

Legislative Council

Agenda

Wednesday 20 November 2019 at 11:00 am

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

4 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 HUI Chi-fung
<u>(Inquiring into the movement of opposition to the proposed legislative amendments)</u> | Secretary for Security |
| 2. Dr Hon Helena WONG
<u>(Chemicals used to disperse demonstrators)</u> | Secretary for Food and Health |
| 3. Hon Kenneth LEUNG
<u>(Tear gas residue)</u> | Secretary for Food and Health
Secretary for the Environment |
| 4. Hon Gary FAN
<u>(Law enforcement by police officers in private properties)</u> | Secretary for Security |
| 5. Hon Tony TSE
<u>(Transitional housing projects)</u> | Secretary for Transport and Housing |
| 6. Hon Christopher CHEUNG
<u>(Hong Kong Human Rights and Democracy Act)</u> | Secretary for Commerce and Economic Development |

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

IIIA. Adjournment Motion

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

Mover : Hon YUNG Hoi-yan

Wording of the motion : **Appendix 3A**

Public officers to attend : Secretary for Constitutional and Mainland Affairs
Under Secretary for Constitutional and Mainland Affairs

III. Government Bills

First Reading and Second Reading (debate to be adjourned)

1. Copyright (Amendment) Bill 2019 : Secretary for Commerce and
(Standing over from the meeting of Economic Development
13 November 2019)

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 13 November 2019)

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

Mover : Hon Frankie YICK

Wording of the motion : **Appendix 5**

2nd debate (to deal with the following motion)

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

Mover : Hon Alice MAK

Wording of the motion : **Appendix 6**

3rd debate (to deal with the following motion)

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

Mover : Hon CHEUNG Kwok-kwan

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 CHEUNG Kwok-kwan

Wording of the motion : **Appendix 8**

5th debate (to deal with the following motion)

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

Mover : Hon CHAN Hoi-yan

Wording of the motion : **Appendix 9**

6th debate (to deal with the following motion)

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

Mover : Hon Steven HO

Wording of the motion : **Appendix 10**

7th debate (to deal with the following motion)

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

Mover : Hon Martin LIAO

Wording of the motion : **Appendix 11**

8th debate (to deal with the following 2 motions)

Proposed resolutions to amend subsidiary legislation

Pilotage (Dues) (Amendment) Order 2019 (L.N. 146/2019)

8. Mover : Hon Frankie YICK

Wording of the motion : **Appendix 12**

Pilotage Ordinance (Amendment of Schedule 2) Notice 2019 (L.N. 147/2019)

9. Mover : Hon Frankie YICK

Wording of the motion : **Appendix 13**

Public officers to attend items 8 and 9 : Secretary for Transport and Housing
Under Secretary for Transport and Housing

(Debate and voting arrangements set out in LC Paper No. CB(3) 139/19-20 issued on 19 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)
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1st debate (to deal with the following motion)
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(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 14**

(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)
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2. Motion under Rule 49B(1) of the Rules of Procedure to relieve Hon Tanya CHAN of her duties as a Member of the Legislative Council

Mover : Hon WONG Ting-kwong

Wording of the motion : **Appendix 15**

3rd debate (to deal with the following motion)
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3. Motion under Rule 49B(1) of the Rules of Procedure to relieve Hon SHIU Ka-chun of his duties as a Member of the Legislative Council

Mover : Hon WONG Kwok-kin

Wording of the motion : **Appendix 16**

4th debate (to deal with the following motion)

(Standing over from the meeting of 23 October 2019)

4. 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 17**

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

5th debate (to deal with the following motion)

(Standing over from the meeting of 30 October 2019)

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

Mover : Hon Claudia MO

Wording of the motion : **Appendix 18**

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

6th debate (to deal with the following motion)

(Standing over from the meeting of 6 November 2019)

6. 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 19**

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

7th debate (to deal with the following motion)

7. Motion under Rule 49B(1A) of the Rules of Procedure to censure Hon LAM Cheuk-ting

Mover : Hon Junius HO

Wording of the motion : **Appendix 20**

(This motion jointly signed by Hon YUNG Hoi-yan, Hon YIU Si-wing and Hon POON Siu-ping)

8th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

8. 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 21**

Public officer to attend : Chief Secretary for Administration

9th debate (to deal with the following 2 motions)

(Standing over from the meeting of 10 July 2019)

9. 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 22**

10. 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 23**

Public officers to attend items 9 and 10 : 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

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| 11. | Mover | : Hon Alvin YEUNG |
| | Wording of the motion | : <u>Appendix 24</u> |
| | Public officers to attend | : Secretary for Security
Secretary for Transport and Housing
Under Secretary for Security
Under Secretary for Transport and Housing |
| 12. | Mover | : Dr Hon KWOK Ka-ki |
| | Wording of the motion | : <u>Appendix 25</u> |
| | Public officers to attend | : Secretary for Security
Secretary for Food and Health
Under Secretary for Security
Under Secretary for Food and Health |
| 13. | Mover | : Dr Hon Fernando CHEUNG |
| | Wording of the motion | : <u>Appendix 26</u> |
| | Public officers to attend | : Secretary for Labour and Welfare
Secretary for Security
Under Secretary for Security
Under Secretary for Labour and Welfare |

10th debate (to deal with the following motion)

(Standing over from the meeting of 13 November 2019)

14. 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 27**

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

11th 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

15. Mover : Hon Andrew WAN

Wording of the motion : **Appendix 28**

16. Mover : Hon Jeremy TAM

Wording of the motion : **Appendix 29**

Public officers to attend items 15 and 16 : 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

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| 17. | Mover | : Hon Claudia MO |
| | Wording of the motion | : <u>Appendix 30</u> |
| 18 and 19. | Mover | : Hon Tanya CHAN |
| | Wording of the motions | : <u>Appendices 31 and 32</u> |
| 20 and 21. | Mover | : Dr Hon KWOK Ka-ki |
| | Wording of the motions | : <u>Appendices 33 and 34</u> |
| 22. | Mover | : Hon LAM Cheuk-ting |
| | Wording of the motion | : <u>Appendix 35</u> |
| 23. | Mover | : Hon KWONG Chun-yu |
| | Wording of the motion | : <u>Appendix 36</u> |
| Public officers to attend items 17 to 23 | | : Secretary for Security
Under Secretary for Security |

12th debate (to deal with the following motion)

(Standing over from the meeting of 30 October 2019)

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

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| Mover | : Hon Gary FAN |
| Wording of the motion | : <u>Appendix 37</u> |
| Public officers to attend | : Secretary for Security
Under Secretary for Security |

13th debate (to deal with the following motion)

(Standing over from the meeting of 13 November 2019)

25. 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 38**

Public officer to attend : Chief Secretary for Administration

14th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

26. 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 39**

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

15th debate (to deal with the following motion)

(Standing over from the meeting of 12 June 2019)

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

Mover : Hon HO Kai-ming

Wording of the motion : **Appendix 40**

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 20 November 2019

Papers to be laid on the Table of the Council

Papers

1. Immigration Service Welfare Fund
Report on the administration of the Fund, Financial statements and Report of the Director of Audit for the year ended 31 March 2019
(to be presented by Secretary for Security)
2. Secretary for Home Affairs Incorporated
Financial statements and Report of the Director of Audit for the year ended 31 March 2019
(to be presented by Secretary for Home Affairs)
3. Sir Edward Youde Memorial Fund
Report of the Board of Trustees, Financial statements and Report of the Director of Audit for the Period 1 April 2018 to 31 March 2019
(to be presented by Secretary for Home Affairs)
4. Competition Commission
Annual Report 2018/2019 (including Financial Statements and Independent Auditor's Report)
(to be presented by Secretary for Commerce and Economic Development)

22 questions to be asked at the Council meeting of 20 November 2019

		Subject matters	Public officers to reply
Questions for oral replies			
1	Hon HUI Chi-fung	<u>Inquiring into the movement of opposition to the proposed legislative amendments</u>	Secretary for Security
2	Dr Hon Helena WONG	<u>Chemicals used to disperse demonstrators</u>	Secretary for Food and Health
3	Hon Kenneth LEUNG	<u>Tear gas residue</u>	Secretary for Food and Health Secretary for the Environment
4	Hon Gary FAN	<u>Law enforcement by police officers in private properties</u>	Secretary for Security
5	Hon Tony TSE	<u>Transitional housing projects</u>	Secretary for Transport and Housing
6	Hon Christopher CHEUNG	<u>Hong Kong Human Rights and Democracy Act</u>	Secretary for Commerce and Economic Development
Questions for written replies			
7	Hon Tanya CHAN	<u>Promoting the use of electric vehicles</u>	Secretary for the Environment
8	Hon Andrew WAN	<u>Pungent odour in Tuen Mun</u>	Secretary for Security
9	Hon IP Kin-yuen	<u>Demand and supply situation of speech therapists</u>	Secretary for Education
10	Dr Hon CHIANG Lai-wan	<u>Osteoporosis</u>	Secretary for Food and Health
11	Hon WU Chi-wai	<u>Dead body found cases and inquests into death</u>	Secretary for Security
12	Hon Holden CHOW	<u>Impacts of social disturbances on the economy and people's livelihood</u>	Secretary for Commerce and Economic Development
13	Dr Hon Priscilla LEUNG	<u>Illegally affixed bills and posters</u>	Secretary for Food and Health
14	Hon Steven HO	<u>Measures to alleviate the impacts of African Swine Fever</u>	Secretary for Food and Health
15	Hon Jeremy TAM	<u>Unnatural death and dead body found cases</u>	Secretary for Security
16	Hon Jimmy NG	<u>Food Truck Pilot Scheme</u>	Secretary for Commerce and Economic Development
17	Hon Elizabeth QUAT	<u>Non-refoulement claimants</u>	Secretary for Security
18	Hon Charles Peter MOK	<u>Enhanced tax deduction for research and development expenditures</u>	Secretary for Innovation and Technology
19	Hon CHAN Hoi-yan	<u>Development of underground space</u>	Secretary for Development
20	Hon Paul TSE	<u>Traffic congestion in Happy Valley and Causeway Bay</u>	Secretary for Transport and Housing
21	Dr Hon Pierre CHAN	<u>Participation of public healthcare sector staff in exchange activities on the Mainland</u>	Secretary for Food and Health
22	Hon HO Kai-ming	<u>Extension of the service of civil servants</u>	Secretary for the Civil Service

