

Legislative Council

Agenda

Wednesday 27 May 2020 at 11:00 am

I. Laying of Papers on the Table of the Council

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

Public officer to address the Council

Chief Secretary for Administration

Paper

The Government Minute in response to the Report of the Public Accounts Committee No. 73 of February 2020
(Item 12 in Appendix 1)

II. Questions

Members to ask 21 questions (6 for oral replies and 15 for written replies)

Questions for oral replies to be asked by

1. Hon HO Kai-ming
(Assistance provided for the unemployed)
2. Hon Martin LIAO
(Preventing the emergence of home-grown terrorism)
3. Hon Elizabeth QUAT
(Issues related to news coverage work)
4. Hon CHAN Han-pan
(Retail prices of auto-fuels)
5. Dr Hon Priscilla LEUNG
(Livelihood initiatives)
6. Hon Dennis KWOK
(Enacting legislation on Article 23 of the Basic Law)

Public officers to reply

Secretary for Labour and Welfare

Secretary for Security

Secretary for Constitutional and Mainland Affairs
Secretary for Security

Secretary for the Environment

Secretary for Labour and Welfare

Secretary for Security

Contents of 21 questions, Members to ask such questions and public officers to reply set out in Appendix 2

III. Government Bills

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

1. National Anthem Bill : Secretary for Constitutional and Mainland Affairs

5 amendment movers : Hon Alvin YEUNG, Hon CHAN Chi-chuen, Dr Hon Fernando CHEUNG, Hon Kenneth LEUNG and Hon WU Chi-wai
(Amendments set out in LC Paper No. CB(3) 456/19-20 issued on 25 May 2020)

(Debate arrangement set out in LC Paper No. CB(3) 464/19-20 issued on 26 May 2020)

2. Trade Marks (Amendment) Bill 2019 : Secretary for Commerce and Economic Development

Amendment mover : Secretary for Commerce and Economic Development
(Amendment set out in LC Paper No. CB(3) 437/19-20 issued on 21 May 2020)

3. Inland Revenue (Amendment) (Tax Concessions) Bill 2020 : Secretary for Financial Services and the Treasury

4. Inland Revenue (Amendment) (Ship Leasing Tax Concessions) Bill 2020 : Secretary for Transport and Housing

Amendment mover : Secretary for Transport and Housing
(Amendments set out in LC Paper No. CB(3) 451/19-20 issued on 22 May 2020)

5. Hotel and Guesthouse Accommodation (Amendment) Bill 2018 : Secretary for Home Affairs

6. Fire Safety (Industrial Buildings) Bill : Secretary for Security
- Amendment mover : Secretary for Security
(Amendments set out in LC Paper No. CB(3) 443/19-20 issued on 21 May 2020)
7. Discrimination Legislation (Miscellaneous Amendments) Bill 2018 : Secretary for Constitutional and Mainland Affairs
- Amendment mover : Secretary for Constitutional and Mainland Affairs
(Amendments set out in LC Paper No. CB(3) 438/19-20 issued on 21 May 2020)
8. Occupational Retirement Schemes (Amendment) Bill 2019 : Secretary for Financial Services and the Treasury
- Amendment mover : Secretary for Financial Services and the Treasury
(Amendments set out in LC Paper No. CB(3) 439/19-20 issued on 21 May 2020)
9. Copyright (Amendment) Bill 2019 : Secretary for Commerce and Economic Development
10. Supplementary Appropriation (2018-2019) Bill : Secretary for Financial Services and the Treasury

IV. Member's Bill

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

St. John's College (Amendment) Bill 2019 : Hon Jimmy NG

(No public officer will attend this item)

V. Members' Motions

1st debate (covering the following motion)

(Standing over from the meeting of 20 May 2020)

1. Motion under Rule 49B(1A) of the Rules of Procedure to censure Hon Claudia MO

Mover : Hon YUNG Hoi-yan

Wording of the motion : **Appendix 3**

(This motion jointly signed by Hon Mrs Regina IP, Hon Alice MAK and Hon Vincent CHENG)

2nd debate (covering the following motion)

(Standing over from the meeting of 20 May 2020)

2. Motion under Rule 49B(1A) of the Rules of Procedure to censure Hon Dennis KWOK

Mover : Hon Alice MAK

Wording of the motion : **Appendix 4**

(This motion jointly signed by Hon Mrs Regina IP, Dr Hon Priscilla LEUNG and Hon Holden CHOW)

3rd debate (covering the following 2 motions on the incident of assaults which occurred in Yuen Long Station of West Rail Line of the MTR Corporation Limited on 21 July 2019 (“the 721 incident”))

(Standing over from the meeting of 23 October 2019)

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

Mover : Hon LAM Cheuk-ting

Wording of the motion : **Appendix 5**

4. Motion under the Legislative Council (Powers and Privileges) Ordinance to appoint a select committee to conduct an inquiry
(This motion concerns both the 721 incident and the 831 incident)

Mover : Hon Claudia MO

Wording of the motion : **Appendix 6**

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

(Debate and voting arrangements set out in LC Paper Nos. CB(3) 195/19-20 and CB(3) 218/19-20 issued on 9 and 17 December 2019)

4th debate (covering the following 3 motions on the incident of assaults which occurred in Prince Edward Station of the MTR Corporation Limited on 31 August 2019 (“the 831 incident”) as well as the part concerning the 831 incident in Hon Claudia MO’s motion in item 4)
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(Standing over from the meeting of 23 October 2019)

5. Motion under Article 73(5) and (10) of the Basic Law to summon the Commissioner of Police, Director of Fire Services, Chairman of the MTR Corporation Limited (“MTRCL”) and Operations Director of MTRCL to produce papers and testify

Mover : Hon Alvin YEUNG

Wording of the motion : **Appendix 7**

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

Mover : Dr Hon KWOK Ka-ki

Wording of the motion : **Appendix 8**

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

Mover : Hon KWONG Chun-yu

Wording of the motion : **Appendix 9**

Public officers to attend this debate : Secretary for Security
Secretary for Transport and Housing
Secretary for Food and Health
Under Secretary for Security
Under Secretary for Food and Health
Under Secretary for Transport and Housing

(Debate and voting arrangements set out in LC Paper Nos. CB(3) 195/19-20 and CB(3) 218/19-20 issued on 9 and 17 December 2019)

<p>5th debate (covering the following 7 motions on the Police's handling of protesters and persons performing duties in the protests during the "anti-extradition to China" movement)</p>

(Items 8 to 12 standing over from the meeting of 23 October 2019)

8 and 9. Motions under the Legislative Council (Powers and Privileges) Ordinance to appoint select committees to conduct inquiries

Mover : Hon Tanya CHAN

Wording of the motions : **Appendices 10 and 11**

10 and 11. Motions under the Legislative Council (Powers and Privileges) Ordinance to appoint select committees to conduct inquiries

Mover : Dr Hon KWOK Ka-ki

Wording of the motions : **Appendices 12 and 13**

12. Motion under Article 73(5) and (10) of the Basic Law to summon the Secretary for Security and Secretary for Labour and Welfare to produce papers and testify

Mover : Dr Hon Fernando CHEUNG

Wording of the motion : **Appendix 14**

(Item 13 standing over from the meeting of 13 November 2019)

13. Motion under Article 73(5) and (10) of the Basic Law to summon the Secretary for Security and Commissioner of Police to produce papers and testify

Mover : Dr Hon KWOK Ka-ki

Wording of the motion : **Appendix 15**

(Item 14 standing over from the meeting of 11 December 2019)

14. Motion under Article 73(5) and (10) of the Basic Law to summon the Commissioner of Police to produce papers and testify

Mover : Hon Kenneth LEUNG

Wording of the motion : **Appendix 16**

Public officers to attend this debate : Secretary for Labour and Welfare
Secretary for Security
Under Secretary for Security

(Debate and voting arrangements set out in LC Paper Nos. CB(3) 195/19-20 and CB(3) 218/19-20 issued on 9 and 17 December 2019)

