

Legislative Council

Agenda

Wednesday 17 June 2020 at 11:00 am

I. Laying of Papers on the Table of the Council

6 items of subsidiary legislation and 2 other papers to be laid on the Table of the Council set out in **Appendix 1**

II. Questions

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

Questions for oral replies to be asked by

1. Hon Alice MAK
(Regulation of online crowdfunding activities)
2. Hon Tanya CHAN
(Addition to or deletion from the list of laws in Annex III to the Basic Law)
3. Dr Hon Helena WONG
(Polling arrangements for the Legislative Council General Election)
4. Ir Dr Hon LO Wai-kwok
(Promoting the development of innovation and technology)
5. Hon Wilson OR
(Management fees of housing courts under the Starter Homes for Hong Kong Residents pilot projects)
6. Dr Hon CHIANG Lai-wan
(Attracting non-locally trained doctors to practise in Hong Kong)

Public officers to reply

Secretary for Financial Services and the Treasury
Under Secretary for Security

Secretary for Constitutional and Mainland Affairs

Secretary for Constitutional and Mainland Affairs

Secretary for Innovation and Technology

Secretary for Transport and Housing

Secretary for Food and Health

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

III. Government Bills

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

(Standing over from the meeting of 27 May 2020)

1. 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)

2. Copyright (Amendment) Bill 2019 : Secretary for Commerce and Economic Development
3. Supplementary Appropriation (2018-2019) Bill : Secretary for Financial Services and the Treasury

IV. Government Motions

1st debate (covering the following motion)

1. **Proposed resolution under Article 73(7) of the Basic Law and section 7A of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) on appointment of the Chief Justice of the Court of Final Appeal**

Mover : Chief Secretary for Administration

Wording of the motion : **Appendix 3**

2nd debate (covering the following 3 motions on legal aid policy)

(Standing over from the meeting of 10 June 2020)

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)

3rd debate (covering the following motion)

(Standing over from the meeting of 3 June 2020)

5. Proposed resolution under the Fatal Accidents Ordinance

Mover : Secretary for Justice

Wording of the motion : **Appendix 7**

V. 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)

VI. Members' Motions

1st debate (covering the following motion)

(Standing over from the meeting of 20 May 2020)

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

Mover : Hon YUNG Hoi-yan

Wording of the motion : **Appendix 8**

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

2nd debate (covering the following motion)

(Standing over from the meeting of 20 May 2020)

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

Mover : Hon Alice MAK

Wording of the motion : **Appendix 9**

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

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

(Standing over from the meeting of 23 October 2019)

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

Mover : Hon LAM Cheuk-ting

Wording of the motion : **Appendix 10**

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 11**

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

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

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

(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 12**

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 13

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 14

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)

5th debate (covering the following 7 motions on the Police's handling of protesters and persons performing duties in the protests during the "anti-extradition to China" movement)
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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 15 and 16

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 17 and 18

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 19

(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 20

(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 21

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)

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

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

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

Mover : Hon CHUNG Kwok-pan

Wording of the motion : **Appendix 22**

(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 23**

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 24**

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 25**

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 26**

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 27**
Public officers to attend : Secretary for Food and Health
Under Secretary for Food and Health

7th debate (covering the following motion)

(Standing over from the meeting of 12 June 2019)

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

Mover : Hon Dennis KWOK
Wording of the motion : **Appendix 28**
Amendment mover : Hon Claudia MO
(Amendment set out in LC Paper No. CB(3) 667/18-19 issued on 5 June 2019)
Public officer to attend : Chief Secretary for Administration

8th debate (covering the following motion)

(Standing over from the meeting of 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 29**
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 17 June 2020

Laying of Papers on the Table of the Council

Subsidiary legislation	Legal Notice No.
1. <u>Merchant Shipping (Prevention of Oil Pollution) (Amendment) (No. 2) Regulation 2020</u>	120 of 2020
2. <u>Merchant Shipping (Prevention of Pollution by Garbage) (Amendment) Regulation 2020</u>	121 of 2020
3. <u>Merchant Shipping (Prevention of Air Pollution) (Amendment) (No. 2) Regulation 2020</u>	122 of 2020
4. <u>Merchant Shipping (Control of Ballast Water and Sediments) Regulation (Commencement) Notice</u>	123 of 2020
5. <u>Import and Export (General) Regulations (Amendment of Schedules 1 and 2) Order 2020</u>	124 of 2020
6. <u>Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No.5) Regulation 2020</u>	125 of 2020
 Other papers	
7. <u>The 31st Report on the Work of the Advisory Committee on Post-service Employment of Civil Servants (1 January - 31 December 2019)</u> (to be presented by Secretary for the Civil Service)	
8. <u>Report No. 4/19-20 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments</u> (to be presented by Hon Starry LEE, Chairman of the House Committee)	