Question 1
(For oral reply)

(Translation)

Inquiring into the movement of opposition
to the proposed legislative amendments

Hon HUI Chi-fung to ask:

The movement of opposition to the proposed legislative amendments (“the movement”) has not subsided since its eruption in June this year. It has been reported that as revealed by the findings of a number of public opinion surveys, more than 70% of members of the public support the appointment of a commission of inquiry by the Government under the Commissions of Inquiry Ordinance to inquire into issues relating to the movement. However, the Government has all along merely indicated that the matters relating to the various large-scale public events and the operations conducted by the Police have been referred to the Independent Police Complaints Council (“IPCC”) for examination, and that IPCC would submit a report together with improvement recommendations. As all members of IPCC are appointed by the Chief Executive, some members of the public consider that IPCC has a pro-government stance and they have little confidence in the independence of IPCC’s work. In this connection, will the Government inform this Council:

- (1) among the complaints received by the Complaints Against Police Office in each of the past three years, of the number and percentage of substantiated cases, and among the complaints involving accusations of assault, the number and percentage of substantiated cases;
- (2) given that IPCC is not empowered to summon witnesses and carry out investigations, how the Government ensures that the report to be published by IPCC in future will provide a comprehensive and an objective analysis of the causes of the movement, and that IPCC will reach an objective and an impartial conclusion about whether or not police officers have used force excessively; and
- (3) in respect of conducting inquiries into issues relating to the movement, whether it has assessed the merits and demerits for the relevant work to be taken up by an independent commission of inquiry or by IPCC, whose members’ independence has been called into question; if so, of the outcome?

Question 2
(For oral reply)

(Translation)

Chemicals used to disperse demonstrators

Dr Hon Helena WONG to ask:

Since the eruption of the “anti-extradition to China” movement in June this year, the Police have fired thousands of tear gas rounds, used tear spray and sprayed coloured water from water cannon vehicles in densely-populated areas to disperse demonstrators. Some research findings have shown that persons who have inhaled tear gas will develop temporary symptoms such as tearing, coughing, runny nose and vomiting, and they may feel discomfort in their respiratory tracts or lungs for a period of as long as two weeks. Persons who have been hit by tear spray or coloured water will experience burning sensation of skin or temporary loss of sight. In this connection, will the Government inform this Council:

- (1) whether it will make public the models, places of origin and detailed composition of the tear gas rounds and tear spray currently used by the Police; if so, of the details; if not, the reasons for that; whether it knows if tear gas rounds will give off cyanide and dioxins during the combustion process;
- (2) whether the Food and Environmental Hygiene Department will deploy staff to the areas concerned to carry out decontamination, so as to alleviate the health impacts of such chemicals on members of the public; if so, of the details; if not, the reasons for that; and
- (3) whether it studied, in the past six months, the impacts of the chemicals contained in tear gas rounds (in particular those made in China), tear spray and coloured water on food, potable water, the environment and ecology in the areas concerned; if so, of the details; if not, whether it will conduct such a study; whether it will, before it has been ascertained that the chemicals concerned will not cause serious health hazards to members of the public, suspend the use of such weapons?

Question 3
(For oral reply)

(Translation)

Tear gas residue

Hon Kenneth LEUNG to ask:

Since the eruption of the disturbances arising from the opposition to the proposed legislative amendments in June this year, the Police have repeatedly fired tear gas rounds in densely populated areas or even indoor areas. It is learnt that the crystalline particles of the various types of compounds in tear gas, which are non-volatile, will settle downward and may be carried away by the wind and adhere to objects, including textile fibres and the air circulation systems of buildings, posing a threat to public health in the long term. Furthermore, the results of some experiments conducted overseas have shown that groups which have been exposed to tear gas may have a higher risk of developing chronic respiratory problems in future, such as morning cough, production of thick sputum, chest pain, damages to lung tissue and breathing difficulty. In this connection, will the Government inform this Council:

- (1) of the number of person-times for medical consultations sought on respiratory diseases by persons who reported to have been exposed to tear gas and the relevant incidence rates, the average 24-hour concentrations of fine respirable suspended particulates in those areas on those days on which the Police fired tear gas rounds there, since June this year, and the outcome of a comparison of such data with the relevant data for the same period last year;
- (2) whether it has grasped the data and information related to the impacts of tear gas residue on human body and the environment; and
- (3) whether it will arrange professionals to check the concentration of tear gas residue in the indoor areas and nearby buildings affected by tear gas, and thoroughly clean up the contaminants concerned; if not, of the justifications for that?

Question 4
(For oral reply)

(Translation)

Law enforcement by police officers in private properties

Hon Gary FAN to ask:

It has been reported that during a number of public meetings and processions relating to the “anti-extradition to China” movement held since 9 June this year, some police officers, without producing search warrants and without obtaining the consent of or giving an explanation to the occupiers of the premises concerned, intruded into shopping malls and private housing estates for law enforcement. During such operations, the police officers used various types of force and weapons, causing panic and injuries to quite a number of shopping mall customers and residents. In some cases, the police officers concerned were not in uniforms with police identification numbers and did not wear warrant cards, making it difficult for members of the public to verify their identity. In this connection, will the Government inform this Council:

- (1) of the details of the law enforcement actions taken since June this year by police officers in shopping malls and private housing estates during public events, including the date and time, the name of the premises concerned, whether police officers had produced search warrants or obtained the consent of the occupiers before entering the premises (if they had not, of the reasons for that), the force and weapons used by police officers as well as the number of times or quantities concerned, whether any police officer not in uniform with police identification number and not wearing a warrant card participated in the law enforcement actions, and the respective numbers of persons who were arrested and reportedly injured; and
- (2) whether it will review and amend the Police General Orders and the guidelines on the use of force to require that under normal circumstances, police officers are not allowed to use lethal weapons within the precincts of shopping malls and residential areas, and to specify the penalties for non-compliance; if so, of the details; if not, the reasons for that?

Question 5
(For oral reply)

(Translation)

Transitional housing projects

Hon Tony TSE to ask:

In this year's Policy Address, the Government put forward a plan to increase the number of transitional housing projects substantially to provide a total of 10 000 transitional housing units within the coming three years, and indicated that it had earmarked \$5 billion for meeting the costs. In this connection, will the Government inform this Council:

- (1) of the following details of each project (set out in a table): the location, the floor or site area, the parties owning the titles to the premises or site, the number of housing units that can be provided, the name of the operator, as well as the anticipated dates for completion and intake of residents;
- (2) as some members of the construction sector have relayed that the construction standards to be met by transitional housing projects are quite high, resulting in high construction costs and long construction time, whether the Government has assessed if the earmarked provision of \$5 billion will be sufficient for meeting the expenditure, and whether it will relax the relevant construction standards; and
- (3) given that community groups have been/will be responsible for all the tasks, from the construction or conversion works to the management and operation of the various transitional housing projects, how the Government ensures that all such projects will be completed on schedule, so as to achieve the target of providing 10 000 housing units within three years; of the reasons why the Government does not directly undertake such tasks?

Question 6
(For oral reply)

(Translation)

Hong Kong Human Rights and Democracy Act

Hon Christopher CHEUNG to ask:

Earlier on, the House of Representatives of the United States (“US”) Congress passed the Hong Kong Human Rights and Democracy Act (“the Act”). The Act, if passed by the Senate and signed by the President, will become a law. Some members of the business sector are worried that the Act, once implemented, will inevitably affect the exchanges between Hong Kong and the US, make the US Government review the special treatment granted to Hong Kong, and destabilize Hong Kong’s external trade relations and its status as an international financial centre. In this connection, will the Government inform this Council:

- (1) of the latest assessment of the adverse impacts of the implementation of the Act on aspects such as Hong Kong’s external trade relations, investment and listing of foreign-funded enterprises in Hong Kong, and importation of high technology products and know-how;
- (2) whether it will step up efforts to lobby the political and business sectors of the US and explain to them the real situation of Hong Kong, so as to avoid the US authorities mistakenly making decisions that are unfavourable to Hong Kong; and
- (3) of the contingency plans in place to reduce the impact on Hong Kong’s economy to be brought about by the Act upon implementation?

