

# Legislative Council

## Agenda

Wednesday 27 November 2019 at 11:00 am

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

3 items of subsidiary legislation/instruments and 7 other papers to be laid on the Table of the Council set out in Appendix 1

### II. Questions

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

#### Questions for oral replies to be asked by

#### Public officers to reply

- |  |                                     |
|--|-------------------------------------|
| 1. Hon Mrs Regina IP<br><u>(Civil Servants to swear to uphold the Basic Law and swear allegiance to Hong Kong)</u> | Secretary for the Civil Service     |
| 2. Hon KWOK Wai-keung<br><u>(Risks involved in the acquisition of residential properties)</u>                      | Secretary for Transport and Housing |
| 3. Dr Hon Pierre CHAN<br><u>(Complaints against police officers)</u>   | Secretary for Security              |
| 4. Hon IP Kin-yuen<br><u>(Water cannon vehicles)</u>   | Secretary for Security              |
| 5. Hon James TO<br><u>(Law enforcement by police officers in public events)</u>                                    | Secretary for Security              |
| 6. Dr Hon KWOK Ka-ki<br><u>(A man wounded by a gunshot fired by a police officer)</u>                              | Secretary for Security              |

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

### III. Government Bills

#### First Reading and Second Reading (debate to be adjourned)

1. Copyright (Amendment) Bill 2019 : Secretary for Commerce and  
(Standing over from the meeting of Economic Development  
13 November 2019)
2. Road Traffic Legislation (Parking Spaces) : Secretary for Transport and  
(Amendment) Bill 2019 Housing

#### Consideration by committee of the whole Council and Third Reading

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

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

4. Electoral Legislation (Miscellaneous : Secretary for Constitutional and  
Amendments) Bill 2019 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

#### **1<sup>st</sup> 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

### **1<sup>st</sup> debate (to deal with the following motion)**

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

Mover : Hon Steven HO

Wording of the motion : Appendix 5

### **2<sup>nd</sup> debate (to deal with the following motion)**

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

Mover : Hon Frankie YICK

Wording of the motion : Appendix 6

### **3<sup>rd</sup> debate (to deal with the following motion)**

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

Mover : Ir Dr Hon LO Wai-kwok

Wording of the motion : Appendix 7

### **4<sup>th</sup> debate (to deal with the following motion)**

4. **Proposed resolution to extend the period for amending instrument**

Mover : Hon Elizabeth QUAT

Wording of the motion : Appendix 8

## 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)**

**1<sup>st</sup> debate (to deal with the following motion)**

(Standing over from the meeting of 10 July 2019)

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

Mover : Hon Alvin YEUNG

Wording of the motion : **Appendix 9**

(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

**2<sup>nd</sup> debate (to deal with the following motion)**

(Standing over from the meeting of 20 November 2019)

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 10**

**3<sup>rd</sup> debate (to deal with the following motion)**

(Standing over from the meeting of 20 November 2019)

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 11**

**4<sup>th</sup> 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 12**

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

**5<sup>th</sup> 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 13**

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

**6<sup>th</sup> 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 14**

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

**7<sup>th</sup> debate (to deal with the following motion)**

(Standing over from the meeting of 20 November 2019)

**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 15**

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

**8<sup>th</sup> 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 16**

Public officer to attend : Chief Secretary for Administration

**9<sup>th</sup> 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 17**

**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 18**

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)

<p><b>Debate arrangements for the following 3 motions to be notified</b> (Order of debates may be adjusted having regard to the debate arrangements to be made)</p>
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(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**

- 11.** Mover : Hon Alvin YEUNG
- Wording of the motion : **Appendix 19**
- 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 : **Appendix 20**
- 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 : **Appendix 21**
- Public officers to attend : Secretary for Labour and Welfare  
Secretary for Security  
Under Secretary for Security  
Under Secretary for Labour and Welfare

**10<sup>th</sup> 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 22**  
Public officers to attend : Secretary for Security  
Under Secretary for Security

**11<sup>th</sup> 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 23**

**16. Mover : Hon Jeremy TAM**

Wording of the motion : **Appendix 24**

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**

17. Mover : Hon Claudia MO  
Wording of the motion : Appendix 25
- 18 and 19. Mover : Hon Tanya CHAN  
Wording of the motions : Appendices 26 and 27
- 20 and 21. Mover : Dr Hon KWOK Ka-ki  
Wording of the motions : Appendices 28 and 29
22. Mover : Hon LAM Cheuk-ting  
Wording of the motion : Appendix 30
23. Mover : Hon KWONG Chun-yu  
Wording of the motion : Appendix 31
- Public officers to attend items 17 to 23 : Secretary for Security  
Under Secretary for Security

**12<sup>th</sup> 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**

- Mover : Hon Gary FAN  
Wording of the motion : Appendix 32  
Public officers to attend : Secretary for Security  
Under Secretary for Security

**13<sup>th</sup> 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 33**  
Public officer to attend : Chief Secretary for Administration

**14<sup>th</sup> debate (to deal with the following motion)**

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

Mover : Dr Hon Priscilla LEUNG  
Wording of the motion : **Appendix 34**  
Amendment mover : Hon James TO  
(Amendment set out in LC Paper No. CB(3) 155/19-20 issued on 22 November 2019)  
Public officer to attend : To be advised by the Administration

**15<sup>th</sup> debate (to deal with the following motion)**

(Standing over from the meeting of 12 June 2019)

**27. 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 35**  
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

**16<sup>th</sup> debate (to deal with the following motion)**

(Standing over from the meeting of 12 June 2019)

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

Mover : Hon HO Kai-ming

Wording of the motion : **Appendix 36**

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 27 November 2019

### Papers to be laid on the Table of the Council

<b>Subsidiary legislation/instruments</b>	<b>Legal Notice No.</b>
1. <u>Metrication Ordinance (Amendment of Schedules) Order 2019</u>	167 of 2019
2. <u>Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) (No. 2) Order 2019</u>	168 of 2019
3. <u>Airport Authority Ordinance (Map of Restricted Area) (Amendment) Order 2019</u>	169 of 2019
 <b>Other papers</b>	
4. <u>Office of the Privacy Commissioner for Personal Data, Hong Kong 2018-19 Annual Report (including Financial Statements and Independent Auditor's Report)</u> (to be presented by Secretary for Constitutional and Mainland Affairs)	
5. <u>Estate Agents Authority Annual Report 2018/19 (including Financial Statements and Independent Auditor's Report)</u> (to be presented by Secretary for Transport and Housing)	
6. <u>Fire Services Department 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</u> (to be presented by Secretary for Security)	
7. <u>Report of the Director of Audit on the Accounts of the Government of the Hong Kong Special Administrative Region for the year ended 31 March 2019</u> (to be presented by President of the Legislative Council)	
8. <u>Report No. 73 of the Director of Audit on the results of value for money audits - October 2019</u> (to be presented by President of the Legislative Council)	

9. Accounts of the Government of the Hong Kong Special Administrative Region for the year ended 31 March 2019  
(to be presented by Secretary for Financial Services and the Treasury)
  
10. The Commissioner on Interception of Communications and Surveillance Annual Report 2018 to the Chief Executive (together with a statement under section 49(4) of the Interception of Communications and Surveillance Ordinance (Cap.589))  
(to be presented by Secretary for Security)

