

Legislative Council

Agenda

Wednesday 13 November 2019 at 11:00 am

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

6 items of subsidiary legislation/instruments and 3 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

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| 1. Hon Alvin YEUNG
<u>(Police operation at MTR Prince Edward Station on 31 August)</u> | Secretary for Security |
| 2. Hon WU Chi-wai
<u>(Procedural issues of the Police's handling of arrestees)</u> | Secretary for Security |
| 3. Hon KWONG Chun-yu
<u>(Deploying police dogs for handling demonstrations)</u> | Secretary for Security |
| 4. Hon Paul TSE
<u>(Hardship of the shop operators in Lei Yue Mun tourist area)</u> | Secretary for Commerce and Economic Development
Under Secretary for Development |
| 5. Hon Charles Peter MOK
<u>(Application of artificial intelligence and protection of personal data privacy)</u> | Secretary for Constitutional and Mainland Affairs
Secretary for Innovation and Technology |
| 6. Dr Hon Priscilla LEUNG
<u>(Handling the aftermath of social disturbances)</u> | Chief Secretary for Administration |

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

IIA. Urgent Question

A Member to ask an urgent oral question in Appendix 2A

Urgent question for oral reply to be asked by

1. Hon IP Kin-yuen
(Emergency measures to allay public resentment immediately)

Public officers to reply

Chief Secretary for Administration
Secretary for Security
Secretary for Commerce and Economic Development
Secretary for Education

IIIA. Adjournment Motion

1. **Adjournment motion under Rule 16(2) of the Rules of Procedure**
(Proposed on the floor)

Mover : Hon CHAN Hak-kan

Wording of the motion : Appendix 3A

Public officers to attend : Chief Secretary for Administration
Under Secretary for Security

III. Government Bills

First Reading and Second Reading (debate to be adjourned)

1. Copyright (Amendment) Bill 2019 : Secretary for Commerce and Economic Development

Consideration by committee of the whole Council and Third Reading

2. Judicial Officers (Extension of Retirement Age) (Amendment) Bill 2019 : Chief Secretary for Administration
(Standing over from the meeting of 10 July 2019)

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

3. Electoral Legislation (Miscellaneous Amendments) Bill 2019 : Secretary for Constitutional and Mainland Affairs
(Standing over from the meeting of 10 July 2019)

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)

(Standing over from the meeting of 6 November 2019)

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

Mover : Hon LAU Kwok-fan

Wording of the motion : **Appendix 7**

4th debate (to deal with the following motion)

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

Mover : Hon Frankie YICK

Wording of the motion : **Appendix 8**

5th debate (to deal with the following 11 motions)

Proposed resolutions to repeal/amend subsidiary legislation

Prohibition on Face Covering Regulation (L.N. 119/2019)

(The following 2 Members to move motions to repeal L.N. 119/2019)

5. Mover : Hon HUI Chi-fung

Wording of the motion : **Appendix 9**

6. Mover : Hon Claudia MO

Wording of the motion : **Appendix 10**

(The following 8 Members to move motions to amend L.N. 119/2019)

7. Mover : Hon Alvin YEUNG

Wording of the motion : **Appendix 11**

8. Mover : Hon Jeremy TAM

Wording of the motion : **Appendix 12**

9. Mover : Dr Hon KWOK Ka-ki

Wording of the motion : **Appendix 13**

10. Mover : Hon Dennis KWOK

Wording of the motion : **Appendix 14**

11. Mover : Hon Tanya CHAN

Wording of the motion : **Appendix 15**

12. Mover : Hon Claudia MO

Wording of the motion : **Appendix 16**

13 and 14. Mover : Hon CHAN Chi-chuen

Wording of the motions : **Appendices 17 and 18**

15. Mover : Hon Gary FAN
- Wording of the motion : **Appendix 19**
- Public officers to attend items 5 to 15 : Secretary for Security
Under Secretary for Security

(Debate and voting arrangements set out in LC Paper No. CB(3) 114/19-20 issued on 12 November 2019)

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 20**

(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 21**

(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 22**

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

4th debate (to deal with the following motion)

(Standing over from the meeting of 6 November 2019)

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 23**

(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 24**

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 25**

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 26**

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
(Order of debates may be adjusted having regard to the debate arrangements to be made)

(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 27**
- 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 28**
- 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 29**
- 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 motion)

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

Mover : Dr Hon KWOK Ka-ki
Wording of the motion : **Appendix 30**
Public officers to attend : Secretary for Security
Under Secretary for Security

8th 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

12. Mover : Hon Andrew WAN

Wording of the motion : **Appendix 31**

13. Mover : Hon Jeremy TAM

Wording of the motion : **Appendix 32**

Public officers to attend items 12 and 13 : 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
(Order of debates may be adjusted having regard to the debate arrangements to be made)

(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

- 14.** Mover : Hon Claudia MO
Wording of the motion : **Appendix 33**
- 15 and 16.** Mover : Hon Tanya CHAN
Wording of the motions : **Appendices 34 and 35**
- 17 and 18.** Mover : Dr Hon KWOK Ka-ki
Wording of the motions : **Appendices 36 and 37**
- 19.** Mover : Hon LAM Cheuk-ting
Wording of the motion : **Appendix 38**
- 20.** Mover : Hon KWONG Chun-yu
Wording of the motion : **Appendix 39**
- Public officers to attend items 14 to 20 : Secretary for Security
Under Secretary for Security

9th debate (to deal with the following motion)

(Standing over from the meeting of 30 October 2019)

21. 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 40**
Public officers to attend : Secretary for Security
Under Secretary for Security

10th debate (to deal with the following motion)

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

Mover : Hon CHUNG Kwok-pan
Wording of the motion : **Appendix 41**
Public officer to attend : To be advised by the Administration

11th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

23. 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 42**
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

12th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

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

Mover : Hon HO Kai-ming

Wording of the motion : **Appendix 43**

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

Clerk to the Legislative Council

Council meeting of 13 November 2019

Papers to be laid on the Table of the Council

Subsidiary legislation/instruments	Legal Notice No.
1. <u>Veterinary Surgeons Board (Election of Members) Regulation</u>	161 of 2019
2. <u>Hong Kong Science and Technology Parks Corporation Ordinance (Amendment of Schedule 1) (No. 2) Notice 2019</u>	162 of 2019
3. <u>Allowances to Jurors (Amendment) Order 2019 (Commencement) Notice</u>	163 of 2019
4. <u>Criminal Procedure (Witnesses' Allowances) (Amendment) Rules 2019 (Commencement) Notice</u>	164 of 2019
5. <u>Coroners (Witnesses' Allowances) (Amendment) Rules 2019 (Commencement) Notice</u>	165 of 2019
6. <u>Control of Obscene and Indecent Articles (Amendment) Regulation 2019 (Commencement) Notice</u>	166 of 2019
 Other papers	
7. <u>Environment and Conservation Fund Trustee Report 2018-2019 (including Report of the Director of Audit and Financial Statements)</u> (to be presented by Secretary for the Environment)	
8. <u>Correctional Services Department Welfare Fund Report by the Commissioner of Correctional Services of Hong Kong Incorporated on the Administration of the Fund, Financial statements and Report of the Director of Audit for the year ended 31 March 2019</u> (to be presented by Secretary for Security)	
9. <u>Prisoners' Education Trust Fund Report by the Trustee, Financial statements and Report of the Director of Audit for the period 1 April 2018 to 31 March 2019</u> (to be presented by Secretary for Security)	

