

Legislative Council

Agenda

Wednesday 6 November 2019 at 11:00 am

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

2 items of subsidiary legislation/instruments and 4 other papers to be laid on the Table of the Council set out in **Appendix 1**

II. Questions

Members to ask 22 questions (6 for oral replies and 16 for written replies)

Questions for oral replies to be asked by

Public officers to reply

- | | |
|---|---|
| 1. Hon Andrew WAN
<u>(Police officers publicly condemning senior officials and expressing political views)</u> | Secretary for the Civil Service
Secretary for Security |
| 2. Hon Tanya CHAN
<u>(San Uk Ling Holding Centre)</u> | Secretary for Security |
| 3. Hon LAM Cheuk-ting
<u>(Incident of assaults at MTR Yuen Long Station on 21 July)</u> | Secretary for Security |
| 4. Hon Elizabeth QUAT
<u>(Internet messages which are fake and jeopardize public safety)</u> | Secretary for Security |
| 5. Hon CHEUNG Kwok-kwan
<u>(Political disputes and violence in schools)</u> | Secretary for Education |
| 6. Hon MA Fung-kwok
<u>(Assisting arts groups affected by demonstrations)</u> | Secretary for Home Affairs |

Contents of 22 questions, Members to ask such questions and public officers to reply set out in **Appendix 2**

III. Government Bills

Consideration by committee of the whole Council and Third Reading

1. 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)

2. Judicial Officers (Extension of Retirement Age) (Amendment) Bill 2019 : Chief Secretary for Administration
3. 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)

(Standing over from the meeting of 30 October 2019)

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)

(Standing over from the meeting of 30 October 2019)

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

Mover : Hon WONG Ting-kwong

Wording of the motion : Appendix 6

3rd debate (to deal with the following motion)

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

Mover : Hon LAU Kwok-fan

Wording of the motion : Appendix 7

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 8**

(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 Hon Junius HO

Mover : Dr Hon KWOK Ka-ki

Wording of the motion : **Appendix 9**

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

3rd debate (to deal with the following motion)

(Standing over from the meeting of 30 October 2019)

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

Mover : Hon Claudia MO

Wording of the motion : **Appendix 10**

(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)

4. Motion under Rule 49B(1A) of the Rules of Procedure to censure Dr Hon CHENG Chung-tai

Mover : Hon YUNG Hoi-yan

Wording of the motion : **Appendix 11**

(This motion jointly signed by Hon Mrs Regina IP, Hon WONG Ting-kwong and Hon POON Siu-ping)

5th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

5. 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 12**

Public officer to attend : Chief Secretary for Administration

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

(Standing over from the meeting of 10 July 2019)

6. 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 13**

7. 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 14**

Public officers to attend items 6 and 7 : 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 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 concerned to produce papers and testify

8. Mover : Hon Alvin YEUNG
Wording of the motion : **Appendix 15**
Public officers to attend : Secretary for Security
Secretary for Transport and Housing
Under Secretary for Security
Under Secretary for Transport and Housing
9. Mover : Dr Hon KWOK Ka-ki
Wording of the motion : **Appendix 16**
Public officers to attend : Secretary for Security
Secretary for Food and Health
Under Secretary for Security
Under Secretary for Food and Health
10. Mover : Dr Hon Fernando CHEUNG
Wording of the motion : **Appendix 17**
Public officers to attend : Secretary for Labour and Welfare
Secretary for Security
Under Secretary for Security
Under Secretary for Labour and Welfare

7th 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

11. Mover : Hon Andrew WAN
Wording of the motion : **Appendix 18**
12. Mover : Hon Jeremy TAM
Wording of the motion : **Appendix 19**
- Public officers to attend items 11 and 12 : 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 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

- 13.** Mover : Hon Claudia MO
Wording of the motion : **Appendix 20**
- 14 and 15.** Mover : Hon Tanya CHAN
Wording of the motions : **Appendices 21 and 22**
- 16 and 17.** Mover : Dr Hon KWOK Ka-ki
Wording of the motions : **Appendices 23 and 24**
- 18.** Mover : Hon LAM Cheuk-ting
Wording of the motion : **Appendix 25**
- 19.** Mover : Hon KWONG Chun-yu
Wording of the motion : **Appendix 26**
- Public officers to attend items 13 to 19 : Secretary for Security
Under Secretary for Security

8th debate (to deal with the following motion)

(Standing over from the meeting of 30 October 2019)

20. 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 27**
Public officers to attend : Secretary for Security
Under Secretary for Security

9th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

21. 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 28**
- 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

10th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

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

- Mover : Hon HO Kai-ming
- Wording of the motion : **Appendix 29**
- 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 6 November 2019

Papers to be laid on the Table of the Council

Subsidiary legislation/instruments	Legal Notice No.
1. <u>Employees Retraining Ordinance (Amendment of Schedule 2) Notice 2019</u>	159 of 2019
2. <u>Tax Reserve Certificates (Rate of Interest) (Consolidation) (Amendment) Notice 2019</u>	160 of 2019
 Other papers	
3. <u>Customs and Excise Service Welfare Fund Financial statements for the year ended 31 March 2019 and its summary, and the Report of the Director of Audit</u> (to be presented by Secretary for Security)	
4. <u>Customs and Excise Service Children's Education Trust Fund Report by the Trustee for the year 1 April 2018 to 31 March 2019 (including Financial statements and Report of the Director of Audit)</u> (to be presented by Secretary for Security)	
5. <u>Hong Kong Science and Technology Parks Corporation 2018-2019 Annual Report (including Consolidated Financial Statements and Independent Auditor's Report)</u> (to be presented by Secretary for Innovation and Technology)	
6. <u>Hong Kong Productivity Council Annual Report, Independent Auditor's Report and Financial Statements 2018-19</u> (to be presented by Secretary for Innovation and Technology)	