## 22 questions to be asked at the Council meeting of 27 November 2019

	<b>Subject matters</b>	<b>Public officers to reply</b>	
<b>Questions for oral replies</b>			
1	Hon Mrs Regina IP	<u>Civil Servants to swear to uphold the Basic Law and swear allegiance to Hong Kong</u>	Secretary for the Civil Service
2	Hon KWOK Wai-keung	<u>Risks involved in the acquisition of residential properties</u>	Secretary for Transport and Housing
3	Dr Hon Pierre CHAN	<u>Complaints against police officers</u>	Secretary for Security
4	Hon IP Kin-yuen	<u>Water cannon vehicles</u>	Secretary for Security
5	Hon James TO	<u>Law enforcement by police officers in public events</u>	Secretary for Security
6	Dr Hon KWOK Ka-ki	<u>A man wounded by a gunshot fired by a police officer</u>	Secretary for Security
<b>Questions for written replies</b>			
7	Hon WONG Ting-kwong	<u>Impacts of social disturbances on the tourism industry</u>	Secretary for Commerce and Economic Development
8	Hon Martin LIAO	<u>Development and application of autonomous vehicles</u>	Secretary for Transport and Housing
9	Hon SHIU Ka-fai	<u>Pharmacists practising in community pharmacies</u>	Secretary for Food and Health
10	Hon LEUNG Yiu-chung	<u>An arrest on 20 October</u>	Secretary for Security
11	Hon Kenneth LEUNG	<u>Review of the Air Quality Objectives</u>	Secretary for the Environment
12	Hon Tony TSE	<u>Modification works for public play spaces</u>	Secretary for Home Affairs
13	Hon Gary FAN	<u>Use of weapons by police officers</u>	Secretary for Security
14	Hon WU Chi-wai	<u>Law enforcement by police officers on private premises</u>	Secretary for Security
15	Prof Hon Joseph LEE	<u>Tear gas rounds</u>	Secretary for Security
16	Dr Hon Fernando CHEUNG	<u>Welfare-related funds for the Police</u>	Secretary for Security
17	Dr Hon CHIANG Lai-wan	<u>Land leases expiring in 2047</u>	Secretary for Development
18	Hon Dennis KWOK	<u>Law enforcement actions relating to the “anti-extradition to China” movement</u>	Secretary for Security
19	Hon Kenneth LAU	<u>Illegal felling of Aquilaria Sinensis</u>	Secretary for the Environment
20	Hon Holden CHOW	<u>Unlawful acts and improper remarks by civil servants and teachers</u>	Secretary for the Civil Service
21	Hon Jimmy NG	<u>Parking spaces for private cars</u>	Secretary for Transport and Housing
22	Hon HUI Chi-fung	<u>Arms and ammunition used by the Police</u>	Secretary for Security

Question 1  
(For oral reply)

(Translation)

Civil Servants to swear to uphold the Basic Law  
and swear allegiance to Hong Kong

Hon Mrs Regina IP to ask:

At its meeting on 4 November this year, the Panel on Public Service of this Council passed a motion moved by me, urging the Chief Executive (“CE”) to issue an executive order under Article 48(4) of the Basic Law to require all civil servants to swear to uphold the Basic Law and swear allegiance to the Hong Kong Special Administrative Region of the People’s Republic of China (“HKSAR”). In this connection, will the Government inform this Council whether CE will exercise the executive powers conferred on her by Article 48(4) of the Basic Law, and formulate a policy and issue an executive order with reference to the Oaths and Declarations Ordinance to require all civil servants (including new appointees) to swear to uphold the Basic Law and swear allegiance to the HKSAR, so as to ensure that civil servants of all ranks and grades will work in solidarity towards common goals, and safeguard the core values of “one country, two systems”, “Hong Kong people administering Hong Kong” and a high degree of autonomy?

Question 2  
(For oral reply)

(Translation)

Risks involved in the acquisition of residential properties

Hon KWOK Wai-keung to ask:

Recently, quite a number of purchasers of first-hand residential properties have failed to complete their property transactions due to various reasons (e.g. changing home purchase decisions or failing to obtain mortgage loans from financial institutions). As a result, they had to bear losses amounting to several hundred thousand dollars at the least. According to the Residential Properties (First-hand Sales) Ordinance, if a purchaser does not execute an agreement for sale and purchase in respect of the property concerned with the vendor within five working days after entering into a preliminary agreement for sale and purchase (“the cooling-off period”), the transaction is forthwith cancelled and the vendor may forfeit the preliminary deposit which is equivalent to 5% of the purchase price (“the deposit rate”). In this connection, will the Government inform this Council:

- (1) as the Consumer Council recommended in its Study Report on the Sales of First-hand Residential Properties published in 2014 that the cooling-off period be lengthened to between 7 and 14 working days and the deposit rate be lowered to between 1% and 3%, whether the Government has followed up those recommendations, such as conducting studies and public consultations; if so, of the details; if not, the reasons for that;
- (2) whether it will introduce legislative amendments to lengthen the cooling-off period and lower the deposit rate; if so, of the implementation timetable; if not, the reasons for that; and
- (3) of the new measures to step up its efforts in drawing consumers’ attention to the various risks associated with the acquisition of properties?



Question 3  
(For oral reply)

(Translation)

Complaints against police officers

Dr Hon Pierre CHAN to ask:

There have been ongoing demonstrations since June this year. Conflicts and frictions between the Police and members of the public as well as media workers have occurred from time to time. In this connection, will the Government inform this Council:

- (1) of the number of complaints against police officers received by the Complaints Against Police Office (“CAPO”) since June this year; among such complaints, the number of those about police officers violating the Police General Orders by inflicting sexual violence (including sexual insult, indecent assault, sexual harassment and rape) on demonstrators, with a tabulated breakdown by the gender and age group to which the victims belonged and by the rank of the police officers under complaint; the number of such cases which are under investigation;
- (2) of the number of complaints received by CAPO since June this year about police officers refusing to produce their warrant cards and not displaying their police identification numbers on their uniforms, thereby making it difficult for the members of the public to identify them; the Police’s improvement measures; and
- (3) of the number of persons since June this year who were injured during the period from their arrest to their arrival at the hospitals; whether such persons have lodged complaints against the Police for delaying their treatment; if so, of the number of complaints received?