Question 7
(For written reply)

(Translation)

Promoting the use of electric vehicles

Hon Tanya CHAN to ask:

After the Government's reduction of the concessions on the first registration tax for electric private cars ("e-PCs") on 1 April 2017, there was a significant drop in the number of first registered e-PCs. On 28 February 2018, the Government introduced a "One-for-One Replacement" Scheme ("Replacement Scheme") whereby a vehicle owner who scraps his old private car ("PC") that meets the eligibility criteria and buys a new e-PC may enjoy a higher tax concession. On 28 January this year, the Government relaxed the eligibility criteria for the Replacement Scheme. On promoting the use of electric vehicles ("EVs"), will the Government inform this Council:

- (1) of (i) the number of registered PCs, and (ii) the number of newly registered e-PCs, at the end of each month from January to October this year;
- (2) of the (i) monthly and (ii) cumulative numbers of applications received and approved respectively, since the launch of the Replacement Scheme on 28 February 2018;
- (3) of the number of PCs, as at 28 January this year when the eligibility criteria for the Replacement Scheme were relaxed, which met the new eligibility criteria; among such PCs, the number and percentage of those which have now been scrapped under the Scheme; the number of PCs meeting the eligibility criteria as at the 1st of this month;
- (4) whether it knows the respective total numbers of (i) standard, (ii) medium and (iii) quick public EV chargers ("chargers") throughout the territory as at the 1st of this month, with a breakdown by District Council district;
- (5) as the Financial Secretary has indicated in this financial year's Budget that it will allocate \$120 million to extend the public EV charging networks in government car parks, of the respective numbers of (i) standard, (ii) medium and (iii) quick chargers it has planned to install, with a breakdown by name of car park;
- (6) whether it will make provision for setting up a dedicated fund for the installation of EV charging-enabling infrastructure in the public car parks under the Hong Kong Housing Authority, including the installation of more chargers and the replacement of the existing

standard chargers by medium or quick chargers; if so, of the details; if not, the reasons for that;

- (7) whether it will ask the MTR Corporation Limited to provide a certain number of chargers in each of its park-and-ride (“PnR”) car parks, so as to facilitate EV drivers’ participation in the PnR Schemes; if so, of the details; if not, the reasons for that; and
- (8) as the Government has planned to allocate \$2 billion for launching a pilot scheme to subsidize the installation of EV charging-enabling infrastructure in car parks of eligible existing private residential buildings, and estimated that about 60 000 car parking spaces will be benefited, but as there were only about 12 000 EVs in the territory as at August this year, whether the Government has put in place measures to encourage vehicle owners of the car parks concerned to switch to e-PCs as soon as possible, so as to avoid wastage of resources?

Question 8
(For written reply)

(Translation)

Pungent odour in Tuen Mun

Hon Andrew WAN to ask:

It has been reported that on the afternoon of 28 October this year, a number of members of the public smelled a pungent odour akin to the smell of tear gas in the vicinity of Leung King Estate of Tuen Mun, and the odour subsequently spread to the vicinity of Tuen Mun Town Centre and the pier. A number of persons were unwell and made assistance calls for emergency ambulance service. Later on that day, the Police posted on a social media a message stating that the Police and fire personnel, after conducting inspections, could not ascertain the cause and origin of the odour. The Police also clarified that they had not used tear gas nor, as circulated on the Internet, conducted testing of any unknown gas, in Tuen Mun that day. Suspecting that the odour was associated with Police operations, some residents gathered outside Tai Hing Operational Base that night, and the rally eventually developed into confrontations between the Police and members of the public. The Police fired multiple rounds of tear gas to disperse the crowd, with some of the rounds landing on the podium or corridor of some private housing courts. In this connection, will the Government inform this Council:

- (1) whether it will continue to investigate the origin and cause of the aforesaid odour and if the odour was associated with tear gas; if it will, of the details; if not, the reasons for that;
- (2) whether it knows if the Chinese People's Liberation Army Hong Kong Garrison ("Hong Kong Garrison") used in its military sites on that day any equipment that would emanate pungent odour; if it knows of any such cases, of the details; if not, whether it will make enquiries with the Hong Kong Garrison; and
- (3) whether the police officers concerned had taken into account the potential health hazards caused to innocent members of the public before firing tear gas rounds at residential buildings; if so, of the details; whether the Police will undertake not to adopt such a practice again; if they will not, of the reasons for that?

Question 9
(For written reply)

(Translation)

Demand and supply situation of speech therapists

Hon IP Kin-yuen to ask:

Regarding the demand and supply situation of speech therapists, will the Government inform this Council:

- (1) whether it knows the current number of speech therapists and, among them, the respective numbers of those (i) who are qualified for registration and (ii) who have been registered under the Accredited Registers Scheme for Healthcare Professions;
- (2) of the respective numbers and percentages of speech therapists employed by the Government and subvented organizations, in each of the financial years from 2016-2017 to 2018-2019;
- (3) of the respective staffing establishments of speech therapists in (i) the Government, (ii) the Hospital Authority, (iii) subvented organizations and (iv) the academia, in each of the financial years from 2016-2017 to 2018-2019, with a breakdown by the unit in which they serviced (e.g. various types of schools, social welfare organizations and allied health departments); the average number of cases handled by each speech therapist each year;
- (4) of the number of degree programmes related to speech therapy offered by tertiary institutions in each of the academic years from 2017-2018 to 2019-2020, and set out by year (i) the number of places, (ii) the funding mode and (iii) the duration of each programme;
- (5) as the Government indicated in the Policy Addresses delivered in the past two years and the Budget delivered last year respectively that it would introduce measures to enhance speech therapy services, of the respective manpower requirements of various policy bureaux/government departments for speech therapists in each of the coming three years;
- (6) given that starting from this school year, the Education Bureau (“EDB”) will implement the Enhanced School-based Speech Therapy Service (“SBSTS”) and create school-based speech therapist posts in public sector ordinary primary and secondary schools by phases in three years to allow schools to form clusters to employ school-based speech therapists to support students with speech and language impairment,
 - (i) of the number of speech therapists to be employed, the number

- of schools implementing SBSTS, the number of students benefitting from SBSTS and the recurrent expenditure to be incurred, in this and each of the coming two school years;
- (ii) of the respective to-date numbers of school clusters which have and have not recruited speech therapists, and the respective numbers of posts involved;
 - (iii) whether it will enquire with the school clusters which have recruited speech therapists about whether the appointees have reported for duty; of the measures in place to assist the school clusters which have not recruited speech therapists;
 - (iv) of the measures in place to assist the school clusters concerned in retaining speech therapists, so as to avoid the relevant services being affected by their resignation; and
 - (v) as quite a number of schools have indicated that they have encountered difficulties in recruiting speech therapists, whether EDB will adjust the implementation timetable of SBSTS; and
- (7) as some members of the education sector and the social welfare sector have indicated that they have encountered difficulties in recruiting speech therapists, whether the Government will enhance the coordination among departments and communication with the stakeholders, so as to ensure that the training and career progression pathways for speech therapists will be commensurate with the professional development and service needs of the trade; if so, of the details; if not, the reasons for that?

Question 10
(For written reply)

(Translation)

Osteoporosis

Dr Hon CHIANG Lai-wan to ask:

It has been reported that as indicated by the findings of a medical research, one in three women and one in five men who are over 50 years old will suffer from an osteoporotic fracture at some point in their lives. In addition, there are about 10 000 new cases of hip fracture each year in Hong Kong and, among such cases, one-fifth of the patients pass away within one year, about half of them sustain permanent impairment of mobility, and about half of them need to be admitted to residential care homes. In this connection, will the Government inform this Council:

- (1) of the number of osteoporotic fracture patients who were treated in public hospitals in each of the past three years, and the expenditure so incurred, with a tabulated breakdown by the body region of the fracture;
- (2) as some medical practitioners have pointed out that quite a number of members of the public have little knowledge about osteoporosis, of the Government's measures to step up the relevant publicity work, so as to raise public awareness about prevention of osteoporosis; and
- (3) whether it will consider implementing, under a public-private partnership approach, a community-wide bone mineral density screening for early identification and treatment of osteoporosis patients; if so, of the details; if not, the reasons for that?

Question 11
(For written reply)

(Translation)

Dead body found cases and inquests into death

Hon WU Chi-wai to ask:

The Coroners Ordinance (Cap. 504) specifies 20 categories of deaths which are reportable to the coroner. Having considered the relevant information such as the investigation reports prepared by the Police on such cases and the post mortem reports, the coroner may decide whether there is sufficient information such that the cause and the circumstances of the death are clear and with no suspicion and whether the case can be concluded, or the coroner may decide to order the Police to carry out further investigation or seek independent opinions from experts. Having considered all the requisite information and all the circumstances of the case, the coroner may decide whether to conclude the case or hold an inquest into the death. If a person dies while in official custody, the coroner must hold an inquest into that case of death. In addition, properly interested persons (including family members of the deceased) and the Secretary for Justice may apply to the Court of First Instance for an inquest into the death to be held by a coroner. It has been reported that the number of suspected suicide cases surged in recent months, and in respect of a number of dead body found cases, the Police announced after investigation at the scene that the cases were initially classified as suicides or as cases with no suspicious circumstances surrounding the death. However, some members of the public have queried that the process for the Police's investigation into these cases and drawing their conclusions is sloppy. In this connection, will the Government inform this Council of the following details regarding the dead body found cases handled by the Police in the past 24 months:

- (1) the total number of such cases, with a tabulated breakdown by month and the age group to which the deceased belonged (i.e. 0 to 9 years old, 10 to 19 years old, 20 to 29 years old, 30 to 39 years old, 40 to 49 years old, 50 to 59 years old, 60 to 69 years old, 70 years old or above, and age unknown);
- (2) the number of cases with the following circumstances: the Police, based on the findings of their investigation at the scene, had announced that the case was initially classified as suicide or a case with no suspicious circumstances surrounding the death, but before submission of the first investigation report to the coroner, the Police reclassified the case as murder or a case with suspicious circumstances surrounding the death;

- (3) the respective numbers of cases classified, in the first investigation reports submitted by the Police to the coroner, as (i) a case with no suspicious circumstances surrounding the death, (ii) suicide, (iii) murder, and (iv) other categories;
- (4) the number of cases in which the coroner decided, after considering information such as the first investigation report by the Police, that the case be concluded;
- (5) (i) the number of cases in which the coroner, after considering information such as the first investigation report by the Police, ordered the Police to carry out further investigation; the respective numbers of cases in which the coroner, after considering the further investigation report by the Police and other relevant information, decided to (ii) conclude the case, and (iii) hold an inquest into the death; the respective numbers of cases in which the Court of First Instance, upon the application of (iv) a properly interested person and (v) the Secretary for Justice, ordered an inquest to be held;
- (6) a breakdown of the figures in (5) by the classification of the cause of death as set out in the first investigation report by the Police;
- (7) the number of cases in which a verdict of suicide has been returned, together with a tabulated breakdown by (i) the age group (as set out in (1)) to which the deceased belonged and (ii) type of suicide (i.e. hanging, jumping from height, drowning, sharp instruments, and others);
- (8) the number of cases in which the dead body has remained unclaimed so far, with a tabulated breakdown by the age group (as set out in (1)) to which the deceased belonged;
- (9) the (i) highest, (ii) lowest and (iii) average numbers of days from the Police receiving the report of a dead body found to the cremation/burial of the dead body; and
- (10) the number of cases in which the name of the deceased appeared on the Police's list of missing persons, with a tabulated breakdown by the age group (as set out in (1)) to which the deceased belonged?

