

Legislative Council

Agenda

Wednesday 24 June 2020 at 11:00 am

I. Laying of Papers on the Table of the Council

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

II. Questions

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

Questions for oral replies to be asked by

Public officers to reply

- | | |
|---|---|
| 1. Hon Jeremy TAM
<u>(Preventing police officers from performing duties under the influence of alcohol or drugs)</u> | Secretary for Security |
| 2. Hon Starry LEE
<u>(Mutual recognition system for health codes of Guangdong, Hong Kong and Macao)</u> | Secretary for Food and Health |
| 3. Hon CHAN Chi-chuen
<u>(Freedom of assembly and procession amid the epidemic)</u> | Secretary for Food and Health
Under Secretary for Security |
| 4. Hon WONG Kwok-kin
<u>(Flood prevention measures)</u> | Secretary for Development |
| 5. Hon LUK Chung-hung
<u>(Rent adjustment for public rental housing)</u> | Secretary for Transport and Housing |
| 6. Hon WU Chi-wai
<u>(Dual capacities of civil servants)</u> | Secretary for the Civil Service |

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

III. Government Bill

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

Employment (Amendment) Bill 2019 : Secretary for Labour and Welfare

Amendment movers : Secretary for Labour and Welfare
(Amendments set out in LC Paper No. CB(3) 557/19-20
issued on 18 June 2020)

Hon Vincent CHENG
(Amendment set out in LC Paper No. CB(3) 567/19-20
issued on 22 June 2020)

(Debate and voting arrangements set out in LC Paper No. CB(3) 570/19-20 issued on 22 June 2020)

IV. Members' Motions on Subsidiary Legislation

1st debate (covering the following motion)

1. Proposed resolution to extend the period for amending subsidiary legislation (L.N. 86 and L.N. 87 of 2020)

Mover : Hon Holden CHOW

Wording of the motion : **Appendix 3**

2nd debate (covering the following motion)

2. Proposed resolution to extend the period for amending subsidiary legislation (L.N. 116 to L.N. 119 of 2020)

Mover : Hon CHAN Hoi-yan

Wording of the motion : **Appendix 4**

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

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 5**

(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 6**

(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 7**

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 8**

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 9**

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 10**

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 11**

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 12 and 13**

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 14 and 15**

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 16**

(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 17**

(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 18**

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 19**

(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 20**

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
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(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 21**

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 22**

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 23**

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 24**

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 25**

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 26**

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 24 June 2020

Laying of Papers on the Table of the Council

Subsidiary legislation**Legal Notice No.**

- | | |
|--|-------------|
| 1. <u>Pharmacy and Poisons (Amendment) (No. 3) Regulation 2020</u> | 126 of 2020 |
| 2. <u>Declaration of Increase in Pensions Notice 2020</u> | 127 of 2020 |
| 3. <u>Widows and Orphans Pension (Increase) Notice 2020</u> | 128 of 2020 |

Other papers

- | | |
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| 4. <u>Construction Industry Council
Annual Report 2019 (including Financial Statements and Independent Auditor's Report)</u>
(to be presented by Secretary for Development) | |
| 5. <u>Securities and Futures Commission
Annual Report 2019-20 (including Financial Statements and Independent Auditor's Report)</u>
(to be presented by Financial Secretary) | |
| 6. <u>Investor and Financial Education Council
Annual Report 2019-20 (including Financial Statements and Independent Auditor's Report)</u>
(to be presented by Financial Secretary) | |
| 7. <u>Sir David Trench Fund for Recreation
Annual Report 2019-2020 (including Financial Statements and Report of the Director of Audit)</u>
(to be presented by Secretary for Home Affairs) | |
| 8. <u>Airport Authority Hong Kong
Annual Report 2019/20 (including Consolidated Financial Statements and Independent Auditor's Report)</u>
(to be presented by Financial Secretary) | |

9. Report No. 5/19-20 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(to be presented by Hon Starry LEE, Chairman of the House Committee)
10. Report of the Panel on Manpower on issues relating to the Employment (Amendment) Bill 2019 for submission to the Legislative Council
(to be presented by Hon Vincent CHENG, Chairman of the Panel)

22 questions to be asked at the Council meeting of 24 June 2020

		Subject matters	Public officers to reply
Questions for oral replies			
1	Hon Jeremy TAM	<u>Preventing police officers from performing duties under the influence of alcohol or drugs</u>	Secretary for Security
2	Hon Starry LEE	<u>Mutual recognition system for health codes of Guangdong, Hong Kong and Macao</u>	Secretary for Food and Health
3	Hon CHAN Chi-chuen	<u>Freedom of assembly and procession amid the epidemic</u>	Secretary for Food and Health Under Secretary for Security
4	Hon WONG Kwok-kin	<u>Flood prevention measures</u>	Secretary for Development
5	Hon LUK Chung-hung	<u>Rent adjustment for public rental housing</u>	Secretary for Transport and Housing
6	Hon WU Chi-wai	<u>Dual capacities of civil servants</u>	Secretary for the Civil Service
Questions for written replies			
7	Hon Frankie YICK	<u>Assistance for operators of kaito services</u>	Secretary for Transport and Housing
8	Hon MA Fung-kwok	<u>Assistance for the sectors of sports, performing arts, culture and publication</u>	Secretary for Home Affairs
9	Hon Steven HO	<u>Chilled or frozen pork being sold as fresh pork</u>	Secretary for Food and Health
10	Hon Wilson OR	<u>Pre-construction preparatory work of public works projects</u>	Secretary for Transport and Housing
11	Hon James TO	<u>Combating smuggling activities</u>	Secretary for Security
12	Hon Dennis KWOK	<u>Conducting remote hearings for court cases</u>	Chief Secretary for Administration
13	Hon Kenneth LEUNG	<u>Currency swap agreements with the People's Bank of China</u>	Secretary for Financial Services and the Treasury
14	Hon CHAN Hak-kan	<u>Public housing development projects</u>	Secretary for Development
15	Hon Elizabeth QUAT	<u>Treatments and support for patients with cancers and rare diseases</u>	Secretary for Food and Health
16	Hon Charles Peter MOK	<u>Job creation for the information technology sector</u>	Secretary for Innovation and Technology
17	Hon LUK Chung-hung	<u>Illegal conversion of car parking spaces into shops</u>	Secretary for Development
18	Hon WONG Kwok-kin	<u>Anderson Road Development Area</u>	Secretary for Development
19	Hon Dennis KWOK	<u>Support provided for children with special educational needs</u>	Secretary for Education
20	Hon Charles Peter MOK	<u>Information security of the health code system</u>	Secretary for Food and Health
21	Hon Frankie YICK	<u>Support for the vehicle maintenance industry</u>	Secretary for Transport and Housing
22	Hon Elizabeth QUAT	<u>Transport issues in New Territories East</u>	Secretary for Transport and Housing