22 questions to be asked at the Council meeting of 13 November 2019

		Subject matters	Public officers to reply
Questions for oral replies			
1	Hon Alvin YEUNG	<u>Police operation at MTR Prince Edward Station on 31 August</u>	Secretary for Security
2	Hon WU Chi-wai	<u>Procedural issues of the Police's handling of arrestees</u>	Secretary for Security
3	Hon KWONG Chun-yu	<u>Deploying police dogs for handling demonstrations</u>	Secretary for Security
4	Hon Paul TSE	<u>Hardship of the shop operators in Lei Yue Mun tourist area</u>	Secretary for Commerce and Economic Development Under Secretary for Development
5	Hon Charles Peter MOK	<u>Application of artificial intelligence and protection of personal data privacy</u>	Secretary for Constitutional and Mainland Affairs Secretary for Innovation and Technology
6	Dr Hon Priscilla LEUNG	<u>Handling the aftermath of social disturbances</u>	Chief Secretary for Administration
Questions for written replies			
7	Hon Jeremy TAM	<u>Special constables, temporary police officers and members of the Essential Services Corps</u>	Secretary for Security
8	Hon LEUNG Che-cheung	<u>Parks, zoological and botanical gardens and children's playgrounds</u>	Secretary for Home Affairs
9	Hon Jimmy NG	<u>New measures to support enterprises</u>	Secretary for Commerce and Economic Development
10	Hon CHAN Hak-kan	<u>Impacts of demonstrations on MTR train services</u>	Secretary for Transport and Housing
11	Hon Kenneth LEUNG	<u>Reduction of waste plastics</u>	Secretary for the Environment
12	Hon Elizabeth QUAT	<u>Demand of and supply for doctors</u>	Secretary for Food and Health
13	Hon CHEUNG Kwok-kwan	<u>Liberal Studies subject under the senior secondary education</u>	Secretary for Education
14	Dr Hon Fernando CHEUNG	<u>The rights and welfare of arrested children</u>	Secretary for Security
15	Dr Hon Helena WONG	<u>Hand, foot and mouth disease</u>	Secretary for Food and Health
16	Prof Hon Joseph LEE	<u>Health impacts of the chemicals used to disperse crowds</u>	Secretary for Food and Health
17	Hon CHAN Han-pan	<u>Value for money audits for the public health institutions</u>	Secretary for Food and Health
18	Hon CHAN Chi-chuen	<u>Coloured water sprayed by specialized crowd management vehicles</u>	Secretary for Food and Health
19	Hon HO Kai-ming	<u>Apprenticeship Ordinance</u>	Secretary for Labour and Welfare
20	Hon CHAN Chun-ying	<u>Tenants Purchase Scheme</u>	Secretary for Transport and Housing
21	Hon HUI Chi-fung	<u>Death cases handled by the Police</u>	Secretary for Security
22	Hon LUK Chung-hung	<u>Supply of and demand for car parking spaces</u>	Secretary for Transport and Housing

Question 1
(For oral reply)

(Translation)

Police operation at MTR Prince Edward Station on 31 August

Hon Alvin YEUNG to ask:

According to the footage captured by the media, on the night of 31 August this year, some police officers attacked members of the public, who did not put up any resistance, with batons and pepper spray and pointed guns at them on the platforms of MTR Prince Edward Station and inside the train compartments thereat. It has been reported that on that night, the Police evicted journalists and volunteer first-aiders from Prince Edward Station and then, by claiming that there were no injured persons in the station, hindered the entry of ambulancemen of the Fire Services Department (“FSD”) to the station to perform rescue work, resulting in the delayed treatment of quite a number of injured persons. In this connection, will the Government inform this Council:

- (1) between the night of 31 August and the early hours of the following day, of the respective numbers of police officers, firemen, ambulancemen and personnel of other government departments (please specify) who were on duty inside MTR Prince Edward Station and Lai Chi Kok Station, the respective numbers of persons arrested in the Concourse, on Platform 1/2 Level and Platform 3/4 Level inside Prince Edward Station, as well as the respective numbers of injured persons, arrestees and other non-government personnel who were conveyed by a specially arranged train from Prince Edward Station to Lai Chi Kok Station (and provide a breakdown by the exit through which they left), and set out such figures in tables;
- (2) of the reasons and the legal basis for the Police evicting journalists and volunteer first-aiders from Prince Edward Station on that night; whether the Government has assessed if the eviction of journalists has infringed upon the freedom of the press enjoyed by Hong Kong residents under Article 27 of the Basic Law; if they have assessed, of the outcome; and
- (3) given that despite the Government’s repeated denial of the death of any person during the aforesaid confrontations, quite a number of members of the public still suspect that the Police have concealed some information, whether the Government will make public all footage captured on that night by the closed-circuit television cameras at the MTR stations and by police officers’ body worn video cameras, so as to allay public concerns?

Question 2
(For oral reply)

(Translation)

Procedural issues of the Police's handling of arrestees

Hon WU Chi-wai to ask:

It has been reported that since June this year, the Police have arrested several thousand demonstrators during a number of demonstrations. Some arrestees had been detained for a period longer than 48 hours, the limit prescribed by law, before they were brought before a magistrate or released. Furthermore, a 13-year-old boy was not accompanied by any parent or guardian, nor was he informed of his rights, when he made a statement. Regarding the procedural issues of the Police's handling of such arrestees, will the Government inform this Council:

- (1) of the total number of persons arrested since June this year, with a tabulated breakdown by age group (i.e. under 14 years old, 14 to 15 years old, 16 to 17 years old, 18 to 30 years old, 31 to 50 years old, and above 50 years old) and duration of detention (i.e. less than 12 hours, 12 to 24 hours, 25 to 48 hours, and more than 48 hours);
- (2) of the respective numbers of persons arrested for the first time who, at present, have been released unconditionally, released on bail pending further enquiries, released unconditionally after declining to enter into further bail, and charged, as well as are in other situations, with a tabulated breakdown by the aforesaid age groups; and
- (3) of the respective numbers of cases in which the arrestees under 16 years old and other arrestees experienced the following situations (set out in a table): not being informed of the reasons for the arrest when the arrest was made, not having been informed of their rights before they were questioned, not having been informed of their right to silence before they made a statement and, for those arrestees under 16 years old, not being accompanied by any parent or guardian when they made a statement?

Question 3
(For oral reply)

(Translation)

Deploying police dogs for handling demonstrations

Hon KWONG Chun-yu to ask:

Since June this year, the Police deployed on a number of occasions police dogs to assist in the handling of demonstrations. While the police officers all wore gas masks when firing tear gas rounds to disperse demonstrators, the police dogs at the scene had no protective gear. Some members of the public are concerned that tear gas is hazardous to the health of the police dogs. In this connection, will the Government inform this Council:

- (1) of the number of in-service police dogs which died of unnatural causes in each of the past three years;
- (2) of the number of occasions since June this year on which the Police deployed police dogs for handling demonstrations; among such occasions, the number of those involving the firing of tear gas rounds at the scene of the demonstrations, and the number of police dogs which fell sick after carrying out duties and were treated by veterinary surgeons; and
- (3) whether the Police will consider not to deploy police dogs to carry out duties at demonstrations again; if so, of the details; if not, the reasons for that?