6th debate (covering the following 2 motions on the causes and consequences of the social conflicts or disturbances arising from the amendments to the Fugitive Offenders Ordinance (Cap. 503) and related matters)

(Item 15 standing over from the meeting of 13 November 2019)

15. 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 17**

(Item 16 standing over from the meeting of 27 November 2019)

16. 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 18**

Amendment mover : Hon James TO
(Amendment set out in LC Paper No. CB(3) 155/19-20 issued on 22 November 2019)

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

(Debate and voting arrangements set out in LC Paper Nos. CB(3) 195/19-20 and CB(3) 218/19-20 issued on 9 and 17 December 2019)

Debate and voting arrangements for the following 4 motions to be notified

(Items 17 and 18 standing over from the meeting of 15 January 2020)

17. Motion under Article 73(5) and (10) of the Basic Law to summon the Secretary for Security and Commissioner of Police to produce papers and testify

Mover : Hon Charles Peter MOK

Wording of the motion : **Appendix 19**

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

18. Motion under Article 73(5) and (10) of the Basic Law to summon the Secretary for Security and Secretary for Transport and Housing to produce papers and testify

Mover : Hon Jeremy TAM

Wording of the motion : **Appendix 20**

Public officers to attend : Secretary for Security
Secretary for Transport and Housing
Under Secretary for Security
Under Secretary for Transport and Housing

(Items 19 and 20 standing over from the meeting of 20 May 2020)

19. Motion under Article 73(5) and (10) of the Basic Law to summon the Chief Secretary for Administration and Secretary for Food and Health to produce papers and testify

Mover : Dr Hon KWOK Ka-ki

Wording of the motion : **Appendix 21**

Public officers to attend : Secretary for Food and Health
Under Secretary for Food and Health

20. Motion under Article 73(5) and (10) of the Basic Law to summon the Chief Secretary for Administration to produce papers and testify

Mover : Dr Hon KWOK Ka-ki

Wording of the motion : **Appendix 22**

Public officers to attend : Secretary for Food and Health
Under Secretary for Food and Health

7th debate (covering the following motion)

(Standing over from the meeting of 12 June 2019)

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

Mover : Hon Dennis KWOK

Wording of the motion : **Appendix 23**

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

8th debate (covering the following motion)

(Standing over from the meeting of 12 June 2019)

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

Mover : Hon HO Kai-ming

Wording of the motion : **Appendix 24**

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 officer to attend : Secretary for Labour and Welfare

Clerk to the Legislative Council

Council meeting of 27 May 2020

Laying of Papers on the Table of the Council

Subsidiary legislation	Legal Notice No.
1. <u>Arbitration (Parties to New York Convention) (Amendment) Order 2020</u>	83 of 2020
2. <u>Inland Revenue (Double Taxation Relief with respect to Taxes on Income and Prevention of Tax Evasion and Avoidance) (Macao Special Administrative Region) Order</u>	84 of 2020
3. <u>Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) (Amendment) Regulation 2020</u>	85 of 2020
4. <u>Property Management Services Ordinance (Commencement) Notice 2020</u>	86 of 2020
5. <u>Property Management Services (Licensing and Related Matters) Regulation</u>	87 of 2020
6. <u>Pleasure Grounds (Amendment) Regulation 2020</u>	88 of 2020
7. <u>Dangerous Drugs Ordinance (Amendment of First Schedule) Order 2020</u>	89 of 2020
8. <u>Intercountry Adoption (Contracting States) (Amendment) Order 2020</u>	90 of 2020
9. <u>Control of Chemicals Ordinance (Amendment of Schedule 2) Order 2020</u>	91 of 2020
10. <u>Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2020</u>	92 of 2020
11. <u>Employees Retraining Ordinance (Amendment of Schedule 2) Notice 2020</u>	93 of 2020

Other papers

12. The Government Minute in response to the Report of the Public Accounts Committee No. 73 of February 2020
(to be presented by **Chief Secretary for Administration**, who **will address the Council** on this paper)
13. Report No. 1/19-20 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(to be presented by Hon Starry LEE, Chairman of the House Committee)
14. Report of the Bills Committee on National Anthem Bill
(to be presented by Hon Martin LIAO, Chairman of the Bills Committee)
15. Report of the Bills Committee on Trade Marks (Amendment) Bill 2019
(to be presented by Hon WONG Ting-kwong, Chairman of the Bills Committee)
16. Report of the Bills Committee on Hotel and Guesthouse Accommodation (Amendment) Bill 2018
(to be presented by Hon YIU Si-wing, Chairman of the Bills Committee)
17. Report of the Bills Committee on Fire Safety (Industrial Buildings) Bill
(to be presented by Hon Tony TSE, Chairman of the Bills Committee)
18. Report of the Bills Committee on Discrimination Legislation (Miscellaneous Amendments) Bill 2018
(to be presented by Hon Alice MAK, Chairman of the Bills Committee)
19. Report of the Bills Committee on Occupational Retirement Schemes (Amendment) Bill 2019
(to be presented by Hon Christopher CHEUNG, Chairman of the Bills Committee)

21 questions to be asked at the Council meeting of 27 May 2020

	Subject matters	Public officers to reply	
Questions for oral replies			
1	Hon HO Kai-ming	<u>Assistance provided for the unemployed</u>	Secretary for Labour and Welfare
2	Hon Martin LIAO	<u>Preventing the emergence of home-grown terrorism</u>	Secretary for Security
3	Hon Elizabeth QUAT	<u>Issues related to news coverage work</u>	Secretary for Constitutional and Mainland Affairs Secretary for Security
4	Hon CHAN Han-pan	<u>Retail prices of auto-fuels</u>	Secretary for the Environment
5	Dr Hon Priscilla LEUNG	<u>Livelihood initiatives</u>	Secretary for Labour and Welfare
6	Hon Dennis KWOK	<u>Enacting legislation on Article 23 of the Basic Law</u>	Secretary for Security
Questions for written replies			
7	Hon Andrew WAN	<u>Land premium arrangements for the housing projects of the Hong Kong Housing Society</u>	Secretary for Transport and Housing
8	Hon CHEUNG Kwok-kwan	<u>Teaching of the Chinese history in schools</u>	Secretary for Education
9	Hon Kenneth LEUNG	<u>Relief measures</u>	Secretary for Financial Services and the Treasury
10	Hon Charles Peter MOK	<u>Privacy issues related to virus testing</u>	Secretary for Food and Health
11	Hon CHAN Hak-kan	<u>Impacts caused to the environment by anti-epidemic measures</u>	Secretary for the Environment
12	Hon Elizabeth QUAT	<u>Operation of the Radio Television Hong Kong</u>	Secretary for Commerce and Economic Development
13	Hon Charles Peter MOK	<u>Registration as electors for the Information Technology Functional Constituency</u>	Secretary for Constitutional and Mainland Affairs
14	Dr Hon Fernando CHEUNG	<u>Applying neck restraint technique by police officers</u>	Secretary for Security
15	Hon Kenneth LEUNG	<u>Smuggling of shark fins</u>	Secretary for the Environment
16	Hon Alvin YEUNG	<u>Office accommodation for the Radio Television Hong Kong</u>	Secretary for Commerce and Economic Development
17	Dr Hon KWOK Ka-ki	<u>Use of force by police officers when making arrests</u>	Secretary for Security
18	Hon Michael TIEN	<u>Management of public toilets</u>	Secretary for Food and Health
19	Hon WU Chi-wai	<u>Business difficulty of the public light bus trade</u>	Secretary for Transport and Housing
20	Hon SHIU Ka-chun	<u>Handling of data access requests</u>	Secretary for Home Affairs
21	Hon LUK Chung-hung	<u>Cancellation of dividend payments by banks</u>	Secretary for Financial Services and the Treasury

Notes: Six oral questions and 15 (instead of 16) written questions are scheduled for this meeting, as a vacant written question slot was not taken up by Members by the deadline for giving question notice.

