

# Legislative Council

## Agenda

Wednesday 10 June 2020 at 11:00 am

### **I. Laying of Paper on the Table of the Council**

The paper to be laid on the Table of the Council set out in **Appendix 1**

### **II. Questions**

Members to ask 19 questions (4 for oral replies and 15 for written replies)

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

#### **Public officers to reply**

- |   |   |
|---|---|
| 1. Hon Kenneth LAU<br><u>(Environmental issues in Lung Kwu Tan)</u> | Secretary for the Environment<br>Under Secretary for<br>Development |
| 2. Hon SHIU Ka-fai<br><u>(Employment Support Scheme)</u>            | Secretary for Labour and<br>Welfare                                 |
| 3. Hon Frankie YICK<br><u>(Taking out insurance for taxis)</u>      | Secretary for Transport and<br>Housing                              |
| 4. Hon Wilson OR<br><u>(A concrete batching plant in Yau Tong)</u>  | Secretary for Development   |

Contents of 19 questions, Members to ask such questions and public officers to reply set out in **Appendix 2**

### III. Government Bills

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

1. Limited Partnership Fund Bill : Secretary for Financial Services and the Treasury
2. Insurance (Amendment) Bill 2020 : Secretary for Financial Services and the Treasury
3. Insurance (Amendment) (No. 2) Bill 2020 : Secretary for Financial Services and the Treasury

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

(Standing over from the meeting of 27 May 2020)

4. 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)

(Debate and voting arrangements set out in LC Paper No. CB(3) 493/19-20 issued on 2 June 2020)

5. Inland Revenue (Amendment) (Tax Concessions) Bill 2020 : Secretary for Financial Services and the Treasury
6. 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)

(Debate and voting arrangements set out in LC Paper No. CB(3) 497/19-20 issued on 3 June 2020)

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

- 8. 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)
- (Debate and voting arrangements set out in LC Paper No. CB(3) 500/19-20 issued on 3 June 2020)
- 9. 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)
- (Debate and voting arrangements set out in LC Paper No. CB(3) 516/19-20 issued on 8 June 2020)
- 10. 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)
- (Debate and voting arrangements set out in LC Paper No. CB(3) 511/19-20 issued on 8 June 2020)
- 11. Copyright (Amendment) Bill 2019 : Secretary for Commerce and Economic Development**
- 12. Supplementary Appropriation (2018-2019) Bill : Secretary for Financial Services and the Treasury**

## **IV. Government Motions**

### **1<sup>st</sup> debate (covering the following motion)**

(Standing over from the meeting of 3 June 2020)

#### **1. Proposed resolution under the Fatal Accidents Ordinance**

Mover : Secretary for Justice

Wording of the motion : **Appendix 3**

### **2<sup>nd</sup> debate (covering the following 3 motions on legal aid policy)**

#### **2. Proposed resolution under section 7(a) of the Legal Aid Ordinance**

Mover : Chief Secretary for Administration

Wording of the motion : **Appendix 4**

#### **3. Proposed resolution under section 22A of the Legal Aid Ordinance**

Mover : Chief Secretary for Administration

Wording of the motion : **Appendix 5**

#### **4. Proposed resolution under the Criminal Procedure Ordinance**

Mover : Chief Secretary for Administration

Wording of the motion : **Appendix 6**

(Debate and voting arrangements set out in LC Paper No. CB(3) 502/19-20 issued on 5 June 2020)

## V. Members' Motions on Subsidiary Legislation

### 1<sup>st</sup> debate (covering the following motion)

#### 1. Proposed resolution to extend the period for amending subsidiary legislation (L.N. 60 and L.N. 61 of 2020)

Mover : Hon Tony TSE

Wording of the motion : Appendix 7

### 2<sup>nd</sup> debate (covering the following motion)

#### Proposed resolution to repeal subsidiary legislation

Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (L.N. 32 of 2020)

2. Mover : Hon HUI Chi-fung

Wording of the motion : Appendix 8

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

## VI. Member's Bill

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

(Standing over from the meeting of 27 May 2020)

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

(No public officer will attend this item)

## VII. Members' Motions (not including those on Subsidiary Legislation)

### **1<sup>st</sup> 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 9**

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

### **2<sup>nd</sup> 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 10**

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

### **3<sup>rd</sup> 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 11**

**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 12**

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)

<b>4<sup>th</sup> 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)</b>
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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 13**

**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 14**

**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 15**

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><b>5<sup>th</sup> 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)</b></p>
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(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 16 and 17**

**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 18 and 19**



**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 20**

(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 21**

(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 22**

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

(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)

**6<sup>th</sup> 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 23**

(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 24**

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 25**

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 26**

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 27**

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 28**  
Public officers to attend : Secretary for Food and Health  
Under Secretary for Food and Health

**7<sup>th</sup> 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 29**  
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

**8<sup>th</sup> debate (covering the following motion)**

(Standing over from the meeting of 3 June 2020)

**22. Motion on “Strengthening the combat against parallel trading activities, and tightening the arrangements for Mainland residents visiting Hong Kong”**

Mover : Hon LAM Cheuk-ting  
Wording of the motion : **Appendix 30**  
Public officers to attend : Secretary for Commerce and Economic Development  
Under Secretary for Commerce and Economic Development

Clerk to the Legislative Council

**Council meeting of 10 June 2020**

**Laying of Paper on the Table of the Council**

**Paper**

Report No. 3/19-20 of the House Committee on Consideration of Subsidiary  
Legislation and Other Instruments

(to be presented by Hon Starry LEE, Chairman of the House Committee)

## 19 questions to be asked at the Council meeting of 10 June 2020

	<b>Subject matters</b>	<b>Public officers to reply</b>
<b>Questions for oral replies</b>		
1	Hon Kenneth LAU <u>Environmental issues in Lung Kwu Tan</u>	Secretary for the Environment Under Secretary for Development
2	Hon SHIU Ka-fai <u>Employment Support Scheme</u>	Secretary for Labour and Welfare
3	Hon Frankie YICK <u>Taking out insurance for taxis</u>	Secretary for Transport and Housing
4	Hon Wilson OR <u>A concrete batching plant in Yau Tong</u>	Secretary for Development
<b>Questions for written replies</b>		
5	Hon James TO <u>Internal review conducted by the Equal Opportunities Commission</u>	Secretary for Constitutional and Mainland Affairs
6	Hon Vincent CHENG <u>Setting and moderating questions for the Hong Kong Diploma of Secondary Education Examination</u>	Secretary for Education
7	Hon CHAN Hoi-yan <u>Support provided for street sleepers</u>	Secretary for Labour and Welfare
8	Prof Hon Joseph LEE <u>N95 respirator fit tests</u>	Secretary for Food and Health
9	Hon Wilson OR <u>Installation of electric vehicle charging facilities in private residential buildings</u>	Secretary for the Environment
10	Hon CHAN Hak-kan <u>Public facilities being vandalized</u>	Secretary for Transport and Housing
11	Prof Hon Joseph LEE <u>Special allowances for staff members of the Hospital Authority</u>	Secretary for Food and Health
12	Hon Michael TIEN <u>Using the unoccupied Chun Yeung Estate as quarantine facilities</u>	Secretary for Food and Health
13	Hon Charles Peter MOK <u>Development of an electronic disbursement platform and fintech</u>	Secretary for Financial Services and the Treasury
14	Hon Charles Peter MOK <u>Facilitating the development of the fifth generation mobile communications and technology</u>	Secretary for Commerce and Economic Development
15	Hon Holden CHOW <u>Professional conduct of members of Moderation Committees</u>	Secretary for Education
16	Hon Elizabeth QUAT <u>Moderation committees of the Hong Kong Examinations and Assessment Authority</u>	Secretary for Education
17	Hon WU Chi-wai <u>The United States authorities revoking the special treatment for Hong Kong</u>	Secretary for Commerce and Economic Development
18	Hon Elizabeth QUAT <u>Open and fair trials</u>	Chief Secretary for Administration
19	Dr Hon CHIANG Lai- wan <u>Convalescent plasma treatment</u>	Secretary for Food and Health

Note: Four (instead of six) oral questions and 15 (instead of 16) written questions are scheduled for this meeting as:

- the President has ruled that two oral questions submitted by Hon HUI Chi-fung and Hon James TO are out of order and may not be asked; and
- a vacant written question slot was not taken up by Members by the deadline for giving question notice.