21 questions to be asked at the Council meeting of 17 June 2020

	Subject matters	Public officers to reply	
Questions for oral replies			
1	Hon Alice MAK	<u>Regulation of online crowdfunding activities</u>	Secretary for Financial Services and the Treasury Under Secretary for Security
2	Hon Tanya CHAN	<u>Addition to or deletion from the list of laws in Annex III to the Basic Law</u>	Secretary for Constitutional and Mainland Affairs
3	Dr Hon Helena WONG	<u>Polling arrangements for the Legislative Council General Election</u>	Secretary for Constitutional and Mainland Affairs
4	Ir Dr Hon LO Wai-kwok	<u>Promoting the development of innovation and technology</u>	Secretary for Innovation and Technology
5	Hon Wilson OR	<u>Management fees of housing courts under the Starter Homes for Hong Kong Residents pilot projects</u>	Secretary for Transport and Housing
6	Dr Hon CHIANG Lai-wan	<u>Attracting non-locally trained doctors to practise in Hong Kong</u>	Secretary for Food and Health
Questions for written replies			
7	Hon Paul TSE	<u>Non-disclosure of information involving commercial secrets</u>	Secretary for Financial Services and the Treasury
8	Hon CHAN Chun-ying	<u>Smart Government Innovation Lab</u>	Secretary for Innovation and Technology
9	Hon Wilson OR	<u>Elderly Hong Kong residents on the Mainland</u>	Secretary for Labour and Welfare
10	Hon Tony TSE	<u>Measures to counter epidemics</u>	Secretary for Food and Health
11	Hon Elizabeth QUAT	<u>Illegal trade of endangered species</u>	Secretary for the Environment
12	Hon SHIU Ka-chun	<u>Castle Peak Bay Immigration Centre</u>	Secretary for Security
13	Hon CHAN Hak-kan	<u>Grade structure review for the disciplined services</u>	Secretary for the Civil Service
14	Dr Hon KWOK Ka-ki	<u>Persons from the Mainland entering or transiting via Hong Kong</u>	Secretary for Transport and Housing
15	Hon Elizabeth QUAT	<u>Impacts of social incidents on teachers, students and parents</u>	Secretary for Education
16	Hon Charles Peter MOK	<u>Operation and development of RTHK</u>	Secretary for Commerce and Economic Development
17	Hon Charles Peter MOK	<u>Impacts of the revocation of Hong Kong's special trade status</u>	Secretary for Innovation and Technology
18	Hon WONG Kwok-kin	<u>Trunk Road T2 and Cha Kwo Ling Tunnel</u>	Secretary for Transport and Housing
19	Hon WONG Kwok-kin	<u>Environmentally Friendly Linkage System for Kowloon East</u>	Secretary for Development
20	Hon WU Chi-wai	<u>Comprehensive Social Security Assistance</u>	Secretary for Labour and Welfare
21	Hon KWONG Chun-yu	<u>Provision of interpretation services for the ethnic minorities</u>	Secretary for Constitutional and Mainland Affairs

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

Question 1
(For oral reply)

(Translation)

Regulation of online crowdfunding activities

Hon Alice MAK to ask:

In recent years, quite a number of people have solicited donations from members of the public through online platforms (“online crowdfunding”) for purposes such as supporting charity, funding litigations and even sponsoring activities that undermine the interests of Hong Kong (e.g. “mutually destructive” acts such as urging the authorities of foreign countries to impose sanctions on Hong Kong, as well as making preparation for “liberating Hong Kong”). Furthermore, some online crowdfunding initiators were arrested earlier on for suspected unlawful acts of fraud (i.e. misappropriation of the fund raised through crowdfunding), money laundering, etc. While application for a permit from the authorities is currently required for conducting fundraising activities at public places, online crowdfunding is not subject to any regulation, thereby giving lawbreakers opportunities to take advantage of the loopholes. In this connection, will the Government inform this Council:

- (1) whether it knows how overseas countries currently regulate online crowdfunding activities and platforms in order to curb illegal activities;
- (2) whether it will enact legislation to make provisions in respect of online crowdfunding activities on matters such as the making of applications, vetting and approval of such applications, permitted fundraising purposes and limits on the amounts to be raised, as well as the sources, uses and movements of the donations, so as to prevent the funds so raised from being used for supporting violent and illegal activities, and to prevent lawbreakers from committing money laundering, frauds and other unlawful acts in the name of crowdfunding; and
- (3) whether online crowdfunding activities conducted on platforms with servers situated in overseas places for raising funds to be used in Hong Kong are regulated under the existing legislation; if so, of the details; if not, whether it will study regulating such activities?

Question 2
(For oral reply)

(Translation)

Addition to or deletion from the list of laws
in Annex III to the Basic Law

Hon Tanya CHAN to ask:

Article 18 of the Basic Law stipulates that the laws listed in Annex III shall be applied locally by way of promulgation or legislation by the Hong Kong Special Administrative Region (“SAR”). The Standing Committee of the National People’s Congress (“NPCSC”) may add to or delete from the list of laws in Annex III after consulting its Committee for the Basic Law of the Hong Kong Special Administrative Region (“BLC”) and the SAR Government. In this connection, will the Government inform this Council:

- (1) whether it knows the specific criteria or legal provisions based on which NPCSC determines whether a certain piece of national law shall be applied in SAR by way of promulgation or by way of legislation; whether, under the SAR legal system, there is a difference in the status of the laws applied by the two different ways mentioned above;
- (2) whether it knows the procedure adopted by NPCSC for consulting BLC and the SAR Government in respect of the addition to or deletion from the list of laws in Annex III to the Basic Law, including the stage at which the consultation is to take place; whether such a consultation procedure is also applicable to the amendments made to the provisions of the laws listed in Annex III; and
- (3) as the SAR Government indicated in its reply to a question raised by a Member of this Council in February 1999 that “in future, if any national law proposed to be added to Annex III to the Basic Law has any practical effect in the SAR, we will refer the issue concerned to the relevant Legislative Council panel for discussion”, whether the SAR Government still adopts such a practice at present?

Question 3
(For oral reply)

(Translation)

Polling arrangements for the Legislative Council General Election

Dr Hon Helena WONG to ask:

Regarding the Regulation under which persons arriving at Hong Kong from overseas shall be subject to 14-day compulsory quarantine, the Government has extended its expiry date to 18 September this year, straddling the polling date set for the 2020 Legislative Council General Election (i.e. 6 September). The Government has indicated that it will consider allowing electors under compulsory quarantine to go out temporarily to cast their votes. However, some Hong Kong people who are currently outside Hong Kong and intend to make a special trip to return to Hong Kong to cast their votes have indicated that the said arrangement is still unsound as they have to, owing to personal circumstances, leave Hong Kong shortly after casting their votes, and will be unable to stay in Hong Kong to complete the quarantine procedure. Regarding the polling arrangements for the Election, will the Government inform this Council:

- (1) whether it has finalized the arrangements for those persons who are under compulsory quarantine and for those Coronavirus Disease 2019 patients who are receiving medical treatments to cast their votes on the polling day; if so, of the details;
- (2) whether it will exempt those electors who have made a special trip to return to Hong Kong to cast their votes from the 14-day compulsory quarantine requirement; if so, of the details; if not, the reasons for that; and
- (3) whether it will set up a polling station inside the Restricted Area of the Hong Kong International Airport to facilitate those electors outside Hong Kong who make a special trip to return to Hong Kong or transit via Hong Kong to cast their votes; if so, of the details; if not, the reasons for that?