Question 1
(For oral reply)

(Translation)

Preventing police officers from performing duties
under the influence of alcohol or drugs

Hon Jeremy TAM to ask:

It has been reported that some police officers who were on duty at the scenes of public events behaved erratically, including swearing at and violently assaulting members of the public, as well as grinning hideously while pointing arms at crowds, which had aroused suspicion as to whether they were under the influence of alcohol or drugs. In addition, some police officers were arrested in recent months for allegedly stealing methamphetamine exhibits or assaulting their colleagues after drink. In this connection, will the Government inform this Council:

- (1) of the number of cases in the past five years in which police officers were convicted of drug-related offences, as well as the details of such cases, including the offence dates, case summaries, types and quantities of the drugs involved, as well as the convicted offence(s);
- (2) as it has been reported that the Police intend to implement a scheme for conducting drug tests on those police officers who may be transferred to sensitive positions or be promoted, but the scheme is only voluntary in nature, whether the Police will conduct surprise and mandatory drug tests on police officers randomly selected among all of them, and specify the punishments for refusal to take the tests, so as to enhance the deterrent effect; if so, of the details; if not, the reasons for that; and
- (3) whether the Police have prescribed an alcohol concentration limit for on-duty police officers; if so, of the limit; whether it has conducted surprise and mandatory alcohol breath tests on randomly selected on-duty police officers; if so, of the details, including the respective numbers of person-times of police officers taking and refusing to take the tests, the number of person-times of police officers whose alcohol concentration exceeded the limit and the average magnitude by which the limit was exceeded, as well as the disciplinary actions that the police officers concerned were subjected to, in each of the past five years; if it has not conducted tests, the reasons for that?

Question 2
(For oral reply)

(Translation)

Mutual recognition system for health codes of
Guangdong, Hong Kong and Macao

Hon Starry LEE to ask:

The authorities of the Mainland, Macao and Hong Kong are separately implementing measures to put inbound travellers under compulsory quarantine. Some Hong Kong businessmen who need to frequently commute between Guangdong, Hong Kong and Macao, as well as those Hong Kong people who reside on the Mainland but work in Hong Kong have relayed that the quarantine measures have seriously affected their work and family lives. The authorities of Guangdong, Hong Kong and Macao are taking forward a system for mutual recognition of health codes (“mutual recognition system”) to facilitate cross-boundary flow of people between the three places amid the epidemic. Under the mutual recognition system, holders of a health code containing certification of negative result of the nucleic acid test on Coronavirus Disease 2019 issued within seven days by a designated medical institution may be exempted from compulsory quarantine on arrival in the three places. In this connection, will the Government inform this Council:

- (1) of the latest progress of the implementation of the mutual recognition system by the authorities of Guangdong, Hong Kong and Macao; whether the authorities will expeditiously increase the quota for the Hong Kong health code under the mutual recognition system, with priority being accorded to the following people: those who need to commute between the three places on business, work, study, humanitarian or special grounds; if so, of the details; if not, the reasons for that; and
- (2) whether it will expeditiously increase the capacity of local medical institutions in conducting the nucleic acid test under the mutual recognition system and the test quota, as well as subsidize the private sector for providing testing services, so as to lower the test fees payable by members of the public; if so, of the details; if not, the reasons for that?

Question 3
(For oral reply)

(Translation)

Freedom of assembly and procession amid the epidemic

Hon CHAN Chi-chuen to ask:

To cope with the Coronavirus Disease 2019 (“COVID-19”) epidemic, the Government made the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (“No-gathering Order”). It has been reported that on a number of occasions since the No-gathering Order came into operation on 29 March this year, the Police have issued notices of objection to public meetings and processions on grounds of epidemic prevention, and have issued to participants of such events fixed penalty notices for violating the No-gathering Order. In this connection, will the Government inform this Council:

- (1) of the number of COVID-19 patients who reported that they had participated in public meetings or processions within the 14 days prior to being confirmed of infection;
- (2) of the number of notices of objection to public meetings and processions issued by the Police on grounds of epidemic prevention since the coming into operation of the No-gathering Order; and
- (3) as some medical practitioners have pointed out that as long as all participants of public events wear face masks and maintain social distance, their risks of being infected during the events can be greatly reduced, whether the Government has assessed if the objection by the Police to the holding of public events on grounds of epidemic prevention has infringed upon the freedom of assembly and procession enjoyed by Hong Kong residents under Article 27 of the Basic Law; if it has assessed and the outcome is in the affirmative, whether it will request the Police to revise such practice; if the assessment outcome is in the negative, of the justifications for that?