Question 1  
(For oral reply)

(Translation)

Environmental issues in Lung Kwu Tan

Hon Kenneth LAU to ask:

Some Lung Kwu Tan residents have relayed that quite a number of obnoxious facilities and heavy industries (including two power plants, a landfill, a columbarium, sludge incinerators, a steel mill and a cement plant) are located in the vicinity of their residences, causing serious air and noise pollution, as well as odour and traffic congestion problems. They are worried that the Government's plan for reclamation at Lung Kwu Tan may aggravate such problems. In this connection, will the Government inform this Council:

- (1) whether it has regularly monitored the air quality of Lung Kwu Tan and its vicinity, including the concentrations of various types of air pollutants (i.e. respirable suspended particulates, fine suspended particulates, nitrogen dioxide, sulphur dioxide and ozone) and if such concentrations have exceeded the limits of the Air Quality Objectives, as well as the sources of the pollutants; whether it has assessed if the health of the local residents has been affected as a result; if it has assessed, of the details, and whether it will publish the assessment outcome; if it has not assessed, the reasons for that;
- (2) of the current average daily quantity of municipal solid waste received by the West New Territories Landfill, as well as the quantity and percentage of such quantity delivered by land transport; the average daily vehicular traffic flow of Lung Kwu Tan Road and, out of such figure, the respective numbers of trips made by heavy vehicles and refuse collection vehicles; the details of the daily cleaning work carried out at Lung Kwu Tan Road, including the frequency, schedule, methods and effectiveness; and
- (3) as the Government has indicated that when selecting reclamation sites, it will attach importance to the impacts on the community and fully consider the views of residents, whether the Government will undertake not to take forward the Lung Kwu Tan reclamation plan before it has formulated effective solutions for tackling the aforesaid problems, so as to allay the concerns of the residents?

Question 2  
(For oral reply)

(Translation)

Employment Support Scheme

Hon SHIU Ka-fai to ask:

Last month, the Government announced the extension of the coverage of the Employment Support Scheme (“ESS”) to include, among others, those mature employees (i.e. aged 65 or above) for whom their employers have made voluntary Mandatory Provident Fund (“MPF”) contributions. However, those self-employed persons (except persons in particular trades) and those mature employees who do not have an MPF account, as well as those mature employees with an MPF account but their employers have not made voluntary contributions for them, are all not covered by the Scheme. In this connection, will the Government inform this Council:

- (1) of the respective numbers of self-employed persons and mature employees who currently do not have an MPF account, and the number of mature employees with an MPF account for whom their employers have not made voluntary contributions; whether it has assessed the impacts of ESS not covering such self-employed persons and mature employees on their employment outlook and on the employers of such mature employees;
- (2) whether it will roll out other measures, such as providing allowances for the employers of those mature employees who are not covered by ESS through relaxing the eligibility requirements of the Employment Programme for the Elderly and Middle-aged, or accepting certificates issued by certified public accountants (practising) as proof of employment of mature employees to replace the requirement for such employees to hold an MPF account, so as to facilitate the employers concerned to apply for the wage subsidies under ESS; and
- (3) whether it has studied launching other relief measures to help those self-employed persons who do not have an MPF account; if so, of the details; if not, the reasons for that?



Question 3  
(For oral reply)

(Translation)

Taking out insurance for taxis

Hon Frankie YICK to ask:

Some taxi owners have relayed that recently, the comprehensive insurance premiums and third party risks insurance premiums for taxis have increased by 35% and 20% respectively when compared with the same period last year. Besides, insurance companies have charged additional premiums of 15% to 25% for taxis with high vehicle age and those driven by elderly drivers, and have substantially increased the amounts specified in insurance contracts to be paid by insured persons for contributing towards insurance compensation (commonly known as “insurance excess”). In addition, some insurance companies have refused to underwrite insurance for taxis reaching the vehicle age of 20, and some insurance companies have recently ceased to underwrite insurance for taxis, thereby lessening competition in the market. In this connection, will the Government inform this Council:

- (1) of the number of taxis in Hong Kong as at 31 December last year; the number of taxis which received annual examination last year, with a tabulated breakdown by results and vehicle age (i.e. 13 years and below, each of the years from 14 to 19, and 20 years and above); if there were taxis which failed to pass the annual examination, of the reasons for that;
- (2) whether insurance companies have breached any law or regulation by refusing to underwrite insurance for taxis reaching the vehicle age of 20; of the measures in place to ensure that there will be insurance companies that are willing to underwrite insurance for such taxis; and
- (3) as some insurance companies have pointed out that the increase in the number of traffic accidents involving taxis is one of the causes for the soaring insurance premiums, whether the Government will encourage (e.g. through subsidizing taxi owners to install alarm system and equipment for preventing collision) the taxi trade to make good use of technology to reduce traffic accidents; if so, of the details; if not, the measures in place to reduce traffic accidents involving taxis?

Question 4  
(For oral reply)

(Translation)

A concrete batching plant in Yau Tong

Hon Wilson OR to ask:

In 1998, the Government changed the planned uses of the sites in the Yau Tong Industrial Area (“YTIA”) from “Industrial” to “Comprehensive Development Area”, “Residential” and “Commercial” zones. With the completion of and intake of residents for a number of residential projects in that area in recent years, its population has been increasing incessantly. Some residents have relayed that currently a concrete batching plant is still in operation in the area, causing environmental pollution and affecting the daily living and health of the residents in the vicinity. In this connection, will the Government inform this Council:

- (1) whether it has assessed the impacts caused by the aforesaid concrete batching plant to the environment and the residents in the vicinity; of the number of complaints received by the Government in the past three years about the air, noise or other environmental pollution caused by the concrete batching plant;
- (2) whether the Government had forecast the timing for the concrete batching plant to move out of the area when it changed the planned uses of the sites in YTIA; whether the Government has in recent years discussed with the person-in-charge of the plant the plan and timetable for relocating the plant; and
- (3) of the measures in place to resolve the conflicts between the operation of the concrete batching plant and the development projects implemented according to the new planned uses?

Question 5  
(For written reply)

(Translation)

Internal review conducted by the Equal Opportunities Commission

Hon James TO to ask:

A Review Panel under the Equal Opportunities Commission (“EOC”) conducted, between 2017 and 2019, a process review to examine EOC’s governance, management structure and complaint handling process, with a view to improving the services of EOC. In parallel, a retired High Court Judge conducted, upon EOC’s invitation, an independent review of EOC’s complaint handling process and submitted an independent report thereon. The Review Panel subsequently submitted to EOC the Report on Review of the Equal Opportunities Commission Governance, Management Structure and Complaint Handling Process (“the Report”), setting out its responses to the various recommendations put forth in the independent report. The Report was endorsed and then published by EOC in December 2019. In this connection, will the Government inform this Council:

- (1) whether it knows, among those recommendations set out in the Report in respect of which the Review Panel has indicated that it “agrees”, it “agrees that this can be considered” and “EOC will study”,
  - (i) the up-to-date number of recommendations that have been implemented;
  - (ii) the up-to-date number of recommendations that will be implemented and the implementation timetables; and
  - (iii) the up-to-date number of recommendations that EOC decided not to implement, and the reasons for that;
- (2) whether it knows if EOC has implemented the following recommendations as set out in the Report; if EOC has not, when EOC will do so and the estimated amounts of resources involved:
  - (i) the victims of a discrimination case be given the opportunity early on in the complaint handling process to meet with a legal professional;
  - (ii) EOC officers should regularly take part in capacity-building workshops and seminars;
  - (iii) serious consideration be given to the possibility of officers of the Legal Service Division of EOC providing specific legal advice to the complainants during the conciliation stage;