	Subject matters	Public officers to reply
Questions for oral replies		
1	Hon Andrew WAN <u>Police officers publicly condemning senior officials and expressing political views</u>	Secretary for the Civil Service Secretary for Security
2	Hon Tanya CHAN <u>San Uk Ling Holding Centre</u>	Secretary for Security
3	Hon LAM Cheuk-ting <u>Incident of assaults at MTR Yuen Long Station on 21 July</u>	Secretary for Security
4	Hon Elizabeth QUAT <u>Internet messages which are fake and jeopardize public safety</u>	Secretary for Security
5	Hon CHEUNG Kwok-kwan <u>Political disputes and violence in schools</u>	Secretary for Education
6	Hon MA Fung-kwok <u>Assisting arts groups affected by demonstrations</u>	Secretary for Home Affairs
Questions for written replies		
7	Hon Kenneth LAU <u>Impacts caused by demonstrations</u>	Secretary for Security
8	Hon Dennis KWOK <u>Law enforcement actions taken at the airport and on Lantau Island</u>	Secretary for Security
9	Hon CHAN Chun-ying <u>Protecting the stability of the financial system</u>	Secretary for Financial Services and the Treasury
10	Hon HUI Chi-fung <u>Use of helicopters during public events</u>	Secretary for Security
11	Hon Charles Peter MOK <u>Facial and visual image recognition technologies</u>	Secretary for Constitutional and Mainland Affairs
12	Hon HO Kai-ming <u>Letting Scheme for Subsidized Sale Developments with Premium Unpaid</u>	Secretary for Transport and Housing
13	Hon Paul TSE <u>Linked Exchange Rate System</u>	Secretary for Financial Services and the Treasury
14	Hon WONG Kwok-kin <u>Statistics on employment, wages and gross domestic product</u>	Secretary for Financial Services and the Treasury
15	Hon LUK Chung-hung <u>Earn and Learn Pilot Scheme for the Retail Industry</u>	Secretary for Commerce and Economic Development
16	Hon KWOK Wai-keung <u>Statistics on employees' salaries</u>	Secretary for Financial Services and the Treasury
17	Hon Mrs Regina IP <u>Urgent applications for search warrants</u>	The Chief Secretary for Administration
18	Hon CHAN Hoi-yan <u>Regulating the sale of pharmaceutical products</u>	Secretary for Food and Health
19	Dr Hon Pierre CHAN <u>Handling of staff complaints by the Hospital Authority</u>	Secretary for Food and Health
20	Hon Tony TSE <u>Optimal use of government and private sites</u>	Secretary for Development
21	Hon Gary FAN <u>Railway services and police operations during demonstrations</u>	Secretary for Transport and Housing
22	Hon Vincent CHENG <u>Employment services</u>	Secretary for Labour and Welfare

Question 1
(For oral reply)

(Translation)

Police officers publicly condemning senior officials
and expressing political views

Hon Andrew WAN to ask:

On 26 July this year, the Chief Secretary for Administration (“CS”) apologized to members of the public for the Police’s handling of the incident of some white-clad men attacking members of the public in the MTR Yuen Long Station. On the same day, the Junior Police Officers’ Association of the Hong Kong Police Force (“JPOA”) issued a statement in response, “lodging the most severe condemnation” against the drawing of a rash conclusion publicly by CS about the right or wrong of the Hong Kong Police Force, and asking those incumbents with insufficient ability to lead the civil servants to vacate their positions for more capable persons. However, in respect of some civil servants initiating a public meeting, the Government issued a solemn statement on 1 August this year, pointing out that according to the Civil Service Code, civil servants must uphold their political neutrality, and must serve the incumbent Chief Executive (“CE”) and Government with total loyalty. On 21 October this year, a police sergeant made a remark on a social networking platform, criticizing CE and the Secretary for Home Affairs for having had an in-depth dialogue with demonstrators earlier on. However, according to the Police General Orders, a police officer should at all times abstain from any activity which is likely or appears to be likely to interfere with the impartial discharge of his/her duties, including speaking publicly on matters of a political nature other than in the course of official duties. In this connection, will the Government inform this Council:

- (1) whether it has assessed if the office-bearers of JPOA, by issuing the aforesaid statement, and the said police sergeant, by making the aforesaid remarks, have breached the Police General Orders and the Civil Service Code; if it has assessed and the outcome is in the affirmative, of the details and the follow-up actions; if the assessment outcome is in the negative, the justifications for that;
- (2) whether it has assessed if the office-bearers of JPOA have overstepped their authority by issuing the statement to condemn CS; 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; and
- (3) given that the Government issued a solemn statement in respect of the public meeting initiated by civil servants but kept silent about the statement issued by JPOA and the remarks made by that police

sergeant, of the reasons why the Government adopted different approaches towards the aforesaid situations?

Question 2
(For oral reply)

(Translation)

San Uk Ling Holding Centre

Hon Tanya CHAN to ask:

It has been reported that San Uk Ling Holding Centre (“the Centre”), which is close to the boundary, was originally used for detaining illegal entrants pending repatriation. During the period from 5 August to 2 September this year, the Police sent, on a number of occasions, persons arrested in “anti-extradition to China” demonstrations to the Centre for temporary detention. Some persons who had been detained have pointed out that the search rooms and detention rooms in the Centre lack proper lighting and partitioning, and some of them have claimed that they were hurled abuse at, brutally assaulted and even sexually assaulted in the Centre by police officers. The Police have not used the Centre again for detaining demonstrators since 2 September. In this connection, will the Government inform this Council:

- (1) since when the Centre has become a permanent detention facility of the Police; whether there were cases in the past three months that the facilities in the Centre (including detention rooms, search rooms, statement-taking rooms, interview rooms, closed-circuit television systems covering the aforesaid facilities, toilets, lighting equipment, electricity and water supply) were damaged, and whether such facilities are similar to those in most police stations; given that it is the Police’s usual practice to send arrestees to nearby police stations for detention, of the specific reasons on each occasion why the Police sent demonstrators to the Centre for detention; the person(s) who made the decision of not using the Centre any more for detaining the arrested demonstrators;
- (2) of the total number of demonstrators sent to the Centre for detention during the period from 5 August to 2 September, with a tabulated breakdown by the date on which they were arrested, the age group to which they belonged (i.e. aged below 14, aged 14 to 15, aged 16 to 24, aged 25 to 39, aged 40 to 64 and aged 65 or above), gender, whether injuries were sustained at the time of arrest, and whether injuries were sustained inside the Centre; and
- (3) whether it has received any information on and evidence of the brutal assault and sexual assault of detainees by police officers in the Centre; whether it has conducted investigations into the allegations of brutal assault and sexual assault of detainees in the Centre by police officers; if such investigations have been

conducted and the findings indicate that the allegations are substantiated, of the penalties that have been or will be imposed on the police officers concerned?