Question 4  
(For oral reply)

(Translation)

Water cannon vehicles

Hon IP Kin-yuen to ask:

The “anti-extradition to China” movement, which was triggered by the Government forcefully pushing the proposals to amend the law concerning surrender of fugitive offenders, has been going on for nearly six months. It has been reported that when the Police deployed specialized crowd management vehicles (commonly known as “water cannon vehicles”) to disperse the crowd by spraying colourless or coloured pepper based solution, there were from time to time innocent people being hit by the sprayed water. In this connection, will the Government inform this Council:

- (1) whether, when the Police deployed a water cannon vehicle to disperse the crowd in Tsim Sha Tsui on the 20th of last month, the target of attack of the water cannon vehicle was the 10-odd people (comprising a Member of this Council, journalists, members of the ethnic minorities and other members of the public) outside the entrance of the Kowloon Mosque, or the Kowloon Mosque, and the justifications for choosing such target of attack; why coloured pepper based solution was chosen for use on that day; whether the police officers concerned operated the water cannon vehicle on that day in accordance with the relevant guidelines; if they did, why some innocent people were hit by the coloured water; if not, whether the Police will institute disciplinary proceedings against the police officers concerned;
- (2) given that on the night of the 11th of this month, a staff member of a pharmacy who had, out of anger about the goods of the pharmacy having been sprayed wet by a water cannon vehicle, thrown goods at that water cannon vehicle, was subsequently attacked with pepper balls and arrested by the Police, of the reasons why the Police sprayed pepper based solution at the pharmacy; whether it knows if the said staff member was injured; if he was, of the injuries he sustained; of the Police’s specific measures to ensure that religious venues, shops, vehicles, journalists, and passers-by not involved in demonstrations will not be endangered when water cannon vehicles are deployed in future; the ways by which members of the public whose bodies or properties have been wrongfully hit by the water sprayed from a water cannon vehicle may claim compensations; and

- (3) given that when the Police dispersed the crowd outside The Hong Kong Polytechnic University on the 17th of this month, a water cannon vehicle sprayed water at the direction of some journalists, hitting a journalist who then fell onto the ground, suffered from shock and underwent an operation immediately necessitated by skull fracture and cerebral haemorrhage, of the reasons why the water cannon vehicle sprayed water at the direction of the journalists, as well as the latest condition of that journalist and the work for dealing with the aftermath; whether the Police will institute disciplinary proceedings against the police officers who operated the water cannon vehicle on that day?

Question 5  
(For oral reply)

(Translation)

Law enforcement by police officers in public events

Hon James TO to ask:

It has been almost six months since the eruption of the disturbances arising from the opposition to the proposed legislative amendments. It has been reported that the acts of some police officers in handling public events have aroused public concerns. Such acts include firing a number of tear gas rounds at universities and residential areas, shooting and injuring demonstrators under unwarranted situations, running a motor cycle into demonstrators, firing sponge rounds at journalists who were performing news covering work, spraying pepper sprays at the face of bystanders and journalists at close range, cursing and arresting bystanders, arresting District Council members who were at the scenes of demonstrations observing the situation, and arresting members of the public who donated supplies such as clothes and food. In this connection, will the Government inform this Council:

- (1) of the details of the cases in which police officers fired live ammunition and rubber bullets respectively during public events since June this year, including the number of police officers involved, the number of bullets fired, the resultant casualties (with a breakdown by demonstrators, journalists and members of the public), the body parts of the injured to which injuries were sustained, as well as the current number of persons who are now hospitalized;
- (2) of the respective numbers of police officers who were subject to complaints, warnings, suspension from frontline duties, orders to take leave, criminal investigations, and punishments, as a result of breaches or suspected breaches of the Police General Orders or the guidelines on the use of force since June this year; whether the newly appointed Commissioner of Police will order police officers to exercise restraint when performing duties, impose severe punishment on the police officers breaching the relevant requirements, and refer cases of police officers being alleged of having committed criminal offences to the Department of Justice for consideration of whether or not prosecutions should be instituted; and
- (3) as the International Expert Panel set up by the Independent Police Complaints Council (“IPCC”) a few months ago has indicated early this month that with a shortfall in IPCC powers and its independent

investigative capability, it is necessary to enhance IPCC's capability to gather evidence before IPCC can complete its interim report, and it has also proposed that a more comprehensive inquiry should be conducted by an independent body as a next step, whether the Government will consider the Panel's proposal and make public fully the interim report?

Question 6  
(For oral reply)

(Translation)

A man wounded by a gunshot fired by a police officer

Dr Hon KWOK Ka-ki to ask:

It has been reported that on the 11th of this month, a traffic police officer, while clearing roadblocks, pulled out his service revolver and pointed it at the chest of a man several feet away. The two persons then drew close to each other and got into a scuffle. While grabbing that man in a headlock with his left arm, the traffic police officer pointed his service revolver at another unarmed, black-clad man walking toward him, and fired at him without giving a warning. The black-clad man was shot and fell to the ground. Without examining the injuries of the black-clad man who was lying face down on the ground and unresponsive, an anti-riot police officer, who subsequently arrived for reinforcement, used plastic strings to tie the left hand of that man, turned him over and pulled him up to sit on the ground. The man wounded with the gunshot was subsequently taken to the hospital for treatment and was in a critical condition at one time. In this connection, will the Government inform this Council:

- (1) as Chapter 29 of the Police General Orders stipulates that the level of force to be used by police officers shall be minimal and reasonably required under the prevailing circumstances, whether it has studied if the shooting by the traffic police officer was in breach of the requirement, and whether it has assessed his psychological quality at the time of the incident to see if he was fit to perform duty;
- (2) if there are guidelines stipulating that police officers must, when making an arrest, gain an understanding about whether an arrestee is injured and the degree of injuries he or she has sustained, as well as how to avoid exacerbating the injuries of an injured person during the arrest; if there are such guidelines, whether it has studied if the aforesaid way of handling by the anti-riot police officer was in breach of the guidelines; and
- (3) given that the news organization which videotaped the incident issued a statement criticizing the Police for showing the relevant footage at a police press conference without obtaining its consent, and that the footage shown was incomplete, thus failing to let members of the public understand the whole story of the incident, whether the Police will apologize to the news organization, and whether the Police has assessed the impact of such practice on its credibility?

Question 7  
(For written reply)

(Translation)

Impacts of social disturbances on the tourism industry

Hon WONG Ting-kwong to ask:

Some members of the tourism industry have relayed that the disturbances arising from the opposition to the proposed legislative amendments, which erupted in June this year and have not yet subsided, have dealt a heavy blow to Hong Kong's tourism industry and affected the livelihood of the practitioners of the tourism industry. In this connection, will the Government inform this Council:

- (1) whether it has estimated the economic losses caused to the tourism industry by the social disturbances since June this year; if so, of the amount of money;
- (2) given that so far 40 countries/regions have issued alerts/advice on travelling to Hong Kong, whether it knows if the Hong Kong Tourism Board ("HKTB") has, in response to such situation, (i) made adjustments, (ii) rolled out new measures, and (iii) increased the budgeted expenditure, in respect of the publicity and promotion work targeting at the various visitor source markets; if HKTB has, of the details; if not, the reasons for that;
- (3) given that HKTB has cancelled this year's Hong Kong Wine & Dine Festival and Hong Kong Cyclothon originally scheduled to be held last month, whether it knows (i) if HKTB has estimated the resultant impacts on and the economic losses so suffered by the tourism industry, and (ii) how HKTB will deal with the unspent funds earmarked for holding those two events;
- (4) whether it knows if HKTB is considering the cancellation of the large-scale tourism promotion events to be held in the coming six months, and the factors being considered by HKTB;
- (5) whether it knows the specific contents of and the budgeted expenditure for the promotional programme "Hong Kong Takes Off Again" to be rolled out by HKTB; and
- (6) given that starting from September this year, Hong Kong tourist guides and tour escorts may apply to the Mainland authorities for working in Hengqin New Area, Zhuhai, whether it knows the respective numbers of applications received, approved and rejected by the Mainland authorities so far?