Question 4
(For oral reply)

(Translation)

Flood prevention measures

Hon WONG Kwok-kin to ask:

The Hong Kong Observatory issued the first Black Rainstorm Signal of this year on the 6th of this month. It has been reported that on that day, flooding occurred in extensive areas in Hong Kong which were affected by rainstorms. The flooding in Kowloon East, especially in the vicinity of Hoi Yuen Road and Tsui Ping Road, was particularly serious, and the Kwun Tong Road underpass was even inundated for several hours, thereby severely affecting the traffic there. In this connection, will the Government inform this Council:

- (1) of the details of the investigations conducted into the flooding reports received during the aforesaid rainstorms, and other follow-up work carried out; given that Kowloon East was not a flooding black spot in the past, of the measures in place to prevent the recurrence of flooding in that district;
- (2) of the designed flood discharge capacity of the aforesaid roads and underpass, as well as whether it has examined the need to enhance such capacity; and
- (3) given that the rainy season has begun, of the new measures in place to ensure that the various flood prevention measures, drainage systems, seawalls and breakwaters can function properly to prevent the occurrence of severe flooding; whether it will step up its efforts such as clearing the blocked drains in the urban areas?

Question 5
(For oral reply)

(Translation)

Rent adjustment for public rental housing

Hon LUK Chung-hung to ask:

Under the prevailing rent adjustment mechanism for public rental housing (“PRH”), PRH rent is reviewed once every two years and adjusted according to changes in tenants’ household income. It has been reported that the Hong Kong Housing Authority (“HA”) is currently conducting such a review and, based on the calculation using the data obtained therefrom, PRH rent has to be increased by 9% this year. There are comments that as the review takes into account the income data up to the end of last year only, the review outcome cannot reflect the situation that tenants’ income has dwindled due to the economic downturn in recent months. In this connection, will the Government inform this Council:

- (1) whether it has assessed the impacts on the tenants and the consumption sentiments in society which will be brought about by HA’s increasing PRH rent pursuant to the mechanism, albeit the economic downturn; if so, of the details; if not, the reasons for that;
- (2) whether HA will consider offsetting the increase in PRH rent for the current year by granting additional rent waiver, so as to alleviate the financial burden on tenants; and
- (3) whether HA will review afresh the PRH rent adjustment mechanism to rectify the deficiency of the mechanism that time-lagged data is used?

Question 6
(For oral reply)

(Translation)

Dual capacities of civil servants

Hon WU Chi-wai to ask:

It has been reported that the Secretary for the Civil Service has recently stated that under the “one country, two systems”, civil servants employed by the Hong Kong Special Administrative Region (“HKSAR”) Government are civil servants of the State at the same time. Nevertheless, both the Basic Law and the Civil Service Code of HKSAR do not contain similar statements. In this connection, will the Government inform this Council:

- (1) of the legal basis for the aforesaid statement; whether there are official documents which corroborate such a statement;
- (2) as the relevant articles in the Law of the People’s Republic of China on Civil Servants (“the PRC Law on Civil Servants”) provide that the civil servant system shall be under the leadership of the Communist Party of China and the guidance of the Thoughts and Theories of certain incumbent and former topmost leaders, and that civil servants shall support the socialist system, whether civil servants of HKSAR are required to comply with these articles; if so, whether civil servants of HKSAR will be subject to disciplinary actions for not complying with these articles; and
- (3) whether it has plans to incorporate into the Civil Service Code of HKSAR the various requirements for civil servants of the State as provided in the PRC Law on Civil Servants; if so, of the details?

Question 7
(For written reply)

(Translation)

Assistance for operators of kaito services

Hon Frankie YICK to ask:

Some operators of kaito services have relayed that both kaitos and ferries are operated by licensed operators and provide regular waterborne public transport services for residents on the outlying islands. Moreover, both kaitos and ferries have been affected by the epidemic recently, resulting in a drastic drop in their patronage and revenue, and yet they still have to meet expenses such as insurance premiums, maintenance costs, fuel costs and staff salaries. However, the relief measures from which kaito operators may benefit are far fewer than those for ferry operators. In this connection, will the Government inform this Council:

- (1) given that the majority of the employees working on kaitos have not participated in Mandatory Provident Fund schemes because they have reached the age of 65 or above, rendering kaito operators unable to apply for the wage subsidies under the Employment Support Scheme, whether the Government will extend the coverage of the following relief measure from which ferry and green minibus operators may benefit to kaito operators: provision of a monthly wage subsidy of \$6,000 in respect of each mature employee for a period of six months; if so, of the details; if not, the reasons for that, and what other support measures are in place;
- (2) whether it will extend the coverage of the subsidy for repair and maintenance costs and insurance premiums, for which ferry operators are eligible to apply, to kaito operators so as to relieve the latter's operating pressure;
- (3) whether it will include all kaito routes in the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities and set the maximum subsidy amount according to the trip length of the kaito routes, so as to reduce the travelling expenses of elderly residents on the outlying islands while enhancing the competitiveness of kaitos; if so, of the details; if not, the reasons for that; and
- (4) of the short, medium and long term measures in place to assist the kaito sector in resolving problems such as continuous shrinkage of the sector, incessantly escalating operating costs and succession difficulties of employees, so as to facilitate the sustainable development of the sector?

Question 8
(For written reply)

(Translation)

Assistance for the sectors of
sports, performing arts, culture and publication

Hon MA Fung-kwok to ask:

A number of representatives from the sports, performing arts, culture and publication sectors have relayed to me that the operation of quite a number of organizations in their sectors has been hard hit by the Coronavirus Disease 2019 (“COVID-19”) epidemic. The unemployment rate of the “arts, entertainment and recreation industry” from February to April this year rose sharply to 9%. Although the Government has launched two rounds of relief initiatives and measures under the Anti-epidemic Fund (“AEF”), many organizations and practitioners of the aforesaid sectors have indicated that they have not benefited from them. In this connection, will the Government inform this Council:

- (1) of the implementation of the following initiatives and measures implemented under AEF, including the respective numbers of applications received and approved, and the amounts granted:
 - (i) the Arts and Culture Sector Subsidy Scheme,
 - (ii) one-off relief grant for school instructors of learning/interest classes,
 - (iii) one-off grant for registered sports coaches,
 - (iv) relief grants for freelance workers hired by subvented non-governmental welfare organizations to provide training and coaching for service users,
 - (v) relief for creative industries, and
 - (vi) subsidy schemes for premises affected by COVID-19, including the Amusement Game Centres Subsidy Scheme, the Fitness Centre Subsidy Scheme, the Places of Amusement Licence Holders Subsidy Scheme, the Places of Public Entertainment Licence Holder Subsidy Scheme, and the Sports and Recreational Sites Subsidy Scheme;
- (2) whether it will consider providing further support for members of the aforesaid sectors (especially those organizations and practitioners that have not benefited from the initiatives and measures mentioned in (1)); if so, of the details; if not, the reasons for that;