Question 3
(For oral reply)

(Translation)

Incident of assaults at MTR Yuen Long Station on 21 July

Hon LAM Cheuk-ting to ask:

It has been reported that from late night on 21 July this year to the early hours on the following day, a large number of white-clad men (some of them suspected to be members of triad societies) assaulted members of the public and journalists with weapons at MTR Yuen Long Station and its vicinity. After launching the assaults, the white-clad men went into Nam Bin Wai Village and gathered there. A police superintendent led a team of police officers into the village to carry out criminal investigation, and talked with the white-clad men in the village office. He subsequently told the journalists at the scene that no one holding offensive weapons had been spotted, and he did not make any arrest on the spot. Some members of the public queried that the Police had let the criminals walk free and colluded with triad societies. In this connection, will the Government inform this Council:

- (1) as a Yuen Long District Council member has indicated that he conveyed to the Police on 19 July the intelligence that some people were planning to launch assaults, and the Police had replied that they “will certainly make corresponding deployment plans”, of the deployment plans made by the Police for the day on which the incident happened, the manpower deployed to tackle the incident, and whether plain-clothed police officers were sent to the nearby areas to conduct surveillance;
- (2) given that a large number of white-clad men loitered at Kai Tei outside Yuen Long Station at dusk on that day, why the police officers in several police cars passing by that area did not disembark to disperse the white-clad men; why the Police merely deployed two police constables to the scene upon receipt of reports of a large number of people launching assaults; given that the reinforcement police officers who subsequently arrived at the scene left the scene after being criticized by members of the public, and the white-clad men subsequently re-entered the station and launched another round of assaults, whether it has assessed if the police officers’ failure to remain at the scene constitutes a disregard of public safety and a dereliction of the duty to collect evidence, and whether the Government will apologize in this regard to all Hong Kong people, in particular those who were injured in the incident; if not, of the reasons for that; and

- (3) given that while the aforesaid superintendent is one of the accused in the alleged police-triad collusion, it has been reported that he has recently been transferred to take charge of a unit responsible for investigating the aforesaid assault case, whether it has assessed if such duty arrangement will give rise to any conflict of roles or interests; whether it has assessed if the Police's failure to make arrests on the spot has increased the difficulty in arresting the assailants, and whether the fact that only six persons have been prosecuted so far with the mastermind still being at large has reflected that the Police's investigation work is perfunctory and that the Police have condoned the assailants?

Question 4
(For oral reply)

(Translation)

Internet messages which are fake and jeopardize public safety

Hon Elizabeth QUAT to ask:

In recent months, radical demonstrators have resorted to various kinds of illegal and violent acts, including hurling petrol bombs, detonating remote-controlled bombs, setting fire at entrances/exits of MTR stations and shops, as well as attacking police officers with corrosive fluid, iron rods and sharpened objects. Some members of the public are concerned that the fact that demonstrators' acts are increasingly violent may be linked to the prevalence of messages on the Internet which are fake, provoke sentiments of hatred and rationalize violence. It has been reported that some countries have enacted legislation to combat the dissemination of messages on the Internet which are fake and jeopardize public safety. For example, Germany enacted the Network Enforcement Act in 2017, France enacted the Law Against the Manipulation of Information and the Law Against False Information in 2018, and Singapore enacted the Protection from Online Falsehoods and Manipulation Bill this year. In this connection, will the Government inform this Council:

- (1) whether it will enact legislation to combat the dissemination of messages on the Internet which are fake and jeopardize public safety; if so, of the details; if not, the reasons for that; and
- (2) whether it will amend the existing legislation or enact new legislation to specifically combat acts on the Internet of aiding, abetting, counselling or procuring the commission by other persons of any offence; if so, of the details; if not, the reasons for that?

Question 5
(For oral reply)

(Translation)

Political disputes and violence in schools

Hon CHEUNG Kwok-kwan to ask:

It has been reported that earlier on, some secondary school students with different political views had confrontations in a school, subsequently dozens of persons dressed in black arrived there to express support for one of the parties and they surrounded the school and yelled; they even forced their way into the school and drew graffiti everywhere and vandalized the facilities. Furthermore, some students of tertiary institutions detained, attacked and insulted a lecturer who held different political views, hurled abuse at and surrounded the presidents of the institutions concerned, stormed the presidents' offices, as well as caused widespread destructions and drew graffiti on campus. Some members of the public have expressed concern about political disputes and violence permeating schools. In this connection, will the Government inform this Council:

- (1) whether the Education Bureau ("EDB") has any immediate measures to stop violence from permeating schools and from being rationalized, and whether EDB has reviewed the guidelines on how schools should handle the entry of police officers into campus for law enforcement; if so, of the details; if not, whether EDB will immediately draw up such measures and review the guidelines;
- (2) as some teaching staff members have relayed that recently, some students and alumni holding different political views have made public on the Internet their personal information, as well as surrounded and even attacked them, and yet the schools concerned, which sought to settling the matter to avoid trouble, have adopted a tolerant attitude towards the students involved, whether EDB will offer assistance to the teaching staff members who have been bullied for holding different political views, so as to safeguard their personal safety and rights; and
- (3) as it has been reported that some secondary school teachers instigated students to boycott classes, sing songs that carry ideas of advocating the independence of Hong Kong, participate in activities to form human chains and even take to the street to demonstrate, whether EDB will initiate an investigation to see if such teachers have violated the professional codes of conduct, and solemnly hold them responsible?

Question 6
(For oral reply)

(Translation)

Assisting arts groups affected by demonstrations

Hon MA Fung-kwok to ask:

The Performing Industry Association and quite a number of arts groups have relayed to me that in recent months, a number of cultural and arts activities have been cancelled or rescheduled due to demonstrations involving violence. The reasons for the arts groups to make such decisions include early closure of venues under the Leisure and Cultural Services Department (“LCSD”) and traffic disruption. The arts groups concerned not only have suffered loss of box office income, but also have to deploy manpower and financial resources to handle follow-up work such as ticket refund. In this connection, will the Government inform this Council:

- (1) whether it knows, since June this year, the number of cultural and arts activities that were cancelled or rescheduled due to demonstrations involving violence; whether LCSD has provided assistance to the affected arts groups, such as priority allocation of venues and waiver of venue hire charges; if so, of the details; if not, the reasons for that;
- (2) given that LCSD has adopted different practices for venues in the same district (i.e. some venues were closed early while the others stayed open), and that there were still activities going on in some venues which had been closed early, whether LCSD has formulated a policy on early closure of venues; if so, of the details (including the factors to be considered and their weightings), and whether LCSD will make public such policy; if LCSD has not formulated such policy, the reasons for that; and
- (3) whether it will introduce measures to assist the cultural and arts sector in tackling financial difficulties; if so, of the details; if not, the reasons for that?