Question 4
(For oral reply)

(Translation)

Promoting the development of innovation and technology

Ir Dr Hon LO Wai-kwok to ask:

The Government has over the years been promoting the collaboration among the “government, industry, academic and research” sectors, and has established the Innovation and Technology Fund (“ITF”) to finance projects that contribute to the innovation and technology upgrading in the manufacturing and services industries. On the other hand, the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (“Outline Development Plan”) promulgated by the Central People’s Government in February last year outlines the vision of developing an international innovation and technology hub. On promoting the development of innovation and technology, will the Government inform this Council:

- (1) as there have been comments that the various funding schemes under ITF lack overall efficacy due to the absence of collaboration, whether the Government will consolidate the various funding schemes as well as formulate a set of unified and specific targets and performance indicators, with a view to enhancing the efficacy of ITF; if so, of the details; if not, the reasons for that;
- (2) whether it has formulated any overall planning to enhance the collaboration among universities, research institutions (including Hong Kong Cyberport Management Company Limited, Hong Kong Science and Technology Parks Corporation and Hong Kong Applied Science and Technology Research Institute Company Limited) and the industries, with a view to dovetailing the targets set out in the Outline Development Plan, such as enhancing the in-depth integration of industries, academia and research and promoting the commercial application of technological achievements; if so, of the details; if not, the reasons for that; and
- (3) given that Hong Kong has during the past six months been relentlessly affected by the Sino-US trade conflicts, social incidents and the Coronavirus Disease 2019, resulting in the research and development activities of tertiary institutions, production of the manufacturing industry, and even the businesses of related industries (such as testing and certification) having been dealt a heavy blow, whether the Government has assessed the impacts of the aforesaid situation on the collaboration among the government, industry, academic and research sectors, and rolled out

corresponding measures; if so, of the details; if not, the reasons for that?

Question 5
(For oral reply)

(Translation)

Management fees of housing courts under the Starter Homes
for Hong Kong Residents pilot projects

Hon Wilson OR to ask:

Intake of residents for the eResidence, the first Starter Homes (“SH”) for Hong Kong Residents pilot project developed by the Urban Renewal Authority, commenced last month. Some flat owners of that housing court have complained that they have to pay exorbitant management fees, which amount to \$4.3 per square foot and are even higher than those of certain private housing courts. The exorbitant management fees, coupled with property mortgage repayments, have aggravated their financial burden. In this connection, will the Government inform this Council:

- (1) given that the prices of SH flats are positioned at a level between those of Home Ownership Scheme (“HOS”) courts and private housing courts, whether it has assessed if the management fees of SH housing courts should be pitched at a level between those of HOS courts and private housing courts; if it has conducted such an assessment, of the outcome;
- (2) whether the Government participated in determining the management fee level of the eResidence; and
- (3) whether it will set up a mechanism to monitor the management fee levels of SH housing courts?

Question 6
(For oral reply)

(Translation)

Attracting non-locally trained doctors to practise in Hong Kong

Dr Hon CHIANG Lai-wan to ask:

To attract non-locally trained doctors to practise in Hong Kong so as to alleviate the manpower shortage of doctors in public hospitals, I and fellow members of the party to which I belong proposed in the middle of last year to amend the Medical Registration Ordinance to the effect that non-locally trained doctors who had been in employment with the Hospital Authority (“HA”) under limited registration for not less than five years and with satisfactory work performance would be qualified to apply for full registration as a registered doctor, without having to go through the required examination. The Government responded that as the proposal was controversial, it was not an “opportune time” to amend the Ordinance without full consultation of the stakeholders. In this connection, will the Government inform this Council:

- (1) whether it has assessed at what time, and upon what conditions having been met, it will be an opportune time to implement the aforesaid proposal; whether it has consulted HA and other stakeholders on the proposal; if it has consulted, of the details of the views collected, including the ratio between those views for the proposal and those against and the justifications therefor; whether and when it will consult members of the public on the proposal;
- (2) whether it knows the current situation of the manpower shortage of doctors in public hospitals, and the impacts of such situation on the quality of public healthcare services; and
- (3) given that as at the end of March this year, there were only 24 non-locally trained doctors employed by HA under limited registration, whether it has reviewed the effectiveness of the efforts in attracting such doctors to practise in Hong Kong; if it has reviewed and the outcome is that the efforts are unsatisfactory, whether the Government will consider providing more incentives for such doctors to practise in Hong Kong, e.g. by implementing the aforesaid proposal; if so, of the timetable; if not, the reasons for that?