- (3) of the factors that the Leisure and Cultural Services Department (“LCSD”) takes into consideration when deciding whether to reopen a certain cultural and leisure facility; whether LCSD will, having regard to the latest situation of the epidemic, draw up a timetable for reopening those venues which have yet been reopened; the anti-epidemic measures adopted by LCSD for the reopened venues; whether those measures will be adjusted in the light of the latest situation of the epidemic, and the relevant considerations;
- (4) whether LCSD has consulted the relevant sectors on the dates for reopening the various cultural and leisure facilities as well as the epidemic prevention arrangements for the venues; as the persons-in-charge of some arts groups have pointed out that their ticket office receipts will be severely affected in the event that LCSD imposes, for epidemic prevention reasons, restrictions on the attendances at the reopened performance venues, of the assistance to be provided by the Government for the affected arts groups;
- (5) whether it has consulted the relevant sectors in order to formulate strategies to help them recover as early as possible when the epidemic is over; if so, of the details; if not, the reasons for that; and
- (6) whether it will consider issuing to members of the public consumption vouchers for cultural, recreational and sports activities so as to encourage them to participate in such activities when the epidemic is over, and at the same time enable the relevant sectors to recover as early as possible; if not, of the reasons for that?

Question 9
(For written reply)

(Translation)

Chilled or frozen pork being sold as fresh pork

Hon Steven HO to ask:

Under the impact of the African Swine Fever epidemic on the Mainland, the number of live pigs supplied to Hong Kong from the Mainland dropped significantly last year, and has not yet returned to its previous level. It has been reported that the situation of unscrupulous traders selling chilled pork as fresh pork is quite rampant due to the persistently high prices of live pigs, members of the public being generally unable to distinguish between fresh and chilled pork, the perfunctory law enforcement by the authorities and the lack of a certification system for fresh pork in Hong Kong. Such situation may cause food safety issues and hit the business of shops selling fresh pork. In this connection, will the Government inform this Council:

- (1) of the respective lists of licensed fresh provision shops and market stalls which are permitted to sell fresh pork or chilled pork or both (collectively referred to as “fresh meat shops”);
- (2) of the details of the sampling tests conducted on pork by officers of the Food and Environmental Hygiene Department (“FEHD”) in their inspections of fresh meat shops (including (i) the manpower for managing the sampling process, (ii) the approach adopted for taking pork samples, (iii) the monthly numbers of samples tested and (iv) the testing equipment and methods used);
- (3) of (i) the number of inspections of fresh meat shops conducted, (ii) the number of reports on traders selling chilled or frozen pork as fresh pork received, and (iii) the respective numbers of prosecutions instituted against operators of fresh meat shops for breaching the Food Business Regulation (Cap. 132X) and the Trade Descriptions Ordinance (Chapter 362), by FEHD in each of the past five years, and the punishments imposed on the convicted persons;
- (4) as some members of the trade have relayed that quite a number of fresh meat shops display and store chilled pork in ways that are non-compliant with the licensing conditions (e.g. failing to keep chilled pork in a chiller maintained at a temperature between 0 and 4 degrees Celsius, and hanging up defrosted pork to pass it off as fresh pork), whether FEHD officers have used thermometers to detect non-fresh pork when inspecting fresh meat shops; if so, of the details; if not, the reasons for that; and

- (5) whether, in the long run, the authorities will adopt a multi-pronged approach to resolve the problem, including (i) proactively improving the procedures for conducting routine inspections of fresh meat shops (e.g. carrying out large-scale inspection operations in a high-profile manner, randomly checking invoices for purchase of pork by fresh meat shops, or mounting decoy operations), (ii) increasing the sources of imported live pigs, and (iii) establishing a comprehensive certification system for fresh pork; if so, of the details (including the implementation timetable); if not, the reasons for that?

Question 10
(For written reply)

(Translation)

Pre-construction preparatory work of public works projects

Hon Wilson OR to ask:

The Government is taking forward public housing development projects on two sites at Pik Wan Road of Yau Tong, namely Site A at the junction of Ko Chiu Road and Ko Chiu Path as well as Site B at the junction of Ko Chiu Road and Pik Wan Road. The findings of a study released earlier by a think tank show that Site A and Site B were rezoned to residential use in 2011 or earlier and in 2014 respectively, and the Civil Engineering and Development Department (“CEDD”) commenced the feasibility studies in 2015 as well as the site investigation and design in 2017 for the supporting infrastructure of the public housing development projects concerned. The think tank has pointed out that the two sites do not adjoin one another and the aforesaid arrangement has caused unnecessary delay to the public housing development project on Site A. Regarding the pre-construction preparatory work of public works projects, will the Government inform this Council:

- (1) of the year in which the rezoning of Site A to residential use was completed, and the reasons why CEDD did not forthwith commence the feasibility study as well as the site investigation and design for the site;
- (2) of the completion dates of the site investigation and design for the two sites;
- (3) of the principles or criteria based on which CEDD determines (i) when the feasibility study as well as the site investigation and design for a site should commence, and (ii) the priorities for commencing such work for various sites; and
- (4) of the following information on the public housing development projects, in each year since 2013, the pre-construction preparatory work for which CEDD was responsible: (i) the name and location of the project, (ii) the time (estimated/actual) required for the feasibility study, (iii) the time (estimated/actual) required for the site investigation and design, (iv) the number of housing units involved, and (v) the latest progress (set out in a table)?