Question 7
(For written reply)

(Translation)

Impacts caused by demonstrations

Hon Kenneth LAU to ask:

Since June this year, scenes of members of the public taking to the street to demonstrate have been seen time and again. During the demonstrations, some demonstrators resorted to violent and illegal acts, including storming and forcing their way into the Legislative Council Complex, laying siege to government structures (including the Police Headquarters, police stations and the Revenue Tower), setting fire on streets and at entrances/exits of MTR stations, hurling petrol bombs at police officers, blocking roads, and vandalizing public facilities such as government structures and traffic lights. Some members of the public are concerned that such acts have seriously breached public peace and jeopardized public safety. In this connection, will the Government inform this Council:

- (1) whether it has compiled statistics on, since June this year,
 - (i) the number of MTR stations in which the facilities were damaged, as well as the repair or reprovisioning cost of each type of facilities;
 - (ii) the quantity of on-street facilities (including traffic lights, street lamps, mills barriers, water barriers, pavement railings and rubbish bins) that were damaged or stolen, as well as the repair or reprovisioning cost of each type of facilities;
 - (iii) the number of occasions on which the cultural and recreational facilities under the Leisure and Cultural Services Department were suspended from service or closed as a result of demonstrations, as well as the number of person-times affected; and
 - (iv) the franchised bus, green minibus and tram services which were diverted or suspended as a result of demonstrations, together with a breakdown by route of the number of person-times affected; and
- (2) of the measures in place to expeditiously restore social order and public peace to enable members of the public to resume a normal life?

Question 8
(For written reply)

(Translation)

Law enforcement actions taken at the airport and on Lantau Island

Hon Dennis KWOK to ask:

Between July and September this year, quite a number of members of the public went, in response to calls on the Internet, to the Hong Kong International Airport (“HKIA”) and its neighbouring areas to stage demonstrations. At the request of the Airport Authority Hong Kong, the court granted an interim injunction order on 13 August which restrained any person from unlawfully and wilfully obstructing or interfering with the proper use of HKIA, and up to the present, the injunction order still remains in force. Regarding the law enforcement actions taken by the Police against the demonstrations staged at HKIA and its neighbouring areas, will the Government inform this Council:

- (1) of the respective numbers of persons arrested (i) at HKIA and (ii) in other places on Lantau Island on (a) 26 July, (b) 9 August, (c) 10 August, (d) 11 August, (e) 12 August, (f) 13 August, (g) 1 September, (h) 2 September, (i) 7 September and (j) 8 September, with a breakdown by gender and the age group to which they belonged (set out in tables of the same format as Table 1);

Table 1

Date	Age group	Gender		Total
		Male	Female	
(a)	Below 14			
	14 to 16			
	17 to 25			
	26 to 40			
	41 to 60			
	61 to 65			
	Above 65			
...				
(j)				

- (2) in respect of the persons arrested respectively (a) at HKIA and (b) in other places on Lantau Island as mentioned in (1), of a breakdown of their numbers by the offences involved (i.e. (i) riot, (ii) unlawful assembly, (iii) assaulting police officer, (iv) loitering, (v) forcible entry, (vi) carrying offensive weapons at public meetings and processions, (vii) fighting in public, (viii) wounding or inflicting grievous bodily harm and (ix) others) as well as by gender and the age group to which they belonged (set out in tables of the same format as Table 2); and

Table 2

Offence	Age group	Gender		Total
		Male	Female	
(i)	Below 14			
	14 to 16			
	17 to 25			
	26 to 40			
	41 to 60			
	61 to 65			
	Above 65			
.....				
(ix)				

- (3) of the (i) locations, (ii) floor areas and (iii) capacities in respect of the facilities in (a) the Airport District police station, (b) other places inside HKIA and (c) other places on Lantau Island which can be used for detaining arrested persons, as well as the respective numbers and floor areas of the rooms available in such facilities for the arrested persons to meet with their lawyers?

Question 9
(For written reply)

(Translation)

Protecting the stability of the financial system

Hon CHAN Chun-ying to ask:

It has been reported that recently, a hedge fund helmsman has publicly cast doubt if Hong Kong has foreign exchange reserves sufficient for maintaining the Linked Exchange Rate (“LER”) System, and pointed out that the unceasing protests will lead to a serious downturn in Hong Kong’s economy, causing a large capital outflow within the coming 12 to 18 months. Moreover, recently there have been rumours from time to time that the Hong Kong Monetary Authority (“HKMA”) plans to enact legislation to cap the amount of cash that members of the public may withdraw daily. In this connection, will the Government inform this Council:

- (1) of the factors and data based on which HKMA currently determines if the financial system remains stable, and whether HKMA will formulate a financial stability index to be published regularly; if not, of the reasons for that;
- (2) whether HKMA has devised a crisis warning and response mechanism in respect of the LER System, so as to cope with the rapid changes in and challenges of the financial market; if so, of the details; if not, the reasons for that; and
- (3) given that predators in the international financial market have been eyeing covetously the LER System and that there have been rumours spreading from time to time, whether the Government has devised a targeted financial information dissemination mechanism, so as to uphold the confidence of the market and the public in the financial system; if not, of the reasons for that?

Question 10
(For written reply)

(Translation)

Use of helicopters during public events

Hon HUI Chi-fung to ask:

It is learnt that since June this year, some members of the public and the media found helicopters hovering in the air above during a number of large-scale demonstrations; and some demonstrators subsequently found that their clothes and exposed skin of the arms and legs were stained with fluorescent powder. In this connection, will the Government inform this Council:

- (1) of the government departments which have, since June this year, requested the Government Flying Service to assist in their operations in respect of large-scale public events by dispatching helicopters, and set out by department the following information on each of the operations of the helicopters: (i) the flight area, (ii) the purpose of the operation, and (iii) the type and quantity of the equipment brought along by the helicopter for the operation; whether the equipment brought along each time was adjusted according to the purpose of the operation; and
- (2) whether the Government has, since June this year, sprayed powder from helicopters over members of the public participating in large-scale public events; if so, of the (i) legal basis, (ii) purposes and (iii) number of such operations, as well as (iv) the chemical composition and total quantity of the powder used; whether the Government has assessed the impact of the chemical composition of the powder on public health; if so, of the outcome; if not, the reasons for that?