Question 7
(For written reply)

(Translation)

Non-disclosure of information involving commercial secrets

Hon Paul TSE to ask:

Earlier on, the Government sought the approval of the Finance Committee (“FC”) of this Council to provide funding of over \$5.4 billion to the Ocean Park Corporation for purposes such as repayment of commercial loans of over \$3 billion and maintaining operation for one year. The Government refused to disclose to Members of this Council the details, e.g. the interest rates, of the loan agreements on grounds of commercial secrets being involved. In the past, the Government refused to respond, also on grounds of commercial secrets being involved, to the questions that I repeatedly raised about the information of the income and expenditure of the Kai Tak Cruise Terminal. Furthermore, when being questioned by Members of this Council about the Hong Kong Disneyland Resort, in which the Government has invested a huge amount, making consecutive years of losses, government officials were reluctant to disclose the details of the agreement signed between the Government and the Walt Disney Company, also on grounds of commercial secrets being involved. On the other hand, regarding the details of the operation of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (including the mechanism for the Government to bear the losses), the Government refused to disclose the details of the relevant agreement, once again on grounds of commercial secrets being involved. Some members of the media and the public have criticized that the above situations show that the Government, in its management of public finance, often overemphasizes commercial interests and ignores the interests of the public, in particular taxpayers’ right of access to information on public expenditures. In this connection, will the Government inform this Council:

- (1) whether it will assess the negative perception brought to members of the public by the Government’s practice of repeatedly refusing, on grounds of commercial secrets being involved, to disclose the details of the loans or cooperation agreements with commercial partners in respect of the aforesaid projects which recorded losses over a long period of time, and whether this will deepen public distrust of the Government’s ability in policy implementation; if it will not assess, of the reasons for that;

- (2) as some members of the public hold views and have perceptions of distrust of the Government such as that “the Government overemphasizes commercial interests and ignores the interests of the public and their right of access to information”, whether it will study if this situation will cause the Government to encounter greater resistance in the future when it seeks funding approval from FC for projects with losses as well as a higher risk of such funding applications being rejected; and
- (3) whether it will review and change the practice that “the Government overemphasizes commercial interests and ignores the interests of the public and their right of access to information”, so as to boost public confidence in the Government’s proper monitoring and use of public monies?

Question 8
(For written reply)

(Translation)

Smart Government Innovation Lab

Hon CHAN Chun-ying to ask:

The Government established the Smart Government Innovation Lab (“Smart Lab”) in April last year to promote the development of Smart Government and facilitate the development of innovation and technology in Hong Kong. Regarding the work of the Smart Lab, will the Government inform this Council:

- (1) as there are views that none of the 15 solutions with potential and with proof-of-concept arranged by the Smart Lab features innovative elements which are groundbreaking, and all such solutions are to be applied to individual government departments only, whether the Government will try to think out of the box by developing solutions that can support cross-departmental applications, with a view to providing more convenient services to members of the public; if so, of the details; if not, the reasons for that;
- (2) given that the Government implemented in April last year a new procurement policy which aimed at encouraging government departments to (i) adopt marking schemes and raise the technical weighting in assessment, (ii) make the innovative suggestions submitted by bidders as one of the assessment items, and (iii) refrain from including, in general, bidders’ experience as a mandatory requirement for participating in procurement, so as to afford small and medium enterprises (“SMEs”) and start-ups more opportunities to participate in bidding government contracts, of the respective numbers of cases in the 12 months since April last year in which SMEs and start-ups participated in bidding and were awarded government contracts; how such figures compare with those in the preceding 12 months; and
- (3) given that the Government is carrying out a pilot project of applying robotics technologies in smart office, and will invite the various government departments to participate in a competition by submitting conceptual proposals which can effectively apply robotics technologies to enhance the quality of public services, of the government departments that will apply the robotics technologies concerned?

Question 9
(For written reply)

(Translation)

Elderly Hong Kong residents on the Mainland

Hon Wilson OR to ask:

Regarding the elderly Hong Kong residents (i.e. aged over 60) on the Mainland, will the Government inform this Council:

- (1) of the number, and the number of person-times, of elderly Hong Kong residents travelling to the Mainland through the various boundary control points in each year from 2016 to 2019;
- (2) whether it knows the number of elderly Hong Kong residents, in each year from 2016 to 2019, who had fixed abode on the Mainland and resided on the Mainland for more than six months in that year, and the top three provinces with the largest numbers of such persons residing therein;
- (3) whether it knows the current number of elderly Hong Kong residents holding Residence Permits for Hong Kong, Macao and Taiwan Residents;
- (4) of the respective numbers of Hong Kong residents who received Old Age Living Allowance or Old Age Allowance under the Guangdong Scheme and the Fujian Scheme in 2019;
- (5) whether it knows the respective numbers of person-times of elderly Hong Kong residents in each year from 2016 to 2019 who, due to urgent medical needs, were conveyed to the public hospitals in Hong Kong by (i) private cross-boundary transport services from the Mainland, and (ii) pre-arranged ambulances at the boundary control points after entering Hong Kong from the Mainland;
- (6) of the number, and the number of person-times, of Hong Kong residents who used elderly health care vouchers at the University of Hong Kong - Shenzhen Hospital, the amount of money used each time on average, and the total amount of money involved, in each year from 2015 to 2019; and
- (7) of the number of cases of elderly Hong Kong residents seeking assistance of the Hong Kong Government's offices on the Mainland in each year from 2016 to 2019, and among the issues involved in such cases, the top three issues most commonly raised by the people seeking assistance?

Question 10
(For written reply)

(Translation)

Measures to counter epidemics

Hon Tony TSE to ask:

Since the outbreak of the Coronavirus Disease 2019 epidemic early this year, more than 1 000 members of the public have been confirmed to be infected and various trades have also been hard hit. Some members of the public have pointed out that the Government's measures to counter the epidemic have much room for improvement. In this connection, will the Government inform this Council:

- (1) of the details of the current liaison mechanism between the Hong Kong Government and the health authorities of the Guangdong Province and Macao, the National Health Commission, as well as overseas health authorities;
- (2) whether the offices of Hong Kong Government on the Mainland and in various overseas places regularly submit reports on the local health and social conditions, etc. to the Government; if so, of the details; if not, the reasons for that;
- (3) whether it has any plan to update, when the epidemic is over, the Preparedness and Response Plan for Novel Infectious Disease of Public Health Significance, including the definition of response levels, the command structures, the factors to be considered in risk assessment, and the public health actions to be taken at different response levels; if not, of the reasons for that;
- (4) of the respective existing staffing establishments of the seven branches under the Centre for Health Protection ("CHP") of the Department of Health; whether it will conduct a review, when the epidemic is over, on the effectiveness of CHP's efforts in countering the epidemic and examine, in the light of the review outcome, the organization structure of CHP; if not, of the reasons for that;
- (5) what measures are in place to ensure that the various types of anti-epidemic items and facilities (e.g. surgical masks, personal protective equipment for healthcare personnel and quarantine facilities) are in adequate supply in case of further outbreak of epidemics, and whether it will set a target level for the supply and stockpile of such items; if so, of the details; and