Question 11
(For written reply)

(Translation)

Combating smuggling activities

Hon James TO to ask:

It has been reported that as a result of the closure of a number of land boundary control points since the beginning of the year, smuggling syndicates have switched to smuggling goods to the Mainland by sea. Smuggling syndicates first use trucks to transport goods such as frozen meat to the spots along the seaside (such as the New Yau Ma Tei Public Cargo Working Area, Stonecutters Island Public Cargo Working Area and Cheung Sha Wan's Yuen Fat Wharf & Godown), and then transport the goods by barges to the waters to the north of the Hong Kong International Airport ("HKIA") for further transport to the Mainland by speedboats. The quantity of contraband smuggled daily exceeds 600 tonnes and the value of such goods is as high as tens of millions dollars. On the other hand, three officers of the Customs and Excise Department ("C&ED") died on the night of 21 January this year after falling to the sea while discharging duties at the waters near Sha Chau. In this connection, will the Government inform this Council:

- (1) of the details of the current law enforcement operations conducted by C&ED to combat smuggling activities at (i) the aforesaid seaside spots and (ii) the waters to the north of HKIA, including the manpower, the type and number of vessels used, as well as the time and frequency of patrols;
- (2) whether C&ED will strengthen its manpower and upgrade its equipment in order to reduce the occurrence of accidents to its officers while discharging duties; if so, of the details; if not, the reasons for that;
- (3) of the details of the law enforcement operations conducted in the past six months by C&ED to combat sea smuggling activities, including the number of vessels intercepted and inspected, the respective numbers of persons arrested and prosecuted, as well as the punishments imposed on those convicted; whether it will consider amending the legislation to increase the penalties so as to enhance the deterrent effect; and
- (4) whether it will discuss with the General Administration of Customs of the People's Republic of China on the strategies for jointly combating sea smuggling activities; if so, of the details?

Question 12
(For written reply)

Conducting remote hearings for court cases

Hon Dennis KWOK to ask:

Since 3 April 2020, remote hearings may be conducted for suitable civil cases by using the court's video-conferencing facilities ("VCF"). Court users may connect to VCF under a hardware option (i.e. using hardware video-conferencing units) or a software option (i.e. using normal desktop computers installed with appropriate software). Besides, the Judiciary is actively considering enabling real-time communication for the web ("WebRTC") in video-conferencing, so that court users can connect to VCF by using a simple web browser. In this connection, will the Government inform this Council if it knows:

- (1) the equipment needed to be acquired by the Judiciary for enabling remote hearings; the respective quantities of such equipment purchased/to be purchased, as well as the respective capital and recurrent expenditures incurred/to be incurred; when the acquisition of all equipment can be completed;
- (2) the criteria to be adopted for choosing the WebRTC software and the supplier; whether the software has been acquired; if so, the technical specifications of the software and the implementation timetable for WebRTC; if not, the latest progress of the relevant work and timetable for enabling WebRTC in video-conferencing;
- (3) whether the WebRTC solution to be introduced is similar to those adopted in other jurisdictions, such as the United Kingdom ("UK"), for conducting remote hearings; if not, the differences;
- (4) how the Judiciary's ability, upon the introduction of WebRTC, to conduct remote hearings compares with that in other jurisdictions, such as UK, the United States and Australia, and the areas on which improvement is needed;
- (5) whether the High Court Building has sufficient bandwidth of Internet access services for remote hearings to be conducted in all courtrooms simultaneously;
- (6) the assistance provided by the Judiciary for litigants/witnesses who do not have the necessary equipment for attending remote hearings;
- (7) whether the scope of application of remote hearings will be expanded to criminal cases; and
- (8) whether the Judiciary has plans to handle the backlog of cases by conducting more remote hearings?

Question 13
(For written reply)

(Translation)

Currency swap agreements with the People's Bank of China

Hon Kenneth LEUNG to ask:

On 1 June 2020, the Financial Secretary revealed that the Hong Kong Monetary Authority (“HKMA”) and the People's Bank of China (“PBoC”) had signed a currency swap agreement on Hong Kong dollars and the United States (“US”) dollars last year, and that such agreement would help defend the Linked Exchange Rate System, under which the Hong Kong dollar is pegged to the US dollar. In this connection, will the Government inform this Council:

- (1) of the date on which the agreement was signed, as well as the purpose and other details of the agreement;
- (2) whether HKMA signed the agreement with PBoC because of the consideration that relying solely on Hong Kong's foreign exchange reserve was insufficient for defending the Linked Exchange Rate System; and
- (3) whether, apart from the agreement and the Renminbi-Hong Kong dollar currency swap agreement which has been in force for more than a decade, HKMA and PBoC have signed any other currency swap agreements; if so, of the details?

Question 14
(For written reply)

(Translation)

Public housing development projects

Hon CHAN Hak-kan to ask:

It is learnt that rezoning sites for housing purpose has been one of the major sources of lands for public housing in recent years. There are comments that different administrative and statutory procedures are involved from the moment that the Government has made a decision to rezone the land use of a site to the moment that the site is spade-ready for housing construction, and the pace of public housing supply will be affected should there be delay in any one of the procedures. In this connection, will the Government inform this Council:

- (1) regarding the various public housing development projects since 2013 which involved land use rezoning, of the respective average time taken to complete the following six development procedures:
(i) conducting pre-feasibility study, (ii) carrying out site investigation and design of infrastructure works, (iii) seeking funding approval from the Finance Committee of this Council for the relevant site formation and infrastructure works, (iv) land resumption (if applicable), (v) land clearance, and (vi) carrying out site formation and infrastructure works;
- (2) regarding the following projects, of the respective (A) commencement dates/expected commencement dates and (B) completion dates/expected completion dates for the various procedures mentioned in (1) (set out in the table below):
 - (a) Long Bin (Phase 1),
 - (b) Long Bin (Phase 2),
 - (c) Tuen Mun Area 54 Site 4A (South),
 - (d) Wang Chau (Phase 1),
 - (e) Wah King Street,
 - (f) Wah Fu North,
 - (g) Kai Lung Wan North, Kai Lung Wan South,
 - (h) Wah Lok Path, Pok Fu Lam,
 - (i) Ex-Cha Kwo Ling Kaolin Mine Site A and Site B,
 - (j) Tuen Mun Area 54 Site 5,
 - (k) Yau Yue Wan Village Road,
 - (l) Pak Shing Kok Road,