Question 4
(For oral reply)

(Translation)

Hardship of the shop operators in Lei Yue Mun tourist area

Hon Paul TSE to ask:

It has been reported that with Hong Kong experiencing months of social turmoil, many industries have become languished, and the numbers of Mainland and overseas visitors have plunged (e.g. the number of visitor arrivals from the Mainland during the “National Day Golden Week” has dropped drastically by 56% to a record low in nine years). The number of visitors to Lei Yue Mun, a famous tourist area in Kowloon East, has dropped significantly as well. As a result, a large number of tourism-related shops have closed down one after another. Earlier on, the Financial Secretary has introduced a \$19.1 billion package of measures to “support enterprises, safeguard jobs and relieve people’s burden” (“relief measures”), which include a 50% rental reduction for a period of six months for most short-term tenancies of government land for business use under the Lands Department (“LandsD”) and for public market stalls. However, some shop operators in Lei Yue Mun and the District Council members of the district have relayed to me that the aforesaid shop operators have successively received notices from LandsD that their rentals will be raised by 7% shortly. They are afraid that such rental increase will give rise to a wave of closure of these shops, thereby leading to the fading out of a world-renowned tourist attraction in Hong Kong. In this connection, will the Government inform this Council:

- (1) as some members of the public have criticized that the Government’s policies are self-contradictory in that on the one hand it has implemented the relief measures and injected several million dollars to promote local gourmet food, but on the other hand it raises the rentals of shop operators in Lei Yue Mun who are facing operating difficulties, whether LandsD has, prior to making the rental increase decision, discussed with the policy bureau and government departments in charge of tourism affairs as well as the affected shop operators, so as to gain an understanding of the rate of decrease in the number of visitors to Lei Yue Mun since the eruption of the disturbances arising from opposition to proposed legislative amendments, as well as the pressure of rental increase to be borne by the shop operators in Lei Yue Mun; if so, of the reasons for LandsD’s insistence on effecting the rental increase; if not, the reasons for that;

- (2) whether it has assessed if the persistent decrease in visitors to Hong Kong and LandsD vigorously effecting the rental increase will compel more restaurants and shops in that district to close down one after another before and after the Lunar New Year holiday; and
- (3) as some members of the public have criticized that with the two theme parks, namely the Ocean Park Hong Kong and the Hong Kong Disneyland, being “on saline drip” and operating with a loss, and local tourist attractions having, for a long time, “lived on established advantages” only, whether the authorities will step up publicity for Lei Yue Mun as a tourist attraction which has scenery of a traditional fishing village and offers gourmet seafood, and supplement such initiative with effective policies, e.g. reducing rentals directly, with a view to helping Lei Yue Mun maintain its appeal to visitors?

Question 5
(For oral reply)

(Translation)

Application of artificial intelligence and protection of personal data privacy

Hon Charles Peter MOK to ask:

It has been reported that the Hong Kong Police Force acquired systems with facial recognition function several years ago. Some members of the public are worried that the extensive collection and use of facial images and other biometric data by government departments, together with integration of the data from various databases, will enable the creation of personal data profiles or credit scoring systems. On the other hand, foreign countries have put in place legislation to regulate the application of biometric data to prevent members of the public from being subject to excessive monitoring, so as to protect human rights, including privacy. In this connection, will the Government inform this Council:

- (1) whether it has studied if the following acts constitute an infringement upon privacy rights comparable to that of interception of communications and covert surveillance: tracking, monitoring and recording the movement and location of a data subject without his/her consent and profiling of personal data through integrating the big data collected from the public domain; if it has studied and the outcome is in the affirmative, whether the Government will (a) widen the definition of “covert surveillance” under the Interception of Communications and Surveillance Ordinance, thereby subjecting law enforcement agencies, in their applying facial recognition and related artificial intelligence (“AI”) technologies, to the requirement of obtaining authorization and to the oversight of the Commissioner on Interception of Communications and Surveillance, and (b) prohibit law enforcement agencies from applying such technologies before the law is amended; if so, of the details; if not, the reasons for that;
- (2) whether, in reviewing the Personal Data (Privacy) Ordinance, it will make reference to the European Union General Data Protection Regulation and introduce regulation on automated decision making and personal data profiling, to the effect that a data subject has the right to object to his/her personal data being used in automated decision making, and the right to demand from public and private organizations an explanation on the criteria adopted for making the relevant decisions, so as to ensure that the application of facial recognition systems and AI is consistent with the principles of

transparency, fairness and respect for human rights; if so, of the details; if not, the reasons for that; and

- (3) whether, in formulating the Smart City Blueprint for Hong Kong 2.0, it will establish guiding principles relating to the ethical standards and privacy protection in respect of AI and data application, and make it mandatory for the Government to assess the human rights implications and pass through an independent ethical scrutiny in its research and development as well as procurement of data analysis-related technologies (including facial and image recognition), and to explain to the affected persons the operating principles of the relevant technologies before applying them, so as to reduce the adverse impacts as far as possible; if so, of the details; if not, the reasons for that?

Question 6
(For oral reply)

(Translation)

Handling the aftermath of social disturbances

Dr Hon Priscilla LEUNG to ask:

Since June this year, the controversies arising from the proposals to amend the law concerning surrender of fugitive offenders have eventually turned into social disturbances, resulting in a large number of demonstrators being arrested and quite a number of shops and public facilities being vandalized. The Chief Executive has indicated in her Policy Address delivered earlier on that she will later invite community leaders, experts and academics to conduct an in-depth and independent examination of the social conflicts in Hong Kong and the deep-rooted problems that must be addressed (“independent examination”). In this connection, will the Government inform this Council:

- (1) whether the independent examination will include drawing reference from the practices adopted by the Government of the United Kingdom (“the UK”) for dealing with the disturbances in 2011, and expeditiously establishing a committee to be responsible for inquiring into the causes and consequences of the social disturbances in Hong Kong, as well as identifying solutions to the social conflicts so revealed;
- (2) whether it will consider allocating additional resources to the Judiciary, so that the courts may operate on a round-the-clock basis and, under the premise of conforming to procedural justice, expeditiously handle cases relating to the social disturbances; and
- (3) whether it will consider, by drawing reference from the UK’s Riot Compensation Act 2016, providing compensation by the Government to those individuals and organizations that have innocently suffered losses in the social disturbances?