Question 1
(For oral reply)

(Translation)

Assistance provided for the unemployed

Hon HO Kai-ming to ask:

Quite a number of people have become unemployed due to the Coronavirus Disease 2019 epidemic. In view of this, the Government has implemented, under the existing Comprehensive Social Security Assistance Scheme (“CSSA”), a “Special Scheme of Assistance to the Unemployed” with relaxed asset limits, which is applicable for the six-month period from 1 June to 30 November this year. Recently, I have received quite a number of requests for assistance from unemployed persons applying for CSSA. They have relayed that the relevant application procedure is cumbersome and the eligibility criteria are stringent, and some officers of the Social Welfare Department (“SWD”) made things difficult for them, displayed poor attitude, and even persuaded them to give up their applications. In this connection, will the Government inform this Council:

- (1) of the number of CSSA applications received from the unemployed by SWD in each of the past 12 months and, among such applications, the number of those in which the applicants did not comply with the original asset limits but would have complied with the relaxed asset limits;
- (2) of the procedure for SWD to vet and approve CSSA applications from the unemployed, as well as the number of such applications and when the vetting and approval of all such applications will be completed, as envisaged by it; whether it will consider expediting the vetting and approval procedure so that the unemployed may obtain the assistance as early as possible; and
- (3) of the current staffing establishment of SWD for processing CSSA applications; whether SWD will, in the light of the aforesaid view, review the workload of the relevant officers and consider increasing the manpower, so as to improve the services and raise the efficiency of vetting and approval of CSSA applications from the unemployed; if so, of the details; if not, the reasons for that?

Question 2
(For oral reply)

(Translation)

Preventing the emergence of home-grown terrorism

Hon Martin LIAO to ask:

When making public in March this year the overall law and order situation of Hong Kong in 2019, the Police indicated that during the “anti-extradition amendment bill incidents”, online publicity materials had already “turned into weapon-making handbooks or even guides to kill police”, and the violent acts concerned also involved the use of petrol bombs, corrosive liquids, genuine firearms and bullets and explosives. “In order to express their dissatisfaction with society and the government, rioters chose to hurt the public and cause social panic, which exactly is the behaviour of home-grown terrorism.” The Police have repeatedly pointed out that the community must vigilantly guard against the emergence of home-grown terrorism. In this connection, will the Government inform this Council:

- (1) whether it has assessed the risk of attacks by home-grown terrorists in Hong Kong at present; if so, of the assessment outcome;
- (2) whether it has adjusted its counter-terrorism strategies in response to the changes in the aforesaid risk of attacks; if so, of the details; and
- (3) of the measures in place to raise public vigilance against home-grown terrorism, e.g. educating youngsters with immature minds to say “No” clearly to violence, so as to prevent home-grown terrorism from taking root in Hong Kong?

Question 3
(For oral reply)

(Translation)

Issues related to news coverage work

Hon Elizabeth QUAT to ask:

It has been reported that some people wearing press cards or reflective press vests committed improper or illegal acts (e.g. insulting police officers with coarse and sexual harassment languages during live broadcasts, obstructing police officers in law enforcement, and even attempting to rescue persons who were being arrested) at the scenes of public events. Moreover, a junior secondary school student aged only 12 covered news in the capacity of a student journalist for an online media at the scene of an unforeseen incident. In this connection, will the Government inform this Council:

- (1) whether it will enact legislation to regulate online media by expressly specifying the qualifications and minimum ages required for, and the professional conduct to be observed by, their editors and reporters, and set up a monitoring body to monitor the operation of online media;
- (2) given that press cards are currently issued by various media organizations or associations on their own, making it difficult for law enforcement officers to ascertain the identity of the cardholder as a journalist, whether the Government will comprehensively review the existing system for issuing press cards (including whether there is a need to designate an authorized organization to issue such cards, the criteria for issuance and the mechanism to prevent abuse), and consider afresh setting up an official organization to centralize the issuance of press cards; and
- (3) whether it will draw up a code of practice and guidelines on news covering to specify that at the scenes of crimes and large-scale public events, journalists are not allowed to cross the cordon lines set up by the Police, and they should cover news in the press areas set up by the Police, etc.?

Question 4
(For oral reply)

(Translation)

Retail prices of auto-fuels

Hon CHAN Han-pan to ask:

A report in 2010 pointed out that the land costs of petrol filling station (“PFS”) sites in Hong Kong were double of those in Tokyo and nearly six times of those in London. Last year, a PFS site was granted at a land premium of \$620 million which, when amortized over a 21-year lease term, amounted to as high as \$80,000 per day or \$316 per square foot per month. There are comments that high land cost is the main cause for the persistently high retail prices of auto-fuels (“pump prices”), and with Hong Kong’s economy having been hard hit by the epidemic in recent months, reduction in pump prices can reduce the operating costs for commercial vehicles and the commuting costs of members of the public. In this connection, will the Government inform this Council:

- (1) of the criteria adopted by the authorities for determining the locations and the lease terms of PFSs; whether they have considered making available more PFS sites and shortening the lease terms so as to maintain flexibility in land uses and enhance competition in the fuel market; if so, of the details; if not, the reasons for that;
- (2) given that since April 2018, the Government has published the tender amounts of unsuccessful tender submissions on an anonymous basis after the completion of the transaction procedures in relation to the successful bid under the Land Sale Programme, whether such arrangement is applicable to PFS sites put up for sale by tender; if not, of the reasons for that; and
- (3) given that in early years, the Government granted sites at nil land premium for setting up 12 dedicated auto-liquefied petroleum gas (“LPG”) filling stations, with a cap placed on LPG retail prices at such filling stations which is set according to a prescribed pricing formula, whether the authorities will consider adopting such approach in granting PFS sites, with a view to reducing pump prices; if so, of the details and timetable; if not, the reasons for that?

Question 5
(For oral reply)

(Translation)

Livelihood initiatives

Dr Hon Priscilla LEUNG to ask:

Regarding various livelihood initiatives, will the Government inform this Council:

- (1) as the Government announced in January this year that it would lower the minimum eligible age of the \$2 transport fare concession scheme from 65 to 60, whether the Government will expeditiously, and before the end of the current session of the Legislative Council, submit the funding proposal to the Finance Committee so that persons aged 60 to 64 could enjoy the \$2 transport fare concession as early as possible;
- (2) as the Government indicated in October last year that before the completion of the study on a scheme of providing cash allowance on a regular basis for low income households not living in public rental housing and not receiving Comprehensive Social Security Assistance (“CSSA”), it would invite the Community Care Fund to provide two rounds of one-off living subsidy for those households in 2020-2021, of the latest progress of such work and the anticipated dates on which the subsidy will be disbursed; and
- (3) given that the Government has offered a time-limited unemployment support scheme under the CSSA Scheme to render assistance to those persons who have recently become unemployed due to the epidemic, whether the Government will waive, for the unemployed persons, the requirement that CSSA applications have to be made on a household basis, so that they may apply for CSSA on their own, and whether it will disburse an additional allowance to those unemployed persons who are currently receiving CSSA?

Question 6
(For oral reply)

(Translation)

Enacting legislation on Article 23 of the Basic Law

Hon Dennis KWOK to ask:

In January this year, the Director of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region ("the Liaison Office") published an article in a newspaper, stating that "... we will, as always, continue to support the Government of the Hong Kong Special Administrative Region in establishing and perfecting the legal system and enforcement mechanism of the Special Administrative Region to safeguard national security ...". In addition, some political figures in Hong Kong have recently initiated an online petition to urge the Government of the Hong Kong Special Administrative Region ("SAR") to expeditiously enact legislation on Article 23 of the Basic Law. In this connection, will the Government inform this Council:

- (1) whether there have been, since January this year, officials from the Liaison Office and other offices set up by the Central Government in SAR, or local political organizations and figures, expressing to any official of the SAR Government the view that there is a pressing need at present for SAR to enact legislation on Article 23; if so, who have put forward such a view and of the relevant details;
- (2) whether it has assessed the impacts, to be brought about by the SAR Government's embarking, at the present moment, on the legislative exercise for Article 23, on Hong Kong's political and economic situations and social atmosphere, as well as on the relationship between Hong Kong and the international community; if it has assessed, of the outcome; if not, the reasons for that; and
- (3) whether the Chief Executive will undertake that the current-term Government will not commence the legislative exercise on Article 23 within the remainder of its term; if not, of the reasons for that?