- (iv) the Legal and Complaints Committee of EOC should be cautious that it is not appropriate to refuse granting legal assistance for court proceedings merely because a case has less than a 50% chance of success;
  - (v) a review be conducted on whether it is appropriate for a Complaint Services Division of EOC officer to be responsible for enquiry handling and conciliation work in the same case;
  - (vi) greater use be made of Rule 7, including the payment by EOC of taxi fares, to enable complainants and respondents to attend at EOC's premises for face-to-face conferences at mutually convenient times;
  - (vii) EOC's case management system should be upgraded and made more user-friendly;
  - (viii) the Legal and Complaints Committee of EOC should, in deciding whether to grant full legal assistance, bear in mind the financial situation of the respondent and the potential for moral hazards;
  - (ix) where conciliation has failed, the task of providing initial limited legal assistance may be undertaken by a team of officers drawn from the Complaint Services Division and the Legal Service Division of EOC;
  - (x) it should be ensured that Chinese walls are in place to prevent an officer of the Complaint Services Division of EOC who has acted as a conciliator on a complaint from later conducting the detailed investigation and legal assessment of that same complaint;
  - (xi) it should be a normal expectation that the Legal and Complaints Committee of EOC decides whether to grant full legal assistance within nine to 12 months of a complaint being made or of a specific enquiry being classified as a complaint; and
  - (xii) consideration be given to increasing the head count of EOC; and
- (3) of the resources provided to EOC in the current financial year for implementing the aforesaid recommendations?

Question 6  
(For written reply)

(Translation)

Setting and moderating questions for  
the Hong Kong Diploma of Secondary Education Examination

Hon Vincent CHENG to ask:

One of the questions in Paper 1 of the History subject of the Hong Kong Diploma of Secondary Education (“HKDSE”) Examination this year was about the Sino-Japanese relations in the first half of the 20th century. The question provided two pieces of information and requested candidates to answer the following: “Japan did more good than harm to China in the period 1900-45. Do you agree?” There are comments that the question was silent on the fact that the invasive war waged by Japan on China back then had resulted in the death of tens of millions of compatriots. As the information attached to the question was grossly one-sided and carried a leading sense, as much as 38% of the candidates reached a “more good than harm” conclusion. The Hong Kong Examinations and Assessment Authority (“HKEAA”) has advised that as in the case of other HKDSE subject examinations, a moderation committee (“MC”) is responsible for setting questions and drafting marking guidelines for the History subject. The MC of the History subject comprises a chief examiner, a setter or co-setters, moderators and an assessment development manager of HKEAA. It has been reported that the manager concerned has repeatedly made biased remarks on social media. In this connection, will the Government inform this Council:

- (1) whether HKEAA and the Education Bureau (“EDB”) have currently put in place a mechanism for preventing MC members from presenting their political stances or instilling biased thoughts into candidates through examination questions; if so, of the details; if not, the reasons for that;
- (2) whether HKEAA and EDB received, in the past three years, complaints about inappropriate contents of the questions in the examination papers of the History subject of the HKDSE Examination; if so, of the contents of the complaints and the follow-up actions taken;
- (3) whether it knows if HKEAA will conduct a comprehensive review on the mechanism for setting and moderating questions for the History subject of the HKDSE Examination, as well as the division of work among MC members;

- (4) whether it knows if HKEAA will examine the mechanism for appointing MC members, so as to ensure that the members will act in an objective, impartial and a professional manner; and
- (5) as EDB has indicated that it will review the current mechanism with a view to fulfilling its role of monitoring the HKDSE Examination, thereby ensuring the sustained quality of the HKDSE Examination and the examination questions, of the details and the timetable of the review?

Question 7  
(For written reply)

(Translation)

Support provided for street sleepers

Hon CHAN Hoi-yan to ask:

With subventions provided by the Social Welfare Department (“SWD”), three non-governmental organizations (“NGOs”) currently operate an Integrated Services Team for Street Sleepers each to provide integrated services for street sleepers. In addition, the Integrated Family Service Centres and Integrated Services Centres run by SWD or NGOs provide relevant support for street sleepers. The economic downturn that occurred over the past six months has rendered quite a number of people homeless, and the number of street sleepers has been on the rise. I have learnt, however, that owing to the Coronavirus Disease 2019 epidemic, the support received by street sleepers has been reduced rather than increased. In this connection, will the Government inform this Council:

- (1) of the number of street sleepers as registered in SWD’s Street Sleepers Registry in each of the past five years, with a breakdown by the District Council district where the street sleeping points were located;
- (2) of the method(s) currently adopted for compiling statistics on the number of street sleepers; whether it has projected the number of street sleepers in the coming three years for the purpose of assessing service demand;
- (3) of the number of hostel places for street sleepers provided by NGOs in each of the past five years, with a breakdown by whether they were subvented or self-financed places;
- (4) whether it has set a target number of hostel places for street sleepers; if so, of the details (including the criteria adopted); if not, the reasons for that;
- (5) whether it has taken measures during the epidemic to assist the various relevant organizations in continuing to provide support for street sleepers; if so, of the details; if not, the reasons for that; and
- (6) whether it has formulated measures or guidelines to ensure that street sleepers will still receive the various kinds of support under special circumstances (e.g. inclement weather and an epidemic); if so, of the details; if not, whether it will consider formulating the relevant measures or guidelines?

Question 8  
(For written reply)

(Translation)

N95 respirator fit tests

Prof Hon Joseph LEE to ask:

According to the guidelines of the Hospital Authority (“HA”), healthcare personnel should undergo a facial contour fit test (“fit test”) before using an N95 respirator (“respirator”), in order to ensure that they are given appropriate respirators. Healthcare personnel with a significant change in facial contour should take the fit test afresh. Earlier on, some nurses working in public hospitals have relayed to me that after the outbreak of the Coronavirus Disease 2019 (“COVID-19”) epidemic, HA had, without conducting the fit tests for them, given them respirators of the models concerned on the basis of the results of the fit tests they underwent in as early as 2003. HA had not conducted the fit tests for them until the time when HA had to check whether respirators of another model were suitable for use by them because the respirators of the models concerned had become out of stock. As the fit test results have revealed that they had all along been using respirators that did not fit their facial contour, they consider that such a situation had unnecessarily increased their risks of infection at work. Regarding the conduct of fit tests by HA for its healthcare personnel, will the Government inform this Council if it knows:

- (1) the criteria adopted by HA for determining the healthcare personnel for whom the fit tests are to be arranged, and the arrangements for the fit tests;
- (2) the number of healthcare personnel for whom HA conducted the fit tests in the past three years;
- (3) whether, after the outbreak of the COVID-19 epidemic, healthcare personnel have all been arranged to take the fit tests prior to being deployed to work in high-risk areas or perform high-risk medical procedures; if not, of the reasons for that;
- (4) the current number of healthcare personnel who need to wear respirators at work, with a breakdown by the cluster, hospital, department and grade to which they belong; whether all such personnel took the fit tests within the past six months; if not, of the reasons for that; and
- (5) the current number of staff members responsible for conducting the fit tests for healthcare personnel, with a breakdown by the cluster, hospital, department and grade to which they belong; the justifications for arranging such staff members to take charge of



such work; whether HA has provided them with training on conducting the fit tests; if so, of the details; if not, the reasons for that?