Question 12
(For written reply)

(Translation)

Impacts of social disturbances on the economy and people's livelihood

Hon Holden CHOW 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. Radical demonstrators have wantonly vandalized buildings and public facilities, with quite a number of shops being “renovated” (the code word for “vandalized”), and persons with different views being “doxxed” and “settled privately” (the code words for “subject to vigilante attacks”). Such acts have seriously affected the business environment, operation of society and the daily living of members of the public. In this connection, will the Government inform this Council:

- (1) of the respective numbers of reports, received by the Police from shop operators since June this year, of alleged (i) intimidation, (ii) blackmail and (iii) property being destroyed/damaged (including arson) on account of reasons relating to social disturbances, as well as the latest progress of investigations into such cases; the number of requests for assistance received by the Government from shop operators who experienced operating difficulties, as well as the specific follow-up work;
- (2) whether it knows the number of sports, cultural, arts, entertainment and tourism events originally scheduled to be held in Hong Kong in the latter half of this year or next year that have been cancelled or rescheduled since June this year on account of reasons relating to social disturbances, and set out by name of event: (i) the event organizer, (ii) the estimated manpower deployment, (iii) the expected economic benefits that may be brought to Hong Kong (e.g. the number of visitor arrivals that may be attracted), (iv) originally scheduled event date, and (v) newly scheduled event date (if available);
- (3) whether it knows the respective monthly attendances of Ocean Park Hong Kong and Hong Kong Disneyland since June this year, and how such figures compare with the figures for the same period last year; the special promotion plans to be put in place by the operators of these two theme parks this year and next year in a bid to attract visits by local residents and tourists; and
- (4) whether it has assessed the damage caused to Hong Kong's business environment and international reputation by the social disturbances since June this year; if so, of the indicators adopted

and the assessment outcome; of the measures put in place to restore the confidence of the international community in the stability and business environment of Hong Kong?

Question 13
(For written reply)

(Translation)

Illegally affixed bills and posters

Dr Hon Priscilla LEUNG to ask:

Under section 104A of the Public Health and Municipal Services Ordinance (Cap. 132), no bill or poster shall be displayed or affixed on any Government land, except with the written permission of the Authority. Some members of the public have relayed that since June this year, a large quantities of leaflets, posters, sticky notes, etc. have been affixed, for expression of various views, without permission at public places (e.g. footbridges, pedestrian subways and perimeter fences) in many districts. Such affixed items have not only caused environmental hygiene problems but also led to clashes among members of the public with different political views. However, the government departments concerned have not actively addressed the problem, making such members of the public feel very dissatisfied. In this connection, will the Government inform this Council:

- (1) whether the government departments concerned have, since June this year, found any items affixed without their permission at the places under their management; if so, of the details, and whether they have forthwith removed such items; if they have not forthwith removed such items, of the reasons for that;
- (2) whether the Government has, since June this year, assessed if it constitutes an administrative omission on the part of the departments concerned for failure to remove those illegally affixed items within a time period expected by members of the public; if it has assessed, of the outcome; if not, the reasons for that; and
- (3) whether it will make special arrangements to expedite the clearance of illegally affixed items; if so, of the details; if not, the reasons for that?

Question 14
(For written reply)

(Translation)

Measures to alleviate the impacts of African Swine Fever

Hon Steven HO to ask:

African Swine Fever (“ASF”) broke out on the Mainland in August last year and quickly swept through most parts of the Mainland. Fortunately, it has not spread to the pig farms in Hong Kong. Due to the epidemic, quite a number of registered pig farms on the Mainland for supply to Hong Kong (“registered pig farms”) have ceased to supply live pigs to Hong Kong, resulting in a substantial decrease in the daily number of live pigs imported from the Mainland from 4 000 heads in the past to below 1 700 heads at present. The wholesale and retail prices of pork have consequently surged and, as a result, the relevant trades and members of the public have been greatly affected. In this connection, will the Government inform this Council:

- (1) whether it knows the changes in the national monthly figures on (i) the pig rearing capacity, (ii) the quantity of feed consumed and (iii) the number of pig farms, since August last year; if such information is not available, whether it will expeditiously seek such information from the relevant Mainland authorities;
- (2) of (i) the number of Mainland-registered pig farms, the change in that number and the up-to-date list of the farms, in each quarter, and (ii) the monthly average retail price of local fresh pork, since August last year; if such information is not available, whether it will compile the statistics expeditiously;
- (3) given that the relief measures introduced recently by the Government (including reducing rental for stalls in public markets and waiving the licence fees for fresh provision shops, slaughterhouses and pig farms) are only short-term in nature, whether the Government will make reference to the practice of the Central Government and introduce more proactive measures to promote live pig production and safeguard market supply, including (i) providing support in the form of subsidies and subsidized interest for loans, (ii) exploring the provision of additional sites for pig rearing and offering loans to pig farm licensees in order to increase the pig rearing capacity, and (iii) providing the live pig-related trades with targeted subsidies for stabilizing live pig production, so as to alleviate the problem of rising pig prices and promote the development of the local pig rearing industry in the long run;

- (4) as the authorities have indicated that they will explore using the unused licensed rearing capacity of local pig farms (about 11 000 heads) to increase live pig rearing capacity, but there are only a few pig farms which have unused capacity and the licensees concerned may not be willing to increase their rearing capacity, whether the Government will consider increasing the licensed rearing capacity prescribed under various licences, so as to increase pig rearing capacity more effectively and comprehensively;
- (5) as the authorities have undertaken to enhance comprehensively the quarantine and disinfection work covering the various aspects of the transportation chain for live pigs (including converting pig-carrying trucks to half-sealing and considering the installation of additional disinfection facilities at slaughterhouses for vehicles entering and leaving the slaughterhouses), and to provide a timetable of the relevant work, of the progress and timetable of such work;
- (6) given that although pork supply is still tight on the Mainland at present, the quantity of live pigs supplied to Hong Kong in the past (about 4 000 heads per day) actually accounted for only a tiny proportion of the pig rearing capacity of the whole nation (about hundreds of millions of heads), and that the authorities have also indicated that they will discuss with the relevant Mainland authorities and try their best to bring the supply of live pigs to Hong Kong back to its previous level, of the progress and details of such work;
- (7) as the authorities have indicated that they will consider importing live pigs from overseas, of the progress and details of such work;
- (8) of (i) the total quantity of import of chilled and frozen pork, (ii) the top 10 regions that supplied the largest quantities of chilled and frozen pork to Hong Kong, (iii) the changes in the number of fresh provision shops eligible for selling chilled and frozen pork, and (iv) the number of cases uncovered by the authorities of such shops selling chilled and frozen pork disguised as fresh pork, in the past three years; and
- (9) as it has been reported that some countries and regions have ceased to import chilled and frozen pork from the infected areas in order to prevent the spread of ASF, whether Hong Kong currently imports chilled and frozen pork from the infected areas; if so, of the details, and why the Government does not suspend all import of pork from those areas?

Question 15
(For written reply)

(Translation)

Unnatural death and dead body found cases

Hon Jeremy TAM to ask:

It has been reported that a number of suspected suicide cases and dead body found cases may be associated with the disturbances arising from opposition to the proposed legislative amendments. Regarding the unnatural death cases (including suicide and murder cases) and dead body found cases handled by the Police since June this year, will the Government inform this Council:

- (1) of the numbers of such cases, and how they compare with those of the same period last year;
- (2) of the following details of each case (set out in a table):
 - (i) the date and time when the case was reported,
 - (ii) the age and gender of the deceased,
 - (iii) the place where the incident happened/the dead body/bodies was/were found,
 - (iv) the date and time when the police officers first arrived at the scene, and the date and time when they left the scene,
 - (v) the number of police officers who were first to arrive at the scene, and the department/police district to which they belong,
 - (vi) whether the deceased was/were certified dead at the scene or upon arrival at the hospital,
 - (vii) whether the case was classified as suicide (if so, the means by which the suicide was committed and reasons for the act, as well as whether any suicide notes were found),
 - (viii) whether there were superficial injuries on the dead body/bodies of the deceased (if so, of the details),
 - (ix) whether the clothes on the dead body/bodies of the deceased were untempered,
 - (x) whether the Police have gained contact with the family members of the deceased,
 - (xi) whether any inquest into the case has been/will be held by a Coroner's Court (if an inquest has already been held, of the finding), and

- (xii) whether the dead body/bodies of the deceased has/have been buried or cremated (if so, of the date);
- (3) of the respective numbers of cases in which the Police have been unable to (i) ascertain the identity of the deceased and (ii) gain contact with the family members of the deceased;
- (4) of the respective numbers of cases in which:
 - (a) the deceased was/were suspected of falling from height;
 - (b) the body/bodies of the deceased was/were found in the sea; and
 - (c) the body/bodies of the deceased was/were found at other places,together with a breakdown by whether or not the Police (i) concluded the case to be suspicious, (ii) carried out any investigation, and (iii) found any suicide notes;
- (5) of the number of suspicious death cases investigation into which by the Police has been completed; among such cases, the number of those in which the causes of death of the deceased were suspected to be associated with the movement of opposition to the proposed legislative amendments;
- (6) of the number of cases into which inquests have been held by a Coroner's Court; among such cases, the respective numbers of those into which inquests were held (a) pursuant to the decision of the Coroner, (b) upon the application made by family members of the deceased to the Court of First Instance and (c) upon the application made by the Secretary for Justice to the Court of First Instance; the respective numbers of cases into which the inquest found that the death being (i) a suicide, (ii) an accidental death, (iii) death by misadventure, (iv) a lawful killing, (v) an unlawfully killing, and (v) an open verdict;
- (7) of the criteria adopted by the Police for determining whether the causes of death of the deceased were suspicious, and the respective procedure adopted for handling the bodies of the deceased in the suspicious cases and the non-suspicious cases; and
- (8) whether any common attributes were found among such cases (e.g. the scene and the date and time of the incident)?