Question 7
(For written reply)

(Translation)

Land premium arrangements for the housing projects
of the Hong Kong Housing Society

Hon Andrew WAN to ask:

The Government revised in January 2019 the arrangements for payment of land premiums by the Hong Kong Housing Society (“HKHS”) for its housing projects, namely (i) for its rental estates: reducing from one third of the full market value of land premium (“FMVP”) to a nominal premium at \$1,000, (ii) for the domestic portions of subsidized sale flat (“SSF”) projects: reducing from one half to one third of FMVP and (iii) for the non-domestic portions of SSF projects: maintaining the arrangement of charging FMVP. In this connection, will the Government inform this Council:

- (1) of the year in which the Government started charging land premiums equivalent to one half of FMVP for the rental estates developed by HKHS, the justifications for pitching the amount of land premiums at that rate, and the reasons for not charging premiums at a lower rate at that time;
- (2) given that HKHS and the Hong Kong Housing Authority (“HA”) alike build public rental housing units, whether the Government will waive the land premiums charged to HKHS for its rental estates so as to align the land premium arrangements for the two bodies; if not, of the reasons for that;
- (3) of the year in which the Government started charging land premiums equivalent to one half of FMVP for the domestic portions of SSF projects developed by HKHS, the name of the first housing court for which a land premium at that rate was paid, the justifications for pitching the amount of land premiums at that rate, and the reasons for not charging premiums at a lower rate at that time;
- (4) of the date the FMVP of which is used as the basis for calculating the land premiums payable by HKHS for its SSF projects;
- (5) given that HKHS has to pay land premiums for its SSF projects, whereas HA only has to pay land costs (the actual amounts of which are lower) and a nominal premium at \$1,000 for such type of projects, whether it has assessed if this situation was the primary reason leading to the higher per-square-foot prices for the relevant

units sold by HKHS as compared with those of the units sold by HA; if it has assessed, of the results;

- (6) as some members of the public have pointed out that low income families have found those units under HKHS' SSF projects unaffordable given their relatively higher prices, whether the Government will consider amending the land premium arrangements for the housing projects of HKHS to align them with those for HA;
- (7) whether it knows the following details of each of the housing projects developed/to be developed by HKHS in the past five financial years and in the next three financial years respectively (set out in a table):
 - (i) category to which the project belongs (namely rental estate, Flat-for-Sale Scheme or SSF project),
 - (ii) name of the housing estate/court,
 - (iii) district in which the housing estate/court is located,
 - (iv) financial year in which the site concerned was/will be handed over by the Government,
 - (v) date/prospective date on which public applications were/will be accepted for occupancy/purchase,
 - (vi) number of units,
 - (vii) prices/prospective prices (if applicable),
 - (viii) land premium payable (in million dollars), and
 - (ix) average land premium per unit (in million dollars); and
- (8) whether the Government will consider, where the non-domestic portions of HKHS' SSF projects include social welfare and community facilities, waiving the land premiums concerned or charging a nominal premium only?

Question 8
(For written reply)

(Translation)

Teaching of the Chinese history in schools

Hon CHEUNG Kwok-kwan to ask:

It has been reported that a teacher for the subject of General Studies (“GS”) for primary education turned the truth upside down when teaching the history of Opium War online earlier on, arousing concerns among various sectors in the community about whether wrong perspectives of history would be instilled into students. In respect of teaching of the Chinese history in schools will the Government inform this Council:

- (1) of the number of complaints about the contents of Chinese history taught by teachers which were received by the Education Bureau (“EDB”) in the past five years, and the details (such as the contents, relevant dates and outcome of handling) of such complaints;
- (2) of the current mechanism put in place to monitor the teaching in class in respect of the subject of Chinese History for secondary education and the Chinese history contents embedded in the GS subject for primary education;
- (3) whether EDB has provided schools with a teaching guide, which is based on objective historical facts and historical perspectives that are generally accepted by the academia, for teachers to follow when teaching the significant events in different periods of Chinese history, so as to prevent students from being misled by biased views; if so, of the details; if not, whether EDB will examine the provision of such a guide;
- (4) of the channels through which parents may lodge complaints when they uncover incidents of teachers deliberately distorting the facts when teaching Chinese history to students and, where the complaints have been found substantiated, the penalties to be imposed on the teachers concerned (and whether cancellation of teachers’ registration is among such penalties); and
- (5) whether EDB will, same as the practice adopted late last year for the subject of Liberal Studies for senior secondary education, deploy officers from the Curriculum Development Institute to conduct, in collaboration with inspectors from the Quality Assurance Sections, curriculum development visits cum focus inspections in respect of the teaching of Chinese history, so as to ensure the quality of the teaching of Chinese history in primary and secondary schools?

Question 9
(For written reply)

(Translation)

Relief measures

Hon Kenneth LEUNG to ask:

In February and April this year, the Government injected \$30 billion and \$137.5 billion respectively into the Anti-epidemic Fund for launching two rounds of relief measures. However, quite a number of members of the public, including professionals, whose livelihood has been hit by the Coronavirus Disease 2019 epidemic, have indicated that they have not benefited from the relief measures. In this connection, will the Government inform this Council:

- (1) whether it has assessed the impacts of the epidemic on the accounting profession; if so, of the details; if not, the reasons for that;
- (2) of the reasons why no targeted measures are in place in the two rounds of relief measures to provide assistance for the business operators and practitioners of the accounting profession; and
- (3) whether it has plans to launch a new round of relief measures to provide targeted assistance for those members of the public who have been hit by the epidemic but have not benefited from the first two rounds of relief measures; if so, of the details; if not, the reasons for that?

Question 10
(For written reply)

(Translation)

Privacy issues related to virus testing

Hon Charles Peter MOK to ask:

To tackle the Coronavirus Disease 2019 epidemic, the Department of Health (“DH”) has collected hundreds of thousands of deep throat saliva samples for virus testing since January this year. Some members of the public are worried that the authorities and relevant organizations may obtain from the saliva samples the DNA sequence information of Hong Kong residents and even establish a database using such information, thereby intruding on the privacy of members of the public. In this connection, will the Government inform this Council:

- (1) of the number of samples collected by DH since January this year for testing, with a breakdown by (i) the locations where such samples were collected (e.g. the airport and private clinics) and (ii) whether or not the persons from whom the samples were taken were Hong Kong residents;
- (2) of the testing items included in DH’s testing service, and in respect of the personal data obtained from such testing service, their (i) categories, (ii) retention period, (iii) storage methods (including whether the data have been anonymized when being processed and stored, as well as the information security measures taken), and (iv) whether such data have been used for purposes other than the purpose of preventing the occurrence or spread of an infectious disease or contamination (e.g. establishing a DNA database and preventing or detecting crimes); if so, of the details;
- (3) whether DH has disclosed since January this year, in accordance with the Personal Information Collection Statement issued by it to data subjects, the personal data (including biometric data) collected from the virus testing to any bureaux, other government departments or relevant organizations; if so, of the number of occasions of such disclosure and the number of data subjects involved; and
- (4) whether it will amend the Personal Data (Privacy) Ordinance (Cap. 486) to classify certain categories of personal data (including biometric data such as DNA sequences) as “sensitive personal data”, and make more stringent provisions for protecting sensitive personal data, so as to prevent the authorities from using the biometric data collected on a large scale for monitoring and control purposes?