Question 9  
(For written reply)

(Translation)

Installation of electric vehicle charging facilities  
in private residential buildings

Hon Wilson OR to ask:

Some suppliers of electric vehicle (“EV”) charging facilities (“suppliers”) install for private residential buildings EV charging-enabling infrastructure (“the infrastructure”) in their common parts, as well as install chargers at the public parking spaces and private parking spaces of interested owners of such buildings. Such suppliers charge the owners’ corporations (“OCs”) concerned a fee for installation of the infrastructure and enter into a five-year service contract with the owner of each of such private parking spaces. Under such contracts, the owners of the parking spaces concerned, after making a lump-sum payment and a monthly fee, may charge their EVs for unlimited number of times. Given that the Building Management Ordinance (Cap. 344) provides that any goods or services the value of which exceeds or is likely to exceed the sum of \$200,000, or a sum which is equivalent to 20% of the annual budget of the OC concerned, must be procured by the corporation by way of invitation to tender, such suppliers pass on part of the installation cost of the infrastructure to the owners of private parking spaces when such cost exceeds the said sum, so as to avoid the situation that OC is obliged to invite tenders. In this connection, will the Government inform this Council:

- (1) given that the aforesaid works on installation of the infrastructure are not approved at a general meeting of an OC, but the OC (i.e. all owners) concerned need to bear the costs for such infrastructure’s repair and maintenance as well as insurance premiums in future, whether the Government has assessed if the aforesaid arrangements are fair to the various types of owners (especially those owners who own parking spaces but do not intend to use the charging facilities or those who do not have a parking space);
- (2) as the Government has not regulated the contents of the contracts on charging services signed between the suppliers and the owners of private parking spaces, whether the Government received any relevant complaints in the past three years and whether it will regulate such contracts, so as to prevent the occurrence of a situation similar to the proliferation of telecommunication services-related complaints in the past; and

- (3) whether it has assessed if the practice of the suppliers to pass on part of the cost for installation of the infrastructure to the owners of private parking spaces in order to avoid competition has violated the principle of fair competition, and how it will follow up the matter?

Question 10  
(For written reply)

(Translation)

Public facilities being vandalized

Hon CHAN Hak-kan to ask:

Since June last year, some demonstrators have wantonly vandalized public facilities. In this connection, will the Government inform this Council:

- (1) of the number of sets of traffic lights which were vandalized in the past 12 months; whether the Government will enhance the design of traffic lights to prevent them from being vandalized (e.g. installing them at a higher position);
- (2) of the number of roadside railings which were removed by lawbreakers in the past 12 months; as the authorities have indicated that they have enhanced the design of railings to make them more secure, of the details of the new design;
- (3) of the number of cameras of the closed-circuit television systems installed in government facilities and public places which were vandalized in the past 12 months; the measures in place to prevent lawbreakers from vandalizing such facilities and thereby destroying evidence of crime;
- (4) of the area of paving blocks on footpaths which were dug up by demonstrators in the past 12 months; whether the Government will switch to other methods for paving footpaths;
- (5) of the number of litter containers and recyclables collection bins managed by the Food and Environmental Hygiene Department which were sabotaged or used for blocking roads in the past 12 months; the measures in place to prevent such unlawful acts while taking into account, at the same time, the need of the members of the public to dispose of litter;
- (6) of the cost of the damaged public facilities as mentioned in (1) to (5), and the repair or reprovisioning cost concerned;
- (7) given that a number of major trunk roads were once blocked by objects which had been thrown from a height, what measures the Government has taken to prevent the recurrence of similar incidents; and
- (8) of the measures in place to step up efforts in combating the aforesaid unlawful acts and promoting law-abiding awareness among members of the public?

Question 11  
(For written reply)

(Translation)

Special allowances for staff members of the Hospital Authority

Prof Hon Joseph LEE to ask:

To cope with the Coronavirus Disease 2019 epidemic, Emergency Response Level was activated in public hospitals on 25 January this year. The Hospital Authority (“HA”) subsequently announced that staff members engaging in high risk duties in response to the epidemic might be granted Special Emergency Response Allowance (with retrospective effect from 25 January), and that those staff members performing duties in high risk areas who needed to rent hotel rooms or temporary accommodation might be granted Special Rental Allowance. In this connection, will the Government inform this Council:

- (1) whether it knows the eligibility criteria for receiving the aforesaid two allowances;
- (2) whether it knows (a) the respective numbers of applications received, approved and rejected and (b) the respective amounts of expenses incurred, by HA in respect of the aforesaid two allowances in each month from January to May this year, with a tabulated breakdown by (i) hospital cluster, (ii) hospital, (iii) clinical department and (iv) grade;
- (3) whether it knows if there is any channel for staff members whose applications for such allowances have been rejected to lodge an appeal; if there is, of the details; and
- (4) as some HA staff members, who have retained their civil service status while working in HA, have indicated that they have not been disbursed such allowances so far, whether the Government knows the reasons for that and when they will be disbursed such allowances?

Question 12  
(For written reply)

(Translation)

Using the unoccupied Chun Yeung Estate as quarantine facilities

Hon Michael TIEN to ask:

To tackle the epidemic, the Government has, since February this year, requisitioned the unoccupied Chun Yeung Estate in Fo Tan as quarantine facilities. Some prospective tenants who have accepted advance allocation of the units in the said estate have relayed to me that the deferral of the intake date has seriously upset their plans, and the prolonged delay in specifying a handover date for the units concerned has rendered them unable to make appropriate living arrangements. Some prospective tenants have suffered a drop in income as a result of the economic downturn, and yet they still have to continue to pay exorbitant rents for private housing. Also, quite a number of prospective tenants who have arranged their children to change schools even need to make arrangements for their children to travel to other districts to attend schools. In this connection, will the Government inform this Council:

- (1) of the conditions to be met for Chun Yeung Estate ceasing to be used as quarantine facilities, and the expected time for such conditions to be met;
- (2) of the disinfection procedures to be adopted for Chun Yeung Estate upon cessation of its use as quarantine facilities as well as the time needed; and
- (3) whether the Government will, apart from disbursing a one-off ex-gratia allowance of \$6,000 per household to the prospective tenants of Chun Yeung Estate, provide other support for them; if so, of the details?

Question 13  
(For written reply)

(Translation)

Development of an electronic disbursement platform and fintech

Hon Charles Peter MOK to ask:

The Financial Secretary announced in this financial year's Budget that a Cash Payout Scheme would be launched to disburse \$10,000 to each Hong Kong permanent resident ("resident") aged 18 or over. However, the lead time for the Scheme is rather long, as registration by residents is not expected to commence until the end of this month and disbursements to the majority of residents is not expected to be made until the end of August this year. Some members of the information technology sector have pointed out that the Government should, in the long run, establish an e-payment platform and make good use of e-payment means (e.g. stored value facilities, prepaid cards and debit cards), so as to facilitate the expeditious disbursements of various types of subsidies and allowances to residents, as well as to promote the development of fintech. In this connection, will the Government inform this Council:

- (1) whether it has assessed the cost effectiveness of efforts in stimulating local consumption and boosting the economy by using means other than cash (e.g. e-payment);
- (2) whether it will study issuing, through electronic means, to residents local consumption vouchers with time limits and specified uses, so as to boost the economy and promote consumption;
- (3) whether it will collaborate with the information technology sector to conduct the research and development of a platform that supports the use of various e-payment means in disbursing subsidies and allowances, with a view to enhancing the efficiency of the Government's work of disbursing funds to residents in future, as well as promoting fintech development; and
- (4) given that the Government will provide an "iAM Smart" account for residents free of charge in order to facilitate the use of a single digital identity by residents to conduct online transactions with the Government and commercial organizations, and it has implemented a pilot sandbox programme for commercial organizations (confined to financial institutions for the time being) to conduct tests, of the to-date number of financial institutions which have taken part in the tests, as well as the details of the test items (e.g. authentication, form filling and digital signing) and the progress made; the expected time when iAM Smart will be available for use by

commercial and public organizations, as well as the relevant timetable?