Question 8  
(For written reply)

(Translation)

Development and application of autonomous vehicles

Hon Martin LIAO to ask:

The Transport and Housing Bureau has recently indicated that the Government “will consider legislative amendments to stipulate the conditions and supporting measures required for trials of autonomous vehicles so as to foster a suitable and safe road environment for such trials and promote the development and application of autonomous vehicles”. In this connection, will the Government inform this Council:

- (1) of the specific plans and contents in respect of its work in considering legislative amendments, and whether it has formulated plans to facilitate the conduct of trials of autonomous vehicles (“AVs”) in ordinary road environment under safe circumstances;
- (2) of the details of the trials of various models of AVs conducted currently at designated locations in Hong Kong, as well as the technological development stage reached so far;
- (3) whether it has assessed the material support that needs to be provided by the Government to facilitate the development of autonomous driving in Hong Kong, e.g. assisting in perfecting the innovation and technology ecosystem that comprises essential elements such as big data, advanced networks, smart road infrastructure; if so, of the details; if not, the reasons for that;
- (4) whether it will follow the practices of some technologically advanced places by formulating a strategy and interim development goals for the development of AV transport and drawing up a roadmap and an implementation timetable for this purpose; if so, of the details; if not, the reasons for that; and
- (5) as it is anticipated by some technologically advanced places that AVs not only can generate huge business opportunities, but may also, along with the continued development of technologies such as artificial intelligence and ultra high-speed network, bring revolutionary changes to the way in which a society operates, including significantly enhancing road safety, providing highly efficient transportation services featured by public and private passenger and freight transport that operates on a round-the-clock and beck-and-call basis, enabling the efficient use of roads and reducing the demand for car parking spaces, and significantly reducing the need for owning a vehicle, whether the authorities



have also articulated a vision for the development of autonomous driving in Hong Kong; if so, of the details?

Question 9  
(For written reply)

(Translation)

Pharmacists practising in community pharmacies

Hon SHIU Ka-fai to ask:

Some representatives of the pharmacy trade and pharmacists have relayed to me that registered pharmacists practising in community pharmacies may perform an important function of enhancing primary healthcare services, thereby alleviating the burden on the public healthcare system. For example, they may provide members of the public with services such as drug consultation and inspection, guidance on proper medication, simple tests (measuring cholesterol, blood glucose and blood pressure levels), and advice on seeking medical treatment. On the other hand, the pharmaceutical trade has been fighting for over a decade for implementing in Hong Kong a system of separation of prescribing from dispensing of drugs (“SPD”) (i.e. doctors being responsible for disease diagnosis and prescription only while pharmacists for drug dispensing). However, the Government has not given any definite response so far. In this connection, will the Government inform this Council:

- (1) given that pharmacists are not included in the 10 types of healthcare professionals covered by the current Elderly Health Care Voucher Scheme, whether the Government will include pharmacists in the Scheme to increase the options of primary healthcare services available to the elderly under the Scheme; if so, of the details and implementation timetable; if not, the reasons for that;
- (2) whether it studied, in the past three years, the functions that may be performed by registered pharmacists in primary healthcare services; if so, of the details; if not, whether it will conduct such a study expeditiously;
- (3) given that at present, quite a number of places (e.g. the United States, the United Kingdom, Taiwan, Beijing and Macao) have implemented SPD, whether the Government will make reference to the relevant practices and implement SPD in Hong Kong expeditiously; if so, of the details and implementation timetable; if not, the reasons for that; and
- (4) whether it has assessed the conditions that need to be met in order to achieve the dispensing of drugs in qualified community pharmacies to patients with prescriptions by doctors in public hospitals; whether it will launch a pilot scheme which adopts this drug dispensing method to ameliorate the manpower shortage problem in public hospitals and provide patients with an additional

option; if so, of the details and implementation timetable of such a scheme; if not, the reasons for that?

Question 10  
(For written reply)

(Translation)

An arrest on 20 October

Hon LEUNG Yiu-chung to ask:

It is learnt that on the afternoon of 20 October this year, anti-riot police officers stopped a male passer-by on Jordan Road, and arrested him for the offence of unlawful assembly. While he was being detained, his legal representative had enquired of the Police about the identity of the police officer who made the arrest. However, the Police gave different answers on three occasions. On the first occasion, the answer was that the police officer belonged to the Police Tactical Unit, but details of his identity could not be disclosed owing to the sensitivity of his identity; on the second occasion, the answer was that they had no idea; on the third occasion, the answer was that the police officer belonged to the Commercial Crime Bureau. Furthermore, the Police had continued to detain the man without instituting any prosecution. His legal representative has pointed out that the Police are not empowered to detain members of the public arbitrarily, and must expeditiously and, within 48 hours from the time of arrest, make the decision of either laying charges against or releasing the arrestees. Considering that the Police's actions of arresting and detaining his client were unlawful, that legal representative made an application to the High Court on 21 October for a writ of habeas corpus, demanding the Police to release his client. The representative of the Department of Justice indicated in the court that the man would not be prosecuted, and the man was then released. In this connection, will the Government inform this Council:

- (1) of the reasons why the Police gave three different answers to the enquiry about the identity of the police officer concerned;
- (2) whether it has assessed if the reasons mentioned in (1) are appropriate; if it has assessed and the outcome is in the affirmative, of the justifications for that;
- (3) of the meaning of the Police's claim that the identity of the aforesaid police officer was sensitive; whether there were similar cases in the past three years in which the Police refused to disclose the identities of police officers on the same grounds; if so, of the number and details of such cases;
- (4) whether the Police have reviewed if the police officer concerned had reasonable justifications for arresting the man; if they have reviewed and the outcome is in the affirmative, of the details and the reasons for not instituting any prosecution in the end; if the

review outcome is in the negative, whether they have examined if the police officer concerned had abused his power; if they have examined and the outcome is in the affirmative, whether the Police will follow up the matter and refer the case to the Independent Commission Against Corruption for follow-up; if so, of the details; if not, the reasons for that; and

- (5) whether the police officer concerned, when stopping the man, forced him to kneel down with his hands laced behind his head; of the legislation based on which the Police may require suspected offenders to kneel down with their hands laced behind their heads, as well as the criteria for or guidelines on invoking the legal provisions concerned; the actions that may be taken by the police officers at the scene when the persons who are stopped refuse to kneel down with their hands laced behind their heads, and whether such persons may be prosecuted as a result; if so, of the charge to be laid against them?

Question 11  
(For written reply)

(Translation)

Review of the Air Quality Objectives

Hon Kenneth LEUNG to ask:

The Government conducted a public consultation on 2025 Air Quality Objectives Review from July to October this year. The consultation paper recommends, among others, that the average 24-hour concentration limit stipulated for fine suspended particulates (i.e. PM<sub>2.5</sub>) in the Air Quality Objectives (“AQOs”) be tightened, but that the number of exceedances allowed be relaxed from the current level of 9 to 35 a year. In this connection, will the Government inform this Council:

- (1) as an environmental group has pointed out that the longer the duration for which members of the public are exposed to air pollutants, the greater the health risks they will face, whether the Government will consider afresh shelving the aforesaid recommendation of relaxing the number of allowable exceedances; if not, of the justifications for that;
- (2) as the findings of the 2025 air quality assessment have shown that the concentrations of ozone and respirable suspended particulates (i.e. PM<sub>10</sub>) in most parts of Hong Kong will exceed the relevant levels set by the World Health Organization, whether the Government will consider exploring expeditiously the tightening of the concentration limit targets of those two types of air pollutants; if so, of the details; if not, the justifications for that; and
- (3) as the Police have frequently fired tear gas rounds during public events in recent months, and according to some academics, it is very likely that tear gas rounds will give off dioxins during the combustion process, whether the Government will consider installing additional equipment at the 13 existing general air quality monitoring stations or adopting other measures for real-time monitoring of dioxin concentrations, so that members of the public may take actions to minimize personal health risks as necessary; if not, of the justifications for that?