Question 11
(For written reply)

(Translation)

Facial and visual image recognition technologies

Hon Charles Peter MOK to ask:

Facial and visual image recognition technologies enable the identification of individuals' identity and vehicles' registration marks ("number plates") by comparing videos or visual images with a database. It has been reported that earlier on, some police officers, when conducting searches on the belongings of passengers on board a public bus, used high-definition digital video cameras to record the faces of passengers at a close distance. Regarding the use of facial and visual image recognition technologies by various government departments and public organizations, will the Government inform this Council:

- (1) whether the Hong Kong Police Force ("HKPF") currently uses facial recognition technologies to conduct real-time facial recognition or visual image analyses; if so, when the use began, and set out in a table the following details by name of the systems:
 - (i) the supplier's name and place of registration,
 - (ii) the technologies and functions involved,
 - (iii) the procurement details (including the price and quantity), and
 - (iv) HKPF's departments which have installed the system and the details of the use, including (a) the commissioning date, (b) the lowest rank of the police officers who are allowed to operate the system, (c) the specific uses, and (d) whether the supplier can store and retrieve the data, the ownership of the data, as well as the policy and the authorization arrangement for officers in respect of the storage, retrieval and use, retention and deletion of the data ("data policy");
- (2) whether HKPF has plans to procure the aforesaid recognition systems in the coming three years; if so, set out in a table the following details by type of the systems:
 - (i) the supplier's name and place of registration,
 - (ii) the technologies and functions involved,
 - (iii) the procurement details (including the estimated price and quantity), and
 - (iv) HKPF's departments which will install the systems and the plans for using such systems, including (a) the lowest rank

of the police officers who will be allowed to operate the systems, (b) the projected commissioning date, (c) the specific uses and (d) the data policy;

- (3) whether HKPF has requested the Transport Department (“TD”) to provide the videos or visual images that TD recorded at public places; if so, of the relevant procedure;
- (4) of the following details of the automatic number plate recognition systems currently used by (A) HKPF and (B) TD (if applicable), and set out the information in a table by department and name of the system:
 - (i) the supplier’s name and place of registration,
 - (ii) the technologies and functions involved,
 - (iii) the procurement details (including the price and quantity),
 - (iv) the commissioning date,
 - (v) the districts in which the system has been used and the number of such system,
 - (vi) the lowest rank of the officers who are allowed to operate the system, and
 - (vii) the data policy;
- (5) whether it knows the following details of the facial recognition systems used by the Airport Authority Hong Kong (“AAHK”) in the Hong Kong International Airport (A) for the self-service e-security gates and (B) for other airport facilities (if applicable), and set out the information in a table by the facility installed with such system and by name of the system:
 - (i) the supplier’s name and place of registration,
 - (ii) the technologies and functions involved,
 - (iii) the procurement details (including the price and quantity), and
 - (iv) the details of use, including (a) the commissioning date, (b) the person-times using the system last year, (c) the number and percentage of visitors who opted out on collection of their personal data last year, and (d) the data policy;
- (6) of the following details regarding the use of facial recognition technologies by the Immigration Department (“ImmD”), and set out in a table the information by name of the system:
 - (i) the supplier’s name and place of registration,
 - (ii) the technologies and functions involved,
 - (iii) the procurement details (including the price and quantity),

- (iv) the names of the immigration control points installed with the system and the number of such system installed, as well as the details of use, including (a) the commissioning date, (b) the specific uses and (c) the data policy, and
 - (v) the lowest rank of the officers who are allowed to operate the system;
- (7) whether HKPF has requested ImmD, other government departments and AAHK to provide, or obtained by way of shared databases from such departments/AAHK, the facial features data of members of the public to assist HKPF in its law enforcement; if so, whether HKPF has conducted facial recognition on such data to identify the identity of individuals (if so, of the details);
- (8) whether HKPF has sought from or provided to (including by way of shared database) the Mainland authorities (including law enforcement agencies) the facial features data of Hong Kong people for law enforcement; if so, among the data requested or provided, whether there have been data used by HKPF/the Mainland authorities for identifying the identity of individuals; if so, of the details;
- (9) whether it has assessed if currently government departments and public organizations have, prior to their making video records in public spaces and their using the visual images so collected for facial recognition and visual image analyses, sufficient justifications to support the necessity and the legality of such actions;
- (10) given that the public have not been fully consulted on matters relating to the use, by government departments and public organizations, of technologies such as facial recognition and visual image analysis, and that some members of the public are concerned about the privacy protection issues involved in the application of such technologies, whether the Government and public organizations will suspend the use of such technologies; and
- (11) whether the Government, when making amendments to the Personal Data (Privacy) Ordinance (Cap. 486), will (i) include the definition for “sensitive personal data”, (ii) formulate a code of practice to be followed by those government departments and public organizations which have decided to use facial recognition and image analysis technologies, and (iii) stipulate that those government departments and public organizations using such technologies should regularly make reports to a dedicated independent monitoring authority so as to ensure that a balance is struck between safeguarding public safety and facilitating criminal investigations and protecting human rights and privacy?

Question 12
(For written reply)

(Translation)

Letting Scheme for Subsidized Sale Developments with Premium Unpaid

Hon HO Kai-ming to ask:

In September last year, the Hong Kong Housing Society (“HKHS”) launched the Letting Scheme for Subsidized Sale Developments with Premium Unpaid (“Letting Scheme”), under which eligible owners of HKHS’s subsidized sale flats (“SSFs”) are allowed to let their flats with premium unpaid to families in need. In July this year, the Hong Kong Housing Authority (“HA”) decided to join the Letting Scheme on a trial basis, and intended to invite applications starting from the fourth quarter of this year from eligible owners of HA’s SSFs for letting their flats with premium unpaid. In this connection, will the Government inform this Council:

- (1) whether it knows the tenancy position of HKHS’s SSFs since the launch of the Letting Scheme;
- (2) of the progress of HA’s work related to its participation in the Letting Scheme, and the anticipated number of applications to be received in the first 12 months;
- (3) whether it has assessed the impacts of the implementation of the Letting Scheme on the rental market for subsidized housing (including the supply of flats and levels of rents);
- (4) whether it has measures to enhance the attractiveness of the Letting Scheme (e.g. waiving government rent and rates or providing repair support) in order to encourage more owners to join the Scheme;
- (5) given that at present the authorities, in assessing the rateable value of residential flats, will make reference to the open market rents agreed at or around the date of valuation for similar properties in the locality, whether the authorities will take into consideration the rents of the flats let under the Letting Scheme in assessing the rateable value of residential flats in future; if so, of the details; if not, the reasons for that; and
- (6) as it is estimated that the number of eligible flats under the Letting Scheme exceeds 350 000, whether the authorities have studied the impacts of the implementation of the Letting Scheme on the overall rent level and rateable value of residential flats in Hong Kong?

