent to silence opposing voices, the Government has demonstrated a lack of basic respect for different views.

Causing a rift in society

In both marches on 9 and 16 of June 2019, many citizens demanded that Mrs Carrie LAM CHENG Yuet-ngor should resign. In the evening of 15 June 2019, a Hong Kong citizen named Leung Ling-kit staged a protest on the scaffoldings of the Pacific Place in Admiralty, and demanded withdrawal of the bill, the release of protestors arrested for participating in protests against the Bill, the retraction of the Government's classification of the protests on 12 June 2019 as a riot and the stepping down of the Chief Executive. He fell to his death that night. The next day, close to 2 million people took to the streets to protest, repeating the five demands including withdrawal of the Bill, stopping the arrests of protestors opposing the Bill, dropping all charges against people arrested for participating in the protests against the Bill, retraction of the Government's classification of the protests on 12 June 2019 as a riot, and the stepping down of the Chief Executive. As of 24 June 2019, in response to the above demands, Mrs Carrie LAM CHENG Yuet-

ngor only apologized, but did not specify her past acts for which she was apologizing and did not acknowledge any specific responsibility, nor did she propose any remedies.

Conclusion

Mrs Carrie LAM CHENG Yuet-ngor sworn the following oath to uphold the Basic Law before assuming office: “I, Carrie LAM CHENG Yuet-ngor, swear that, in the office of Chief Executive of the Hong Kong Special Administrative Region of the People’s Republic of China, I will uphold the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China, bear allegiance to the Hong Kong Special Administrative Region of the Peoples’ Republic of China and serve the Hong Kong Special Administrative Region conscientiously, dutifully, in full accordance with the law, honestly and with integrity, and be held accountable to the Central People’s Government of the People’s Republic of China and the Hong Kong Special Administrative Region.” However, in her handling of the aforementioned protests, she has manifestly violated her oath and made many unconstitutional decisions.

Article 27 of the Basic Law stipulates that “Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike.” In the aforementioned protests, the violent crackdown by the Government on the protestors was not only an attempt to prevent them from expressing their views in specific forms, but also intended to curtail their views expressed. Such acts gravely infringed on citizens’ freedom of assembly and speech protected by the Basic Law.

According to the Hong Kong Bill of Rights as set out in Part II of the Hong Kong Bill of Rights Ordinance (Cap. 383), the laws of Hong Kong protect the right to life of every person in Hong Kong. Article 2(1) of the Hong Kong Bill of Rights stipulates that “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.” During the protests on 12 June 2019, it was the first time that protestors were wounded by gunfire during police crackdown on protests since the Handover. Whereas at that time the protestors had not committed acts that endangered other people’s lives, the Police’s reaction was really unnecessary and disproportionate. Under the leadership of the Chief Executive Mrs Carrie LAM CHENG Yuet-ngor, the Police has set an extremely bad precedent that would move Hong Kong towards an authoritarian regime that will not hesitate to sacrifice its citizens’ lives to consolidate its power.

In view of what have been illustrated above, we are deeply disappointed with the unconstitutional acts by the Chief Executive Mrs Carrie LAM CHENG Yuet-ngor and demand her resignation.

**Motion to be moved by Dr Hon KWOK Ka-ki
under Rule 49B(1A) of the Rules of Procedure
to censure Dr Hon Junius HO**

Wording of the Motion

That this Council, in accordance with Article 79(7) of the Basic Law, censures Dr Hon Junius HO for misbehaviour and breach of oath under Article 104 of the Basic Law (details as particularized in the Schedule to this motion).

Schedule

Details of Dr Hon Junius HO's misbehaviour and breach of oath under Article 104 of the Basic Law are particularized as follows:

- (1) On the night of 21 July 2019, a number of white-clad men used rods and bamboo poles to assault passengers at Yuen Long Station of West Rail Line of the MTR Corporation Limited and on board a train, causing bloodshed and injuries to many people including elderly persons, children and a pregnant woman. Before the assault, Dr Hon Junius HO had appeared outside the station and shaken hands with a number of rod-wielding people who were in white clad and suspected of launching the assault that caused injuries to others. He had also given a thumbs up to those people suspected of launching the assault to show his support and encouragement for their violent acts, and made such supportive and encouraging remarks as "I support you" and "You are my heroes".
- (2) The aforesaid conduct of Dr Hon Junius HO: (i) constitutes misbehaviour as he, as a Member of the Legislative Council, openly supported and encouraged acts that may be prosecuted for assault occasioning actual bodily harm and common assault under the Offences Against the Person Ordinance (Cap. 212), and this not only abetted a crime but also put Hong Kong citizens in danger; and (ii) is in breach of the oath he made at the meeting of the Legislative Council on 12 October 2016 under Article 104 of the Basic Law and the Oaths and Declarations Ordinance (Cap. 11) to "serve the Hong Kong Special Administrative Region...in full accordance with the law".