Question 12  
(For written reply)

(Translation)

Modification works for public play spaces

Hon Tony TSE to ask:

The Chief Executive has indicated in this year's Policy Address that the Government "plan[s] to modify more than 170 public play spaces managed by the Leisure and Cultural Services Department ('LCSD') over the next five years. To make the facilities more innovative and fun, while meeting the needs of residents, LCSD will encourage and promote community participation and public engagement in the process of modifying these facilities". In this connection, will the Government inform this Council:

- (1) of the locations and areas of the aforesaid public play spaces, as well as the timetable and estimated expenditure for the relevant modification works;
- (2) whether it will consider organizing an open design competition for the modification works for public play spaces in order to make the relevant facilities more innovative and fun through engaging the participation of the relevant professionals; and
- (3) whether it will make special arrangements for the modification works at the policy or tender level to encourage more small and medium enterprises, start-up companies and less experienced professionals to participate in the relevant works?

Question 13  
(For written reply)

(Translation)

Use of weapons by police officers

Hon Gary FAN to ask:

Since the eruption of the “anti-extradition to China” movement in June this year, the Police have deployed, for dealing with hundreds of large-scale public events, specialized crowd management vehicles (commonly known as “water cannon vehicles”) from 25 August onwards to spray coloured water to disperse crowds, and issued extendable batons and pepper sprays to off-duty police officers from 10 September and 15 October onwards respectively to facilitate their discharge of duties in case of emergency. In this connection, will the Government inform this Council:

- (1) as many members of the public who were hit by the coloured water sprayed from water cannon vehicles experienced stinging sensations in their eyes and intense burning sensations on their skin, of the respective chemical compositions of the colouring materials and pepper based solutions in the coloured water; if such information cannot be made public, of the reasons for that;
- (2) as the Police have indicated that the coloured water can help the Police identify demonstrators, of the to-date number of demonstrators arrested by the Police by such means, with a tabulated breakdown by the date, time and venue of the relevant public events and the offence allegedly committed by the arrestees;
- (3) of the to-date total number of off-duty police officers who have been issued with extendable batons and pepper sprays by the Police;
- (4) as the Police have indicated that they will conduct a review of the arrangement one month after issuing extendable batons to off-duty police officers, whether such a review has been conducted as scheduled; if so, of the outcome; if not, the reasons for that;
- (5) whether the Police have conducted any review of the arrangement of issuing pepper sprays to off-duty police officers; if so, of the outcome; if not, the reasons for that;
- (6) of the utilization of extendable batons and pepper sprays by off-duty police officers for discharging duties (including the number of off-duty police officers using such weapons in public events, with a tabulated breakdown by the date on which and the place at which those weapons were used); and
- (7) whether police officers will be granted overtime allowances for the off-duty hours during which they discharged duties by using the



extendable batons or pepper sprays; if so, of the total amount of payment made so far; if not, the reasons for that?

Question 14  
(For written reply)

(Translation)

Law enforcement by police officers on private premises

Hon WU Chi-wai to ask:

The Police have stated that under sections 50(3) and (4) of the Police Force Ordinance (Cap. 232), if police officers have reasonable doubts that someone may have committed a criminal offence in any public or private place, police officers have the power to enter the place concerned to make arrests. Section 50(3) of Cap. 232 provides that “[i]f any police officer has reason to believe that any person to be arrested has entered into or is in any place the person residing in or in charge of such place shall on demand of that police officer allow him free ingress thereto and afford all reasonable facilities for search therein”. Regarding law enforcement by police officers on private premises (including various types of subsidized sale housing), will the Government inform this Council:

- (1) of the respective numbers of searches, conducted by police officers in each month since June this year under (a) sections 50(3) or (4) of Cap. 232 and (b) search warrants issued by magistrates, involving entry into the following types of private premises: (i) shopping arcades, (ii) shops outside shopping arcades, (iii) common areas outside residential buildings in private housing estates (e.g. private roads and gardens), (iv) common areas of private residential buildings (e.g. lobbies and staircases), (v) private residential flats, and (vi) others (set out in the table below);

Month	The power under which police officers entered the premises concerned	(i)	(ii)	(iii)	(iv)	(v)	(vi)	Total
	(a)							
	(b)							
...								
	Total							

- (2) of the number of persons arrested in each month since June this year by police officers on private premises, with a breakdown by the six types of premises mentioned in (1) (set out in a table of the same format as the table above);
- (3) as some members of the public are concerned that in recent months, some police officers, in the absence of any definite person(s) to be arrested, forced entry into private housing estates and shopping arcades, and conducted stop-and-searches on the residents and customers of shopping arcades in the form of fishing expedition, whether the Security Bureau and the Police Force have reviewed

such mode of operation, and whether they have found cases in which police officers entered private premises to enforce the law without lawful authorization under Cap. 232; if they have found such cases, of the details;

- (4) whether it is mandatory for police officers, when entering private premises under sections 50(3) of Cap. 232, to provide, either proactively or on request, information to “the person residing in or in charge of such place” as referred to in that subsection to prove that there is/are “person(s) to be arrested” on the premises; if so, of the details of the relevant information; if not, the reasons for that;
- (5) of the number of occasions in each month since June this year on which police officers used weapons in the common areas in private housing estates (including various types of subsidized sale housing), with a breakdown of the quantities of the weapons used by name of estate and type of weapon (e.g. tear gas rounds, sponge rounds and bean bag rounds);
- (6) whether section 50 of Cap. 232 authorizes the Police to carry out dispersal operations on private premises; if not, of the provisions in Cap. 232 under which the Police may carry out such operations on private premises;
- (7) of the pieces of legislation, apart from Cap. 232, that authorize the Police to enforce the law and carry out dispersal operations by means of firing tear gas rounds, etc. on private premises; and
- (8) of the details of the guidelines and notices issued by the Police since June this year to the property management sector on issues relating to the entry of police officers into private premises to carry out law enforcement actions?

Question 15  
(For written reply)

(Translation)

Tear gas rounds

Prof Hon Joseph LEE 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 to disperse demonstrators. It has been reported that on the 2nd of this month, a volunteer first-aider was allegedly shot by a tear gas round made in China which resulted in serious burns on his back. Besides, as measured by some reporters at the scenes of conflicts, the temperature of the sparks discharged during combustion of tear gas rounds was as high as 252 degrees Celsius, which can set alight miscellaneous objects and cause second degree burns in human bodies. In this connection, will the Government inform this Council:

- (1) of the total number of tear gas rounds fired by the Police since June this year, and in respect of the 10 days on which the largest quantities of tear gas rounds were fired, the (i) relevant dates, (ii) quantities of tear gas rounds fired and (iii) locations where they were fired;
- (2) whether, at present, the Police have procured tear gas rounds which are not made in China; if so, (a) of the places of origin of such tear gas rounds, and (b) how such tear gas rounds compare with those which are made in China in the following aspects: (i) composition, (ii) velocity of explosion, (iii) power (including the functions, effects and the highest temperature during combustion), and (iv) possible impacts on human health (set out in a table); if not, the reasons for that;
- (3) whether the Police have, before procurement, conducted tests for the tear gas rounds made in China on the various aspects mentioned in (2); if so, of the details of the test results; and
- (4) whether the Police have issued guidelines to police officers, relevant government departments, public organizations and members of the public in respect of how to clean up tear gas residue at the scenes where tear gas rounds have been fired and how to deal with the aftermath; if so, of the details; if not, the reasons for that?