Question 14  
(For written reply)

(Translation)

Facilitating the development of  
the fifth generation mobile communications and technology

Hon Charles Peter MOK to ask:

On facilitating the development of the fifth generation (“5G”) mobile communications and technology, will the Government inform this Council:

- (1) given that the Office of the Communications Authority (“OFCA”) launched the “Subsidy Scheme for Encouraging Early Deployment of 5G” under the Anti-epidemic Fund last month to encourage the various sectors to deploy 5G technology to foster innovation and smart city applications, of the respective to-date numbers of applications from enterprises received, approved and rejected by OFCA; a breakdown of the number of enterprises whose applications were approved by type of business or mode of operation, as well as a breakdown of the rejected cases (if any) by reason for the rejection;
- (2) given that OFCA launched a pilot scheme in March last year to proactively open up more than 1 000 suitable government premises for the installation of radio base stations by mobile network operators (“MNOs”), supplemented by streamlined application processes, to facilitate MNOs in laying 5G networks, of the respective to-date numbers of applications received and approved by OFCA, and set out, by name of MNOs, (i) the number of applications approved, and (ii) the number of radio base stations involved and their locations; the average time taken for vetting and approval of each approved application;
- (3) of the current coverage and coverage rate of the local 5G mobile networks; the Government’s plans in the next two years to increase the coverage rate; and
- (4) given that the Government is proactively exploring with satellite operators the feasibility of relocating the satellite earth stations from Tai Po to Chung Hom Kok Teleport, and that the relocation plan involves land allocation as well as complex engineering and technical issues which will take years to handle, of the costs involved in the relocation plan as envisaged by the Government?

Question 15  
(For written reply)

(Translation)

Professional conduct of members  
of Moderation Committees

Hon Holden CHOW to ask:

One of the questions in Paper 1 of the History subject of this year's Hong Kong Diploma of Secondary Education ("HKDSE") Examination requested candidates to make reference to the information provided in the question and then answer whether they agreed to the following statement: "Japan did more good than harm to China in the period 1900-45". There have been public comments that since the invasion of China and atrocities committed by Japan in that period were too numerous to list, causing indelible pain to the country and nation, the statement obviously confounds right and wrong. The Hong Kong Examinations and Assessment Authority ("HKEAA") has responded that, as in the case of other HKDSE subject examinations, a moderation committee ("MC") is responsible for setting questions and drafting marking guidelines for the History subject. The MC of the History subject comprises a chief examiner, a setter or co-setters, moderators and an assessment development manager of HKEAA. It has been reported that the manager concerned has repeatedly made biased remarks on social media. In this connection, will the Government inform this Council:

- (1) whether it knows if HKEAA will initiate an investigation into the aforesaid incident, including whether any MC member has, having been affected by his or her personal political stance, set questions which confound right and wrong; if HKEAA will, of the relevant mechanisms for investigation and penalty;
- (2) of the measures put in place by the Education Bureau ("EDB") to prevent the recurrence of similar incidents, and whether EDB will make improvement recommendations on the composition and operation of MCs; if so, of the details; if not, the reasons for that; and
- (3) whether it knows the number of MC members punished in the past five years for having violated the established mechanism or codes of professional conduct, and the details of the punishments; whether HKEAA will never appoint such persons as MC members again?

Question 16  
(For written reply)

(Translation)

Moderation committees of  
the Hong Kong Examinations and Assessment Authority

Hon Elizabeth QUAT to ask:

A question in Paper 1 of the History subject of this year's Hong Kong Diploma of Secondary Education ("HKDSE") Examination requested candidates to make reference to two pieces of information and then answer the following question: "Japan did more good than harm to China in the period 1900-45. Do you agree?" There are comments that the question was inappropriate in the selection of topic and was ill-intended, downplaying the painful historical facts of Japan's invasion of China, thereby leading candidates to reach a conclusion which turns the truth upside down. In this connection, will the Government inform this Council:

- (1) given that a moderation committee ("MC") has been set up separately for Category A subjects of HKDSE Examination, which is responsible for setting examination questions and drafting marking schemes, and that the Hong Kong Examinations and Assessment Authority ("HKEAA") appoints members to MCs through various channels (e.g. nominations from schools and subject committees), whether it knows the relevant selection criteria and the weightings attached to the various criteria;
- (2) given that the work nature of MC is highly confidential, and that a staff member who had been nominated by the Education Bureau ("EDB") in 2019 was eventually not invited to join the MC of the History subject of HKEAA, whether EDB will request HKEAA to review the composition of MCs and require that each MC should comprise a member appointed by EDB in order to strengthen EDB's monitoring role on the HKDSE Examination;
- (3) whether EDB will explore taking part in the work of setting and moderating questions for the HKDSE Examination in order to ensure that examination questions are objective and neutral; if so, of the details; if not, the reasons for that;
- (4) as it has been reported that a member of the MC relating to the aforesaid incident has repeatedly made biased remarks on social media, whether it knows if HKEAA has assessed the effectiveness of the monitoring mechanism established to ensure that the acts of MC members meet the codes of professional conduct, and the mechanism put in place by HKEAA for imposing punishments on

those members who have breached the codes of professional conduct; and

- (5) given that HKEAA publishes, every year after the HKDSE Examination, question papers for the various Category A subjects, in which information such as marking schemes are set out for the reference of the relevant parties, whether it knows if HKEAA will, in view of the grave public concerns aroused by and the invalidation of the aforesaid question, immediately make public the marking scheme of the question, so as to facilitate the public to have a better understanding of the process of setting the question; if HKEAA will, of the details; if not, the reasons for that?

Question 17  
(For written reply)

(Translation)

The United States authorities revoking the special treatment for Hong Kong

Hon WU Chi-wai to ask:

On the 28th of last month, the National People's Congress decided that its Standing Committee be entrusted to formulate laws relating to establishing and improving the legal system and enforcement mechanisms for the Hong Kong Special Administrative Region ("HKSAR") to safeguard national security. The Department of State of the United States ("US") forthwith submitted a report to the US Congress stating that as HKSAR had failed to maintain a high degree of autonomy, it did not warrant special treatment. The US President then announced the commencement of the process for revoking the special treatment for Hong Kong, e.g. statuses as a separate customs territory and as a separate travel territory, and exemptions from the US export controls on dual-use technologies. In this connection, will the Government inform this Council:

- (1) of the quantities and values of those high technology products which were exempted from the US export controls and imported from US to HKSAR in each of the past three years, with a tabulated breakdown by type of product; whether it has assessed, among such products, which types of products will require export licences in future before they may be imported into HKSAR;
- (2) whether the Government and the relevant public organizations (including the Hong Kong Science and Technology Parks Corporation and Hong Kong Cyberport Management Company Limited) have assessed the impacts of the US authorities' revocation of the exemptions granted to HKSAR regarding technologies export controls on the development of the local innovation and technology industry, and what corresponding measures will be put in place;
- (3) whether it has assessed the impacts of the US authorities' revocation of HKSAR's statuses as a separate customs territory and as a separate travel territory on (i) the import, export and re-export trade of HKSAR, and (ii) HKSAR residents' application for US visas;
- (4) whether it has assessed the impacts of the US authorities' revocation of the special treatment for HKSAR on Hong Kong's overall economy, and what corresponding measures the Government will put in place; and

- (5) as the Ministry of Foreign Affairs has indicated earlier that if countries such as US and the United Kingdom impose sanctions or other measures on HKSAR, China will take all necessary countermeasures, whether the HKSAR Government (i) knows the details of such countermeasures, (ii) has to take actions to dovetail with the implementation of such countermeasures, and (iii) has assessed the impacts of such countermeasures on Hong Kong?