- (m) Near Tan Kwai Tsuen (South),
- (n) Kai Tak Site 2B3,
- (o) Kai Tak Site 2B4,
- (p) Kai Tak Site 2B5,
- (q) Kai Tak Site 2B6,
- (r) Shek Lei Interim Housing,
- (s) San Hing Road (Phase 1),
- (t) San Hing Road (Phase 2),
- (u) Ex-Mount Davis Cottage Area, Ka Wai Man Road
(Phase 1), and
- (v) Ex-Mount Davis Cottage Area, Ka Wai Man Road
(Phase 2);

Project name/ location	Development procedure											
	(i)		(ii)		(iii)		(iv)		(v)		(vi)	
	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)

- (3) whether the Government will, upon the completion of the land use rezoning procedure, forthwith commence the work on land resumption (if necessary); if not, of the procedure(s) to be completed by the Government before such work may commence, and the criteria adopted for determining the appropriate timing for commencing such work;
- (4) whether it will formulate a policy to the effect that notice(s) for resumption of land must be published in the Gazette within a specified period of time from the completion of the land use rezoning procedure, so that those persons who will be affected by land resumption may anticipate the time when the Government will resume their land; if not, of the reasons for that; and
- (5) as the Government has indicated that it will further simplify and expedite the work process, including compressing the time required for engineering feasibility studies (“EFSs”) as far as possible and speeding up statutory procedures such as land use rezoning upon completion of EFSs, with a view to expediting the implementation of housing development projects, whether the Government (i) has assessed the extent to which the time needed for public housing production can be reduced upon the implementation of the relevant arrangements, and (ii) has formulated quantitative indicators (e.g. the reduction of the time needed for the various development procedures by certain months, or the completion of such procedures within certain months) and monitored if the relevant projects have met the targets; if so, of the details; if not, whether it will consider doing so?

Question 15
(For written reply)

(Translation)

Treatments and support for patients with cancers and rare diseases

Hon Elizabeth QUAT to ask:

Some patient groups have relayed that it often takes years for a new drug to go through the process from application for its registration in Hong Kong, approval given for its registration, its being listed by the Hospital Authority (“HA”) on HA’s Drug Formulary (“HADF”) as a Self-financed Item (“SFI”) with safety net coverage, to its being reclassified as a General Drug or a Special Drug on HADF. As a result, quite a number of patients with cancers and rare diseases have missed the golden opportunity for receiving treatment with the use of a new drug. In addition, although the Government and HA implemented enhancement measures early last year for the means test mechanism for drug subsidies under the Samaritan Fund and the Community Care Fund (“CCF”) Medical Assistance Programmes, there are still quite a number of cases of “having no money for treatment despite the existence of a needed drug” at present. In this connection, will the Government inform this Council:

- (1) of the top 10 deadliest cancers in Hong Kong at present and, in respect of each of them, (i) the number of new confirmed cases and (ii) the number and age distribution of those persons who died of the cancer, in each of the past three years (set out in a table);
- (2) whether it knows the current average time taken from a public hospital patient being suspected by a doctor of having cancer to that patient receiving first treatment, and the respective numbers of persons queuing to receive the relevant treatments (with a tabulated breakdown by type of cancer);
- (3) of the new drugs for treating rare diseases and cancers which were approved in the past three years for registration in Hong Kong, and the average time taken for vetting and approval of the applications for registration of these drugs;
- (4) whether it will consider afresh introducing, for rare diseases, (i) a drug registration system and (ii) a list of drugs, as well as making rare disease patients, medical practitioners and pharmaceutical companies all being able to apply for the inclusion of new drugs in the said list of drugs for rare diseases;

- (5) whether it will consider afresh establishing a policy committee on rare diseases to advise on the strategic direction and policies in respect of rare diseases, as well as to coordinate and monitor the implementation of such policies by relevant government departments and bodies as well as to submit reports in this regard; if so, of the details; if not, the reasons for that;
- (6) whether it will consider afresh laying down a definition of rare diseases applicable to Hong Kong (e.g. by defining a disease which affects no more than 1 in 10 000 individuals in Hong Kong's population and is clinically definable as a rare disease); if so, of the details; if not, the reasons for that;
- (7) given that quite a number of patients with cancers and rare diseases as well as their family members experience pay cuts and unemployment amid the downturn of Hong Kong's economy due to social disturbances and the epidemic, which has resulted in their having difficulties in making contributions to drug expenses under the existing means test mechanism for drug subsidies, whether the Government will provide them with targeted financial support;
- (8) of the (i) total number and (ii) names of those drugs added, in the past three years, to the respective lists of SFIs covered by the drug subsidies under the two aforesaid funds;
- (9) as some medical professionals have pointed out that at present, various immunotherapy drugs which have specific curative effects on certain cancers are not yet covered by the lists of SFIs under the two aforesaid funds (e.g. Atezolizumab), or are only covered by the CCF Medical Assistance Programmes for use in very limited treatment purposes (e.g. Nivolumab and Pembrolizumab), whether the Government knows if HA will expeditiously include in HADF those immunotherapy drugs which have not yet been covered, and provide such drugs for patients who have tried different drugs but failed to get satisfactory treatment results; if HA will, of the details and timetable; if not, the reasons for that; and
- (10) given that the Drug Advisory Committee under HA meets once every three months to assess applications for inclusion of new drugs in HADF, but some terminal cancer patients in critical condition are in urgent need of certain drugs which have not yet been included in HADF, whether the Government knows if HA will establish a mechanism for speedy processing of applications for inclusion of relevant drugs in HADF for such patients on a discretionary basis; if HA will, of the details; if not, the reasons for that?