Question 11
(For written reply)

(Translation)

Impacts caused to the environment
by anti-epidemic measures

Hon CHAN Hak-kan to ask:

The Coronavirus Disease 2019 epidemic has been rampant in Hong Kong in recent months. Regarding the impacts caused to the environment by the various anti-epidemic measures adopted by members of the public, will the Government inform this Council:

- (1) as pointed out by some press reports, the fact that discarded face masks can be seen everywhere in country parks in recent months shows that the problem of haphazard disposal of face masks by members of the public is serious, whether the Government has stepped up law enforcement; if so, of the details; if not, the reasons for that;
- (2) whether it has stepped up cleaning and disinfection work targeting refuse collection vehicles, refuse transfer stations and landfills; if so, of the details; if not, the reasons for that;
- (3) given that members of the public have, during the epidemic, dined out less frequently and made more takeaway orders, whether the Government has stepped up publicity among members of the public on bringing their own tableware and minimizing the use of disposable tableware; if so, of the details; if not, the reasons for that;
- (4) how the quantity of disposable tableware disposed of in the first four months of this year compares with that in the same period of last year;
- (5) given that a number of villages have not been connected to public sewers and have only been installed with septic tank systems, and the effluent therefrom seeps through the surrounding soils which may eventually pollute rivers, whether the Government has stepped up efforts to call on the households concerned to avoid pouring undiluted bleach into toilet bowls; and
- (6) given that members of the public have used a large quantity of bleach for anti-epidemic purposes in recent months, whether the Government has assessed the impacts of such a situation on the ecological environment, and measured the changes in the concentrations of the relevant compounds in the seawater of the Victoria Harbour; if so, of the details; if not, the reasons for that?

Question 12
(For written reply)

(Translation)

Operation of the Radio Television Hong Kong

Hon Elizabeth QUAT to ask:

Regarding the operation of the Radio Television Hong Kong (“RTHK”), will the Government inform this Council:

- (1) of the average TV ratings of the programmes broadcast on RTHK’s TV 31 and TV 32 channels during the prime time (i.e. from 7:00 pm to 11:00 pm), as well as the average hourly production cost of such programmes, in each of the past two years; whether the Government will request RTHK to consolidate the programmes concerned, so as to release a channel for other purposes; if so, of the details; if not, the reasons for that;
- (2) given that the Office of the Communications Authority has received a number of complaints about RTHK’s TV programme “Headliner” broadcast on 13 March this year, whether the Government knows the progress of the Communications Authority on following up such complaints;
- (3) given that the Charter of Radio Television Hong Kong (“the Charter”) was made in as early as 2010, whether the Government has plans to review the Charter in order to ensure that its contents keep pace with the times; if so, of the details (including the review direction); if not, the reasons for that;
- (4) of the procedures adopted by RTHK for granting copyright licences covering its programmes; the number of programmes in respect of which a licence was granted by RTHK in each of the past three financial years, and set out, by programme name, (i) the name of the organization granted the licence, (ii) total programme hours and (iii) the income so generated;
- (5) whether it has reviewed if RTHK’s directorate establishment is commensurate with the relevant officers’ workload and work efficiency; whether it has plans to downsize the directorate establishment;
- (6) as it has been stipulated in the Charter that the RTHK Board of Advisors (“the Board”) shall maintain regular communication with RTHK management, and that the Director of Broadcasting (“the Director”) may seek advice of the Board on matters pertaining to the editorial principles, standards and quality of RTHK programming, and on community participation in broadcasting, of

- (i) the matters on which the Director sought advice of the Board,
 - (ii) the details of the advice given by the Board to the Director, and
 - (iii) the follow-up actions taken by the Director on the advice so given, in the past three years; if there were matters on which follow-up actions had not been taken in accordance with the advice so given, of the details and the reasons for that;
- (7) given that while it is stipulated in the Charter that the Board should, through receiving reports on the performance evaluation of RTHK and RTHK's compliance with performance evaluation indicators, advise the Director on matters such as the adoption of appropriate performance evaluation indicators and ways to improve service delivery, and that RTHK should produce an annual report no later than six months after the conclusion of the year reported on, the Director of Audit pointed out, in his value for money audit report on "Radio Television Hong Kong: Provision of programmes" issued in November 2018, that RTHK had neither submitted any performance evaluation report to the Board, nor prepared any annual report, whether the Government has gained an understanding from RTHK of the reasons for that; and
- (8) of RTHK's mechanism in place to follow up the complaints against its programme staff for allegedly having a biased stance and disseminating inaccurate statements, etc.; as the Government has pointed out that the presentation of RTHK in its programme "The Pulse" broadcast on 28 March this year breached the One-China Principle and the public purposes and mission stipulated in the Charter, of the details of the follow-up actions taken by RTHK and the programme staff of the programme on the matter?

Question 13
(For written reply)

(Translation)

Registration as electors for the
Information Technology Functional Constituency

Hon Charles Peter MOK to ask:

The 2020 Legislative Council General Election is tentatively scheduled for 6 September. Some people who have submitted applications for registration as electors for the Information Technology Functional Constituency (“ITFC”) have relayed to me that owing to the implementation of special work arrangements and curtailment of certain public services by a number of government departments in recent months due to the epidemic, the progress of processing the relevant applications have been slow. They are worried that the processing of their applications cannot be completed before the publication date of the Final Registers of Electors (which must not be later than 25 July under the law), which will render them unable to vote in this election. Regarding the processing of applications for registration as electors for ITFC, will the Government inform this Council:

- (1) of the respective numbers of applications for change of the functional constituency to which the applicants belonged to ITFC, which were received, approved and rejected by the Electoral Registration Officer in each month within the cycle for electors to change their registration particulars (i.e. from 3 June 2019 to 2 April 2020), as well as the current number of such applications awaiting to be processed;
- (2) of the respective numbers of applications for new registration as electors for ITFC, which were received, approved and rejected by the Electoral Registration Officer in each month within the cycle for registrations of new electors (i.e. from 3 July 2019 to 2 May 2020), as well as the current number of such applications awaiting to be processed;
- (3) whether, as envisaged by the Registration and Electoral Office (“REO”), it can complete the processing of all applications for registration as electors for ITFC before the publication date of the Provisional Registers of Electors (which must not be later than 1 June under the law); if not, of the expected number of applications the processing of which cannot be completed in time, and whether it will continue to process such applications after the publication of the Provisional Registers of Electors;

- (4) given that upon receiving applications for registration as electors for ITFC, REO will issue letters to the applicants requesting them to submit proofs of academic qualifications, professional qualifications and employment, of the length of time given by REO to the applicants for submitting the relevant documents; whether REO has, in the light of the special work arrangements implemented earlier, given sufficient time to the applicants for submitting the documents, and informed them in a timely manner the progress of processing their applications; whether REO has put in place measures to ensure that the processing of all applications for registration as electors for ITFC will be completed before the publication of the Final Registers of Electors; and
- (5) of the current number of REO staff members responsible for processing applications for registration as electors for ITFC; whether REO has plans to recruit additional manpower to enhance its capacity in processing applications for registration as electors, so as to ensure that no eligible electors will be disqualified from voting in the ITFC election because their applications for registration as electors have not been processed in time; if so, of the details; if not, the reasons for that?