Question 18  
(For written reply)

(Translation)

Open and fair trials

Hon Elizabeth QUAT to ask:

Since the eruption of the disturbances arising from the opposition to the proposed legislative amendments in June last year, incessant violence and unlawful acts have hard hit the economy and people's livelihood. Although the Chief Justice of the Court of Final Appeal pointed out in his statement issued on 25 May this year that judges had a responsibility, owed to the community, to adjudicate on cases fairly and impartially, many members of the public have complained to me that some judges misconducted themselves (e.g. signing a joint public petition in opposition to the proposed legislative amendments) and the sentences they imposed in relation to some of the cases involving the movement of opposition to the proposed legislative amendments were inappropriate. In this connection, will the Government inform this Council:

- (1) whether it knows the number of complaints about the conduct of judges received by the Judiciary since June last year; the number of cases handled and followed up by the Court Leaders and, among such cases, the respective numbers of those which were (i) substantiated and (ii) unsubstantiated, and the reasons for them to be found unsubstantiated;
- (2) whether it knows if the Judiciary will make reference to the practices in overseas jurisdictions and set up an independent judiciary monitoring committee to subject the conduct of judges to public scrutiny, so as to enhance the credibility of the judicial system; if the Judiciary will, of the details; if not, the reasons for that; and
- (3) as there are comments that the sentences imposed by courts in recent years seemed to lack consistency, e.g. significant variance in the sentences imposed on defendants convicted of the same offence, and substantial fluctuations in the sentences imposed on a defendant in the same case by the courts at various levels (i.e. the sentence imposed being light at first instance, heavier on appeal, and yet being reduced to the initial sentence or even a lighter sentence on final appeal), whether it knows the number of sets of sentencing guidelines promulgated by the courts at various levels to the courts below in the past three years; whether the Judiciary will make reference to the practices of the United States or the United Kingdom and set up a sentencing commission or council to issue

binding sentencing tariffs on all criminal offences; if so, of the details; if not, the reasons for that?



Question 19  
(For written reply)

(Translation)

Convalescent plasma treatment

Dr Hon CHIANG Lai-wan to ask:

It has been reported that the treatment method which makes use of the convalescent plasma (“convalescent plasma treatment”) donated by people recovered from Coronavirus Disease 2019 (“COVID-19”) has certain curative effect on treating COVID-19 patients. The conditions of two patients of serious cases were substantially improved after they had received such treatment. In this connection, will the Government inform this Council:

- (1) whether it knows the current stock of convalescent plasma in public hospitals and the estimated number of patients who may be treated with such stock; whether the Hospital Authority has set a target for the stock of convalescent plasma, so as to tackle the eventuality in which the COVID-19 epidemic rages on again in winter this year;
- (2) if it knows the criteria adopted by doctors of public hospitals for deciding whether or not to apply convalescent plasma treatment in treating COVID-19 patients; how such treatment compares with other treatments in terms of efficacy in treating COVID-19 patients; and
- (3) given that only eight out of the 1 000-odd people recovered from COVID-19 in Hong Kong have donated their convalescent plasma, whether such proportion meets the Government’s expectation; if so, of the reasons for that; if not, the measures in place to boost the number of donors; whether it knows the reasons why people who have recovered from that disease refuse to donate their plasma?

**Fatal Accidents Ordinance**

**Resolution**

(Under section 4(5) of the Fatal Accidents Ordinance (Cap. 22))

**Resolved** that the Fatal Accidents Ordinance (Cap. 22) be amended as set out in the Schedule.

**Schedule**

**Amendment to Fatal Accidents Ordinance**

**1. Section 4 amended (bereavement)**

Section 4(3)—

**Repeal**

“\$220,000”

**Substitute**

“\$231,000”.

**Legal Aid Ordinance****Resolution**

(Under section 7(a) of the Legal Aid Ordinance (Cap. 91))

**Resolved** that the Legal Aid Ordinance (Cap. 91) be amended as set out in the Schedule.

**Schedule****Amendments to Legal Aid Ordinance**

1. **Section 5 amended (persons eligible for legal aid)**  
Section 5(1)—  
**Repeal**  
“\$307,130”  
**Substitute**  
“\$420,400”.
2. **Section 5A amended (supplementary legal aid)**
  - (1) Section 5A(b)—  
**Repeal**  
“\$307,130”.  
**Substitute**  
“\$420,400”.
  - (2) Section 5A(b)—  
**Repeal**  
“\$1,535,650”  
**Substitute**  
“\$2,102,000”.

## Legal Aid Ordinance

### Resolution

(Under section 22A of the Legal Aid Ordinance (Cap. 91))

**Resolved** that the Legal Aid Ordinance (Cap. 91) be amended as set out in the Schedule.

## Schedule

### Amendments to Legal Aid Ordinance

1. **Section 18A amended (charge on property recovered)**
  - (1) Section 18A(5)(b)—
    - Repeal**
    - “\$4,800”
    - Substitute**
    - “\$9,100”.
  - (2) Section 18A(5)(c)—
    - Repeal**
    - “\$4,800” (wherever appearing)
    - Substitute**
    - “\$9,100”.
2. **Section 19B amended (disposal by Director of moneys paid to him)**

Section 19B(1)(a), proviso—

  - Repeal**
  - “\$57,400”
  - Substitute**
  - “\$108,850”.

## **Criminal Procedure Ordinance**

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### **Resolution**

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(Under section 9A of the Criminal Procedure Ordinance (Cap. 221))

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**Resolved** that the Legal Aid in Criminal Cases (Amendment) Rules 2020, made by the Criminal Procedure Rules Committee on 21 February 2020, be approved.

**Legal Aid in Criminal Cases (Amendment) Rules 2020**

(Made by the Criminal Procedure Rules Committee under section 9A of the Criminal Procedure Ordinance (Cap. 221) with the approval of the Legislative Council)

**1. Commencement**

These Rules come into operation on 20 July 2020.

**2. Legal Aid in Criminal Cases Rules amended**

The Legal Aid in Criminal Cases Rules (Cap. 221 sub. leg. D) are amended as set out in rules 3, 4 and 5.

**3. Rule 21 amended (solicitor and counsel fees)**

(1) Rule 21(8)(a)(i)—

**Repeal**

“\$870”

**Substitute**

“\$900”.

(2) Rule 21(8)(a)(ii)—

**Repeal**

“\$1,830”

**Substitute**

“\$1,900”.

(3) Rule 21(8)(a)(iii)—

**Repeal**

“\$1,620”

**Substitute**

“\$1,680”.

(4) Rule 21(8)(b)(i)—

**Repeal**

“\$1,040”

**Substitute**

“\$1,080”.

(5) Rule 21(8)(b)(ia)—

**Repeal**

“\$2,230”

**Substitute**

“\$2,310”.

(6) Rule 21(8)(b)(ii)—

**Repeal**

“\$1,980”

**Substitute**

“\$2,050”.

(7) Rule 21(8)(c)(i)—

**Repeal**

“\$1,410”

**Substitute**

“\$1,460”.

(8) Rule 21(8)(c)(ia)—

**Repeal**

“\$2,230”

**Substitute**

“\$2,310”.

- (9) Rule 21(8)(c)(ii)—

**Repeal**

“\$1,980”

**Substitute**

“\$2,050”.

**4. Rule 24 added**

After rule 23—

**Add****“24. Transitional provision—Legal Aid in Criminal Cases (Amendment) Rules 2020**

If a solicitor or counsel is assigned to an aided person under these rules before 20 July 2020, these rules as in force immediately before that date continue to apply to the solicitor or counsel in respect of the assignment as if the Legal Aid in Criminal Cases (Amendment) Rules 2020 had not been made.”.

**5. Schedule amended (solicitor and counsel fees)**

- (1) The Schedule, Part 2, item 1(a)—

**Repeal**

“\$1,040”

**Substitute**

“\$1,080”.

- (2) The Schedule, Part 2, item 1(b)(i)—

**Repeal**

“\$4,200”

**Substitute**

“\$4,360”.