**Motion to be moved by Hon Claudia MO
under Rule 49B(1A) of the Rules of Procedure
to censure Dr Hon Junius HO**

Wording of the Motion

That this Council, in accordance with Article 79(7) of the Basic Law, censures Dr Hon Junius HO for misbehaviour (details as particularized in the Schedule to this motion).

Schedule

Details of Dr Hon Junius HO's misbehaviour are particularized as follows:

Making a remark amounting to sexual and racial harassment of female Members

At the meeting of the House Committee of the Legislative Council ("LegCo") on 15 October 2019, in response to Hon Claudia MO's speech, Dr Hon Junius HO said, "...those who habitually eat foreign sausage...". Hon Dennis KWOK, who presided over the meeting, ruled that the remark was related to sex organs, and requested him to withdraw his remark, but he refused to do so. Dr Hon Junius HO has sexually and racially harassed female Members of LegCo.

2. According to section 2(5)(a)(ii) of the Sex Discrimination Ordinance (Cap. 480), "a person...sexually harasses a woman if the person engages in...unwelcome conduct of a sexual nature in relation to her, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that she would be offended, humiliated or intimidated."

3. According to section 7(1) of the Race Discrimination Ordinance (Cap. 602), "a person harasses another person if, on the ground of the race of that other person or a near relative of that other person, the first-mentioned person engages in unwelcome conduct (which may include an oral or a written statement), in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated by that conduct."

4. Dr Hon Junius HO, as a Member of LegCo, made a sexual and racial harassment remark towards female Members of LegCo, which made them feel offended and insulted. Had he not been protected by the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), he could have been sued for making a remark violating the Sex Discrimination Ordinance and the Race Discrimination Ordinance. Subsequently, Dr Hon Junius HO still argued that his remark carried no implication of sex discrimination or offending women. This reflected his defiance of the rule of law, wanton abetment of sexual and racial harassment and lack of remorse for his conduct.

5. The intent of the Sex Discrimination Ordinance and the Race Discrimination Ordinance enacted by LegCo is to ensure equal opportunities for people of different genders and races and protect them against harassment. Dr Hon Junius HO's remark has sent a wrong message to the public, misleading the public into thinking that LegCo encourages sexual and racial harassment. His remark has completely violated the integrity and conduct expected of a Member, bringing shame on LegCo, seriously jeopardizing the public's confidence in LegCo and failing the public's expectations for LegCo Members.

6. Dr Hon Junius HO's sexual and racial harassment remark made towards female Members at the aforesaid meeting constitutes misbehaviour.

**Motion under Article 73(5) and (10) of the Basic Law of
the Hong Kong Special Administrative Region of
the People's Republic of China
to be moved by Hon Dennis KWOK**

Wording of the Motion

That, pursuant to Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, this Council summons the Secretary for Justice, Ms Teresa CHENG, S.C. and Director of the Chief Executive's Office, Mr Eric CHAN Kwok-ki to attend before the Council at its earliest meeting after the passage of this motion to produce all relevant papers, books, records or documents and to testify or give evidence on handling of the matter of and in relation to the engagement of Ms Teresa CHENG, after taking the office of the Secretary for Justice, in or her being concerned with (either directly or indirectly as principal, agent, director or shadow director, employee, or otherwise) any other trade, business, occupation, firm, company (private or public), chamber of commerce or similar bodies, public body or private professional practice (in particular relating to arbitration), and relevant matters.