Question 13
(For written reply)

(Translation)

Linked Exchange Rate System

Hon Paul TSE to ask:

Recently, the founder of a hedge fund cast doubt on whether Hong Kong's foreign exchange reserves are sufficient to maintain the Linked Exchange Rate System. He also forecast that the System would naturally expire in 2047, and suggested investors to convert their Hong Kong dollar assets into US dollar assets as early as possible. On the other hand, some members of the private banking sector have relayed that in recent months, the number of applications for opening offshore bank accounts by their clients (especially those Hong Kong people with liquid assets of value ranging between several million and 10 million to 20 million Hong Kong dollars, and Mainlanders whose foreign assets are based in Hong Kong) has substantially increased, as these clients feel that it is safer to hold their assets in overseas places (e.g. Singapore) than in Hong Kong. In this connection, will the Government inform this Council:

- (1) of the new measures put in place to ensure that Hong Kong has sufficient foreign exchange reserves to defend the Linked Exchange Rate System;
- (2) whether it has assessed the situation of capital outflow from Hong Kong (particularly transfer of funds to Singapore) in recent months; if so, of the details; if not, the reasons for that; and
- (3) of the measures put in place by the Government, in the light of the ongoing political turmoil and social unrest in Hong Kong in recent months, to maintain the confidence of local and overseas investors as well as members of the public in the Linked Exchange Rate System, Hong Kong dollars and Hong Kong dollar assets?

Question 14
(For written reply)

(Translation)

Statistics on employment, wages and gross domestic product

Hon WONG Kwok-kin to ask:

Will the Government provide the following statistics for 2017 and 2018 respectively (adopting the first quarter of 2004 as the base period, i.e. first quarter of 2004=100):

- (1) for various industries and occupations, (i) the numbers of employed persons, (ii) the Nominal Wage Indices, (iii) the Real Wage Indices, (iv) the Nominal Indices of Payroll per Person Engaged and (v) the Real Indices of Payroll per Person Engaged, broken down by gender; and
- (2) (i) the Nominal Gross Domestic Product (“GDP”), (ii) the Real GDP and (iii) the growth rates of such figures?

Question 15
(For written reply)

(Translation)

Earn and Learn Pilot Scheme for the Retail Industry

Hon LUK Chung-hung to ask:

With an aim to attract talents to join the retail industry, the Government, the Vocational Training Council and the Hong Kong Retail Management Association jointly launched in 2014 the Earn and Learn Pilot Scheme for the Retail Industry (“the Earn and Learn Scheme”) to provide student-workers with an opportunity to “earn and learn” as well as a well-defined progression pathway. According to the arrangement under the Earn and Learn Scheme, if the student-workers of the Foundation Diploma (“FD”) programme, upon graduation, become full-time employees of the same employers as those during the training period, they will be entitled to a monthly income of not less than \$11,000. It has been learnt that the first four runs of the FD programme were completed between 2016 and this year. In this connection, will the Government inform this Council whether it knows:

- (1) in respect of the fourth run of the FD programme, (i) the number of enrollees, (ii) the number of dropouts with a breakdown by reason therefor, (iii) the number of graduates, (iv) the dates of graduation, and (v) the number of graduates who are currently still employed by the same employers as those during the training periods;
- (2) the respective total numbers of positions offered by the employers participating in the Earn and Learn Scheme to the graduates of the first to the fourth runs of the FD programme; among such positions, the respective numbers of those with a monthly basic salary of \$11,000 or more and less than \$11,000, and among the latter, the respective numbers of positions with a monthly basic salary (i) of less than \$5,000, (ii) between \$5,000 and \$7,000, (iii) between \$7,001 and \$9,000, and (iv) over \$9,000;
- (3) among the graduates of the first to the fourth runs of the FD programme, (i) the number of those who still work in the retail industry (with a breakdown by the positions and the monthly income range to which they belong), and (ii) the number of those who have left the retail industry (with a breakdown by reason for leaving); and
- (4) the respective numbers of enrollees for the fifth and subsequent runs of the FD programme?

Question 16
(For written reply)

(Translation)

Statistics on employees' salaries

Hon KWOK Wai-keung to ask:

Regarding each and all of the selected industry sections listed in the table below, will the Government inform this Council of the following information on middle-level managerial and professional employees in each year of 2017 and 2018: (i) the Nominal Salary Index (A), (ii) the Real Salary Index (A), (iii) the Nominal Salary Index (B), (iv) the Real Salary Index (B), and (v) the number of employed persons (using the first quarter of 2004 as the base period)?

Selected industry section		2017	2018
Manufacturing, electricity and gas supply	(i)		
	(ii)		
	(iii)		
	(iv)		
	(v)		
Building and construction and related trades	(i)		
	(ii)		
	(iii)		
	(iv)		
	(v)		
Import/export, wholesale and retail trades	(i)		
	(ii)		
	(iii)		
	(iv)		
	(v)		
Transportation, storage, communications and travel agencies	(i)		
	(ii)		
	(iii)		
	(iv)		
	(v)		
Financing and insurance	(i)		
	(ii)		
	(iii)		
	(iv)		
	(v)		
All selected industry sections	(i)		

	(ii)		
	(iii)		
	(iv)		
	(v)		

Question 17
(For written reply)

(Translation)

Urgent applications for search warrants

Hon Mrs Regina IP to ask:

Since June this year, scenes of members of the public taking to the street to demonstrate have occurred time and again. During the demonstrations, some masked demonstrators committed serious crimes, including arson, vandalising public facilities and shops, and hurling petrol bombs at police officers. In order to restore public order, the Government announced on 4 October this year the introduction of the Prohibition on Face Covering Regulation to ban the use of facial covering that is likely to prevent identification in unlawful or unauthorized assemblies, public meetings and public processions. On the other hand, it has been reported that earlier on, the Police called, one after another, several duty magistrates outside office hours for making an urgent application for a warrant to search the residence of a demonstrator who had been shot and arrested. However, the magistrates did not answer the calls, hung up the phone, and even rejected the application on grounds of “no urgency”. In this connection, will the Government inform this Council:

- (1) whether it knows if the Chief Magistrate has issued guidelines to the duty magistrates setting out the criteria, evidential requirement and considerations in respect of vetting and approval of urgent applications for search warrants; if the Chief Magistrate has, of the details; if not, whether he will expeditiously formulate such guidelines;
- (2) given that although the Police may seek judicial review on a magistrate’s decision of rejecting the issuance of a search warrant, the relevant procedure is time-consuming and resource-draining, whether the authorities will discuss with the Judiciary the establishment of a more convenient and expeditious review mechanism; if so, of the details; if not, the reasons for that;
- (3) whether it knows if the Judiciary has put in place a mechanism to ensure that the magistrates will vet and approve urgent applications for search warrants in a professional and impartial manner; if the Judiciary has, of the details; if not, the reasons for that, and whether the Judiciary will consider establishing such a mechanism; and
- (4) of the respective numbers of urgent applications (i) made by the Police and (ii) granted during the period from 4 to 13 October this year, for search warrants for investigation into offences related to demonstrations?

Question 18
(For written reply)

(Translation)

Regulating the sale of pharmaceutical products

Hon CHAN Hoi-yan to ask:

Under the Pharmacy and Poisons Ordinance (Cap. 138), only “authorized sellers of poisons” may carry on a business of retail sale of pharmaceutical products containing poisons (including those in Parts 1 and 2 of the Poisons List), and only registered premises of such type of sellers (“pharmacies”) may use Chinese names comprising the term “藥房”. Apart from such type of sellers, operators of shops holding a “listed seller of poisons” licence (“medicine stores”) may also sell pharmaceutical products containing poisons in Part 2 of the Poisons List. Some pharmacists have relayed that retail shops with Chinese names comprising terms such as “藥坊”, “藥店” and “藥莊” (“other drugstores”) have mushroomed in recent years. While a majority of those stores are not operated by the aforementioned two types of sellers, their names easily lead members of the public and tourists into mistaking them for being authorized to sell controlled pharmaceutical products, resulting in a lack of protection for consumers’ rights and interests. In this connection, will the Government inform this Council:

- (1) of (i) the respective year-end numbers of pharmacies and medicine stores and (ii) the respective numbers of pharmacies and medicine stores which were opened and closed down, in each of the past 10 years (with a breakdown by District Council district);
- (2) of the respective numbers of complaints against pharmacies and medicine stores received by the Department of Health in each of the past five years;
- (3) whether it has compiled statistics on the current number of other drugstores; if so, of the details; if not, the reasons for that and the difficulty involved;
- (4) of the number of prosecutions instituted in each of the past five years by the authorities against operators of retail shops selling medicines, with a breakdown by type (i.e. pharmacies, medicine stores and other drugstores) and the offence involved; and
- (5) whether it will consider amending the legislation to step up the regulation of other drugstores, including prohibiting them from using Chinese names comprising the character “藥”, so as to avoid causing confusion to members of the public and tourists; if so, of the details; if not, the reasons for that?

Question 19
(For written reply)

(Translation)

Handling of staff complaints by the Hospital Authority

Dr Hon Pierre CHAN to ask:

At present, upon receipt of a staff complaint involving matters of a particular hospital or cluster, the Hospital Authority (“HA”) will, having regard to the nature of the complaint, refer the case to the hospital or cluster concerned for handling, namely conducting investigation and reverting to the complainant on the result. If the complainant is not satisfied with the investigation result, he/she may lodge an appeal to the respective Cluster Chief Executive or Hospital Governing Committee (“the second-tier handling procedure”). If the complainant is still dissatisfied with the appeal result, he/she may further lodge an appeal to the Staff Appeals Committee under the HA Board (“the third-tier handling procedure”) for a final decision. In this connection, will the Government inform this Council:

- (1) whether it knows, in each of the past three years, (i) the total number of staff complaints received by HA, and (ii) the respective total numbers of appeal cases received and allowed under the second-tier and the third-tier handling procedures, with a tabulated breakdown by the public hospital, the grade and the rank to which the complainants belonged;
- (2) whether it will ask HA to formulate a workplace anti-bullying policy, specify the bullying behaviours which may be subject to disciplinary actions, and set up a mechanism for handling complaints lodged against this type of behaviours; if so, of the details; if not, the reasons for that;
- (3) whether it will enact legislation to (i) confer on HA’s trade unions the right to collective bargaining, (ii) provide that HA’s staff members may invite trade union representatives to accompany them to attend the hearings for handling their complaints, and (iii) provide that the members of the Staff Appeals Committee must comprise healthcare professionals, as well as representatives of staff and trade unions; and
- (4) regarding the two cases of the New Territories East Cluster, mentioned earlier on by the Hospital Authority Workers General Union in its public letter of 22 October 2019, which involved suspected infringement of staff’s privacy (i.e. the circulation of a nurse’s sick leave certificate without the consent of the nurse, and covert surveillance on the ward-round time of and the numbers of

patients attended by two medical practitioners), whether the Government will ask HA to (i) give an account in public of its handling of these two complaints (including the justifications for determining that the complaints were unsubstantiated), and (ii) put in place improvement measures?

Question 20
(For written reply)

(Translation)

Optimal use of government and private sites

Hon Tony TSE to ask:

The Government has indicated in this year's Policy Address that it will review over 300 "Government, Institution or Community" sites with a total area of some 300 hectares currently earmarked for standalone public facility, and put forward concrete proposals for sites with no development plan, including developing multi-purpose public facility buildings under a "single site, multiple use" model, developing residential projects and public facilities under a mixed development mode, etc. The Government will also assist non-governmental organizations in optimizing their under-utilized sites, and facilitate, by providing support and introducing mixed residential, education and welfare uses, the redevelopment of the low-rise buildings on such sites by the organizations concerned. In this connection, will the Government inform this Council:

- (1) of the details of each of the aforesaid over 300 sites, including the (i) location, (ii) area, (iii) existing use, and (iv) policy bureau or government department by which it is currently managed; regarding those sites which are currently left idle or put to temporary/short-term uses, since when they have been in their present status;
- (2) of the timetable for the aforesaid review, and whether persons from the relevant professions other than those in the Government will participate in it;
- (3) in cases where the public facilities involved in the sites that are intended to be developed under the "single site, multiple use" model are provided by more than one policy bureau or government department, which policy bureau or government department will be responsible for the relevant coordination work; and
- (4) whether it will consider providing incentives to non-governmental organizations so as to encourage them to redevelop their low-rise buildings; if so, of the details; if not, the reasons for that?