- (3) The Schedule, Part 2, item 1(b)(ii)—

**Repeal**

“\$4,200”

**Substitute**

“\$4,360”.

- (4) The Schedule, Part 2, item 1(c)—

**Repeal**

“\$1,040”

**Substitute**

“\$1,080”.

- (5) The Schedule, Part 2, item 1(d)—

**Repeal**

“\$8,420”

**Substitute**

“\$8,750”.

- (6) The Schedule, Part 2, item 2(a)—

**Repeal**

“\$1,040”

**Substitute**

“\$1,080”.

- (7) The Schedule, Part 2, item 2(b)(i)—

**Repeal**

“\$4,200”

**Substitute**

“\$4,360”.

- (8) The Schedule, Part 2, item 2(b)(ii)—

- Repeal**  
“\$4,200”
- Substitute**  
“\$4,360”.
- (9) The Schedule, Part 2, item 2(c)—
- Repeal**  
“\$1,040”
- Substitute**  
“\$1,080”.
- (10) The Schedule, Part 2, item 2(d)—
- Repeal**  
“\$8,420”
- Substitute**  
“\$8,750”.
- (11) The Schedule, Part 2, item 3(a)—
- Repeal**  
“\$1,410”
- Substitute**  
“\$1,460”.
- (12) The Schedule, Part 2, item 3(b)(i)—
- Repeal**  
“\$5,700”
- Substitute**  
“\$5,920”.
- (13) The Schedule, Part 2, item 3(b)(ii)—
- Repeal**

- “\$5,700”
- Substitute**  
“\$5,920”.
- (14) The Schedule, Part 2, item 3(c)—
- Repeal**  
“\$1,410”
- Substitute**  
“\$1,460”.
- (15) The Schedule, Part 2, item 3(d)—
- Repeal**  
“\$11,410”
- Substitute**  
“\$11,860”.
- (16) The Schedule, Part 2, item 4(a)—
- Repeal**  
“\$1,410”
- Substitute**  
“\$1,460”.
- (17) The Schedule, Part 2, item 4(b)(i)—
- Repeal**  
“\$5,700”
- Substitute**  
“\$5,920”.
- (18) The Schedule, Part 2, item 4(b)(ii)—
- Repeal**  
“\$5,700”



- Substitute**  
“\$5,920”.
- (19) The Schedule, Part 2, item 4(c)—  
**Repeal**  
“\$1,410”  
**Substitute**  
“\$1,460”.
- (20) The Schedule, Part 2, item 4(d)—  
**Repeal**  
“\$11,410”  
**Substitute**  
“\$11,860”.
- (21) The Schedule, Part 2, item 5(a)—  
**Repeal**  
“\$870”  
**Substitute**  
“\$900”.
- (22) The Schedule, Part 2, item 5(b)(i)—  
**Repeal**  
“\$3,560”  
**Substitute**  
“\$3,700”.
- (23) The Schedule, Part 2, item 5(b)(ii)—  
**Repeal**  
“\$3,560”  
**Substitute**

- “\$3,700”.
- (24) The Schedule, Part 2, item 5(c)—  
**Repeal**  
“\$870”  
**Substitute**  
“\$900”.
- (25) The Schedule, Part 2, item 5(d)—  
**Repeal**  
“\$7,130”  
**Substitute**  
“\$7,410”.
- (26) The Schedule, Part 2, item 5A(a)(i)—  
**Repeal**  
“\$22,080”  
**Substitute**  
“\$22,960”.
- (27) The Schedule, Part 2, item 5A(a)(ii)—  
**Repeal**  
“\$8,940”  
**Substitute**  
“\$9,290”.
- (28) The Schedule, Part 2, item 5A(b)(i)—  
**Repeal**  
“\$22,080”  
**Substitute**  
“\$22,960”.

- (29) The Schedule, Part 2, item 5A(b)(ii)—  
**Repeal**  
 “\$24,480”  
**Substitute**  
 “\$25,450”.
- (30) The Schedule, Part 2, item 5B(a)(i)—  
**Repeal**  
 “\$22,080”  
**Substitute**  
 “\$22,960”.
- (31) The Schedule, Part 2, item 5B(a)(ii)—  
**Repeal**  
 “\$8,940”  
**Substitute**  
 “\$9,290”.
- (32) The Schedule, Part 2, item 5B(b)(i)—  
**Repeal**  
 “\$22,080”  
**Substitute**  
 “\$22,960”.
- (33) The Schedule, Part 2, item 5B(b)(ii)—  
**Repeal**  
 “\$24,480”  
**Substitute**  
 “\$25,450”.
- (34) The Schedule, Part 2, item 5C(a)(i)—

- Repeal**  
 “\$29,450”  
**Substitute**  
 “\$30,620”.
- (35) The Schedule, Part 2, item 5C(a)(ii)—  
**Repeal**  
 “\$8,940”  
**Substitute**  
 “\$9,290”.
- (36) The Schedule, Part 2, item 5C(b)(i)—  
**Repeal**  
 “\$29,450”  
**Substitute**  
 “\$30,620”.
- (37) The Schedule, Part 2, item 5C(b)(ii)—  
**Repeal**  
 “\$32,650”  
**Substitute**  
 “\$33,950”.
- (38) The Schedule, Part 2, item 5D(a)(i)—  
**Repeal**  
 “\$23,540”  
**Substitute**  
 “\$24,480”.
- (39) The Schedule, Part 2, item 5D(a)(ii)—  
**Repeal**

- “\$8,940”  
**Substitute**  
 “\$9,290”.
- (40) The Schedule, Part 2, item 5D(b)(i)—  
**Repeal**  
 “\$23,540”  
**Substitute**  
 “\$24,480”.
- (41) The Schedule, Part 2, item 5D(b)(ii)—  
**Repeal**  
 “\$26,100”  
**Substitute**  
 “\$27,140”.
- (42) The Schedule, Part 2, item 6(a)(i)—  
**Repeal**  
 “\$14,690”  
**Substitute**  
 “\$15,270”.
- (43) The Schedule, Part 2, item 6(a)(ii)—  
**Repeal**  
 “\$7,320”  
**Substitute**  
 “\$7,610”.
- (44) The Schedule, Part 2, item 6(b)(i)—  
**Repeal**  
 “\$14,690”

- Substitute**  
 “\$15,270”.
- (45) The Schedule, Part 2, item 6(b)(ii)—  
**Repeal**  
 “\$16,290”  
**Substitute**  
 “\$16,940”.
- (46) The Schedule, Part 2, item 7(a)(i)—  
**Repeal**  
 “\$19,120”  
**Substitute**  
 “\$19,880”.
- (47) The Schedule, Part 2, item 7(a)(ii)—  
**Repeal**  
 “\$8,010”  
**Substitute**  
 “\$8,330”.
- (48) The Schedule, Part 2, item 7(b)—  
**Repeal**  
 “\$19,120”  
**Substitute**  
 “\$19,880”.
- (49) The Schedule, Part 2, item 8(a)(i)—  
**Repeal**  
 “\$19,120”  
**Substitute**

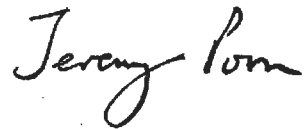
- “\$19,880”.
- (50) The Schedule, Part 2, item 8(a)(ii)—  
**Repeal**  
 “\$8,010”  
**Substitute**  
 “\$8,330”.
- (51) The Schedule, Part 2, item 8(b)—  
**Repeal**  
 “\$19,120”  
**Substitute**  
 “\$19,880”.
- (52) The Schedule, Part 2, item 9(a)(i)—  
**Repeal**  
 “\$25,510”  
**Substitute**  
 “\$26,530”.
- (53) The Schedule, Part 2, item 9(a)(ii)—  
**Repeal**  
 “\$8,010”  
**Substitute**  
 “\$8,330”.
- (54) The Schedule, Part 2, item 9(b)—  
**Repeal**  
 “\$25,510”  
**Substitute**  
 “\$26,530”.