- (6) whether it will consider drawing up a list of essential anti-epidemic items (including but not limited to surgical masks, personal protective equipment for healthcare personnel and disinfectants) in accordance with the Reserved Commodities Ordinance (Cap. 296), and imposing control on the storage, distribution and maximum prices of such items within a specific period of time, so as to avoid exacerbation of the shortage of such items during the outbreak of epidemics because of panic hoarding of such items by members of the public; if not, of the reasons for that?

Question 11
(For written reply)

Illegal trade of endangered species

Hon Elizabeth QUAT to ask:

The Customs and Excise Department regularly makes public the annual numbers of cases detected in respect of illegal imports and exports in contravention of the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586), as well as the annual quantities and values of the seizures from such cases. However, more detailed breakdowns of such figures by the species involved in the seizures are not readily available to the public. Regarding the statistics on illegal trade of endangered species, will the Government inform this Council:

- (1) of a tabulated breakdown, by the four categories of seized items, namely (a) ivory, (b) pangolins, (c) woodlogs and (d) other endangered species (please specify), of the (i) number of cases detected, (ii) quantity of the seized items, (iii) value of the seized items, and (iv) number of individuals arrested and prosecuted, in 2019;
- (2) of a detailed breakdown, by species, of the two categories of seized items, namely (i) woodlogs and (ii) other endangered species, mentioned in (1) (set out in a table); and
- (3) whether the Government will, for the purpose of enhancing transparency, consider making public regularly the details of all seizures, including a breakdown by species of the number of cases detected as well as the quantities and values of the seized items; if not, of the reasons for that?

Question 12
(For written reply)

(Translation)

Castle Peak Bay Immigration Centre

Hon SHIU Ka-chun to ask:

At present, those persons whose claims for non-refoulement protection in Hong Kong on the grounds of torture risks have been rejected will be detained at the Castle Peak Bay Immigration Centre (“CIC”), pending repatriation to their country of origin. I have received requests for assistance made by persons from Africa, South America and Southeast Asia whose claims were unsuccessful, saying that CIC is over-crowded as quite a number of claimants are stranded there due to the recent suspension of flights between Hong Kong and various destinations because of the epidemic. In this connection, will the Government inform this Council:

- (1) of the total number of claimants detained at CIC pending repatriation in each of the past six months, with a breakdown by their country of origin and gender;
- (2) of the number of claimants pending repatriation who were stranded at CIC in the past six months as a result of the Government’s failure to make flight arrangements, with a breakdown by gender;
- (3) of the number of claimants currently detained at CIC pending repatriation, with a breakdown by the duration for which they have been detained (i.e. less than one month, one to three months, more than three months to six months, more than six months to one year, more than one year to two years, more than two years to three years, and more than three years);
- (4) of the details of the anti-epidemic measures taken by CIC during the epidemic to guard against infection of the detainees, staff and visitors, as well as the details of its distribution of face masks to the claimants pending repatriation, including the time interval between each round of face mask distribution; and
- (5) as I have learnt that the pedestal toilets in CIC are without lids and the air current produced by toilet flushing may easily cause the surrounding environment to be polluted by germs, of the improvement measures put in place by the Government?

Question 13
(For written reply)

(Translation)

Grade structure review for the disciplined services

Hon CHAN Hak-kan to ask:

At the meeting of the Legislative Council Panel on Public Service held on 20 January this year, the then Secretary for the Civil Service stated that the Standing Committee on Disciplined Services Salaries and Conditions of Service and the Standing Committee on Directorate Salaries and Conditions of Service were working independently on the grade structure review for the disciplined services in accordance with their respective terms of reference and framework of review, and had invited both the management and staff sides of the various disciplined services to submit their views. Upon completion of the review and submission of reports by the two Standing Committees to the Government, the Government would consult stakeholders on the relevant recommendations, and submit the proposed way forward to the Chief Executive-in-Council for consideration. In this connection, will the Government inform this Council:

- (1) of the work progress of the aforesaid review, as well as the expected timing (i) for the two Standing Committees to submit reports to the Government, and (ii) for the Government to submit the proposed way forward to the Chief Executive-in-Council;
- (2) whether it knows the total number of submissions from members of the public received by the two Standing Committees since the commencement of the review; given that assessments of members of the public on the work performance of individual disciplined services were polarized in the past 12 months, how the two Standing Committees will come to a conclusion amid such divergent views;
- (3) whether it knows if the two Standing Committees will take into account the following factors in the course of conducting the review: the immense pressure exerted on disciplined services staff by the social movement that has taken place since the latter half of last year (e.g. substantial increase in workload, increased exposure to dangerous situations, and the staff members themselves and their family members being doxxed), as well as the impacts on the recruitment exercises caused by a decline in the recognition for the disciplined services; if the two Standing Committees will not, of the reasons for that; and

- (4) of the respective wastage rates of staff members in various disciplined services in each of the past three years; whether it knows if the two Standing Committees will take into account the wastage of staff members in disciplined services in the course of conducting the review?