Question 16  
(For written reply)

(Translation)

Welfare-related funds for the Police

Dr Hon Fernando CHEUNG to ask:

Regarding the Police Welfare Fund, the Police Children's Education Trust and the Police Education and Welfare Trust, will the Government inform this Council of the following during the period between 1 June and 31 October this year:

- (1) the details of the incomes of the three funds (set out in Tables 1 to 3);

Table 1: Income of the Police Welfare Fund

Income	Amount
(i) General Fund	
Donations	
Government grant	
Hire of police services	
Hire of police holiday facilities	
Interest income from fixed deposits	
Commission on sale of souvenirs by contractor	
Miscellaneous receipts	
Commission from Staff Purchase Scheme contractor	
Exchange gain	
(ii) Police Band Fund	
Hire of Police Band	
Donations	
(iii) Sir Shiu-kin TANG Donation Fund (1985)	
Interest income from fixed deposit	
(iv) Music Bursary Fund	
Sale of compact discs	

Table 2: Income of the Police Children's Education Trust

Income	Amount
Donations	
Interest Income	
Dividend income	
Gain on disposal of investments	
Net exchange gain	

Table 3: Income of the Police Education and Welfare Trust

Income	Amount
Donations	
Interest income	
Dividend income	
Net exchange gain	

- (2) the details of the expenditures of the three funds (set out in Tables 4 to 6); and

Table 4: Expenditure of the Police Welfare Fund

Expenditure		Amount
(i)	General Fund	
	Formation welfare grants	
	Grants to Police Tactical Units	
	Grants to various councils, associations, etc.	
	Recurrent expenses on police holiday facilities	
	Grants to police/civilian officers in hardship	
	Refreshments for police officers on special duties	
	Police sports activities expenses	
	Staff relation expenses	
	Grants on death of serving police/civilian officers or pensioners	
	Summer scholarships for police officers' children	
	Healthy Lifestyle Strategy Activities	
	Seminars and Resettlement Training Courses	
	Grants to junior police officers for further education	
	Others	
	Exchange loss	
(ii)	Police Band Fund	
	Distribution of band fees	
	Purchase and repair of musical instruments	
	Royalties to Composers and Authors Society of Hong Kong Limited	
	Laundry expenses for bandsmen engaged in private functions	
	Miscellaneous expenses	
	Entertainment expenses	
(iii)	Sir Shiu-Kin TANG Donation Fund (1985)	
	General welfare expenses	
(iv)	Music Bursary Fund	
	Expenses on training bandsmen	
	Miscellaneous expenses	
(v)	Further Education Fund	
	Further education grants to police officers	

Table 5: Expenditure of the Police Children's Education Trust

Expenditure		Amount
	Bursaries	
	Treasurer's remuneration	
	Sundry expenses	
	Net exchange loss	

Table 6: Expenditure of the Police Education and Welfare Trust

Expenditure		Amount
	Bursaries	
	Treasurer's remuneration	
	Sundry expenses	
	Net exchange loss	

- (3) the details of the donations received by the three funds (set out in tables of the same format as Table 7)?

Table 7

Date of receipt of donations	Name of donors/ donating organizations	Amount of donations	Reasons for donation

Question 17  
(For written reply)

(Translation)

Land leases expiring in 2047

Dr Hon CHIANG Lai-wan to ask:

The Government has indicated that there are more than 30 000 leases for lands in the New Territories (including New Kowloon) which were made for terms expiring in mid-2047. Regarding the extension of such land leases and related matters, will the Government inform this Council:

- (1) of the following information on the lands, which are under the aforesaid land leases at present and in multiple ownerships, for residential use or for both commercial and residential uses: (i) the total land area, (ii) the number of lots and (iii) the total number of residential units involved (including units for both commercial and residential uses); if the Lands Department (“LandsD”) has not kept such information, when LandsD will finish the work to keep the information;
- (2) as LandsD indicated in March 2017 that (i) the compilation of the reference materials on the specific procedures and workflow involved in the processing of lease extension was expected to complete by mid-2017, and (ii) the possibility of further streamlining and shortening the workflow involved would be explored, whether the two tasks have been completed and whether the reference materials have been made public at present; if the tasks have not been completed or the materials have not been made public, of the reasons for that;
- (3) given that a large number of land leases will be expiring in mid-2047, whether LandsD has assessed the additional manpower and financial resources needed for coping with the relevant work, such as collating and compiling information on land leases and extending land leases; if LandsD has, of the additional manpower and estimated expenditure needed;
- (4) whether it will expeditiously make public the terms and procedures for extension of the aforesaid land leases; if not, when it will do so;
- (5) whether financial institutions relayed to the authorities in the past three years that the uncertainty about whether and for how long those land leases could be extended in 2047 had affected their decisions on the applications for mortgage loans related to the properties concerned; if so, of the details; and

- (6) whether it knows if there were cases in the past three years in which financial institutions refused to grant mortgage loans with a term beyond mid-2047 for the properties on a particular land on the grounds that the land lease concerned will expire in that year; if so, of the details?



Question 18  
(For written reply)

(Translation)

Law enforcement actions relating to the  
“anti-extradition to China” movement

Hon Dennis KWOK to ask:

It has been reported that since June this year, during a number of public meetings and processions relating to the “anti-extradition to China” movement, a large number of demonstrators, bystanders and passers-by were arrested, and quite a number of persons were taken to police stations to assist in investigations. In this connection, will the Government inform this Council:

- (1) of the number of persons arrested in each month since June this year, and set out the following figures by reason for arrest (other than the offences under the Prohibition on Face Covering Regulation (Cap. 241K)): (i) the number of persons arrested, (ii) the number of persons released unconditionally subsequent to the arrests, (iii) the number of persons allowed to be released on bail pending further investigations subsequent to the arrests, (iv) the number of persons prosecuted, (v) the number of persons allowed to be released on bail after being brought before the court, and (vi) the number of persons prosecuted for other offences concurrently (set out in tables of the same format as Table 1);

Table 1

Month: \_\_\_\_\_

Reason for arrest	(i)	(ii)	(iii)	(iv)	(v)	(vi)
...						
Total						(not applicable)

- (2) of the respective numbers of persons arrested, since the coming into operation of Cap. 241K on 5 October this year, for allegedly (a) having used facial covering that was likely to prevent identification while they were at specified activities and (b) having failed to comply with a police officer’s requirement of removing the facial covering, and set out the following figures by the date on which they were arrested: (i) the number of persons arrested, (ii) the number of persons released unconditionally subsequent to the arrests, (iii) the number of persons allowed to be released on bail pending further investigations subsequent to the arrests, (iv) the number of persons prosecuted, and (v) the number of persons allowed to be released on bail after being brought before the court (set out in Table 2);