Question 16
(For written reply)

(Translation)

Job creation for the information technology sector

Hon Charles Peter MOK to ask:

The second-round relief measures, launched by the Government in April this year, include the allocation of around \$6 billion to create about 30 000 time-limited jobs in both public and private bodies in the coming two years. Such jobs include (i) some 4 600 positions for technicians and supporting staff, (ii) some 1 640 positions for seasoned professionals, and (iii) over 200 positions for fresh graduates. Regarding job creation for the information technology (“IT”) sector, will the Government inform this Council:

- (1) of the details of those positions, among the aforesaid positions, which belong to the IT sector, including (i) the number of positions, job nature, entry requirements and pay levels, as well as (ii) the mode by which those positions created in private bodies will be subsidized by public funds; the latest progress of creation of such jobs and the timetable for the recruitment work;
- (2) whether it will create more positions for seasoned professionals in the IT sector, in order to expedite the work on implementing e-Government Services, development of Smart City, etc.; and
- (3) whether it will, by making reference to the Graduate Employment Training Scheme launched by the Government after the epidemic in 2003, consider implementing the following scheme: where an enterprise hires fresh graduates from university IT programmes for the purpose of supporting its participation in the Government’s schemes such as the Distance Business Programme and the Technology Voucher Programme, and provides on-the-job training for such graduates, the enterprise is eligible for receiving from the Government a monthly training allowance of \$6,000 for each graduate so employed, with a view to creating jobs and encouraging enterprises to enhance the application of IT; if so, of the details; if not, the reasons for that?

Question 17
(For written reply)

(Translation)

Illegal conversion of car parking spaces into shops

Hon LUK Chung-hung to ask:

It has recently been uncovered by the media that the street-level car parking spaces of a number of old buildings in Kowloon City have been illegally converted into shops for as long as several decades. The Lands Department (“LandsD”) and the Buildings Department (“BD”) have all along failed to take follow-up actions, and the Rating and Valuation Department (“RVD”) has determined the rates payable by the landlords concerned on the basis of the rateable values of such premises as shops. In this connection, will the Government inform this Council:

- (1) whether LandsD and BD have, since the occupation of the aforesaid buildings, received any applications for converting the carparking spaces concerned into shops; if so, of the number;
- (2) whether LandsD and BD have, since the occupation of the aforesaid buildings, uncovered the relevant cases of illegal conversion; if so, of the number, as well as the law enforcement actions and follow-up work taken; and
- (3) of the reasons why RVD has determined the rates payable by the landlords concerned for such premises on the basis of their rateable values as shops?

Question 18
(For written reply)

(Translation)

Anderson Road Development Area

Hon WONG Kwok-kin to ask:

The Anderson Road Development (“ARD”) Area comprises the Development of Anderson Road Quarry Site project which will provide 11 housing sites with a total area of about 12 hectares. Among such sites, there are eight sites and three sites designated respectively for the development of public housing and private housing/Starter Homes for Hong Kong Residents pilot project. In this connection, will the Government inform this Council:

- (1) of the latest projected intake dates for the residential developments on each of the 11 aforesaid sites;
- (2) of the latest progress of the East Kowloon Line railway project proposed in the Railway Development Strategy 2014, whose catchment area includes ARD Area; and
- (3) of the latest progress of the road improvement works and traffic arrangements implemented to tie in with the development of the ARD Area?

Question 19
(For written reply)

(Translation)

Support provided for children with special educational needs

Hon Dennis KWOK to ask:

In view of the Coronavirus Disease 2019 (commonly known as “Wuhan pneumonia”) epidemic, classes of primary and secondary schools in Hong Kong were suspended for almost four months, and it was only until last month that the schools started to resume classes by phases. Some parents of children with special educational needs (“SEN”) have relayed that their children were not provided with the necessary support and regular training during the period of class suspension, and that their children have demonstrated anxiety over class resumption. In this connection, will the Government inform this Council:

- (1) whether the Government provided support services for SEN children during the period of class suspension; if so, of the details, including (i) a breakdown, by service type, of the number of children who received such services, (ii) content of the services, (iii) the government department(s) and the number of personnel involved, as well as (iv) the amount of expenditure incurred; if not, the reasons for that;
- (2) whether it has formulated measures to assist SEN children in adapting to learning and school life upon class resumption; if so, of the details; if not, the reasons for that;
- (3) given that while the Education Bureau (“EDB”) wrote to all schools in Hong Kong on 3 April this year indicating that Special Educational Needs Coordinators (“SENCOs”) at schools should review afresh and adjust the content of the plans for supporting SEN children as well as provide them with support through various means, there have been comments that quite a number of schools have just created the position of SENCO in this school year, and that the training received by SENCOs is insufficient for them to cope with the special circumstances that the schools currently face, whether EDB has taken measures to assist SENCOs in carrying out the relevant work; if so, of the details; if not, the reasons for that;
- (4) whether it knows if all on-site training services (including services provided under “On-site Pre-school Rehabilitation Services”) were suspended during the period of class suspension; if the services were not all suspended, of the types of services affected; of the number of service organizations whose service contracts were terminated due to prolonged class suspension, and whether the

Government will provide support for these organizations; if so, of the details; if not, the reasons for that; and

- (5) whether it knows the number of organizations mentioned in (4) which have decided that they will no longer provide on-site training services for schools in the next school year?