Question 14
(For written reply)

(Translation)

Applying neck restraint technique by police officers

Dr Hon Fernando CHEUNG to ask:

In 2012, a taxi driver who struggled when being arrested was dragged into a police car by a police officer by means of a chokehold, which caused the driver to suffer from a cervical vertebra dislocation and die after hospitalization for about one month. It has been reported that on the 7th of this month, some passers-by witnessed that a police officer, when arresting a man suspected of having criminally damaged vehicles, pinned down that man by kneeling on his neck for more than two minutes. Subsequently, that man was sent to the hospital for treatment and died on the following day. On the 10th of this month, a police officer held a journalist by a chokehold for about 20 seconds when subduing her, causing her to pass out for a while; and another police officer pinned down a Member of this Council by kneeling on his neck when arresting him, who was subsequently sent to the hospital for treatment. There are comments that police officers using the “neck restraint” (“NR”) technique such as a chokehold and kneeling on a person’s neck will easily cause serious bodily harms (e.g. serious damage to the anterior throat structures, cervical vertebra dislocation and fractures) or even death by asphyxiation to such person. In this connection, will the Government inform this Council:

- (1) whether the Police have formulated guidelines setting out the principles for using the NR technique; given that the Hong Kong Police Force Procedures Manual sets out the options of force to be used corresponding to six levels of resistance, of the level(s) of resistance that has been mounted by a person after which police officers may apply such technique to that person;
- (2) of the number of occasions in the past five years on which police officers used the NR technique for making arrests, and the number of cases in which the arrestees concerned sustained injuries or died as a result, with a breakdown by nature of such cases;
- (3) of the number of complaints about police officers’ improper use of NR received in the past five years by the Complaints Against Police Office (“CAPO”) of the Police; among such cases, the number of those found substantiated, and the penalties imposed on the police officers concerned; and
- (4) whether it knows, in respect of the reportable complaint cases involving the use of NR, (i) the number of occasions on which the Independent Police Complaints Council (“IPCC”) raised queries to

and requested clarification or provision of more information from CAPO, and (ii) the number of cases in which the investigation results were eventually not endorsed by IPCC, in the past five years?

Question 15
(For written reply)

(Translation)

Smuggling of shark fins

Hon Kenneth LEUNG to ask:

It has been reported that the Customs and Excise Department (“C&ED”) detected two smuggling cases of shark fins in April and May this year, which involved a total of 26 tonnes of fins from 38 500 sharks of controlled endangered species. Both the weight and value of the seizures have broken the past records, and the weight doubled that for the whole of 2019. In this connection, will the Government inform this Council:

- (1) of the number of smuggling cases of shark fins detected by C&ED in each of the past five years, and set out the following information on each case by the date on which it was detected:
 - (i) total value of the cargo,
 - (ii) cargo weight,
 - (iii) shark species involved,
 - (iv) mode of trade (i.e. import, export or re-export),
 - (v) countries involved in the trade (including the place of origin and destination of the cargo),
 - (vi) means of transport,
 - (vii) number of persons prosecuted (if any), and
 - (viii) penalties imposed on the convicted persons (if any);if it cannot provide such information, of the reasons for that; and
- (2) whether it has studied the causes for the substantial increase in the quantity of smuggled shark fins seized in this year as compared with those in previous years; if so, of the details; whether it has reviewed the effectiveness of the measures currently adopted for combating the activities of smuggling shark fins; if so, of the details; if not, the reasons for that?

Question 16
(For written reply)

(Translation)

Office accommodation for the Radio Television Hong Kong

Hon Alvin YEUNG to ask:

It has been reported that on the 12th of this month, the Education Bureau wrote to the Radio Television Hong Kong (“RTHK”) requesting it to vacate and hand back the Educational Television Centre at Broadcast Drive by September this year. Besides, it is learnt that the Hong Kong Science and Technology Parks Corporation has planned to resume the premises located in the InnoCentre at Tat Chee Avenue which is currently used as the office of the General Programmes Section of RTHK’s Television Division. In this connection, will the Government inform this Council:

- (1) when the authorities made the decisions to resume the aforesaid properties and the justifications for that, the uses of such properties after resumption, and the estimated total amount and a breakdown of the expenditure to be incurred for the new uses; whether the authorities will give RTHK more time for making arrangements to move out;
- (2) of the number of RTHK staff members currently working in the aforesaid properties, and the total amount of expenditure, as envisaged by RTHK, to be incurred on the relocation, renovation of new offices and studios, as well as procurement of equipment; whether RTHK will be provided with additional funding to meet the relevant expenditure;
- (3) of the current locations of RTHK’s offices, and set out, by property name in a table, the following information: (i) the address, (ii) the unit(s) of RTHK stationed in the property, (iii) the number of staff members (broken down by department), and (iv) the monthly rental expenses (if any);
- (4) whether RTHK has secured new sites for rehousing the affected staff members and equipment; if so, set out in a table the relevant information according to the items mentioned in (3);
- (5) of the respective current utilization rates of the various studios under RTHK (i) from 9:00 am to 6:00 pm on weekdays, (ii) from 6:00 pm to midnight on weekdays, and (iii) from 9:00 am to midnight on weekends; the impacts of handing back the aforesaid properties, as envisaged by RTHK, on the quantity, pace and quality of its programme production; and

- (6) of the expenditure items (including rents, repair of facilities and relocation of offices), and the amount of expenditure on such items, of the various subheads under Head 160 (RTHK) of Government expenditure, in each month since the 2016-2017 financial year?

Question 17
(For written reply)

(Translation)

Use of force by police officers when making arrests

Dr Hon KWOK Ka-ki to ask:

It has been reported that on the 7th of this month, a drunken man suspected of having criminally damaged vehicles put up resistance while being arrested. As such, he was pinned down by police officers who knelt on his neck, back and hands, and beat him with batons. After being subdued, that man was sent to the hospital for treatment and died on the following day. In this connection, will the Government inform this Council:

- (1) of the reasons why the Police, before conducting any investigation into the aforesaid incident, claimed in reply to media enquiries on that night that the force used by the police officers was “appropriate force”;
- (2) whether the Police have embarked on internal and criminal investigations into the incident; if so, whether the investigations have been completed; if so, of the outcome, including whether any police officer has been punished (e.g. interdiction) or transferred; if so, of the ranks and number of the police officers involved, as well as the details of the punishments; if no police officer has been punished, of the reasons for that;
- (3) given that the Hong Kong Police Force Procedures Manual sets out the options of force to be used corresponding to six levels of resistance, of the level of resistance to which the force used by the police officers in the aforesaid incident corresponds;
- (4) given that the Police guidelines on the use of force stipulate that police officers may use minimum force as appropriate only when (i) such an action is absolutely necessary and (ii) there are no other means to accomplish the lawful duty, whether the Police have assessed if the use of force by the police officers in the aforesaid incident complied with such principles;
- (5) given that in 2012, as a taxi driver became agitated and kept struggling when being arrested, he was dragged into a police car by a police officer by means of a chokehold, who thus suffered from a cervical vertebra dislocation and died after one month, and a Coroner’s Court handed down a judgement in 2018 that the driver had been “unlawfully killed”, whether the Police have, in the light of that incident, (i) improved the relevant codes and guidelines governing police officers’ handling of persons who have lost their

self-control ability (e.g. that police officers should refrain or be forbidden from pressing the vital parts of the body (such as the neck) of the persons they intend to arrest), and (ii) provided relevant training to police officers, so as to prevent the recurrence of similar incidents; and

- (6) whether there are relevant provisions and codes in the existing Police Force Ordinance (Cap. 232) and the Police General Orders that (i) instruct police officers on how to handle persons who have lost their self-control ability under the influence of alcohol, and (ii) prohibit police officers from using force in the form of a chokehold (including air choke and blood choke) on any person in the course of making an arrest; if so, of the details?

Question 18
(For written reply)

(Translation)

Management of public toilets

Hon Michael TIEN to ask:

Amid the Coronavirus Disease 2019 epidemic, the Government urges members of the public through numerous channels to wash hands frequently and, after using the toilet, put the toilet lid down before flushing to avoid spreading causative agents. However, I have received complaints in recent months alleging that the Heung Che Street Public Toilet in Tsuen Wan, even after the completion of its enhancement works, unexpectedly had no flush water supply, and it was only after I made a referral of such complaints that the problem was resolved. In fact, I lodged a complaint with the Government in as early as 2019 about problems such as insufficient supply of liquid soap and damages to wash hand basins in the Tsuen Wan Multi-storey Car Park Building Public Toilet that had occurred soon after the completion of the refurbishment thereof. There are comments that although the Government has planned to spend about \$600 million for implementing the Enhanced Public Toilet Refurbishment Programme over a five-year period starting from 2019-2020, the Government's monitoring ability is open to doubt, and similar problems may still plague public toilets, making it impossible to achieve the objective of enhancing the hygiene condition of public toilets. In this connection, will the Government inform this Council:

- (1) of the respective numbers of (i) routine and (ii) surprise inspections on public toilets conducted by the staff of the Food and Environmental Hygiene Department in each month of last year, and set out in a table, by District Council ("DC") district, the average number of inspections conducted on each public toilet;
- (2) of the number of complaints about public toilets received by the Government in each of the past three years, with a breakdown by DC district and the major subject matter of the complaints; and
- (3) as the Government has indicated that it has taken additional measures in response to the epidemic to enhance cleansing of public toilets, of the effectiveness of such measures?