Question 14
(For written reply)

Persons from the Mainland
entering or transiting via Hong Kong

Dr Hon KWOK Ka-ki to ask:

Regarding persons from the Mainland entering or transiting via Hong Kong, will the Government inform this Council:

- (1) of the respective numbers of Mainland residents from (i) Wuhan, (ii) Hubei Province (excluding Wuhan) and (iii) the Mainland (excluding Hubei Province) entering Hong Kong in each of the past 12 months, with a tabulated breakdown by the boundary control points they used (i.e. the Hong Kong International Airport, West Kowloon Station of Guangzhou-Shenzhen-Hong Kong Express Rail Link, Hung Hom, Lo Wu, Lok Ma Chau Spur Line, Hong Kong-Zhuhai-Macao Bridge, Lok Ma Chau, Man Kam To, Sha Tau Kok, Shenzhen Bay, China Ferry Terminal, Kai Tak Cruise Terminal, Macau Ferry Terminal, and Tuen Mun Ferry Terminal);
- (2) whether it knows the respective numbers of persons transiting via Hong Kong in each of the past 12 months who departed from (i) Beijing, (ii) Shanghai, (iii) Wuhan and (iv) other Mainland places, with a tabulated breakdown by their destinations (i.e. Australia, Canada, Japan, South Korea, North Korea, New Zealand, Singapore, Taiwan, Thailand, the United Kingdom, and the United States); and
- (3) whether it knows the number of persons who took direct flights at the Wuhan Tianhe International Airport to Hong Kong in each of the past 12 months (set out in a table)?

Question 15
(For written reply)

(Translation)

Impacts of social incidents on teachers, students and parents

Hon Elizabeth QUAT to ask:

Since the occurrence of social incidents in June last year, quite a number of teachers and students have been arrested for alleged participation in unlawful activities. As at the 15th of last month, some 8 000 persons were arrested, and students accounted for 40% of them. There are views that the aforesaid situation shows that it is imperative to enhance law-abiding awareness among teachers and students as well as strengthen moral education in schools. Regarding the impacts of social incidents on teachers, students and parents, will the Government inform this Council:

- (1) of the respective numbers of teachers of tertiary institutions, secondary schools and primary schools who were arrested in social incidents, and the respective numbers of secondary school and primary school teachers whose teacher registration was cancelled, from June last year to May this year;
- (2) given that among the 192 complaints received by the Education Bureau (“EDB”) from June last year to March this year about professional misconduct of teachers in social incidents, 51 were found unsubstantiated, whether EDB has issued guidelines to the teachers concerned to remind them to be cautious with their words and deeds, so as to avoid giving people the impression of being unprofessional again;
- (3) of the respective numbers of students of tertiary institutions, secondary schools and primary schools who were arrested in social incidents from June last year to May this year;
- (4) as EDB indicated that it would provide various remedial, preventive and developmental counselling programmes for students who were arrested or prosecuted for participating in social incidents, of the details of such programmes;
- (5) as EDB has issued, to all schools in Hong Kong, guidelines stating the basic principles on helping students manage their emotions, and provided teachers and school professionals with information on mental health and professional support services, of the details of such guidelines and information;

- (6) of EDB's specific measures to (i) deepen the understanding of the country's Constitution and the Basic Law among teachers and students, (ii) enhance law-abiding awareness among teachers and students, (iii) enhance teachers' professional capability for implementing positive values education in schools, and (iv) strengthen moral education in schools; and
- (7) as the number of requests for assistance from parents relating to social incidents received last year by some social welfare organizations saw a year-on-year increase of 30%, and some social workers have pointed out that social incidents have heightened the divide and tensions between the two generations, causing family members to suffer from psychological and emotional problems one after another, of the Government's specific measures to help the assistance seekers patch up family relationships?

Question 16
(For written reply)

(Translation)

Operation and development of RTHK

Hon Charles Peter MOK to ask:

The Government announced last month the establishment of a dedicated team (“the team”) to review the governance and management of Radio Television Hong Kong (“RTHK”). The team will carry out its work from the middle to the end of this year and then submit a report to the Government. Given that the composition of the team does not include the Director of Broadcasting nor any staff representatives of RTHK and that the review lacks public participation, some members of the public are worried that the team will make a cart behind closed doors and put forward recommendations which are detrimental to the operation and editorial independence of RTHK. Regarding the operation and development of RTHK, will the Government inform this Council:

- (1) given that the team will review (a) RTHK’s progress of establishing a mechanism for setting performance targets and benchmarks, and (b) RTHK’s overall management systems, work processes and practices, whether the Government will request the team to concurrently review (i) if such mechanism, systems and processes have stifled RTHK’s abilities to remain flexible and responsive in a fast-changing media ecosystem and (ii) how to ensure that the performance targets and benchmarks set under the said mechanism are consistent with the principles of fairness and transparency (including whether the team will suggest RTHK to consult the public when setting such targets and benchmarks); if it will, of the details; if not, the reasons for that;
- (2) whether it will request the team, when reviewing RTHK’s financial control, to concurrently review if the annual funding allocation for RTHK is sufficient to support RTHK’s long-term development (e.g. launching new services); if so, of the details; if not, the reasons for that;
- (3) of the measures in place to ensure that the recommendations on human resources management put forward by the team will not undermine the editorial independence of RTHK and the freedom of creation for its programme producers;
- (4) whether it will request the team to (i) allow RTHK’s staff representatives and members of the public to participate in the review work through open and formal channels, and (ii) seek the

views of the Radio Television Hong Kong Board of Advisors; if so, of the details; if not, the reasons for that;

- (5) as the Government is taking forward the project of construction of the New Broadcasting House on the basis of a joint-user building, whether the Government will (i) review if the option of constructing a new joint-user building can meet the current and future operational needs of RTHK and (ii) expedite the progress of the works project; if so, of the details; if not, the reasons for that; and
- (6) whether the Government will study allowing RTHK to transform from a government department into an independent statutory public broadcaster and provide RTHK with a stable and predictable financial resources, to enable RTHK to continue to provide credible and diversified public broadcasting services?