Question 7
(For written reply)

(Translation)

Special constables, temporary police officers and members
of the Essential Services Corps

Hon Jeremy TAM to ask:

Under section 40 of the Public Order Ordinance (Cap. 245), the Chief Executive (“CE”) may authorize the Commissioner of Police (“CP”) to appoint any person to act as a special constable; under section 24 of the Police Force Ordinance (Cap. 232), CP may employ any person to serve temporarily as a police officer; under section 18 of the Essential Services Corps (General) Regulations (Cap. 197A), CE may call out members of the Essential Services Corps (“Corps members”) for active service. These three types of officers, when discharging police duties, enjoy the same powers, protection and immunities as police officers do, and must comply with all orders given by CP. It is not required under the aforesaid legislation that the relevant appointment, employment or call-out procedure must be conducted openly. In this connection, will the Government inform this Council, since 1 July 1997:

- (1) whether CP has appointed or employed any person as a special constable or temporary police officer, and whether CE has called out any Corps member for active service; if so, (i) whether such persons, when or prior to being appointed, employed or called out, were members of the Mainland public security authorities, the Ministry of State Security, the People’s Armed Police Force, the Chinese People’s Liberation Army or other Mainland law enforcement authorities, and (ii) of the reasons for CP or CE to make such appointments, employment and call-out, and among such officers, the number of those who are still in service at present, as well as their responsibilities and duties, and the respective commencement and end dates of their tenure;
- (2) whether special constables, temporary police officers and Corps members, when discharging police duties, are bound by the Police Force Ordinance and the Police General Orders; and
- (3) whether CP has, through other means, appointed, employed or recruited any member of the Mainland law enforcement authorities to assist the Police in taking law enforcement actions in Hong Kong?

Question 8
(For written reply)

(Translation)

Parks, zoological and botanical gardens and children's playgrounds

Hon LEUNG Che-cheung to ask:

Regarding the parks, zoological and botanical gardens and children's playgrounds under the Leisure and Cultural Services Department ("LCSD"), will the Government inform this Council:

- (1) of (i) the population of children aged below 12, (ii) the total number of parks as well as zoological and botanical gardens, (iii) the total area of these two types of parks/gardens, and (iv) the number of inclusive play equipment provided therein, in each of the years 2015, 2017 and 2019, together with a breakdown by District Council ("DC") district in the following table;

District	2015				2017				2019			
	(i)	(ii)	(iii)	(iv)	(i)	(ii)	(iii)	(iv)	(i)	(ii)	(iii)	(iv)
Total												

- (2) of the respective annual expenditure incurred by LCSD on designing, building and repairing play equipment for children in 2014-2015, 2016-2017 and 2018-2019 financial years, together with a breakdown by DC district; and
- (3) whether LCSD has regularly reviewed the criteria for the provision of play equipment for children; if so, of the details; if not, whether it will conduct regular reviews?

Question 9
(For written reply)

(Translation)

New measures to support enterprises

Hon Jimmy NG to ask:

In August 2018, the Government rolled out enhancement measures for the “Dedicated Fund on Branding, Upgrading and Domestic Sales” (“BUD Fund”) and the “SME Export Marketing Fund” (“EMF”) to help enterprises open up new markets. In August this year, the Government announced the introduction of new support measures, including the injection of funding into the two funds and, at the same time, raising the funding ceilings of such funds for individual enterprises with a view to assisting local enterprises (especially small and medium enterprises (“SMEs”)) in facing up to economic adversities. Quite a number of SME proprietors have expressed concern about the success rate and the time taken for the vetting and approval of the funding applications concerned. In this connection, will the Government inform this Council:

- (1) regarding the ASEAN Programme and the Mainland Programme under the BUD Fund respectively, (i) of the numbers of applications received since the launch of the enhancement measures, (ii) among such applications, the respective to-date numbers of those approved, rejected, the vetting and approval of which is still in progress and withdrawn, (iii) the average time taken for the vetting and approval of each approved application, and (iv) the average amount of funds granted to each approved application;
- (2) whether it will consider further extending the geographical scope for the subsidy of the Enterprise Support Programme under the BUD Fund to encompass all the countries and regions along the “Belt and Road”, or even eliminating the geographical limitation; if so, of the details; if not, the reasons for that;
- (3) given that the Trade and Industry Department (“TID”) has indicated on its website earlier on that as there has been a significant increase in the number of EMF applications received recently, the vetting and approval of some of the applications may not be able to be completed within the target time of 30 working days as set out in its performance pledge, of the number of EMF applications received by TID in each of the past three years, the average time taken for the vetting and approval of each application, and among such applications, the number of those the vetting and approval of which was completed within the target time;

- (4) as some SME proprietors have anticipated that with the launch of the new support measures, the numbers of funding applications received by the two funds will increase, whether the Government will allocate additional resources to correspondingly increase the manpower for the vetting and approval of the applications, so as to avoid the time taken for vetting and approval of the applications from lengthening; if so, of the details; if not, the reasons for that;
- (5) as it is currently provided under the two funds that the maximum amount of grant for each item will be 50% of the total approved expenditure incurred by such item, whether the Government will raise that ceiling percentage; if so, of the details; if not, the reasons for that; and
- (6) given that the Finance Committee of this Council currently has a backlog of a number of outstanding funding applications for its consideration, whether the Government will re-arrange the agendas of the meetings of the Committee so as to prioritize the funding applications relating to the new support measures for consideration, so that SMEs can benefit from these measures expeditiously?

Question 10
(For written reply)

(Translation)

Impacts of demonstrations on MTR train services

Hon CHAN Hak-kan to ask:

Since June this year, members of the public have taken to the streets for many times to stage demonstrations. Radical demonstrators wantonly vandalized MTR station facilities, resulting in temporary closure of a number of MTR stations and reduction in railway services. In this connection, will the Government inform this Council:

- (1) whether it knows, since June this year,
 - (i) the number of MTR station facilities vandalized, as well as the repair and reprovisioning costs thus incurred by the MTR Corporation Limited (“MTRCL”),
 - (ii) the number of train trips cancelled and the number of passenger trips affected,
 - (iii) the number of reports made by MTRCL to the Police for assistance,
 - (iv) the number of MTRCL staff reported to have sustained injuries, and
 - (v) the additional manpower engaged by MTRCL, with a breakdown by job type;
- (2) of the respective numbers of persons arrested, prosecuted and convicted since June this year for alleged vandalism of railway facilities; the penalties imposed on those convicted;
- (3) whether it knows if MTRCL has sought compensation from the convicted persons mentioned in (2); if MTRCL has, of the details; if not, the reasons for that;
- (4) as it has been reported that MTRCL specially arranged, during demonstrations, trains to carry demonstrators to other MTR stations for leaving, whether it knows the relevant details (including the number of trips arranged); whether MTRCL was required, in respect of this arrangement, to seek prior consent from the relevant government departments and report to those departments afterwards; if so, of the details; if not, the reasons for that;
- (5) whether the number of general crimes which happened in MTR stations has shown an upward trend since June this year; if so, of the details, and whether it has assessed if the closed-circuit

television systems in a number of MTR stations having been vandalized is one of the causes; and

- (6) of the new measures in place to ensure the normal operation of railway services and to protect the personal safety of passengers?

Question 11
(For written reply)

(Translation)

Reduction of waste plastics

Hon Kenneth LEUNG to ask:

The Environmental Protection Department (“EPD”) has indicated that as the disposal of plastic bags rose again in two consecutive years in 2016 and 2017, it will review the effectiveness (including the charge amount and exemption issues) of the existing Plastic Shopping Bag Charging Scheme (“Charging Scheme”). On the other hand, currently there is no legislation regulating the use of disposable plastic products (including packaging materials, tableware and containers). In this connection, will the Government inform this Council:

- (1) of the respective quantities of waste plastics (i) disposed of at landfills and (ii) recovered, in each month between January last year and October this year, with a tabulated breakdown by type (including plastic bags, disposable tableware and packaging materials);
- (2) of the progress of EPD’s review of the Charging Scheme; whether the Government will consider taking measures which are more aggressive (e.g. a total ban on the use of plastic bags); if so, of the details and timetable; if not, the justifications for that;
- (3) as some green groups have pointed out that since the problem of abusive use of packaging materials is serious, and it is difficult to recover and reuse such materials, packaging materials inflict more harm on the environment than plastic bags do, whether the Government has formulated measures to reduce the use of plastic packaging materials; if so, of the details; if not, the reasons for that;
- (4) whether it will consider including disposable plastic products in a producer responsibility scheme to require various parties such as manufacturers, sellers and consumers to share the cost of handling related waste, with a view to achieving reduction of waste plastics at source; if so, of the details; if not, the justifications for that; and
- (5) as it is learnt that quite a number of countries have implemented or will implement a timetable for a gradual ban on the use of plastic products which are disposable or difficult to recover, whether the Government will draw up a timetable on reduction of waste plastics; if so, of the details; if not, the justifications for that?