Table 2

Date of arrest	Offence	(i)	(ii)	(iii)	(iv)	(v)
	(a)					
	(b)					
...						
Total						

- (3) of the respective numbers of persons (i) released and (ii) detained after being taken by the Police to police stations on each week (from Sunday to Saturday) since 9 June this year to assist in investigations (other than the persons mentioned in (1)) (set out in Table 3);

Table 3

Date	(i)	(ii)	Total
9 June to 15 June			
...			
Total			

- (4) of the respective numbers of arrestees who had been detained for a period of more than 48 hours, the statutory limit, before they were (i) released, (ii) brought before a magistrate, and (iii) transferred to hospitals for medical treatment, on each week (from Sunday to Saturday) since 9 June this year (set out in Table 4); and

Table 4

Date	(i)	(ii)	(iii)	Total
9 June to 15 June				
...				
Total				

- (5) of the respective numbers of vehicles borrowed since 9 June this year by the Police from other government departments for the purpose of transporting (a) arrestees and persons assisting in investigations and (b) police officers, and set out the following information by the department to which the vehicles belonged: (i) the class of vehicles, (ii) the number of seats and (iii) the number of vehicles (set out in Table 5)?

Table 5

Department	Purpose	(i)	(ii)	(iii)
	(a)			
	(b)			
...				
Total		(not applicable)	(not applicable)	

Question 19  
(For written reply)

(Translation)

Illegal felling of *Aquilaria Sinensis*

Hon Kenneth LAU to ask:

*Aquilaria sinensis* (“incense tree”) is an endangered species listed in an international convention, and therefore the import, export and re-export of agarwood specimens are subject to statutory control. Since incense trees are of medicinal value and their prices are high, a large number of incense trees in the southern part of the Mainland have been felled, with only a small number left at present. Some New Territories villagers have relayed that in recent years, the illegal felling of incense trees in Hong Kong has been rampant, particularly in districts such as Sha Tau Kok, Sai Kung, Sha Tin, Tai Po and Lamma Island. In the Sha Tau Kok Frontier Closed Area, 20 incense trees were illegally felled in 2016, and another one was felled in a recent month. In this connection, will the Government inform this Council

- (1) of the information on cases of illegal felling of incense trees in the past 10 years, including (i) the number of such cases, (ii) the number of persons arrested (and, among them, the number of Mainlanders who entered Hong Kong with travel endorsements or illegally), (iii) the number of prosecutions instituted, (iv) the number of convictions, (v) the punishments imposed in general and (vi) the number and weight of incense trees involved;
- (2) of the number of cases in which agarwood was intercepted at the various boundary control points, and the total weight of agarwood involved, as well as the number of cases of smuggling agarwood by post, in the past five years;
- (3) whether, in the past five years, the Agriculture, Fisheries and Conservation Department and the Customs and Excise Department (i) took joint law enforcement actions, and (ii) took joint law enforcement actions with the relevant Mainland departments, to combat the smuggling of agarwood; if so, of the details;
- (4) of the details of the installation in the past five years of closed-circuit television cameras or Infrared Sensor Camera Traps by the authorities at locations with high risk of illegal felling of incense trees; whether they have assessed the effectiveness of this measure;
- (5) whether it has considered enacting legislation to ban the sale of wild agarwood and its products in Hong Kong; if so, of the details; if not, the reasons for that; and

- (6) whether it has compiled statistics on the current number of incense trees in Hong Kong; whether the authorities have put in place new measures to enhance the protection of incense trees; if so, of the details?

Question 20  
(For written reply)

(Translation)

Unlawful acts and improper remarks by civil servants and teachers

Hon Holden CHOW to ask:

Recently, some civil servants made remarks on the Internet discrediting the “one country, two systems”, and a civil servant was arrested for alleged participation in an unlawful assembly. Moreover, the Education Bureau (“EDB”) earlier on issued a letter of condemnation to two teachers who had made hostile remarks on the Internet against the Police. Some parents hold the view that such disciplinary action is inadequate to reflect the severity of that kind of incidents as the relevant remarks may incite students to take part in unlawful activities. In this connection, will the Government inform this Council:

- (1) of the number of complaints received, since June this year, about civil servants taking part in unlawful assemblies or violent activities, or openly making remarks that discredit the “one country, two systems”; the disciplinary mechanism established for those complaints substantiated, including the circumstances under which the person under complaint will be interdicted; the to-date number of persons interdicted for such acts; and
- (2) of the number of complaints received by EDB, since June this year, about teachers of government schools making hostile remarks against the Police or/and seditious remarks; the disciplinary mechanism established for those complaints substantiated, including the circumstances under which the person under complaint will be suspended from duty; the to-date number of persons suspended from duty for such acts?

Question 21  
(For written reply)

(Translation)

Parking spaces for private cars

Hon Jimmy NG to ask:

The number of private cars in Hong Kong increased from 402 000 in 2006 to 626 000 in September 2019 (representing a 56% increase). However, the ratio of parking spaces for private cars to such vehicles dropped from 1.51 in 2006 to 1.1 in 2019, reflecting that the shortage of car parking spaces has aggravated. Regarding parking spaces for private cars, will the Government inform this Council:

- (1) of the numbers, projected for the coming three years, of new car parking spaces to be provided by the Government and private developers, and among such car parking spaces, the number of those for private cars (with a tabulated breakdown by District Council district);
- (2) of the numbers, projected for the coming three years, of (i) public multi-storey car parks to be newly completed and commissioned, and the total number of car parking spaces to be provided therein, as well as (ii) government sites to be let by way of short-term tenancies for use as temporary car parks, and set out the location and the number of car parking spaces to be provided therein for each of such sites;
- (3) whether, in order to alleviate the shortage of car parking spaces, it will expeditiously (i) amend the Hong Kong Planning Standards and Guidelines to raise the standards on the provision of parking spaces for private cars in housing development projects (e.g. changing the current standard of one car parking space per six to nine residential flats to one car parking space per four to five residential flats), and review the demand adjustment ratio, the accessibility adjustment ratio and the development intensity adjustment ratio, as well as (ii) take measures to encourage developers to provide more car parking spaces, so that more parking spaces can be provided in newly completed housing development/redevelopment projects; if so, of the details and timetable; if not, the reasons for that;
- (4) given that the continued increase in size of the private cars manufactured in recent years has made it increasingly frequent that the body of a vehicle crosses the boundary lines of a car parking space and the space between vehicles parked adjacently is insufficient for the vehicle doors to be opened for boarding and

- alighting, whether the Government will review the size standard for parking spaces; if so, of the details; if not, the reasons for that; and
- (5) as the Transport Department is taking forward pilot projects of automated parking systems involving six sites with a view to providing more car parking spaces, of the projected numbers of parking spaces to be provided by such projects in the coming three years?