Question 16
(For written reply)

(Translation)

Food Truck Pilot Scheme

Hon Jimmy NG to ask:

The Government has extended the Food Truck Pilot Scheme, which was launched in February 2017, by two years to 2 February 2021. Under the licensing conditions, the 15 food trucks may operate only at (i) designated operating locations on a rotation basis or (ii) venues of self-identified events that meet specific conditions (i.e. being open to the public, having publicity plans and appropriate licences for which having been obtained). It has been reported that the number of tourists and local residents visiting various operating locations has been dropping continuously since the eruption of the disturbances arising from the opposition to the proposed legislative amendments. To reduce their losses, operators of food trucks designated to operate at locations with low people flow have opted not to do business instead. In the past few weeks, among the 11 operating locations, there were only four locations, at the most, in a week the food trucks at which were open for business, and some of the food trucks were open for business from Friday to Sunday only. Some food truck operators have criticized that as the authorities do not understand the operating difficulties of food trucks and ignore the aspirations of the operators, it is difficult for their food truck business to sustain. In this connection, will the Government inform this Council:

- (1) whether it has conducted studies to look into the causes for the great variances in (i) the business performance of the food trucks and (ii) their business performance at different operating locations; if so, set out the relevant information in a table; if not, whether it will conduct such studies;
- (2) whether it has compiled statistics on (i) the volume of people flow at the various designated operating locations and (ii) the turnover of the food trucks, at different hours and during various events; if so, set out the relevant information in a table; if not, whether it will compile such statistics;
- (3) whether it will relax the relevant licensing conditions so as to give the food trucks greater room for survival, e.g. allowing, on the premise of not affecting the traffic and the business situation of eateries in the vicinity, the food trucks to participate in private parties which are not open to the public, so as to offset the losses incurred by their operation at the designated operating locations; if so, of the details; if not, the reasons for that;

- (4) given that the Government announced in October this year the reduction by half in the rentals payable by the food trucks for operating at Government venues, whether it will consider negotiating with the management of the designated operating locations which are not Government venues (including the Hong Kong Disneyland, Ocean Park, Golden Bauhinia Square, and Central Harbourfront Event Space) to offer rental reduction of the same rate to food trucks operating at such venues; if so, of the details; if not, the reasons for that; and
- (5) whether it will remove those operating locations with lower people flow and poorer business performance for food trucks, and introduce new operating locations; if so, of the details; if not, the reasons for that?

Question 17
(For written reply)

(Translation)

Non-refoulement claimants

Hon Elizabeth QUAT to ask:

Under the prevailing policy, where non-refoulement claimants (“claimants”) who are to be repatriated have lodged applications for judicial review (“JR”) in relation to the results of their claims, the Immigration Department (“ImmD”) will temporarily suspend the actions of sending them back to their places of origin. The number of applications for leave for JR in relation to the results of such claims received by the Court of First Instance surged from 1 006 in 2017 to 2 851 in 2018. To reduce abuse of the procedure for handling claims, the authorities indicated in January this year that they were considering amending the Immigration Ordinance (Cap. 115). Moreover, the authorities proposed in June this year to amend the High Court Ordinance (Cap. 4) to facilitate the handling of cases, including claims-related JR applications, in a more efficient manner. In this connection, will the Government inform this Council:

- (1) whether it knows the number of applications for leave for JR received by the Judiciary from claimants since 1 January this year, as well as the relevant estimated figure for the coming year;
- (2) whether it knows the respective maximum numbers of relevant (i) applications for leave for JR and (ii) appeal cases that can be heard by the court each year at present; the time needed, as estimated by the Judiciary on the basis of the current numbers and trends of these two types of cases, for all such cases to be heard;
- (3) whether it knows the amount of expenditure incurred by the Judiciary in each of the past three years for handling the applications for leave for JR and appeal cases in relation to the results of such claims, as well as the estimated amount of the relevant expenditure in the coming three years (set out in a table);
- (4) of the latest progress of the work to amend Cap. 4 and Cap. 115;
- (5) as the Judiciary’s earlier proposal to reduce the number of judges hearing appeals concerning applications for leave for JR from three to two is considered to be not very effective, whether the authorities have discussed with the Judiciary the adoption of other new measures to expeditiously clear the backlog of applications for leave for JR and appeal cases; if so, of the details; if not, the reasons for that;

- (6) whether it knows if the Judiciary will consider setting up special courts to expedite the hearing of claims-related cases, so as to avoid affecting the pace of other JR cases being heard;
- (7) of the number of claimants in each of the past five years who were arrested for taking up illegal employment during the period when the hearings for their applications for leave for JR were pending (set out in a table);
- (8) of the respective current numbers of the various types of claimants in Hong Kong (including claimants who have lodged claims, have lodged appeals against the results of their claims, have lodged applications for leave for JR, have lodged appeals against the results of their applications for leave for JR, are being imprisoned and are awaiting repatriation, as well as claimants whose claims have been substantiated and who are awaiting arrangements for departing Hong Kong);
- (9) of the estimated public expenditure involving claimants in each of the coming four financial years (set out a breakdown of the expenditure in a table); and
- (10) whether ImmD is equipped with adequate facilities for detaining those claimants who pose a threat to life or property; whether the authorities will, by making reference to the past practices adopted by the Government for handling Vietnamese boat people, detain such claimants in closed facilities?

Question 18
(For written reply)

(Translation)

Enhanced tax deduction for research and development expenditures

Hon Charles Peter MOK to ask:

The Inland Revenue (Amendment) (No. 7) Ordinance 2018 came into operation on 2 November 2018. The expenditures incurred by enterprises on research and development (“R&D”) activities conducted on 1 April 2018 or thereafter are classified into Type A and Type B. Type A expenditures are qualified for the current 100% tax deduction. For Type B expenditures, the deduction is 300% for the first \$2 million and 200% for the remaining amount. “Qualifying R&D activities” are classified into out-sourced and in-house R&D activities. The amounts of (i) payments made to “designated local research institutions” (“DLRIs”) in respect of the former and (ii) “qualifying expenditures” (i.e. expenditures in relation to employees and consumable items) paid in respect of the latter by enterprises are Type B expenditures, which are qualified for the aforesaid tax deduction at a higher percentage. R&D service providers are required to apply to the Innovation and Technology Commission for designation as DLRIs. In this connection, will the Government inform this Council:

- (1) of the respective numbers of applications for designation as DLRIs received, approved and rejected to date by the authorities; if there are rejected applications, of the reasons for that;
- (2) of the number of enterprises which have applied for tax deduction for R&D expenditures since the aforesaid Ordinance came into operation, as well as the total R&D expenditures involved, with a breakdown by the following types of expenditure:

Type B expenditures

- (i) expenditures on out-sourced qualifying R&D activities,
- (ii) qualifying expenditures on in-house qualifying R&D activities,

Type A expenditures

- (iii) other expenditures on in-house qualifying R&D activities, and
 - (iv) expenditures on other R&D activities; and
- (3) whether it has plans to provide additional tax concessions for R&D-related activities; if so, of the details?

Question 19
(For written reply)

(Translation)

Development of underground space

Hon CHAN Hoi-yan to ask:

Regarding the development of underground space, will the Government inform this Council:

- (1) of the total length of the pedestrian passageways situated below the ground at public places at present, with a breakdown by District Council (“DC”) district;
- (2) of the respective total floor areas and percentages of the commercial space situated below the ground at Government properties and private properties at present, with a breakdown by DC district;
- (3) of the respective total floor areas of the car parks situated (i) above the ground at Government sites, (ii) below the ground at Government sites, (iii) above the ground at private sites and (iv) below the ground at private sites, as well as the respective numbers of the various types of car parking spaces provided in such car parks, in each of the past five years, with a breakdown by DC district;
- (4) whether it has plans to construct underground passageways to link various MTR stations which are situated underground for the provision of pedestrian and commercial facilities; if so, of the details; if not, whether it will consider expeditiously commencing a relevant study and formulating an implementation timetable; and
- (5) whether it has plans to, by drawing reference from the experience of overseas countries, formulate a comprehensive blueprint for underground space development to put below the ground as far as possible communal facilities such as sewage and waste treatment; if so, of the details (including the locations); if not, whether it will consider expeditiously commencing a relevant study?