Question 12
(For written reply)

(Translation)

Demand of and supply for doctors

Hon Elizabeth QUAT to ask:

Non-locally trained medical practitioners are required to pass the Licensing Examination administered by the Medical Council of Hong Kong (“MCHK”) and to complete a period of internship at the Hospital Authority (“HA”) before they may be registered as medical practitioners. In addition, non-locally trained medical practitioners, if employed by designated institutions such as HA for the purposes of teaching, conducting research or performing clinical work, may apply to MCHK for limited registration. Regarding the demand and supply situation of medical practitioners, will the Government inform this Council:

- (1) whether it knows, in each of the past four financial years and the current financial year (up to September), (i) the shortfall of medical practitioners in HA, (ii) the number of vacancies of medical practitioners in HA, as well as (iii) the number of medical practitioners with limited registration to be recruited as planned by HA in that year and (iv) the number of such medical practitioners actually employed;
- (2) whether it will request HA to formulate performance pledges in respect of the waiting times for (i) specialist outpatient and (ii) Accident and Emergency (“A&E”) services; if so, of the additional expenditure to be incurred and the number of additional medical practitioners to be employed; if not, the reasons for that;
- (3) whether it knows if HA has set targets on the numbers of medical practitioners with limited registration to be employed for the various specialties; if HA has, of the numbers; if not, whether HA will set such targets;
- (4) whether it knows if HA has employed medical practitioners with limited registration for taking up Consultant posts; if HA has, of the numbers in each of the past four financial years and the current financial year (up to September); if not, the reasons for that;
- (5) whether it knows the shortfall of medical practitioners in the various specialties in HA in each of the past four financial years and the current financial year (up to September) (with a tabulated breakdown by Head Office and the various hospital clusters in Table 1); if such figures are not available, of the reasons for that, and whether HA will compile such statistics;

Table 1

Head Office/ Cluster	Specialty	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020
Head Office	(Not applicable)					
(Name of hospital cluster)	A&E					
	Anaesthesia					
	Family Medicine					
	Intensive Care Unit					
	Medicine					
	Neurosurgery					
	Obstetrics & Gynaecology					
	Ophthalmology					
	Orthopaedics & Traumatology					
	Paediatrics					
	Pathology					
	Psychiatry					
	Radiology					
	Surgery					
	Others					
	Sub-total					
...						
	Total					

- (6) whether it knows, in each of the past four financial years and the current financial year (up to September), among the medical practitioners with limited registration employed by HA, (i) the respective numbers of those sitting and passing the Licensing Examination as well as the passing rate, and (ii) the number of those turning to private practice after having been registered as medical practitioners, and the practice details of these persons; if such figures are not available, whether HA will compile such statistics;
- (7) whether it will look into the practice situation of non-locally trained medical practitioners who have been registered as medical practitioners (including the number of those who switch to work in private healthcare institutions); if not, of the reasons for that;
- (8) whether it knows the numbers of Hong Kong permanent residents who were (i) medical students studying and (ii) medical practitioners practising in places outside Hong Kong, in each of the past four financial years and the current financial year (up to September) (with a tabulated breakdown in Table 2); if such figures are not available, whether it will compile such statistics; and

Table 2

Country/Place	2015-2016		2016-2017		2017-2018		2018-2019		2019-2020	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
The United Kingdom										
Australia/ New Zealand										
The United States										
Canada										
Mainland										
Others										

- (9) of the measures in place to encourage the persons mentioned in (8) to return to and practise in Hong Kong, and to work in public healthcare institutions?

Question 13
(For written reply)

(Translation)

Liberal Studies subject under the senior secondary education

Hon CHEUNG Kwok-kwan to ask:

In September this year, the Education Bureau (“EDB”) introduced professional consultancy services under which publishers may voluntarily submit their textbooks for the Liberal Studies (“LS”) subject under the senior secondary education to EDB for a professional team to offer professional advice and recommendations on the contents of the textbooks in the light of the curriculum objectives and goals of the subject. EDB will upload onto the EDB webpage a list of LS textbooks which have undergone the professional consultancy procedure and completed the follow-up actions on the recommendations received. On the other hand, it has been reported that some LS teachers have earlier been alleged to have distinct political stances, have made hostile remarks against the Police on the Internet, and have compiled for their schools LS teaching materials (“self-compiled teaching materials”) and examination questions with obviously biased views. Regarding the LS subject under the senior secondary education, will the Government inform this Council:

- (1) of the names, number and proportion of the publishers which have so far indicated that they will use the professional consultancy services, and how such proportion compares with that anticipated by EDB;
- (2) of the following details of the professional consultancy services:
 - (i) whether publishers are required to submit the full contents of their textbooks (if not, which parts or chapters are required to be submitted),
 - (ii) the background of the members of the professional team, and
 - (iii) the bases on which the team offers advice or recommendations to publishers;
- (3) in relation to the LS textbooks which have not undergone the professional consultation procedure or have not been amended in the light of the advice or recommendations offered by the professional team, whether there will be other impacts on such textbooks, apart from their exclusion from the list of LS textbooks on the EDB webpage;
- (4) whether publishers are required to pay for the professional consultancy services; if so, of the amount of money involved, and whether EDB has assessed the impact of such an expense on textbook prices;

- (5) whether EDB will require or encourage schools to adopt only those textbooks which have undergone the professional consultation procedure as the main LS teaching materials;
- (6) whether EDB has plans to change the nature of the professional consultancy services from voluntary to mandatory;
- (7) given that nowadays quite a number of schools use self-compiled teaching materials for the LS subject, how EDB ensures that such self-compiled teaching materials meet the criteria of objectiveness, fairness and impartiality; whether EDB has considered extending the professional consultancy services to self-compiled teaching materials;
- (8) whether EDB will study establishing channels for teachers, parents or students to make enquiries or complaints as to whether the contents of their schools' self-compiled LS teaching materials are biased or untrue;
- (9) as it has been reported that EDB has earlier appointed all the 11 Curriculum Development Officers of the Liberal Studies Section under the Curriculum Development Institute as inspectors and authorized them to visit schools for the purpose of inspecting LS teaching, of the details of such inspections; how EDB will follow up the situation where the inspectors have found that there is room for improvement or improvement must be made in LS teaching of a certain school; and
- (10) whether EDB has formulated measures to ensure that LS teachers are of good characters and uphold professionalism and impartiality in teaching?