**Motion under Article 73(5) and (10) of the Basic Law of
the Hong Kong Special Administrative Region of the People's Republic of China
to be moved by Dr Hon KWOK Ka-ki**

Wording of the Motion

That, pursuant to Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, this Council summons the Commissioner of Police, Mr LO Wai-chung Stephen to attend before the Council at its earliest meeting after the passage of this motion to produce all relevant papers, books, records or documents and to testify or give evidence on alleged use of undue violence by the Police against peaceful protesters in its handling of the large-scale protests in Admiralty on 12 June 2019, including the use of tear gas and bean bag guns, abuse of police power, violation of the Police General Orders, brutality against the media, and alleged unauthorized access to the computer system of the Hospital Authority to obtain information of the people injured in the aforementioned protests and arrests of those injured people in public hospitals, etc, and other relevant matters.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon AU Nok-hin**

Wording of the motion

That this Council appoints a select committee to inquire into the Police's handling of the public assembly on 12 June 2019, so as to examine the performance of and the responsibility held by the decision-making and management personnel of the Government (including the Police Force) in this regard, and based on the findings of the above inquiry, to make recommendations on the policies and arrangements of the Administration (including the Police Force) for handling large-scale public assemblies or protests, and other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under Article 73(5) and (10) of the Basic Law of
the Hong Kong Special Administrative Region of the People's Republic of China
to be moved by Hon Alvin YEUNG**

Wording of the Motion

That, pursuant to Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, this Council summons the Commissioner of Police, Director of Fire Services, Chairman of the MTR Corporation Limited ("MTRCL") and Operations Director of MTRCL to attend before the Council at its earliest meeting after the passage of this motion to produce all relevant papers, books, incident logs, voice communication records, textual communication logs, closed-circuit television footage, footage captured by the Police during the operation, duty logs of police officers, inventory records of police equipment, duty logs of fire personnel, inventory records of fire services equipment and other relevant documents and to testify or give evidence on the law enforcement operation conducted by the Police inside Prince Edward Station of MTRCL and the compartments of a train at the station on 31 August 2019, the casualties caused by the operation, the relevant rescue operation of the Fire Services Department, and other related matters.

**Motion under Article 73(5) and (10) of the Basic Law of
the Hong Kong Special Administrative Region of the People's Republic of China
to be moved by Dr Hon KWOK Ka-ki**

Wording of the Motion

That, pursuant to Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, this Council summons the Commissioner of Police, Director of Fire Services, Assistant Director (Ambulance) of the Fire Services Department, Chief Executive of the Hospital Authority, Hospital Chief Executive of Kwong Wah Hospital and Hospital Chief Executive of Princess Margaret Hospital to attend before the Council at its earliest meeting after the passage of this motion to produce all relevant papers, books, records or documents and to testify or give evidence on the incident of assaults in Prince Edward Station of the MTR Corporation Limited on 31 August 2019 regarding the sequence of events on sending the injured persons from Prince Edward Station to the above two hospitals, personnel arrangements, conditions of the injured persons and the progress of their medical treatment and recovery.

**Motion under Article 73(5) and (10) of the Basic Law of
the Hong Kong Special Administrative Region of the People's Republic of China
to be moved by Dr Hon Fernando CHEUNG**

Wording of the Motion

That, pursuant to Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, this Council summons the Secretary for Security, and the Secretary for Labour and Welfare to attend before the Council at its earliest meeting after the passage of this motion to produce all relevant papers, books, records or documents and to testify or give evidence on whether the children who have been arrested or detained during the "anti-extradition to China" movement are under the protection of the Convention on the Rights of the Child and the relevant provisions of the Police General Orders, including but not limited to the following: the best interests of the child shall be a primary consideration in all actions concerning children; a child shall not be separated from his/her parents against their will; and the human rights of every child accused of or recognized as having committed an offence shall be recognized.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon Andrew WAN**

Wording of the motion

That this Council appoints a select committee to inquire into, during the clash between the Police and members of the public staging a protest outside the Legislative Council on 12 June 2019, the roles of the Chief Executive, relevant officials at the rank of Secretaries and Director of Bureaux and the Police; the process of classifying the aforesaid protest as a riot; whether the Police allegedly used excessive force when handling the protesters who were holding a peaceful assembly, including whether the use of arms, other weapons and crowd dispersal equipment has violated the Police General Orders; and whether there were a large number of people who proclaimed themselves as police officers enforcing the law, assaulting protesters and firing at the protesters without displaying their police identification numbers and warrant cards, and other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon Jeremy TAM**