Question 20
(For written reply)

(Translation)

Traffic congestion in Happy Valley and Causeway Bay

Hon Paul TSE to ask:

Some residents have complained that traffic congestion frequently occurs in the vicinity of Caroline Hill Road, Ventris Road, Link Road and Leighton Road in Happy Valley and Causeway Bay, particularly during evening commuting hours on weekdays and at noon on weekends. During peak hours, the tailback even reaches Broadwood Road, thus paralyzing the traffic to and from the Broadwood district, Jardine's Lookout and Tai Hang. During the time when matches are held in the Hong Kong Stadium, vehicles can hardly move in the areas concerned. In addition, driving test candidates learning driving and taking road tests in these areas are also major causes for the traffic congestion. On the other hand, the Government is planning to use the site of the ex-Electrical and Mechanical Services Department Headquarters and the adjacent sites on Caroline Hill Road for the construction of a new district court and for commercial purposes, including the provision of as many as 600 car parking spaces. Some residents are worried that the development project, once implemented, will inevitably aggravate the traffic congestion in the areas concerned. In this connection, will the Government inform this Council:

- (1) whether it knows the respective numbers of persons across the territory who (i) learned driving and (ii) took road tests, as well as the respective rates of year-on-year increase, in each of the past three years; among such persons who took road tests, of the number and percentage of those who chose to take the tests in the So Kon Po Driving Test Centre in Wanchai;
- (2) whether it conducted any assessment in the past three years on the traffic load caused by driving test candidates learning driving and taking road tests in the aforesaid areas; if so, of the assessment outcome; if not, whether it will do so expeditiously;
- (3) as some members of the public have criticized that with an increasing number of persons learning driving in recent years, coupled with the busy traffic in the adjacent business districts, the aforesaid areas are not suitable for activities of learning driving and conducting road tests, and that the aforesaid development project, upon its completion, will bring extra traffic load to the areas which may aggravate road congestion, whether the authorities will expeditiously relocate the two driving test centres in the areas (particularly the So Kon Po Driving Test Centre), or adjust the

driving test routes, so as to alleviate the traffic load in the areas concerned; if so, of the details (including the sites identified and the timetable); if not, the reasons for that;

- (4) as vehicles often stop inside the yellow box markings at three road junctions in the areas (namely the junction of Leighton Road, Caroline Hill Road and Hoi Ping Road, the junction of Caroline Hill Road and Link Road, as well as the junction of Broadwood Road and Ventris Road), causing obstruction to the traffic, whether the Police will deploy traffic police officers to station there during traffic peak hours to step up law enforcement and direct traffic; and
- (5) as the aforesaid development project has been drawn up on the basis of the data of a traffic flow survey conducted more than two years ago, whether the Government will conduct a survey afresh in order to more accurately assess if the roads in the areas can cope with the traffic flow to be generated by the project?

Question 21
(For written reply)

(Translation)

Participation of public healthcare sector staff
in exchange activities on the Mainland

Dr Hon Pierre CHAN to ask:

Regarding the situation of staff members of the Hospital Authority (“HA”) and the Department of Health (“DH”) participating in the Course on National Affairs for Hong Kong Professionals (“the Course”) and other exchange activities on the Mainland, will the Government inform this Council:

- (1) of the number of invitations received by HA for nominating staff members to participate in the Course, and the number of staff members nominated by HA to participate in the Course, in each year since 2015, with a breakdown by the grade and rank to which they belonged in the following table;

Staff members	2015	2016	2017	2018	2019
Medical grade					
(i) Chief of Service					
(ii) Consultant					
(iii) Senior Medical Officer/Associate Consultant					
(iv) Medical Officer/Resident					
Nursing grade					
(i) Senior Nursing Officer or above					
(ii) Department Operations Manager					
(iii) Ward Manager/Nurse Specialist/ Nursing Officer/Advanced Practice Nurse					
(iv) Registered Nurse					
(v) Enrolled Nurse					
Allied health professional					
Executive					
Others (please specify)					
Total number of participating staff					

- (2) of the amount of expenditure incurred by HA arising from its staff members’ participation in the Course, and the total number of days of paid study leave granted by HA to such staff members, in each year since 2015; the number of days such Courses lasted (if the number varied, set out the information by commencement date);
- (3) of the year starting from which HA nominated staff members to participate in the Course, and the cumulative number of staff members who have participated in the Course to date; and
- (4) of the number of invitations received by DH for nominating staff members to participate in (i) the Course and (ii) other exchange activities on the Mainland, in each year since 2015, and set out the relevant figures respectively according to the formats in (1) to (3)?

Question 22
(For written reply)

(Translation)

Extension of the service of civil servants

Hon HO Kai-ming to ask:

The Government launched in July last year an initiative of extending the service of civil servants. Those civil servants who joined the Government between 1 June 2000 and 31 May 2015 are given two years (i.e. from 17 September 2018 to 16 September 2020) to decide whether or not to apply for raising their retirement age. In this connection, will the Government inform this Council:

- (1) of the respective numbers of applications for raising retirement age which have been (i) received, (ii) approved, and (iii) rejected so far, as well as (iv) the number of such applications being processed, together with a breakdown by government department and applicant's rank (i.e. lower, middle and senior ranks); if some applications were rejected, of the reasons for that; and
- (2) whether it will consider afresh extending the aforesaid initiative to cover those serving civil servants who joined the Government before 1 June 2000; if so, of the details; if not, the reasons for that?

(Translation)

**Adjournment motion
to be moved by Hon YUNG Hoi-yan
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 response to the ongoing violent demonstrations in society with the District Council Election to be held a few days later (24 November), the immediate measures adopted by the Government to ensure that the Election can be held in a fair and just manner and the electors can vote without being obstructed and threatened.

**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) 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.

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) Shipping and Port Control (Amendment) (No. 2) Regulation 2019, published in the Gazette as Legal Notice No. 140 of 2019; and
- (b) Merchant Shipping (Local Vessels) (General) (Amendment) (No. 2) Regulation 2019, published in the Gazette as Legal Notice No. 141 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 CHEUNG Kwok-kwan's proposed resolution

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 Declaration of Geographical Constituencies (Legislative Council) Order 2019, published in the Gazette as Legal Notice No. 142 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.

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) Electoral Affairs Commission (Electoral Procedure)
(Legislative Council) (Amendment) Regulation 2019,
published in the Gazette as Legal Notice No. 143 of 2019;
and
- (b) Electoral Affairs Commission (Electoral Procedure)
(District Councils) (Amendment) Regulation 2019,
published in the Gazette as Legal Notice No. 144 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 CHAN Hoi-yan's proposed resolution
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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 Pharmacy and Poisons (Amendment) (No. 4) Regulation 2019, published in the Gazette as Legal Notice No. 145 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.

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 Pesticides Ordinance (Amendment of Schedule 2) Notice 2019, published in the Gazette as Legal Notice No. 148 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.

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 Solicitor Advocates (Higher Rights of Audience Certificates) Rules (Commencement) Notice, published in the Gazette as Legal Notice No. 149 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.

Interpretation and General Clauses Ordinance

Resolution

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

Pilotage (Dues) (Amendment) Order 2019

Resolved that the Pilotage (Dues) (Amendment) Order 2019, published in the Gazette as Legal Notice No. 146 of 2019 and laid on the table of the Legislative Council on 23 October 2019, be amended as set out in the Schedule.

Schedule

Amendments to Pilotage (Dues) (Amendment) Order 2019

1. Section 1 substituted

Section 1—

Repeal the section

Substitute

“1. Commencement

(1) Subject to subsection (2), this Order comes into operation on 1 January 2020.

(2) Section 6 comes into operation on 1 January 2022.”.

2. Section 2 amended (Pilotage (Dues) Order amended)

Section 2—

Repeal

“sections 3, 4 and 5”

Substitute

“sections 3 to 6”.

3. Section 5 amended (Schedule amended)

(1) Section 5(4)—

Repeal new paragraphs 5D and 5E.

(2) Section 5—

Repeal subsection (5).

(3) Section 5—

Repeal subsection (7)

Substitute

“(7) The Schedule, Part 3—

Repeal paragraphs 1 and 2

Substitute

“1. If the engagement of a pilot is cancelled—

(a) within 1.5 hours before the last stated time of a requirement for pilotage services in Tolo Harbour or at the west of East Brother Island; or

(b) within 1 hour before the last stated time of a requirement for pilotage services elsewhere,

a pilotage due of \$4,700 is payable.

2. If the engagement of a pilot is altered within 1 to 3 hours before the last stated time of a requirement for pilotage services, an additional pilotage due of \$300 is payable.”. ”.

4. Section 6 added

After section 5—

Add

“6. Schedule amended

- (1) The Schedule, Part 2, after paragraph 5C—

Add

“5D. An additional pilotage due of \$10,350 is payable for any pilotage service performed if a pilot is required to board, or disembark from, a ship at the pilot boarding station described in item 6 of Schedule 2 to the Ordinance (area off Ping Chau in Mirs Bay).

5E. An additional pilotage due of \$12,150 is payable for any pilotage service performed if a pilot is required to board, or disembark from, a ship at—

- (a) the pilot boarding station described in item 7 of Schedule 2 to the Ordinance (area off Crooked Island in Mirs Bay); or
- (b) the pilot boarding station described in item 8 of Schedule 2 to the Ordinance (area off Shek Ngau Chau in Mirs Bay).”.

- (2) The Schedule, Part 2—

Repeal paragraph 7

Substitute

“7. An additional pilotage due equal to 50% overall of the standard pilotage dues is payable for any pilotage service that is provided—

- (a) if a pilot is required to board, or disembark from, a ship in Mirs Bay—on notice of less than 5 hours; or

- (b) if a pilot is required to board, or disembark from, a ship elsewhere—on notice of less than 3 hours.”.