- (55) The Schedule, Part 2, item 10(a)(i)—  
**Repeal**  
 “\$20,390”  
**Substitute**  
 “\$21,200”.
- (56) The Schedule, Part 2, item 10(a)(ii)—  
**Repeal**  
 “\$8,010”  
**Substitute**  
 “\$8,330”.
- (57) The Schedule, Part 2, item 10(b)—  
**Repeal**  
 “\$20,390”  
**Substitute**  
 “\$21,200”.
- (58) The Schedule, Part 2, item 11(a)(i)—  
**Repeal**  
 “\$12,720”  
**Substitute**  
 “\$13,220”.
- (59) The Schedule, Part 2, item 11(a)(ii)—  
**Repeal**  
 “\$6,570”  
**Substitute**  
 “\$6,830”.
- (60) The Schedule, Part 2, item 11(b)—

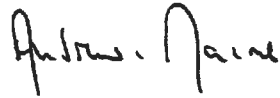
- Repeal**  
“\$12,720”  
**Substitute**  
“\$13,220”.
- (61) The Schedule, Part 2, item 13—  
**Repeal**  
“\$1,980”  
**Substitute**  
“\$2,050”.
- (62) The Schedule, Part 2, item 14—  
**Repeal**  
“\$1,620”  
**Substitute**  
“\$1,680”.
- (63) The Schedule, Part 2, item 17(a)—  
**Repeal**  
“\$15,280”  
**Substitute**  
“\$15,890”.
- (64) The Schedule, Part 2, item 18(a)—  
**Repeal**  
“\$3,430”  
**Substitute**  
“\$3,560”.
- (65) The Schedule, Part 2, item 18(b)—  
**Repeal**

- “\$2,810”  
**Substitute**  
“\$2,920”.
- (66) The Schedule, Part 2, item 19(a)—  
**Repeal**  
“\$15,280”  
**Substitute**  
“\$15,890”.
- (67) The Schedule, Part 2, item 19(b)—  
**Repeal**  
“\$7,630”  
**Substitute**  
“\$7,930”.
- (68) The Schedule, Part 2, item 20—  
**Repeal**  
“\$5,050”  
**Substitute**  
“\$5,250”.

Made this 21st day of February 2020.



The Hon. Mr. Justice POON  
Chief Judge of the High Court



The Hon. Mr. Justice MACRAE, V.P.



The Hon. Mrs. Justice BARNES



Andy HO  
Senior Deputy Registrar, High Court



Ms Charlotte DRAYCOTT, S.C.



Eric CHEUNG



Jonathan MAN



Ms Juliana CHAN, J.P.

**Explanatory Note**

The fees payable to solicitors or counsel assigned under the Legal Aid in Criminal Cases Rules (Cap. 221 sub. leg. D) (*principal Rules*) to represent legally aided persons are determined by the Director of Legal Aid (*Director*) according to the Table of Fees in the Schedule to the principal Rules. The Director may also re-determine some of the fees in certain circumstances under rule 21(8) of the principal Rules.

2. These Rules increase the fees payable under that rule and that Table (see rules 3 and 5). Rule 4 provides for transitional arrangements.

## Interpretation and General Clauses Ordinance

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### Resolution

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

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**Resolved** that in relation to the —

- (a) Building (Minor Works) (Amendment) Regulation 2020, published in the Gazette as Legal Notice No. 60 of 2020; and
- (b) Building (Planning) (Amendment) Regulation 2020, published in the Gazette as Legal Notice No. 61 of 2020,

and laid on the table of the Legislative Council on 13 May 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 8 July 2020.

**Interpretation and General Clauses Ordinance**

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**Resolution**

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

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**Prevention and Control of Disease (Prohibition on Group Gathering)  
Regulation**

**Resolved** that the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation, published in the Gazette as Legal Notice No. 32 of 2020 and laid on the table of the Legislative Council on 22 April 2020, be repealed.



**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**  
**“Strengthening the combat against parallel trading activities, and**  
**tightening the arrangements for Mainland residents visiting Hong Kong”**  
**to be moved by Hon LAM Cheuk-ting**

**Wording of the Motion**

That the number of visitor arrivals in Hong Kong in 2018 broke the records for previous years and exceeded 65 million; among them, the number of Mainland visitor arrivals was as high as 51 million, but that of overnight Mainland visitor arrivals was nonetheless below 20 million; in recent years, the community has kept questioning whether the number of visitor arrivals in Hong Kong has exceeded Hong Kong’s carrying capacity and come to affect people’s life; among those Mainland residents visiting Hong Kong on different visit endorsements, some have engaged in parallel trading activities in the guise of visitors, thus seriously affecting the life of residents in districts such as North District, Tuen Mun and Yuen Long; besides, the presence of excessive Mainland residents in areas such as Tung Chung and To Kwa Wan has also caused disturbances to the local communities; the presence of excessive Mainland visitors and parallel traders has brought various problems to Hong Kong, including the surge of rents and commodity prices in various districts of Hong Kong, the deterioration of environmental hygiene, the overloading of transport systems and street obstruction, and has aggravated China-Hong Kong conflicts; at present, after Mainland residents have used their individual visit endorsements each time, they may make immediate applications again, and this is in effect a permission for them to visit Hong Kong for unlimited times; and, as the number of visit endorsement applications is not restricted, parallel traders may engage in parallel trading activities in Hong Kong through multiple applications for visit endorsements within a short period; this arrangement has also enabled Shenzhen permanent residents to circumvent the restrictions imposed by the ‘one trip per week’ endorsement and defied the original policy intent; in this connection, this Council urges the Government to implement the following measures to tackle the aforesaid problems:

- (1) irrespective of whether Mainland residents visit Hong Kong on ‘one trip per week’ endorsements, individual visit endorsements, group visit endorsements or other visit endorsements, requiring that they can visit Hong Kong for a maximum of only eight times a year as long as they visit Hong Kong for tourism purpose, so as to prevent Mainland residents from abusing the individual visit endorsement which is without



any restrictions on the application interval for visiting Hong Kong repeatedly and engaging in unlawful activities such as parallel trading, illegal employment and prostitution;

- (2) continuing to freeze the number of Individual Visit Scheme cities, so as to restrict the number of Mainland visitors;
- (3) completing a new Assessment Report on Hong Kong's Capacity to Receive Tourists within the next year, including a comprehensive and objective assessment on the carrying capacity of Hong Kong's various tourism facilities, immigration and customs clearance facilities, public transport systems, etc., and the impact of parallel trading activities on various communities; and, based on the assessment outcomes, putting forth specific alleviation measures and reviewing the effectiveness of the relevant measures at regular intervals, so as to give an account to the public;
- (4) levying a land arrival tax ranging from \$20 to \$50 on each person entering the territory (excluding local residents, cross-boundary students and their parents), so as to reduce the impact of parallel traders on genuine visitors;
- (5) targeting at the carrying of bulky luggage by some parallel traders on various modes of transport, urging the organizations concerned to strictly enforce luggage restrictions for public transport, including conducting studies on levying a cross-boundary luggage surcharge on parallel traders travelling on the East Rail Line;
- (6) conducting studies on identifying sites in Lo Wu and other boundary control points for constructing sizeable shopping centres that can truly attract visitors, so as to divert visitors and in turn reduce parallel traders' disturbances to communities; and
- (7) conducting objective assessments of parallel trading activities in various districts, formulating objective indicators for the corresponding increase of the law enforcement manpower in the Food and Environmental Hygiene Department, the Hong Kong Police, etc., and reviewing the law enforcement guidelines for frontline personnel and the joint operation mechanism, so as to enhance street management in districts seriously disturbed by parallel traders.