Question 14
(For written reply)

(Translation)

The rights and welfare of arrested children

Dr Hon Fernando CHEUNG 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 occurred in Hong Kong. During those public events, a number of demonstrators and bystanders, including children under the age of 16, were arrested. It has been reported that subsequent to the arrests of three children aged between 13 and 15 on 29 August this year, despite confirmation from their parents that they would fulfil their duty to protect and care for their children, the Police still filed applications to the juvenile court for Care or Protection Orders (“C or P Orders”). Such children were detained in Tuen Mun Children and Juvenile Home (“TMCJH”) of the Social Welfare Department (“SWD”), for 27 days in the longest case, while the court was awaiting reports from SWD. In this connection, will the Government inform this Council:

- (1) of the number of cases of the Police arresting children under the age of 16 during public events since 9 June this year, and set out the following details of each case in a table by date of arrest: (i) the age of the arrestee, (ii) the location of the arrest, (iii) the offence(s) allegedly committed by the arrestee, (iv) the charge(s) laid (if a prosecution has been instituted), (v) the bail conditions (if applicable), and (vi) whether the Police have applied to the court for a C or P Order;
- (2) given that although Chapter 49 of the Police General Orders (“PGOs”) provides that “[t]o ensure that the rights and welfare of persons with special needs are fully addressed, ... the presence of an appropriate adult is mandatory for detained persons under the age of 16 and detained persons who are or suspected to be mentally incapacitated”, some social workers who were at the scene of the aforesaid public events have pointed out that the Police refused to let these social workers accompany children under the age of 16 who had been arrested to the police station or accompany them throughout their detention, whether it has assessed if such practice of the Police has contravened the relevant requirements of PGOs;
- (3) whether it has assessed if the Police’s treatment of the aforesaid three children conforms to the requirements of Article 37 of the Convention on the Rights of the Child (i.e. “States Parties shall ensure that ... [t]he arrest, detention or imprisonment of a child

shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time”); and

- (4) of the mechanism in place for dealing with requests from religious personnel and Members of this Council for paying official visits to children under the age of 16 who are being detained in TMCJH, including how the urgency of such visits is to be determined, and whether the views of the detainees will be sought beforehand?

Question 15
(For written reply)

(Translation)

Hand, foot and mouth disease

Dr Hon Helena WONG to ask:

It has been reported that earlier on, a primary school stated in a notice to the parents that some of its students had contracted the hand, foot and mouth disease (“HFMD”), and that the Centre for Health Protection (“CHP”) of the Department of Health had instructed that there was no need for students to wear masks because the disease was not transmitted by respiratory droplets. In response to media enquiries, CHP advised that while wearing masks was not the main measure for preventing the disease, it had not given the said instruction. Furthermore, CHP points out on its website that HFMD is mainly transmitted by contact with an infected person’s nose or throat discharges, saliva, etc. In its guidelines distributed to schools, CHP classifies the mode of transmission for HFMD as “contact transmission” instead of “droplet transmission”. However, a paediatrician has pointed out that the disease can be transmitted by respiratory droplets (saliva being a type of such droplets), and that wearing masks is one of the precautionary measures. Some members of the public find the relevant information on HFMD confusing. In this connection, will the Government inform this Council:

- (1) whether CHP has gained an understanding from the aforesaid primary school on the reasons for the school stating in the notice that CHP had given the aforesaid instruction;
- (2) whether CHP will discuss with the medical sector the ways for providing the public with clear guidelines on prevention of HFMD, including the effectiveness of wearing masks in preventing the transmission of HFMD; and
- (3) whether CHP has conducted studies on the effectiveness of wearing masks in lowering the infection rate of HFMD; if so, of the outcome; if not, whether it will conduct such studies?

Question 16
(For written reply)

(Translation)

Health impacts of the chemicals used to disperse crowds

Prof Hon Joseph LEE to ask:

Since June this year, during their operations to disperse demonstrators in various districts, the Police used pepper sprays, fired pepper balls and tear gas rounds, as well as deployed specialized crowd management vehicles (commonly known as “water cannon vehicles”) to spray coloured water containing irritants. The Secretary for Food and Health has indicated earlier that the impacts of tear gas on human health are short-term. However, it has been pointed out in an article published recently in the *Lancet*, a medical journal, that an overseas research study found that among 5 910 people who had been exposed to such chemical irritants, two died and many suffered permanent disabilities. The authors of the article have criticized the Hong Kong Government for neither taking the lead in cleaning the places contaminated by these chemicals nor issuing decontamination guidelines and health advice. In this connection, will the Government inform this Council:

- (1) whether it knows the respective human health risks posed by (i) pepper spray, (ii) tear gas and (iii) coloured water; whether it has monitored continuously the latest reports on the risks posed by such chemicals to physical health and public health; if it has not, of the reasons for that;
- (2) of the number of street cleaning exercises carried out since June this year by the service contractors of the Food and Environmental Hygiene Department for removing the chemicals concerned, with a breakdown by District Council district; the protective gear provided to the frontline workers; whether the Department has monitored if the workers employed by the contractors have removed the chemicals in accordance with the guidelines; whether the Government will take the initiative to assist the persons-in-charge of private places in removing such chemicals;
- (3) given that some members of the public whose bodies had been stained with coloured water went to seek medical treatment but the doctors were unable to prescribe the right treatment because they did not know the composition of the coloured water, whether the Government will fully make public the composition of the various types of chemicals used by the Police, so that persons exposed to such chemicals may receive appropriate treatment; and

- (4) whether it will request the Police not to use such chemicals again in the vicinity of residential areas, schools, residential care homes for the elderly, hospitals, food premises and densely populated areas, so as to avoid causing hazards to the health and lives of members of the public?

Question 17
(For written reply)

(Translation)

Value for money audits for the public health institutions

Hon CHAN Han-pan to ask:

In the past two decades, the Audit Commission conducted value for money audits on a number of occasions in respect of the work and services of particular areas under the purview of the Hospital Authority (“HA”) and the Department of Health (“DH”), and published 8 and 16 reports respectively. However, such audits did not cover issues of overall operation of these two institutions. In this connection, will the Government inform this Council whether, in the past five years, the Government conducted on its own or commissioned consultants to conduct:

- (1) comprehensive, large-scale and in-depth value for money audits on the overall services, use of integrated resources and administrative management (i.e. rather than particular work and services) of HA and DH; if so, of the details (including the personnel responsible for the audits, the outcome and the recommendations); if not, the reasons for that;
- (2) value for money audits on the cost-effectiveness (including the effectiveness on aspects such as shortening patients’ waiting time, and enhancing the efficiency of administrative management and work of healthcare workers) of the additional funding allocated by the Government respectively to HA and DH in each of the past five years; if so, of the details; if not, the reasons for that;
- (3) value for money audits respectively on four aspects of the work of HA and DH, namely (i) streamlining service procedures, (ii) optimizing the use of human and financial resources, (iii) alleviating the work pressure on frontline healthcare workers, and (iv) boosting the work enthusiasm and morale of healthcare teams; if so, of the details; if not, the reasons for that;
- (4) value for money audits on the service cross-referral and collaboration between HA and DH; if so, of the details; if not, the reasons for that; and
- (5) a cross-institutional, comprehensive and integrated value for money audit in respect of the arrangements for division of labour in the provision of public healthcare services by HA and DH; if so, of the details; if not, the reasons for that?