(3) The Schedule, Part 3—

Repeal paragraphs 1 and 2

Substitute

“1. If the engagement of a pilot is cancelled—

- (a) within 3 hours before the last stated time of a requirement for pilotage services in Mirs Bay;
- (b) within 1.5 hours before the last stated time of a requirement for pilotage services in Tolo Harbour or at the west of East Brother Island; or
- (c) within 1 hour before the last stated time of a requirement for pilotage services elsewhere,

a pilotage due of \$4,700 is payable.

2. If the engagement of a pilot is altered—

- (a) within 3 to 5 hours before the last stated time of a requirement for pilotage services in Mirs Bay; or
- (b) within 1 to 3 hours before the last stated time of a requirement for pilotage services elsewhere,

an additional pilotage due of \$300 is payable.”. ”.

Interpretation and General Clauses Ordinance

Resolution

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

**Pilotage Ordinance (Amendment of Schedule 2)
Notice 2019**

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

Schedule

Amendments to Pilotage Ordinance (Amendment of Schedule 2) Notice 2019

1. Section 1 substituted

Section 1—

Repeal the section

Substitute

“1. Commencement

(1) Subject to subsection (2), this Notice comes into operation on 1 January 2020.

(2) Section 3(12) comes into operation on 1 January 2022.”.

2. Section 3 amended (Schedule 2 amended (pilot boarding stations))

(1) Section 3—

Repeal subsection (12)

Substitute

“(12) Schedule 2, after item 5—

Add

- | | | | |
|------|--|-----------------------|--|
| “ 6. | Area off Ping Chau
in Mirs Bay | latitude
longitude | 22°32.800′ north,
114°23.600′ east. |
| 7. | Area off Crooked
Island in Mirs Bay | latitude
longitude | 22°33.500′ north,
114°20.200′ east. |
| 8. | Area off Shek Ngau
Chau in Mirs Bay | latitude
longitude | 22°29.700′ north,
114°26.540′ east.”.”. |

(2) After section 3(12)—

Add

“(13) At the end of Schedule 2—

Add

“Note: In this Schedule, the geographical co-ordinates of a position are based on the World Geodetic System 1984 (WGS 84). ”. ”.

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 Hon WONG Ting-kwong
under Rule 49B(1) of the Rules of Procedure**

Wording of the Motion

That whereas the Honourable Tanya CHAN was convicted on 9 April 2019 in the District Court in the Hong Kong Special Administrative Region of two criminal offences and was sentenced on 10 June 2019 by the District Court to imprisonment for one month or more (as particularized in the Schedule to this motion), this Council relieves the Honourable Tanya CHAN of her duties as a Member of the Legislative Council.

Schedule

<u>Case No.</u>	<u>Count</u>	<u>Offence Convicted</u>	<u>Date of Conviction</u>	<u>Sentence</u>	<u>Date of Sentence</u>
District Court Criminal Case No. 480 of 2017	1 st Charge	Incitement to commit public nuisance, contrary to Common Law	9 April 2019	Imprisonment for 8 months	10 June 2019
	2 nd Charge	Incitement to incite public nuisance, contrary to Common Law	9 April 2019	Imprisonment for 8 months	10 June 2019

(Both terms
are to run
concurrently
and suspended
for 2 years)

**Motion to be moved by Hon WONG Kwok-kin
under Rule 49B(1) of the Rules of Procedure**

Wording of the Motion

That whereas the Honourable SHIU Ka-chun was convicted on 9 April 2019 in the District Court in the Hong Kong Special Administrative Region of two criminal offences and was sentenced on 24 April 2019 by the District Court to imprisonment for one month or more (as particularized in the Schedule to this motion), this Council relieves the Honourable SHIU Ka-chun of his duties as a Member of the Legislative Council.

Schedule

<u>Case No.</u>	<u>Count</u>	<u>Offence Convicted</u>	<u>Date of Conviction</u>	<u>Sentence</u>	<u>Date of Sentence</u>
District Court Criminal Case No. 480 of 2017	1 st Charge	Incitement to commit public nuisance, contrary to Common Law	9 April 2019	Imprisonment for 8 months	24 April 2019
	2 nd Charge	Incitement to incite public nuisance, contrary to Common Law	9 April 2019	Imprisonment for 8 months	24 April 2019

(Both terms
are to run
concurrently)

**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 to be moved by Hon Junius HO
under Rule 49B(1A) of the Rules of Procedure
to censure Hon LAM Cheuk-ting**

Wording of the Motion

That this Council, in accordance with Article 79(7) of the Basic Law, censures Hon LAM Cheuk-ting 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 LAM Cheuk-ting's misbehaviour and breach of oath under Article 104 of the Basic Law are particularized as follows:

1. In the evening of 21 July 2019, Hon LAM Cheuk-ting directly or indirectly involved or participated in an unlawful assembly, known as "Liberate Sai Wan", organized by mob. Mr LAM and the people gathered outside the building of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region ("the Liaison Office") in Sai Wan. The unlawful assembly subsequently turned into a riot in which the mob surrounded the building of the Liaison Office and attempted to storm into the building. After unsuccessful attempts, they instead defaced the national emblem of the People's Republic of China and the name plate of the Liaison Office hanging on the façade of the building and sprayed on the walls words that insulted China and Chinese people. Their behaviour not only infuriated the public, but also constituted several criminal offences. Moreover, their advocacy for "Hong Kong Independence" challenged the bottom line of the "One Country Two Systems" and violated the Basic Law.
2. On the same night, Hon LAM Cheuk-ting led a number of black-clad people who dressed like ordinary citizens to ride on a West Rail Line train to Yuen Long Station of the MTR Corporation Limited. Within half an hour after their arrival at the station, they repeatedly provoked a group of white-clad residents gathering in the station. The two groups initially quarrelled and eventually turned into brawls. When Mr LAM was at Yuen Long Station, he incited the people to participate in unlawful assembly, fighting or riot (A chronology of events is in the Appendix to the Schedule to this motion).
3. The conduct of Hon LAM Cheuk-ting: (i) constitutes misbehaviour as he, as a Member of the Legislative Council, participated in an unlawful assembly and led black-clad mob to assault white-clad residents at Yuen Long Station; and (ii) is in breach of the oath made by him at the Legislative Council meeting of 12 October 2016 under Article 104 of the Basic Law and the Oaths and Declarations Ordinance (Cap. 11) that he "...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 People's Republic of China and serve the Hong Kong Special Administrative Region conscientiously, dutifully, in full accordance with the law, honestly and with integrity".

**何君堯議員編制的關於 2019 年 7 月 21 日西鐵線元朗站
發生的集體毆鬥事件時序表**
**Chronology of events relating to the brawls took place at
Yuen Long Station of West Rail Line on 21 July 2019 prepared by
Hon Junius HO**

(事件資料節錄自林卓廷議員2019年7月21日晚上10時45分
發布於其面書的視頻)

(information of the incident extracted from the video clip
posted on Hon LAM Cheuk-ting's facebook at 10:45 pm on 21 July 2019)

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
1.	5'19"	黑衣人與白衣人在西鐵線元朗站內口角，林卓廷議員(“林議員”)也出現在站內。 The black-clad people and white-clad people quarrel at Yuen Long Station of West Rail Line (“the station”). Hon LAM Cheuk-ting (“Mr LAM”) also appears at the station.
2.	5'49"	林議員說：“影佢(一名白衣人)個樣!”。 Mr LAM says, “Take a photo of him (a white-clad person)!”.
3.	6'19"- 6'26"	此時有水樽和竹支被掙出閘外。 Water bottles and bamboo sticks are being thrown out of the station.
4.	8'07"	白衣人正在離開，林議員煽動黑衣人緊守崗位並說：“唔好退！千祈!”。 White-clad people are about to leave but Mr LAM asks the black-clad people to stay and say, “Don't retreat! Never!”.
5.	8'50"	林議員繼續叫：“千祈唔好退!”。 Mr LAM continues to shout, “Never retreat!”.
6.	9'20"	有女聲高叫：“DLLM，入嚟呀!”。 A female screams loudly, “Fuck you! Come in, I dare you!”.
7.	10'03"	黑衣人叫：“香港人加油!”。 林議員說：“你落嚟幫手睇住!”。 林議員召喚更多黨羽從車站二樓落去大堂。 Black-clad people shout, “Come on, Hong Kongers!”. Mr LAM says, “You come down to keep a watch!”. Mr LAM summons more of his accomplices to come down to the concourse from the second floor of the station.

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
8.	11'07"	黑衣人叫：“未食飯呀！DL！”。 Black-clad people shouts, “Did you eat! Fuck you!”.
9.	11'17"	站內有黑衣人打傘(此乃是黑衣暴徒的慣常動作)。 Some black-clad people open umbrellas at the station (that is an habitual act of the black-clad rioters).

林卓廷議員的第一次挑釁行動 The first round of provocation made by Hon LAM Cheuk-ting

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
10.	11'31"	林議員說：“警察嚟緊喇！你班仆街！”。 Mr LAM says, “The police are coming for you now! You idiots!”.
11.	11'45"	林議員再挑釁並說：“你夠膽就唔好走！”。 Mr LAM provokes again and says, “I dare you to stay!”.
12.	11'57"	林議員說：“你哋班仆街，夠膽就唔好走！警察依家嚟緊。你哋夠膽就唔好走！”。 Mr LAM says, “You idiots. I dare you to stay! The police are coming for you. I dare you to stay!”.
13.	12'10"	眾人重覆大叫約 20 次：“黑社會唔好走！”。 The crowd shout repeatedly for about 20 times, “Triad! Don't Go!”.
14.	12'45"	鏡頭外有一名女士尖聲高叫：“DLLM 仆街！”。 A female who is off camera screams and shouts loudly, “Fuck you, idiots!”.
15.	13'25"	眾人重複說：“黑社會唔好走！”。 The crowd repeatedly shout, “Triad! Don't Go!”.
16.	14'00"	音樂響起以鼓勵黑衣人士氣，也像是電話鈴聲！ Some music is playing as if it aims at drumming up the morale of the black-clad people, or it could be the ringing tone of a mobile phone!