Question 19
(For written reply)

(Translation)

Business difficulty of the public light bus trade

Hon WU Chi-wai to ask:

As various trades have been hit by the Coronavirus Disease 2019 epidemic, the Government has rolled out two rounds of relief measures. The first-round measures include the provision of a fuel subsidy to public light buses (“PLBs”), and the second-round measures include the provision of a one-off subsidy to owners of red minibuses (“RMBs”) and operators of green minibuses (“GMBs”) and the provision of a subsidy to RMB drivers. However, quite a number of members of the trade have relayed that as their income has dwindled substantially amid the drop in patronage but the aforesaid subsidies are inadequate to compensate for the loss, they are still facing much difficulty in their businesses. In this connection, will the Government inform this Council:

- (1) whether it knows, in each month since January this year, (i) the respective numbers of RMBs and GMBs which were left idle (with a breakdown by name of operator (if any) and the first and last stops of the route), and (ii) the respective numbers of RMB and GMB routes the patronage of which has decreased as compared with that of the same period of last year, with a tabulated breakdown by groups to which the rates of decrease belong (i.e. 20% or below, 21% to 40%, 41% to 60%, 61% to 80% and 81% or above);
- (2) of the details of the applications lodged by GMB operators to the Transport Department (“TD”) since January this year for reducing the trip frequencies of GMB routes due to a decrease in patronage, including (i) the route numbers, (ii) the first and last stops of such routes, (iii) the original trip frequencies as well as the reduction in trip frequencies proposed and approved respectively, and (iv) the implementation dates of the reduction in trip frequencies;
- (3) of the details of the applications lodged by GMB operators since January this year for reducing the operating hours, including (i) the route numbers, (ii) the first and last stops of such routes, (iii) the original operating hours as well as the reduction in operating hours proposed and approved respectively, and (iv) the implementation dates of the reduction in operating hours;
- (4) of the implementation progress of the measures introduced under the two rounds of relief measures that are applicable to the PLB trade, including the number of applications received and the amount of subsidies disbursed;

- (5) whether TD has gained an understanding from PLB operators of their financial situation (including whether they have sufficient liquidity to cope with the business difficulty), and whether there are operators who have indicated the intention to close down their businesses or give up operating certain routes; if so, of the details; and
- (6) whether it will relax the operation restrictions on RMBs and GMBs (e.g. relaxing or rescinding certain prohibited zones and passenger pick-up/drop-off restricted zones for RMBs), so as to allow PLBs to better play their role as a supplementary mode of transport on the one hand and increase the operational flexibility and income of PLBs on the other hand, with a view to assisting the PLB trade in coping with the business difficulty?

Question 20
(For written reply)

(Translation)

Handling of data access requests

Hon SHIU Ka-chun to ask:

Several street sleepers in Tung Chau Street Park have sought my assistance, alleging that some police officers damaged their properties and assaulted them while taking law enforcement actions there in February this year. Since March, I have been assisting such persons in making data access requests, under section 18 of the Personal Data (Privacy) Ordinance, (Cap. 486) to the Leisure and Cultural Services Department (“LCSD”), and requesting copies of the video footages captured by the closed-circuit television installed by LCSD in the aforesaid park. After consulting the Office of the Privacy Commissioner for Personal Data, Hong Kong, the Department of Justice (“DoJ”) and the Hong Kong Police Force (“HKPF”), LCSD made an appointment with the aforesaid persons for a meeting on 29 April to watch the relevant video footages. However, on that day before the meeting, HKPF requested LCSD to postpone the above meeting on the grounds that legal advice had to be sought. LCSD explained that, under paragraph 1.15.4 of the Code on Access to Information (“the Code”), it had to consult the government departments that were related to the data (i.e. HKPF); and given that HKPF was seeking legal advice, LCSD was for the time being unable to handle the data access requests concerned. In this connection, will the Government inform this Council:

- (1) whether it has assessed if the Code overrides Cap. 486; if it has assessed and the outcome is in the negative, whether LCSD may, on the grounds of having to act in accordance with the Code, suspend the handling of the aforesaid data access requests pursuant to the requirements under section 18 of Cap. 486;
- (2) as LCSD has already consulted DoJ before making an appointment with the aforesaid persons for a meeting, of HKPF’s justifications for requesting LCSD to postpone the meeting with the aforesaid persons on the grounds that legal advice had to be sought; and
- (3) as it is stipulated in section 19 of Cap. 486 that a data user must, within 40 days after receiving a data access request, supply a copy of the data to the data subject, whether the Government has assessed if LCSD has contravened the provision; if it has assessed and the outcome is in the affirmative, of the follow-up actions?

Question 21
(For written reply)

(Translation)

Cancellation of dividend payments by banks

Hon LUK Chung-hung to ask:

Earlier on, the boards of HSBC Holdings plc and Standard Chartered PLC, both of which are incorporated in the United Kingdom (“UK”) and listed in Hong Kong, announced that on the request of the Prudential Regulation Authority in UK, they had decided to cancel their final dividend payments for 2019 which were already announced, and to suspend any quarterly or interim dividend payments for the coming year. In this connection, will the Government inform this Council:

- (1) of the respective percentages of the stocks of the two banks in the investment portfolios of the Exchange Fund and the Tracker Fund of Hong Kong, and the impacts of the above decisions on the investment returns of the two Funds;
- (2) whether it knows the current numbers of Mandatory Provident Fund schemes and occupational retirement schemes whose investment portfolios comprise the stocks of the two banks; whether the authorities have assessed the impacts of the above decisions on the investment returns of such retirement protection schemes; and
- (3) as there are comments that the Hong Kong subsidiaries of the two banks (i) have substantial operations in Hong Kong, (ii) contribute the major sources of revenue to the two banks and (iii) are note-issuing banks in Hong Kong, but the aforesaid decisions have caused Hong Kong investors to suffer losses, whether the authorities will review the roles of the two subsidiaries in Hong Kong’s financial industry and take measures to attract the two banks to relocate their domiciles back to Hong Kong; if so, of the details; if not, the reasons for that?

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

Wording of the Motion

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

Schedule

Details of Hon Claudia MO's misbehaviour are particularized as follows:

1. At the meeting of the Panel on Security of the Legislative Council ("LegCo") on 3 December 2019, Hon Claudia MO said that Hon YUNG Hoi-yan should withdraw her candidacy for the post of Deputy Chairman of the Panel as she would soon take maternity leave. The pretext given by Ms MO was to allow Ms YUNG sufficient time to take rest after giving birth and she further insulted Ms YUNG by saying that her IQ was low.
2. According to section 5(1) of the Sex Discrimination Ordinance (Cap. 480) on sex discrimination against women, "[a] person discriminates against a woman in any circumstances relevant for the purposes of any provision of this Ordinance if—
 - (a) on the ground of her sex he treats her less favourably than he treats or would treat a man; or
 - (b) he applies to her a requirement or condition which he applies or would apply equally to a man but—
 - ...
 - (iii) which is to her detriment because she cannot comply with it."
3. According to section 8 of the Sex Discrimination Ordinance (Cap. 480) on discrimination against pregnant women, "[a] person discriminates against a woman in any circumstances relevant for the purposes of any provision of Part 3 or 4 if—
 - (a) on the ground of her pregnancy he treats her less favourably than he treats or would treat a person who is not pregnant; or
 - (b) he applies to her a requirement or condition which he applies or would apply to a person who is not pregnant but—
 - ...
 - (ii) which he cannot show to be justifiable irrespective of whether or not the person to whom it is applied is pregnant; and
 - (iii) which is to her detriment because she cannot comply with it."