Question 18
(For written reply)

(Translation)

Coloured water sprayed by specialized crowd management vehicles

Hon CHAN Chi-chuen to ask:

It has been reported that on 20 October this year, the coloured water sprayed by a specialized crowd management vehicle (commonly known as “water cannon vehicle”) operated by the Police when dispersing demonstrators hit 10-odd members of the public and reporters outside the entrance of the Kowloon Mosque. Some of them felt unwell (e.g. temporary loss of sight, burning sensation on the skin) and sought medical consultation, but the doctors were unable to prescribe the right treatment as they were unclear about the composition of the coloured water. In this connection, will the Government inform this Council:

- (1) whether it knows the number of persons since 1 August this year who sought consultation at public hospitals because their bodies had been stained with the coloured water sprayed by water cannon vehicles and, among them, the number of those admitted to hospitals for treatment;
- (2) of the respective names and concentrations of (i) the pigments (ii) the Oleoresin Capsicum jet pack solution, (iii) the adhesives and (iv) other chemicals in the coloured water sprayed by water cannon vehicles; the respective manufacturers and places of origin of such chemicals;
- (3) whether it will consider providing all private hospitals, public hospitals and private clinics in Hong Kong with information on the composition of the coloured water as well as the recommended treatment protocols for persons stained with coloured water, so that such persons may receive appropriate treatment; if so, of the details, if not, the reasons for that; and
- (4) how persons stained with coloured water can effectively and quickly remove on the spot the coloured water on their bodies in order to alleviate the injuries?

Question 19
(For written reply)

(Translation)

Apprenticeship Ordinance

Hon HO Kai-ming to ask:

Under the Apprenticeship Ordinance (Cap. 47) (“the Ordinance”), an employer who employs a young person (i.e. a person of or over the age of 14 years and under the age of 19 years) in a trade designated under the Ordinance (45 trades in total) must enter into a valid contract of apprenticeship with the young person (unless the young person has completed an apprenticeship, and is in possession of a certificate of completion, in that trade), and send the contract to the Director of Apprenticeship to apply for registration. Employers may also apply for voluntary registration of contracts of apprenticeship involving non-designated trades or employees aged 19 or above. The Office of the Director of Apprenticeship of the Vocational Training Council is the statutory unit which enforces the Ordinance. In this connection, will the Government inform this Council:

- (1) of the total number of apprentices employed in the 45 designated trades under registered contracts of apprenticeship, together with a breakdown by trade, in each of the past three years;
- (2) of the number of contracts of apprenticeship in respect of which employers applied for voluntary registration in each of the past three years; among them, the respective numbers of cases approved and rejected as well as the percentages, together with a breakdown by trade; and
- (3) whether it knows the number of Apprenticeship Officers of each rank in the Office of the Director of Apprenticeship, and the average number of cases handled by each officer?

Question 20
(For written reply)

(Translation)

Tenants Purchase Scheme

Hon CHAN Chun-ying to ask:

The Hong Kong Housing Authority (“HA”) implemented, from 1998 to 2005, the Tenants Purchase Scheme (“TPS”) for tenants of 39 selected public rental housing (“PRH”) estates to buy the flats in which they lived at a discounted price. Since then, HA has not added any estate to TPS, and one of the reasons is that the co-existence of flat owners of TPS estates and HA’s PRH tenants (“mixed tenure”) has given rise to quite a number of problems in estate management and repair. For example, the Housing Department (“HD”) cannot effectively carry out repair works in buildings that involve both sold and rental units. On the other hand, the Chief Executive (“CE”) has mentioned in this year’s Policy Address that she will propose that HA make active preparations to accelerate the sale of about 42 000 flats that remain unsold in the 39 TPS estates. In this connection, will the Government inform this Council:

- (1) of the numbers of complaints or requests for assistance, received by HD in each of the past five years, relating to the repair of the common areas (e.g. schools and slopes) in TPS estates, and the details of each case, including the amount of repair costs shared by each household;
- (2) of its new thinking on resolving the problem of unclear delineation of powers and responsibilities in respect of the repair work for TPS estates caused by a mixed tenure;
- (3) given that at present, the Government may invoke the Roads (Works, Use and Compensation) Ordinance (Cap. 370) to resume private streets, whether the Government may invoke the Ordinance or other legislation to resume the common areas in TPS estates; if so, of the details; and
- (4) as CE has indicated that while she has no in-principle objection to a relaunch of TPS, the implementation of TPS will reduce the number of PRH flats available for allocation in the short term, and she will invite HA to look into the matter seriously when there is more certainty on the overall supply of public housing, of the specific indicators for “more certainty”, and whether such indicators include the waiting time for PRH?

Question 21
(For written reply)

(Translation)

Death cases handled by the Police

Hon HUI Chi-fung to ask:

Will the Government inform this Council:

- (1) of the following information in respect of each of the death cases (including dead body found cases) handled by the Police during the period from 12 June to 30 September this year (set out in a table):
 - (i) the date, time and location of receipt of the case by the Police,
 - (ii) the gender and age of the deceased,
 - (iii) whether the identity of the deceased has been confirmed,
 - (iv) whether the Police has notified the family members of the deceased,
 - (v) whether the deceased died in official custody,
 - (vi) whether the deceased had any record of arrest within three months before death,
 - (vii) the category under which the case is classified,
 - (viii) whether there were suspicious circumstances surrounding the cause of death, and
 - (ix) whether investigation of the cause of death has been completed; and
- (2) of the respective numbers of fatal suicide cases and dead body found cases during (i) the aforesaid period and (ii) the same period last year, with a breakdown by the age group (each group covering five years) to which the deceased belonged?

Question 22
(For written reply)

(Translation)

Supply of and demand for car parking spaces

Hon LUK Chung-hung to ask:

It is learnt that car parking spaces in Hong Kong are persistently in short supply, and the shortfall of parking spaces for commercial vehicles is particularly severe. The Transport Department (“TD”) is taking forward pilot projects of automated parking systems (“APSs”) involving six sites (“pilot projects”) with a view to providing more car parking spaces. In this connection, will the Government inform this Council:

- (1) of the shortfall of car parking spaces in each District Council (“DC”) district in each of the past three years, together with a tabulated breakdown by whether the parking spaces in question are for use by (i) private cars or (ii) commercial vehicles; if such figures are not available, whether it will compile such statistics expeditiously;
- (2) whether it has set the target completion dates for the assessments on the technical feasibility and financial viability for the various pilot projects; if so, of the details; if not, the reasons for that;
- (3) of the new initiatives which will make use of innovation and technology, apart from the introduction of APSs, to be taken by TD in the coming three years for providing more car parking spaces;
- (4) as it was pointed out in Report No. 72 of the Director of Audit published in April this year that, as at the end of last year, a number of car parking spaces in five government car parks had been occupied prolongedly by abandoned vehicles, whether the relevant government departments regularly deployed staff to conduct inspections on government car parks in the past three years, to prevent the prolonged occupation of car parking spaces by abandoned vehicles; if so, of the details (including the numbers of inspections conducted and prosecutions initiated);
- (5) as the Government will explore, under the principle of “single site, multiple uses”, the provision of new public car parks in about 20 works projects, of the public facilities involved in such works projects and the respective numbers of car parking spaces to be provided; and
- (6) of the respective numbers of car parking spaces (i) to be added and (ii) to be cancelled, in each DC district in each of the coming three years?