林卓廷議員的第二次挑釁行動 The second round of provocation made by Hon LAM Cheuk-ting

<u>序號</u> <u>Seq</u>	<u>視頻時間標記</u> <u>Time marker of</u> <u>the video clip</u>	<u>內容</u> <u>Contents</u>
17.	14'43"	林議員開閘行出站外挑釁白衣人。白衣人則猶豫不入。 Mr LAM opens an entry/exit gate and walks out of the station to provoke the white-clad people. The white-clad people are hesitant about coming in.
18.	15'08"	林議員說：“你班黑社會唔好再打人啦！”。 Mr LAM says, “You triad! Stop beating up people now!”.
19.	15'10"	有深藍衣人開始用滅火喉向白衣人噴水(這成為日後黑衣暴徒在不同場合慣常使用的技倆)。 A person in a dark blue T-shirt starts using fire hose to spray water on the white-clad people (That is a frequent tactic used by the black-clad people on different occasions subsequently).
20.	15'15"	有白衣人跌低在地上。 A white-clad person slipped and fell on the floor.
21.	15'24"	元朗站繳費閘內的黑衣人狂叫。 The black-clad people inside the paid area of the station shout.
22.	15'40"	此時白衣人正在走開。 The white-clad people are leaving.
23.	15'52"	在林議員的強烈的煽動下，有一穿藍色衣服的男子持水喉向白衣人噴水，同時右手持傘毆打白衣人。 Influenced by the strong incitement of Mr LAM, a man in a blue T-shirt hit the white-clad people with an umbrella whilst spraying water on them with a fire hose.
24.	16'10"	有黑衣男子叫道：“拉住兄弟(此乃黑衣暴徒互相稱呼的慣用語)！”。 A black-clad man shouts, “Hold the mate (This is a frequent and common way to address each other among the black-clad rioters)!”.
25.	16'12"	此時在持水喉男右則，有另外一男子使用滅火筒向白衣人噴射滅火劑！ Another male standing next to the man holding the water hose is spraying the white-clad people with a fire extinguisher.

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
26.	16'23"	鏡頭外有一男子叫道：“拉實兄弟呀(黑衣暴徒互相稱呼的慣用語)！”。 A man who is off camera shouts, “Hold that mate firmly (This is a frequent and common way to address each other among the black-clad rioters)!”.
27.	16'33"	有消防救護員出現在車站繳費閘內，亦有一白衣人開始進入車站內圍。 An ambulanceman appears at the paid area of the station, and a white-clad person is also seen to be about to enter the paid area of the station.
28.	16'38" - 16'45"	音樂響起，好像是電話鈴聲。此時林議員落荒而逃。 Some music is playing and it sounds like a ringing tone of a mobile phone. At the time, Mr LAM is fleeing.
29.	17'00"	林議員等人步往車站內二樓月台的樓梯位置！ Mr LAM is walking towards the stairway leading up to the platform on the second floor of the station!
30.	17'32"	鏡頭外有一男子叫：“走走走走！”。 A man who is off camera shouts, “Go! Go! Go! Go!”.
31.	17'36"	林議員走入車廂內。 Mr LAM enters a train compartment.
32.	17'40"-17'59"	鏡頭外有一男子叫道：“快上車啦過嚟呀！”。 A man who is off camera shouts, “Go inside the train quickly and come here!”.

林卓廷議員的第三次挑釁行動 The third round of provocation made by Hon LAM Cheuk-ting

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
33.	18'03"	林議員又走出車廂外，當時他右手持有長雨傘作出戰鬥姿態。 Mr LAM goes out of a train compartment and he is holding a long umbrella with his right hand in a fighting mode.

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
34.	18'08" – 18'18"	鏡頭外有一男子叫林議員：“阿廷(指林議員)！Z 打電話畀你幾次啦！” 。但林議員沒有理會，他一直走近至月台樓梯位。 A man who is off camera tells Mr LAM, “Ah Ting (Mr LAM refers)! Z has called you several times!”. But Mr LAM ignores him and continues to walk towards the stairway of platform.
35.	18'22"	有白衣人集合在地下大堂，但沒有步上二樓車站平台。 A group of white-clad people are congregating at the concourse of the station but they do not go to the station platform on the second floor.
36.	18'31"	在林議員身旁有男子叫道：“DLLM 夠膽上嚟呀！”。 A man standing next to Mr LAM shouts, “Fuck you! I dare you to come up!”.
37.	18'43"	有男子繼續叫道：“走啦！”。 A man continues to shout loudly, “Go away!”.
38.	18'56"-19'00"	林議員返回車廂後叫道：“頂住門口！頂住門口！唔好畀佢入嚟！”。 Mr LAM returns to a train compartment and says, “Hold the door! Hold the door! Don't let them in!”.
39.	19'06"	林議員問：“嗰邊有冇人走入來？”。 Mr LAM asks, “Is there anyone coming in from the other side?”.
40.	19'23"	此時白衣人已走上車站二樓。 White-clad people are going up to the second floor of the station.

林卓廷議員的第四次挑釁行動 The fourth round of provocation made by Hon LAM Cheuk-ting

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
41.	19'30"	林議員再次走出車廂外，向白衣人挑釁！ Mr LAM goes out of a train compartment again and provokes the white-clad people!

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
42.	19'33"-19'46"	林議員與白衣人打鬥。 Mr LAM is fighting with a white-clad person.
43.	20'02"	林議員再走回車廂。 Mr LAM retreats to a train compartment.
44.	20'19"	林議員帶領的團體及白衣人對峙。有白衣人叫林議員唔好挑釁。 A standoff between the people led by Mr LAM and the white-clad people ensues. The white-clad people ask Mr LAM to stop provocation.
45.	20'24"-20'32"	一名白衣人警告林議員之後轉身走開。 A white-clad person turns away after giving Mr LAM a warning.
46.	20'42"-21'00"	鏡頭外有一男子叫：“攞遮(用雨傘作武器是暴徒慣性手法)！”。 A man who is off camera shouts, “Get an umbrella (That is a weapon used frequently by the rioters)!”.
47.	21'08"	一名白衣人進入車廂內。 A white-clad person enters a train compartment.
48.	21'16"	一名白衣人退出車廂外。 A white-clad person leaves a train compartment.
49.	21'37"	有男子叫女子不要大叫並說：“大家冷靜！”。 A man is trying to pacify a girl and says, “Calm down!”.
50.	21'48"	有一名白衣人勸籲其他人不要進入車廂。 A white-clad person is persuading other people not to enter a train compartment.
51.	21'55"	西鐵廣播列車暫停服務(此時可能列車車廂內的緊急掣被按下，列車未能開出)。 West Rail broadcasts to all passengers that the train service is suspended (The train does not leave the platform probably as the emergency button has been pressed).
52.	22'13"	另有白衣人維持秩序，阻止其他白衣人進入車廂內。 Another white-clad person tries to maintain order and prevents other white-clad people from entering a train compartment.

序號 Seq	視頻時間標記 Time marker of the video clip	內容 Contents
53.	22'28"	車廂外，有男子相信是指著林議員喝罵：“係你條仆街……，DLLM! 阻住囉！”。 A man is believed to be shouting from outside a train compartment towards Mr LAM, “You idiot...fuck you! Keep causing trouble!”.
54.	22'33"	有一白衣人持棍衝入車廂。 A white-clad person enters a train compartment holding a stick.
55.	22'39"	此時鏡頭外有一男子持棍毆打林議員，聽到似是林議員的聲音叫著“唔好打呀！”。 At the time, a man who is off camera is hitting Mr LAM with a stick. A voice believed to be that of Mr LAM is heard, saying, “Stop beating me!”.
56.	23'05"	情況混亂……！ Chaos...！
57.	23'29"	繼續打鬥，林議員躲在一男一女身後，避開白衣人的毆打和襲擊。 The fighting goes on. Mr LAM is hiding behind a man and a woman to avoid being hit by the white-clad people.
58.	23'39"	有一名白衣男子叫：“唔好打”，並以身體擋著。 A white-clad man says, “Stop hitting!”, and uses his body as a protecting shield for others.
59.	23'44"	白衣人撤退出車廂並叫：“走走走！”。 A white-clad person retreats from a train compartment and shouts, “Go Go Go!”.
60.	23'51"	有一四眼男子跪地求和。有藍衣肥男子一拳打向該男子。 A man wearing spectacles kneels down and begs for mercy. A fat man in a blue T-shirt hits that man with his fist!
61.	25'10"-25'20"	有一名白衣人大聲喝罵林議員說：“DLLM！你搞我哋元朗……DLLM！”。 A white-clad person shouts loudly at Mr LAM, “Fuck you! You stir up trouble to Yuen Long! Fuck you!”.

<u>序號</u> <u>Seq</u>	<u>視頻時間標記</u> <u>Time marker of</u> <u>the video clip</u>	<u>內容</u> <u>Contents</u>
62.	25'33"	林議員坐在車廂內查看自己的傷勢。他右嘴角輕微滲血。 Mr LAM is sitting in a train compartment and checks his injury. His right lip corner is seen bleeding.
63.	25'50"-26'40"	車廂關門。 Train doors are closing.
64.	27'00"	音樂再次響起來。應該是電話鈴聲。 Some music is playing again. It should be the ringing tone of a mobile phone.
65.	27'28"	列車開出。 The train is leaving.

**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.