Wording of the motion

That this Council appoints a select committee to inquire into the Police's alleged violation of the relevant police regulations and abuse of power in its handling of the protest against the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill which took place on 12 June 2019, including shooting the heads of protesters without warning, group beating of protesters with batons, assaulting for no reason reporters who were performing their duties, indiscriminate arrests of injured protesters in public hospitals, refusing to produce warrant cards by police officers in plain-cloth, the Police Tactical Squad not displaying the police identification numbers on their uniforms, and other related matters, and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon Claudia MO**

Wording of the Motion

That this Council appoints a select committee to inquire into:

- (1) the incident of white-clad men attacking civilians indiscriminately in Yuen Long Station of West Rail Line of the MTR Corporation Limited (“MTRCL”) on 21 July 2019, and the action and inaction of the Hong Kong Police Force in this incident, including but not limited to the following issues: the Police’s prior risk assessment of the triad activity in that area; the Police’s operation and its manpower deployment that night; police officers leaving the scene when white-clad assaulters attacked civilians and arriving at the scene after white-clad assaulters had left; people being unable to get through the hotline of 999 Control Centre for a long time; shutting down of nearby police stations; whether the Police’s lack of investigation into or arrest of the white-clad men carrying metal poles and cleavers who were gathering in large number near the crime scene after the attack that night, constituted the offences of serious dereliction of duty, violation of the Police General Orders and collusion with the triad society in planning and executing the above plan of attacking civilians, and other related matters;
- (2) the incident of police officers attacking civilians indiscriminately in Prince Edward Station of MTRCL on 31 August 2019, and the details on the handling of the injured by the Hong Kong Police Force, the Fire Services Department and the Hospital Authority, including but not limited to the discrepancy between the initial count and the number of injured people who eventually needed to be handled; the Police disallowing paramedics to go inside the station to render first aid to the injured; a delay of 2.5 hours before the injured were sent to the hospital for treatment; reasons for the closure of Prince Edward Station and Mong Kok Station of MTRCL for two days after the incident; and whether there was a delay in providing treatment to the injured and a concealment of casualties inside the Prince Edward Station of MTRCL, and other related matters;
- (3) the role of the Hong Kong Special Administrative Region Government in the above two incidents; and
- (4) other related matters;

and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon Tanya CHAN**

Wording of the Motion

That this Council appoints a select committee to inquire into the Police's abuse of power against and mistreatment of protesters of the "anti-extradition to China" movement who were arrested and held in custody at San Uk Ling Holding Centre since 5 August 2019, including subjecting them to physical violence, denying their access to legal assistance, and other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon Tanya CHAN**

Wording of the Motion

That this Council appoints a select committee to inquire into the Police's alleged use of sexual violence against protesters of the "anti-extradition to China" movement since 9 June 2019 and other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Dr Hon KWOK Ka-ki**

Wording of the Motion

That this Council appoints a select committee to inquire into the incidents of the Police allegedly obstructing fire services and rescue work, and arresting, attacking and obstructing first-aiders performing rescue work at the scene of public activities during the “anti-extradition to China” movement since 9 June 2019, and other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Dr Hon KWOK Ka-ki**

Wording of the Motion

That this Council appoints a select committee to inquire into the Police's alleged physical and verbal abuse of and groundless accusations against media workers such as snatching arrested persons during the "anti-extradition to China" movement since 9 June 2019, and other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon LAM Cheuk-ting**

Wording of the Motion

That this Council appoints a select committee to inquire into the Police's responsibilities in the incident of armed attacks on members of the public that happened between late night of 21 July 2019 and the early hours of the following day in Yuen Long Station of West Rail Line of the MTR Corporation Limited and the vicinity, including: the reasons why the Police did not prevent the attacks from happening, stop the attacks from continuing and arrest the assailants on the spot; whether the Police deliberately condoned the indiscriminate armed attacks on members of the public by the people concerned who were among them alleged members of triad societies; whether and how the non-action and/or delayed action of law enforcement by the Police would put public safety at risk, and whether this would enable the offenders to escape justice, and all other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon KWONG Chun-yu**

Wording of the Motion

That this Council appoints a select committee to inquire into the incident of the Police assaulting and arresting members of the public in Prince Edward Station of the MTR Corporation Limited from the night of 31 August to the early hours of 1 September 2019 and the delay allegedly caused by the Police in rescuing the injured, and other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon Gary FAN**

Wording of the Motion

That this Council appoints a select committee to inquire into police officers' alleged use of masks to cover their faces and failure to display their identification numbers or produce their warrant cards to identify themselves in operations, and their abuse of force and weapons (including but not limited to batons, pepper balls, tear gases, bean bag rounds, rubber bullets, specialised crowd management vehicles and guns) against protestors, media workers, rescue workers and the public during the "anti-extradition to China" movement since 9 June 2019; the role and responsibility of the Hong Kong Special Administrative Region Government in the above police operation; and other related matters; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 832) to exercise the powers conferred by section 9(1) of that Ordinance.