Urgent question for oral reply to be asked at the Council meeting of 13 November 2019

	Subject matters	Public officers to reply
1	Hon IP Kin-yuen	
	<u>Emergency measures to allay public resentment immediately</u>	Chief Secretary for Administration Secretary for Security Secretary for Commerce and Economic Development Secretary for Education

Urgent Question
(For oral reply)

(Translation)

Emergency measures to allay public resentment immediately

Hon IP Kin-yuen to ask:

The situation in Hong Kong has continued to deteriorate recently. Not only a student, who had been injured during the course of the Police's dispersal operation, died eventually, but resistance activities also occurred in a number of districts in the past five consecutive days since the 8th of this month, and such confrontations have a tendency to spread across the whole territory. Apart from the continued law enforcement actions to be taken by the Police, whether the Government has formulated any emergency measures to allay public resentment, so as to avoid further deterioration of the situation?

(Translation)

**Adjournment motion
to be moved by Hon CHAN Hak-kan
under Rule 16(2) of the Rules of Procedure**

Wording of the Motion

That this Council do now adjourn for the purpose of debating the following issue: in view of the serious violent demonstrations that have taken place in various districts in Hong Kong since this Monday and the fact that the chaotic situation has not been quelled so far, the immediate countermeasures to be adopted by the Government to quell the chaotic situation, maintain law and order and protect members of the public.

**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.

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) Pilotage (Dues) (Amendment) Order 2019, published in the Gazette as Legal Notice No. 146 of 2019; and
- (b) Pilotage Ordinance (Amendment of Schedule 2) Notice 2019, published in the Gazette as Legal Notice No. 147 of 2019,

and laid on the table of the Legislative Council on 23 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 11 December 2019.

Hon HUI Chi-fung's proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be repealed.

Hon Claudia MO's 1st proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and

General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be repealed.

Hon Alvin YEUNG's proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule

Amendment to Prohibition on Face Covering Regulation

1. Section 6 repealed (prosecution deadline for offences)

Section 6—

Repeal the section.

Hon Jeremy TAM's proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule

Amendments to Prohibition on Face Covering Regulation

1. Section 2 amended (interpretation)

Section 2—

Repeal the definitions of *police officer* and *public place*.

2. Section 5 repealed (power to require removal in public place of facial covering)

Section 5—

Repeal the section.

Dr Hon KWOK Ka-ki's proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule

Amendments to Prohibition on Face Covering Regulation

1. Section 2 amended (interpretation)

Section 2—

Add in alphabetical order

“humanitarian assistance (人道協助) means medical, legal and other kinds of assistance provided by persons employed or volunteered to do so out of humanitarian considerations;”.

2. Section 4 amended (defence for offence under section 3(2))

After section 4(3)(a)—

Add

“(ab) the person was using the facial covering for the physical safety of the person while providing humanitarian assistance;”.

Hon Dennis KWOK's proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule

Amendment to Prohibition on Face Covering Regulation

1. Section 1 amended (commencement)

Section 1—

Repeal

“5 October 2019”

Substitute

“1 October 2047”.

Hon Tanya CHAN's proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule

Amendment to Prohibition on Face Covering Regulation

1. Section 1 amended (commencement)

Section 1, after “5 October 2019”—

Add

“, and ceases to be in effect on 13 November 2019”.

Hon Claudia MO's 2nd proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and

General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule

Amendment to Prohibition on Face Covering Regulation

1. Section 5 amended (power to require removal in public place of facial covering)

Section 5(1)—

Repeal

“This”

Substitute

“Apart from the person who with the scope of the reasonable excuse mentioned in section 4, this”.

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule
Amendments to Prohibition on Face Covering Regulation

1. Section 2 amended (interpretation)

Section 2—

- (a) definition of *public meeting*;
- (b) definition of *public procession*;
- (c) definition of *unauthorized assembly*;
- (d) definition of *unlawful assembly*—

Repeal the definitions.

2. Section 3 amended (use of facial covering in certain circumstances is an offence)

(1) Section 3—

Repeal subsection (1)

Substitute

“(1) A police officer must not use any facial covering that is likely to prevent identification while the police officer is performing his duties in a public place.”.

(2) Section 3(2)—

Repeal

“person”

Substitute

“police officer”.

3. Section 4 repealed (defence for offence under section 3(2))

Section 4—

Repeal the section.

4. Section 5 repealed (power to require removal in public place of facial covering)

Section 5—

Repeal the section.

5. Section 6 amended (prosecution deadline for offences)

(1) Section 6—

Repeal

“or 5(3)”.

(2) Section 6—

Repeal

“12”

Substitute

“24”.

Hon CHAN Chi-chuen's 2nd proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule

Amendments to Prohibition on Face Covering Regulation

1. Section 2 amended (interpretation)

Section 2—

Add in alphabetical order

“*relative* (親屬) means the spouse, parent, child, brother or sister of the relevant person and, in determining the relationship, an adopted person is regarded as the child of both the natural parents and the adoptive parents and a step child is the child of both the natural parents and any step parent;”.

2. Section 4 amended (defence for offence under section 3(2))

(1) Section 4(3)(b), after the semicolon—

Repeal

“or”.

(2) Section 4(3)(c)—

Repeal the full stop

Substitute a semicolon.

(3) After section 4(3)(c)—

Add

“(d) the person was using the facial covering for preventing any person other than a police officer from identifying him because he is likely to be dismissed by his employer by reason of his presence at the assembly, meeting or procession concerned;

(e) the person was using the facial covering for preventing any person other than a police officer from identifying him because he is likely to be annoyed or threatened in everyday life by reason of his presence at the assembly, meeting or procession concerned;

(f) the person was using the facial covering for preventing any person other than a police officer from identifying him because another person may know his sexual

orientation or gender identity by reason of his presence at the assembly, meeting or procession concerned; and

- (g) the person was using the facial covering for preventing any person other than a police officer from identifying him because his relationship with a relative is likely to be damaged by reason of his presence at the assembly, meeting or procession concerned.”.

Hon Gary FAN's proposed resolution

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Prohibition on Face Covering Regulation

Resolved that 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, be amended as set out in the Schedule.

Schedule

Amendment to Prohibition on Face Covering Regulation

1. Section 1 amended (commencement)

Section 1—

Repeal

“This Regulation comes into operation on 5 October 2019.”

Substitute

“This Regulation comes into operation on 5 October 2019 and expires at midnight on 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 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 Secretary for Security and Commissioner of Police 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 Police's use of live ammunition and subsequent review during the "anti-extradition to China" movement since 9 June 2019, including but not limited to the Police's guidelines and standards for the use of live ammunition, relevant training records of the police officers who used live ammunition during the aforesaid movement, contents of the subsequent reviews on incidents of use of live ammunition, and psychological and emotional conditions of the police officers concerned.

**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.

**Motion under
the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)
to be moved by Hon CHUNG Kwok-pan**

Wording of the Motion

That this Council appoints a select committee to conduct a comprehensive investigation into the social conflicts arising from the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019, including the impact of the conflicts on the livelihood and economy of Hong Kong and other relevant matters, with a view to responding to demands from society, 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.

(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.