4. According to Section 5 of the Family Status Discrimination Ordinance (Cap. 527) on discrimination against a person who has family status, “[a] person discriminates against a person who has family status in any circumstances relevant for the purposes of any provision of this Ordinance if—
 - (a) on the ground of the second-mentioned person’s family status or that person’s particular family status (*the relevant family status*) he treats that person less favourably than he treats or would treat another person who does not have family status or the relevant family status, as the case may be;...
5. The Sex Discrimination Ordinance (Cap. 480) seeks to prohibit discrimination on the ground of sex, marital status or pregnancy while the Family Status Discrimination Ordinance (Cap. 527) prohibits discrimination on the ground of family status.
6. Hon Claudia MO’s remarks have misled other LegCo Members and the public to think that Hon YUNG Hoi-yan is incapable of performing her duties and/or her capability at work will be undermined by her pregnancy and childbirth. She even intended to deprive Ms YUNG of her equal opportunity to stand for election as the Deputy Chairman of the Panel and of her right to participate in politics and LegCo business. Ms MO’s remarks clearly reflect that working women are still subject to a certain degree of discrimination due to pregnancy or the likelihood of getting pregnant in future. Had she not been covered by immunity from legal proceedings under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), she could have been prosecuted for making remarks violating the Sex Discrimination Ordinance and the Family Status Discrimination Ordinance.
7. Hon Claudia MO, being a LegCo Member and a mother, is not only biased against a pregnant LegCo Member, but has even made insulting remarks at her, expressing explicit discrimination against pregnant women and showing no basic respect for women. Moreover, Ms MO’s further personal attack and insulting remarks against Hon YUNG Hoi-yan have set a very bad example to the public, and are contrary to the assumed standard of conduct expected of a LegCo Member and constitute misbehaviour under Article 79(7) of the Basic Law.

**Motion to be moved by Hon Alice MAK
under Rule 49B(1A) of the Rules of Procedure
to censure Hon Dennis KWOK**

Wording of the Motion

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

Procrastinating the election of the Chairman of the House Committee ("HC") of the Legislative Council ("LegCo")

1. Hon Dennis KWOK, as the presiding member of the election of the HC Chairman for the 2019-2020 session, has not properly executed the provisions related to the election under the Rules of Procedure ("RoP") (including Rule 41(1)) and the House Rules when presiding over the meetings by allowing members to speak on issues irrelevant to the election or raise numerous points of order to express their views, thus wasting a great deal of meeting time. Such conduct has caused HC to stall at the stage of the election of the HC Chairman after spending more than half a year with 16 special meetings held between October 2019 and April 2020, rendering HC unable to function properly and discharge its duties, including failure to form Bills Committees, appoint subcommittees to study subsidiary legislation and monitor the progress of work of these committees.
2. To procrastinate the election of the HC Chairman, Hon Dennis KWOK has allowed: (a) many members to propose various motions on issues irrelevant to the election; and (b) unnecessary and lengthy discussions and voting procedures on whether those motions should be dealt with, which have constituted abuse of power and have been ultra vires.

Obstructing LegCo to discharge its constitutional duties

3. Article 73(1) of the Basic Law stipulates that LegCo shall enact, amend or repeal laws in accordance with the provisions of the Basic Law and legal

procedures. Between October 2019 and April 2020, as the election of the HC Chairman presided over by Hon Dennis KWOK was unable to elect the HC Chairman, 14 bills and more than 90 items of subsidiary legislation presented by the Government and a senior judicial appointment could not be dealt with by HC. Hon Dennis KWOK stated in public that his procrastination of the election aimed at preventing the passage of the National Anthem Bill and other bills. The aforesaid conduct of Hon KWOK has obviously obstructed LegCo to perform its functions conferred by the Basic Law and has indirectly paralyzed the operation of the legislature for a prolonged period of time.

Misbehaviour and breach of oath

4. Hon Dennis KWOK, as a LegCo Member, has procrastinated the election of the HC Chairman and obstructed LegCo to perform its functions conferred by the Basic Law, thus failing to meet the assumed standard of conduct expected of a LegCo Member by the public and to live up to the constitutional role of a LegCo Member, which obviously constitutes misbehaviour and breach of the oath taken by him at the Council meeting of 12 October 2016 under Article 104 of the Basic Law and the Oaths and Declarations Ordinance (Cap.11), i.e. “to 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”.

**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 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 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
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 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 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 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 Kenneth LEUNG**

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: (i) the composition of tear gas rounds and tear gas grenades used in Hong Kong; (ii) the byproducts generated from those tear gas rounds and tear gas grenades used from June to November 2019, including but not limited to heat, particles, toxic and harmful compounds; (iii) the quantities of the byproducts generated from those tear gas rounds and tear gas grenades; and (iv) the toxicity of those byproducts and its potential impact on human body.

**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.

**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 Charles Peter MOK**

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: (i) whether the operation of the Hong Kong Police Force has been interfered with; (ii) the execution of the "Arrangements on the Reciprocal Notification Mechanism between the Mainland and the Hong Kong Special Administrative Region Relating to Situations Including the Imposition of Criminal Compulsory Measures or the Institution of Criminal Prosecution"; (iii) outside the mechanism, the details of the cases involving arrests, detentions or imprisonment of Hong Kong residents on the Mainland, of which the Hong Kong Special Administrative Region Government is aware, and its follow-up actions taken; and (iv) other relevant matters since June 2019.

**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 Jeremy TAM**

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 Secretary for Transport and Housing to attend before the Council at its earliest meeting after the passage of this motion to, in respect of the "separate locations" mode of clearance arrangement as stipulated in the Inter-Governmental Agreement in respect of the Construction, Operation, Maintenance and Management of the Hong Kong-Zhuhai-Macao Bridge ("HZMB"), produce all papers, books, records or documents (including but not limited to the relevant minutes of meetings of the Hong Kong-Zhuhai-Macao Bridge Authority) and to testify or give evidence in relation to the following matters:

- (i) security checks agreed among the governments of Hong Kong, Zhuhai and Macao that Hong Kong residents travelling to Zhuhai/Macao via HZMB are required to undergo at the relevant immigration control points and any checkpoint set up temporarily, including but not limited to photo-taking, inspecting their belongings and checking their Mainland Travel Permits for Hong Kong and Macao Residents (generally referred to as "Home Visit Permits"), etc;
- (ii) cases known to the Hong Kong Special Administrative Region ("HKSAR") Government of Hong Kong residents being arrested or repatriated at the relevant immigration control points and any checkpoint set up temporarily while travelling to Zhuhai/Macao via HZMB;
- (iii) internal studies and reviews conducted by the HKSAR Government on the "separate locations" mode of clearance arrangement and the views on their results conveyed to the relevant authorities in Zhuhai/Macao;
- (iv) the notification mechanism among the relevant authorities in Hong Kong, Zhuhai and Macao for any new immigration clearance arrangement under the "separate locations" mode; and
- (v) 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 (“HKSAR”) of the People’s Republic of China, this Council summons the Chief Secretary for Administration and Secretary for Food and Health 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 information possessed by the HKSAR Government on the outbreak of COVID-19 (colloquially known as “Wuhan pneumonia”), its strategies and measures adopted for the prevention and control of the outbreak, the implementation process of the measures concerned, the inventory of medical supplies and the actual working conditions of frontline medical staff in Hong Kong.

**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 Chief Secretary for Administration 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 relating to the Chief Executive reporting to the Central People's Government on the work of the Hong Kong Special Administrative Region Government on handling the outbreak of COVID-19 (colloquially known as "Wuhan pneumonia").

(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.