Question 22  
(For written reply)

(Translation)

Arms and ammunition used by the Police

Hon HUI Chi-fung to ask:

Regarding the arms and ammunition (including tear gas rounds, rubber bullets, bean bag rounds and sponge rounds) used by the Hong Kong Police Force, will the Government inform this Council:

- (1) of the quantity, name of manufacturer and place of origin of each type of the arms that each operation unit is equipped with (set out in tables);
- (2) whether the Police have kept a record of each police officer's use of arms on each occasion and the reason(s) therefor; if so, of the details; if not, the reasons for that;
- (3) whether the Police have put in place measures to ensure that all ammunition in stock is within the expiry dates set by the manufacturers; if so, of the details; if not, the reasons for that;
- (4) of the Police's considerations for determining the ways to handle the expired ammunition, and whether police officers used any expired ammunition while on duty in the past six months; if so, of the reasons for that;
- (5) as some reporters picked up at the scenes of demonstrations some shells of tear gas rounds with the expiry dates scratched off, whether the Police have concealed its continued use of the expired tear gas rounds by scratching off the expiry dates on them; and
- (6) as the Commissioner of Police has appointed, under section 40 of the Public Order Ordinance (Cap. 245), a batch of officers of the Correctional Services Department as special constables, of the difference between such special constables and police officers in terms of their arms while on duty?



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

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**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))

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**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

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

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**Resolution**

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

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

**Interpretation and General Clauses Ordinance**

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**Resolution**

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

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**Resolved** that in relation to the—

- (a) Conservation of Antarctic Marine Living Resources (Toothfish Catch Documentation Scheme) Regulation, published in the Gazette as Legal Notice No. 150 of 2019;
- (b) Conservation of Antarctic Marine Living Resources (Port Inspection and Control) Regulation, published in the Gazette as Legal Notice No. 151 of 2019;
- (c) Administrative Appeals Board Ordinance (Amendment of Schedule) (No. 2) Order 2019, published in the Gazette as Legal Notice No. 152 of 2019; and
- (d) Conservation of Antarctic Marine Living Resources Ordinance (Commencement) Notice, published in the Gazette as Legal Notice No. 153 of 2019,

and laid on the table of the Legislative Council on 30 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 18 December 2019.

**Interpretation and General Clauses Ordinance**

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**Resolution**

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

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**Resolved** that in relation to the—

- (a) Merchant Shipping (Local Vessels) (Safety and Survey) (Amendment) Regulation 2019, published in the Gazette as Legal Notice No. 154 of 2019; and
- (b) Merchant Shipping (Local Vessels) (General) (Amendment) (No. 3) Regulation 2019, published in the Gazette as Legal Notice No. 155 of 2019,

and laid on the table of the Legislative Council on 30 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 18 December 2019.

**Interpretation and General Clauses Ordinance**

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**Resolution**

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

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**Resolved** that in relation to the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2019, published in the Gazette as Legal Notice No. 156 of 2019, and laid on the table of the Legislative Council on 30 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 18 December 2019.

**Air Pollution Control Ordinance**

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**Resolution**

(Under section 37B(4) of the Air Pollution Control Ordinance (Cap. 311))

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**Resolved** that in relation to the Eighth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences, published in Special Supplement No. 5 to the Gazette on 25 October 2019, and laid on the table of the Legislative Council on 30 October 2019, the period for amending the technical memorandum referred to in section 37B(2) of the Air Pollution Control Ordinance (Cap. 311) be extended under section 37B(4) of that Ordinance to the meeting of 18 December 2019.

The 25 Members below jointly initiate the following motion:

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

### **Motion under Article 73(9) of the Basic Law**

#### **Wording of the Motion**

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

#### **Schedule**

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

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

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

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

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

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

### **Use of excessive force to crack down on peaceful assembly**

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

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



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

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

### **Intimidating protestors with disproportionate criminal charges**

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

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

### **Causing a rift in society**

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

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

## **Conclusion**

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

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

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

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

**Motion to be moved by 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 <sup>st</sup> Charge	Incitement to commit public nuisance, contrary to Common Law	9 April 2019	Imprisonment for 8 months	10 June 2019
	2 <sup>nd</sup> 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 <sup>st</sup> Charge	Incitement to commit public nuisance, contrary to Common Law	9 April 2019	Imprisonment for 8 months	24 April 2019
	2 <sup>nd</sup> 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)

<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>
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.

<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>
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**

<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>
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"	眾人重覆說：“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**

<b>序號 Seq</b>	<b>視頻時間標記 Time marker of the video clip</b>	<b>內容 Contents</b>
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.

<b>序號</b> <b>Seq</b>	<b>視頻時間標記</b> <b>Time marker of</b> <b>the video clip</b>	<b>內容</b> <b>Contents</b>
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**

<b>序號</b> <b>Seq</b>	<b>視頻時間標記</b> <b>Time marker of</b> <b>the video clip</b>	<b>內容</b> <b>Contents</b>
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.

<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>
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**

<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>
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!

<b>序號 Seq</b>	<b>視頻時間標記 Time marker of the video clip</b>	<b>內容 Contents</b>
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.



<b>序號 Seq</b>	<b>視頻時間標記 Time marker of the video clip</b>	<b>內容 Contents</b>
53.	22'28"	<p>車廂外，有男子相信是指著林議員喝罵：“係你條仆街……，DLLM! 阻住曬！”。</p> <p>A man is believed to be shouting from outside a train compartment towards Mr LAM, “You idiot...fuck you! Keep causing trouble!”.</p>
54.	22'33"	<p>有一白衣人持棍衝入車廂。</p> <p>A white-clad person enters a train compartment holding a stick.</p>
55.	22'39"	<p>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！”。</p> <p>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!”.</p>
56.	23'05"	<p>情況混亂……！</p> <p>Chaos... !</p>
57.	23'29"	<p>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。</p> <p>The fighting goes on. Mr LAM is hiding behind a man and a woman to avoid being hit by the white-clad people.</p>
58.	23'39"	<p>有一名白衣男子叫：“唔好打”，並以身體擋著。</p> <p>A white-clad man says, “Stop hitting!”, and uses his body as a protecting shield for others.</p>
59.	23'44"	<p>白衣人撤退出車廂並叫：“走走走！”。</p> <p>A white-clad person retreats from a train compartment and shouts, “Go Go Go!”.</p>
60.	23'51"	<p>有一四眼男子跪地求和。有藍衣肥男子一拳打向該男子。</p> <p>A man wearing spectacles kneels down and begs for mercy. A fat man in a blue T-shirt hits that man with his fist!</p>
61.	25'10"-25'20"	<p>有一名白衣人大聲喝罵林議員說：“DLLM！你搞我哋元朗……DLLM！”。</p> <p>A white-clad person shouts loudly at Mr LAM, “Fuck you! You stir up trouble to Yuen Long! Fuck you!”.</p>

<b>序號</b> <b>Seq</b>	<b>視頻時間標記</b> <b>Time marker of</b> <b>the video clip</b>	<b>內容</b> <b>Contents</b>
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 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.

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

**Wording of the Motion**

That, since June 2019, the demonstrations and civil disturbances arising from the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 have been getting more rampant, resulting in the rule of law, public order, livelihood and economy of Hong Kong being severely affected, and as violent incidents continue to escalate, and most Hong Kong residents hope that the society can return to normal as soon as possible, this Council appoints a select committee to inquire into the causes and consequences of the above civil disturbances, whether there is any interference of the external force, the sources of funding and resources for various large-scale demonstrations and civil disturbances, as well as to identify the deep-rooted conflicts which led to the civil disturbances, and to make recommendations on ways for social reconciliation; 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.