(Translation)

**Motion on
“No confidence in the Fifth Term Government
of the Hong Kong Special Administrative Region”
to be moved by Hon Dennis KWOK**

Wording of the Motion

That this Council has no confidence in the Fifth Term Government of the Hong Kong Special Administrative Region.

(Translation)

**Motion on
“Ensuring children’s right to play
for them to grow up happily”
to be moved by Hon HO Kai-ming**

Wording of the Motion

That, children in Hong Kong have long schooling time and heavy homework load, and lack time for leisure, play and even rest; coupled with the fact that the living environment (especially in sub-divided units) in Hong Kong is so cramped that children often do not have sufficient space for activities, not to mention space for playing; at present, public playgrounds for children are unevenly distributed among districts, channels for community participation in the design process are inadequate, play equipment is insufficient and designs are identical with no elements to stimulate the healthy growth of children; moreover, inclusive play equipment has failed to meet the needs of children with disabilities, and play equipment and services for in-patient children are also in acute shortage; in this connection, this Council urges the Government to formulate measures to ensure that local children can enjoy the rights stated in Article 31 of the United Nations Convention on the Rights of the Child, including the right to rest and leisure, and to engage in play and recreational activities appropriate to the age of the child, and at the same time improve the software and hardware of children’s play equipment, so that children can obtain more diversified recreational experience, enjoy leisure and grow up happily; specific measures include:

- (1) urging the Commission on Children to conduct studies on ensuring children’s entitlement to the right to play and draw up criteria for the construction of children’s play equipment, such as play equipment should embody the elements of variety, flexibility, inclusiveness and holistic and healthy development of children, and to make amendment proposals on the relevant laws and regulatory measures based on the findings of the studies;
- (2) revising the Hong Kong Planning Standards and Guidelines to raise the standard for provision of children’s playgrounds;
- (3) requiring private housing courts to provide suitable children’s play equipment through various means, including imposing land sale conditions, and providing financial assistance and technical support for

owners or owners' corporations of private housing courts and Tenants Purchase Scheme to provide additional and upgrade children's play equipment in housing courts or estates;

- (4) identifying suitable sites in public housing and private developments for constructing children's playgrounds, and providing at least one inclusive playground in each district for children with or without disabilities to play together;
- (5) setting up additional children playrooms under the Leisure and Cultural Services Department in various districts and improving the equipment of existing playrooms, including setting up specifically designed playrooms for infants and pre-school children to provide more public play area for parents and children;
- (6) setting up additional toys libraries in various districts to enable children of all ages and from different strata to have equal rights and opportunities to access to toys;
- (7) increasing the number of child care centres and subsidized child care service places, so that young children can receive care and enjoy free playtime in a safe and healthy environment;
- (8) urging the Hospital Authority to provide sufficient play equipment and services for sick children;
- (9) reviewing the frequency of internal tests and examinations and homework load of primary and secondary schools in Hong Kong, so that children will not have less time for rest and play due to excessive homework and tests and examinations, thereby promoting their balanced development;
- (10) stepping up the development of game-based education and collaboration with non-governmental organizations to provide games and organize outdoor activities within and outside schools, as well as organize more outdoor activities during holidays; at the same time, providing appropriate subsidies for grass-roots children to ensure that they enjoy equal rights to participate in games and activities;
- (11) providing training on game-based education for teachers and parents, and promoting to them the benefits and importance of play to children, with a view to reversing the social atmosphere of pursuing examination success and catching up with the curricula, so that teachers and parents can attach more importance to children's right to play; and

- (12) expeditiously reviewing the outdated holiday policy to align statutory holidays with general holidays to 17 days, so that all employees in Hong Kong can enjoy the same number of holidays, thereby increasing their family time and playtime with children.