Question 17
(For written reply)

(Translation)

Impacts of the revocation of Hong Kong's special trade status

Hon Charles Peter MOK to ask:

The innovation and technology sector as well as the information technology sector in Hong Kong are concerned about the impacts on technology enterprises as well as research and development activities which will be brought about by the initiatives of the United States ("US") of revoking the tariff preferences given to Hong Kong and imposing restrictions on the export of technology products to Hong Kong amid the trade war between China and the US. In this connection, will the Government inform this Council:

- (1) whether, according to the Government's assessment, those industries of areas such as biotechnology, information security, artificial intelligence, automobile, robotics, genetic engineering and financial technologies, which are for military use or civilian use, will be affected by the US's initiatives; according to its estimation, which technology products will be subject to export controls or bans, as well as the quantities and the total value of the products involved;
- (2) of the number of the following projects, according to the Government's assessment, which may be affected by the US's initiatives: (i) projects of research clusters under InnoHK which are in progress and those projects which have been approved and will commence shortly, and (ii) financing projects for technology start-ups of the Cyberport/ Hong Kong Science and Technology Parks Corporation; whether it has studied providing support and taking remedial measures to mitigate the impacts on such projects; if so, of the details;
- (3) whether it has assessed how the US's initiatives will affect the effectiveness of the work of Invest Hong Kong in attracting foreign-funded enterprises and start-ups to set up businesses in Hong Kong; if so, of the details; and
- (4) given that according to the estimation made by some members of the innovation and technology sector, the US's initiatives may include imposing (i) export bans on sensitive and precision technologies and products, (ii) additional export tariffs on technology products, and (iii) restrictions on investment projects involving hardware, software and know-how, whether the

Government has any measures to assist the sector in coping with the situations concerned; if so, of the details?

Question 18
(For written reply)

(Translation)

Trunk Road T2 and Cha Kwo Ling Tunnel

Hon WONG Kwok-kin to ask:

In October last year, the Finance Committee of this Council granted funding approval for the construction of the Trunk Road T2 and Cha Kwo Ling (“CKL”) Tunnel to connect the Tseung Kwan O-Lam Tin Tunnel and the Central Kowloon Route to form Route 6. The infrastructure project is expected to be completed in 2026. It is expected that the traffic load in Kowloon East will be relieved upon the commissioning of the entire Route 6. In this connection, will the Government inform this Council:

- (1) whether it has assessed in detail any factors that may cause delay to the completion of the aforesaid project, and formulated the relevant contingency plans; if so, of the details;
- (2) given that a section of the Trunk Road T2 is adjacent to the New Acute Hospital (“NAH”) in the Kai Tak Development (“KTD”) which is projected to be completed in 2024, and if the Civil Engineering and Development Department (“CEDD”) is unable to expeditiously complete that part of the works which may generate higher levels of noise and vibration, CEDD will need to adopt additional mitigation measures to avoid any impact on the sensitive medical equipment in and the normal operation of NAH during construction, whether, according to the Government’s current estimation, the relevant mitigation measures need to be adopted; if so, of the additional expenditure and construction time involved; and
- (3) whether it has reserved sufficient space at the Trunk Road T2 and CKL Tunnel for constructing public transport interchanges and road links to connect with important places including NAH and Hong Kong Children’s Hospital in KTD in order to divert traffic and bring convenience to members of the public; if so, of the details; if not, the reasons for that, and whether it will give any consideration to it?

Question 19
(For written reply)

(Translation)

Environmentally Friendly Linkage System for Kowloon East

Hon WONG Kwok-kin to ask:

The proposed Environmentally Friendly Linkage System (“EFLS”) for Kowloon East is an elevated monorail which will start and end respectively at the Kowloon Bay Station and Kwun Tong Station of the MTR Kwun Tong Line, run through the Kai Tak Development Area (“KTDA”), and connect the Kai Tak Station of the Shatin to Central Link. The Government completed the first-stage detailed feasibility study (“DFS”) for EFLS in 2017 and is currently conducting the second-stage DFS. In this connection, will the Government inform this Council:

- (1) whether it will study if the technical problems and environmental constraints relating to the following proposal can be overcome: to include in EFLS’ network coverage those areas in Kowloon East without railway access (e.g. To Kwa Wan and Kowloon City);
- (2) given that currently, there are often traffic congestions along a number of road sections in Kowloon East (particularly Hoi Yuen Road and Wai Yip Street in Kwun Tong) during peak hours, of the Government’s new measures in the short run to relieve the traffic congestions along those sections before the completion of EFLS;
- (3) whether it has conducted a detailed assessment on the impacts of the construction of EFLS on the traffic volumes of areas in the vicinity of KTDA, Kwun Tong and Kowloon Bay; if so, of the details; if not, the reasons for that;
- (4) in view of the surge in population and the rising transport demand in KTDA following the completion of a number of development projects there in recent years, whether the Government will consider setting KTDA as an area to be covered in the first-phase project of EFLS; and
- (5) of the expected dates for the (i) completion of the second-stage DFS, and (ii) publication of the findings of the study?

Question 20
(For written reply)

(Translation)

Comprehensive Social Security Assistance

Hon WU Chi-wai to ask:

The Census and Statistics Department compiles the Social Security Assistance Index of Prices (“SSAIP”) on a monthly basis to reflect the impact of price changes on the recipients of Comprehensive Social Security Assistance (“CSSA”). The expenditure weight of individual categories of goods and services covered by SSAIP is updated every five years with reference to the findings of the Household Expenditure Survey on CSSA Households. The Government reviews the standard payment rates under the CSSA Scheme on an annual basis taking into account the changes in the 12-month moving average of SSAIP (the compilation of which is based on the latest expenditure weights) up to the end of October. There are comments that the adjustments to the supplements and special grants under the CSSA Scheme often fail to catch up with the rise in actual living expenses of CSSA recipients. In this connection, will the Government inform this Council:

- (1) of the average monthly amount of payments granted to CSSA recipients in each of the past 10 years (with a breakdown by the number of eligible household members);
- (2) of (i) the respective average monthly expenditures of households in the lowest 5%, 10%, 20% and 25% income groups in Hong Kong, and (ii) the median household income, in each of the past 10 years (with a breakdown by household size);
- (3) of the changes in the past two decades in the expenditure weights of the various categories of goods and services covered by SSAIP; given that families having the same number of members but comprising different types of members (e.g. the elderly and minor students) have different expenditure patterns, whether the Government will review the composition of the expenditure weights, and formulate a breakdown of the expenditure weights in the light of the different compositions of families;
- (4) whether it will work out afresh a “basic needs budget” (i.e. a list of necessities formulated based on the concept of “absolute poverty” in combination with expert judgment and the real spending pattern of members of the public) in order to determine the standard rates for the CSSA Scheme;

- (5) as the Chief Executive announced in the Policy Address delivered last year that the maximum rent allowance for different household sizes under the CSSA Scheme would be increased as a one-off measure according to the 10% trimmed mean of rent paid by CSSA recipients living in rented private housing as at February 2019, of the circumstances under which the Government will adjust the rent allowance again, and whether it will consider making similar adjustments to the supplements and special grants under the CSSA Scheme; and
- (6) whether it will adjust upward the rates of the supplements and special grants under the CSSA Scheme so as to make up for the amounts of the downward adjustments made in 1999 and 2003; if so, of the details; if not, the reasons for that?

Question 21
(For written reply)

(Translation)

Provision of interpretation services for the ethnic minorities

Hon KWONG Chun-yu to ask:

At present, government departments and public organizations providing public services (“public service providers”) will provide interpretation services for the ethnic minorities (“EMs”) who understand neither Chinese nor English to facilitate their access to public services. The Centre for Harmony and Enhancement of Ethnic Minority Residents (“CHEER”) operated by the Hong Kong Christian Service is one of the interpretation service providers. Some EMs have relayed that the frontline staff of quite a number of public service providers did not take the initiative to arrange interpretation services for them even though the staff members could not communicate with them effectively. On the other hand, the Government has amended the Administrative Guidelines on Promotion of Racial Equality (“the Guidelines”) to incorporate into the Guidelines the guidance notes on language services and data collection on service users. In this connection, will the Government inform this Council:

- (1) of the number of occasions in each of the past three years on which the various public service providers (including the Social Welfare Department, the Housing Department, the Department of Health, the Labour Department and other government departments as well as the Hospital Authority) arranged interpretation services, with a breakdown by (i) name of public service provider, (ii) type of interpretation service (i.e. telephone interpretation, on-sight interpretation, on-site interpretation, written translation, proofreading and simultaneous interpretation), and (iii) the EM language involved in the interpretation service;
- (2) whether it knows the number of requests received by CHEER in each of the past three years for the provision of interpretation services to EMs using public services, with a breakdown by (i) name of public service provider, (ii) type of interpretation service, (iii) the EM language involved in the interpretation service, and (iv) whether the request was acceded to;
- (3) given that the Government will collect, in accordance with the Guidelines, the relevant data on the use of various types of public services by EMs (including ethnicities and EM languages), whether the Government will, based on such data, plan for the future allocation of resources for supporting fair access to public services by EMs;

- (4) whether the Government will monitor if the various public service providers have provided interpretation services for EMs in accordance with the guidance notes on provision of language services in the Guidelines; if so, of the details; if not, the reasons for that; and
- (5) whether the Home Affairs Department and the Constitutional and Mainland Affairs Bureau will formulate guidelines to require CHEER and the various public service providers to record and publish the reasons for declining requests for interpretation services, so as to enhance transparency and enable monitoring by the public; and
- (6) given that quite a number of government departments (e.g. the Housing Department and the Labour Department) have not formulated any booking arrangement for interpretation services, and hence EMs who need on-site interpretation services to help them fill out application forms for public services have to visit the offices of these departments to obtain a tag and wait for their turn to be interviewed before interpretation services will be arranged for them, and such process is very time-consuming, whether the Government will urge the various public service providers to formulate booking arrangements for on-site interpretation services?

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

Resolution

(Under Article 73(7) of the Basic Law of the Hong Kong Special
Administrative Region of the People's Republic of China and section 7A of
the Hong Kong Court of Final Appeal Ordinance (Cap. 484))

Resolved that the appointment of the Honourable Mr. Justice Andrew
Cheung Kui-nung as the Chief Justice of the Hong Kong Court of Final
Appeal pursuant to section 6 of the Hong Kong Court of Final Appeal
Ordinance (Cap. 484) be endorsed.

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

Resolution

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

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

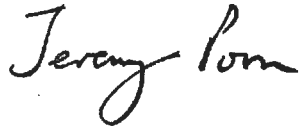
- “\$19,880”.
- (50) The Schedule, Part 2, item 8(a)(ii)—
Repeal
 “\$8,010”
Substitute
 “\$8,330”.
- (51) The Schedule, Part 2, item 8(b)—
Repeal
 “\$19,120”
Substitute
 “\$19,880”.
- (52) The Schedule, Part 2, item 9(a)(i)—
Repeal
 “\$25,510”
Substitute
 “\$26,530”.
- (53) The Schedule, Part 2, item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

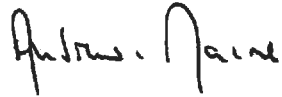
- Repeal**
“\$12,720”
Substitute
“\$13,220”.
- (61) The Schedule, Part 2, item 13—
Repeal
“\$1,980”
Substitute
“\$2,050”.
- (62) The Schedule, Part 2, item 14—
Repeal
“\$1,620”
Substitute
“\$1,680”.
- (63) The Schedule, Part 2, item 17(a)—
Repeal
“\$15,280”
Substitute
“\$15,890”.
- (64) The Schedule,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

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”.

**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.