Question 21
(For written reply)

(Translation)

Railway services and police operations during demonstrations

Hon Gary FAN to ask:

Since 9 June this year, a number of large-scale public meetings and processions (“public events”) relating to the “anti-extradition to China” movement have taken place in Hong Kong, with some of such events turning into confrontations between the Police and members of the public. Some police officers used force and arrested demonstrators within the precincts of the properties of the MTR Corporation Limited (“MTRCL”) and MTR stations. It is learnt that on many occasions before the commencement of public events, MTRCL closed a number of MTR stations situated in the vicinity of the places where public events were held, and suspended train services. MTRCL also deployed trains to transport police officers between different MTR stations for discharging duties. Moreover, on many occasions, MTRCL closed MTR stations and stopped train services during normal train service hours. In this connection, will the Government inform this Council:

- (1) of the following details regarding police officers discharging duties within the precincts of MTR stations/MTRCL properties during public events since 9 June this year:
 - (i) the maximum level of force used by the police officers, and the number of times/quantity of each type of weapons (e.g. batons, pepper sprays, tear gas rounds, bean bag rounds, rubber bullets and firearms) used (with a tabulated breakdown by date of the public event), and
 - (ii) the number of persons arrested (with a tabulated breakdown by date of public event, age, gender, alleged offence and location of the arrest), and the number of persons injured (with a tabulated breakdown by date of the public event, age, gender and the location where the injury was sustained);
- (2) whether it knows the following details regarding the closure of MTR stations/MTRCL properties during normal train service hours since 9 June this year (set out such information by date in a table):
 - (i) the closure hours,
 - (ii) the name of the MTR stations/properties,
 - (iii) the reasons for the closure, and

- (iv) the government department(s) or organization(s) that made the decision on the closure;
- (3) whether it has assessed if MTRCL has contravened the requirement in section 9 of the Mass Transit Railway Ordinance (Cap. 556) (i.e. that MTRCL must maintain a proper and efficient service in accordance with Cap. 556 and the operating agreement) by closing MTR stations/properties during normal train service hours which has caused travel inconvenience to a great number of members of the public; if it has assessed and the outcome is in the affirmative, whether it will ask MTRCL to make improvements; if the assessment outcome is in the negative, of the reasons for that;
- (4) of the following details regarding police officers entering and exiting the MTR stations/MTRCL properties concerned for discharging duties during the closure hours of the MTR stations/properties mentioned in (2) (set out such information by date in a table):
 - (i) entry and exit time,
 - (ii) the name of the MTR stations/properties,
 - (iii) the number of police officers,
 - (iv) whether MTRCL deployed trains to transport police officers; if so, of the names of the departure and destination stations, and
 - (v) details of the duties discharged by the police officers; and
- (5) whether, during the closure hours of the MTR stations/MTRCL properties mentioned in (2), there were off-duty or plain-clothed police officers or police officers disguised as demonstrators discharging duties inside the MTR stations/properties concerned; if so, of the details?

Question 22
(For written reply)

(Translation)

Employment services

Hon Vincent CHENG to ask:

As pointed out in Report No. 72 of the Director of Audit published in April this year, several indicators showed that the performance of the employment services of the Labour Department (“LD”) had been unsatisfactory in recent years: the numbers of visitors to the 13 job centres and three industry-based recruitment centres decreased continuously; the number of visits to the Interactive Employment Service (“iES”) website decreased continuously; and the dedicated employment services provided for young people, the elderly and middle-aged, people with disabilities and members of ethnic minorities were plagued with various problems, including decreased numbers of participants, as well as low retention rates and short retention periods for job placements. In this connection, will the Government inform this Council:

- (1) of the respective numbers of visitors to the 13 job centres and the Construction Industry Recruitment Centre, as well as the respective numbers of job fairs and sharing sessions organized by the job centres and the attendances thereof, in the past six months;
- (2) whether LD will improve the designs of the iES website and mobile application to better suit the needs of job seekers, enrich their contents (e.g. providing more templates for writing job application letters and curriculum vitae, and information on job interview skills), and step up the relevant publicity efforts, so as to boost their utilization rates; if so, of the details; if not, the reasons for that;
- (3) as the Government plans to provide a retention allowance to the participants of the Employment Programme for the Elderly and Middle-aged (“EPEM”), the Youth Employment and Training Programme (“YETP”) and the Work Orientation and Placement Scheme, of the details (including the implementation date);
- (4) of the new measures put in place to attract more employers to participate in EPEM, so as to increase the employment opportunities for the elderly and middle-aged; and
- (5) of the new measures put in place to boost the completion rates of on-the-job training by YETP participants?

**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.

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 Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No. 2) Order 2019, published in the Gazette as Legal Notice No. 91 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 Hon Junius HO**

Wording of the Motion

That this Council, in accordance with Article 79(7) of the Basic Law, censures 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 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, 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 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 Hon Junius HO**

Wording of the Motion

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

Schedule

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

**Motion to be moved by Hon YUNG Hoi-yan
under Rule 49B(1A) of the Rules of Procedure
to censure Dr Hon CHENG Chung-tai**

Wording of the Motion

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

Schedule

Details of Dr Hon CHENG Chung-tai's misbehaviour are particularized as follows:

- (1) On 1 July 2019, the Legislative Council ("LegCo") Complex was stormed by protesters. The LegCo Secretariat issued a Red alert in the evening of the same day and all people in the LegCo Complex were required to leave immediately. When the Red alert was in force, Dr Hon CHENG Chung-tai remained in the LegCo Complex and entered the Chamber, and at the same time repeatedly conducted live streams on the Facebook page of the Passion Times to introduce the internal layout and facilities of the LegCo Complex and inform the public and protesters of the presence of police officers, thereby assisting the protesters to avoid Police detection and vandalize the LegCo Complex.
- (2) Dr Hon CHENG Chung-tai, as a LegCo Member, assisted unauthorized persons to illegally enter and vandalize the LegCo Complex and conducted live streams in the LegCo Complex, thus showing no respect for the Council, failing the public's expectation of a LegCo Member and tarnishing LegCo's reputation. Such behaviours indeed constitute misbehaviour under Article 79(7) of the Basic Law.

**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.