Question 20
(For written reply)

(Translation)

Information security of the health code system

Hon Charles Peter MOK to ask:

In an effort to facilitate the cross-boundary activities of residents of Guangdong, Hong Kong and Macao, the Government is taking forward a scheme for mutual recognition of health codes. Residents of the three places holding proof of a negative result of a nucleic acid test for Coronavirus Disease 2019 issued within seven days by a designated medical institution shall be exempted from undergoing a compulsory quarantine for 14 days upon entry. Some Hong Kong residents are worried that their sensitive personal data, such as medical records, will be transferred to Mainland security departments through the health code system, resulting in their personal privacy being intruded on. Regarding the information security of the health code system, will the Government inform this Council:

- (1) of the expected number of applicants for the health code and the duration for which the mutual recognition scheme will be put in place; the details of the mutual recognition scheme (including the procedure to be followed by applicants); whether Hong Kong residents are required to install in their mobile phones or other electronic devices health code applications launched by the Mainland authorities and input personal data into such applications in order to use the relevant services; if so, of the types of information (including personal data) collected via such applications as well as its retention period and, among such information, the types of personal data to be transferred out of Hong Kong or handed over to data users outside Hong Kong for processing or retention;
- (2) whether special information security measures will be adopted for the health code system; of the measures put in place to guard against an excessive collection of personal data by the system and an overly lax restriction on the authority of using such data, so as to prevent the personal data of Hong Kong residents from being accessed, processed, deleted or used accidentally or without their authorization;
- (3) of the local and Mainland government departments/institutions authorized to access the health codes and relevant personal data of Hong Kong residents, and the mechanisms to be followed by them before accessing the information; whether it will request the

relevant Mainland government departments/institutions to impose restrictions on the use of such information for purposes other than the purpose of preventing the occurrence or the spread of an infectious disease or contamination (e.g. establishing a DNA database and preventing or detecting crimes), and to expeditiously delete information which is no longer needed for the quarantine work; if so, of the details;

- (4) whether mutual recognition of health codes among the three places will be carried out in a manner that (i) collects and transfers the least amount of personal data and (ii) reduces the amount of personal data required to be retained (in particular biometric data and user locations (if applicable)); of the ways to protect the personal data of Hong Kong residents from being transferred out of Hong Kong or used for non-specified purposes without authorization; and
- (5) whether it has, before implementing the scheme for mutual recognition, sought the advice of the Privacy Commissioner for Personal Data on issues about the collection, processing and use of personal data, etc., and engaged independent third parties to conduct privacy and information security risk assessments and audits; if so, of the details; if not, the reasons for that; whether the authorities have followed the various data protection principles set out in the Personal Data (Privacy) Ordinance (Cap. 486) when designing the system concerned?

Question 21
(For written reply)

(Translation)

Support for the vehicle maintenance industry

Hon Frankie YICK to ask:

Some owners of vehicle repair workshops (“workshops”) have relayed that the vehicle maintenance industry has been hard hit by the Coronavirus Disease 2019 epidemic in recent months, with business turnover having dropped significantly. It is estimated that so far, over 100 workshops have closed down, with nearly 800 vehicle mechanics becoming unemployed or underemployed, and that some workshops are on the brink of closing down. However, workshops are unable to benefit from the two rounds of relief measures previously launched by the Government. Such owners have also pointed out that with the redevelopment of buildings in old districts one after the other, the number of street-level shops suitable for accommodating workshops has been dwindling, and the rental of existing workshops has been increasing incessantly. As a result, the vehicle maintenance industry has been shrinking continuously, making it difficult for the industry to meet the repair and maintenance needs of the nearly 800 000 vehicles across the territory. This situation may ultimately affect road safety and roadside air quality. Regarding the support provided by the Government for the vehicle maintenance industry, will the Government inform this Council:

- (1) as the Chief Executive announced on the 6th of this month that the Government would launch relief measures for workshops, of the details of such measures, and whether the measures will include the provision of wage subsidies for workshop owners in respect of each employee who is aged 65 or above and has not participated in any Mandatory Provident Fund scheme; if so, of the details; if not, the reasons for that; and
- (2) given that the industry has all along proposed for years that the Government construct an automobile maintenance complex equipped with central disposal facilities for waste oil, exhaust gas and waste water, so that workshops may move in for clustered operation and that the owners be charged rents of a level affordable to them, of the progress and preliminary conclusion of the Government’s study on this suggestion?

Question 22
(For written reply)

(Translation)

Transport issues in New Territories East

Hon Elizabeth QUAT to ask:

Some residents of New Territories East (“NTE”) have relayed that the local and external traffic congestion problems have become increasingly serious. For example, there are heavy traffic congestions at the Lion Rock Tunnel, the Tate’s Cairn Tunnel and Tai Po Road (Sha Tin Section) during the morning peak hours every day, causing the residents to spend a lot of time travelling to work or to school, and affecting the livelihood of professional drivers. They have also pointed out problems such as the serious shortage of car parking spaces in the district. Regarding the transport issues in NTE, will the Government inform this Council:

- (1) of the improvement measures implemented in the past four years by the Government in the Sha Tin District to alleviate the traffic congestions and the relevant details;
- (2) whether it will (i) construct a new trunk road linking Ma Liu Shui and the Eagle’s Nest Tunnel, so as to divert the traffic of the North District and Tai Po District to and from Kowloon, thereby relieving the traffic load of roads in Sha Tin and Ma On Shan, and (ii) take forward the construction of Trunk Road T4 as soon as possible; if so, of the details; if not, the reasons for that;
- (3) whether it will (i) construct at the Sha Tin town centre an underground network of roads to replace the existing trunk roads, so as to free up above ground spaces for provision of pedestrian areas, and (ii) expeditiously construct multi-storey smart public car parks underneath the Sha Tin town centre and Ma On Shan Sports Ground, so as to address the serious shortage of car parking spaces in the district; if so, of the details and timetables; if not, the reasons for that;
- (4) given that the same sections of the various cross-harbour bus routes running in NTE have different fares, whether the Government will urge the franchised bus companies concerned to make improvement; if so, of the details and timetable; if not, the reasons for that;
- (5) whether it knows the details (including completion dates) of the works carried out by the MTR Corporation limited (“MTRCL”) in respect of the stations along the East Rail Line (“EAL”) for

- (i) installing platform gates for all stations and (ii) narrowing the gap between the platform and the train; and
- (6) as MTRCL is currently upgrading the signaling system of EAL in tandem with the Shatin to Central Link project, whether the Government has stepped up its monitoring of the upgrading work to ensure that the testing will not affect the train safety and services of EAL?

Interpretation and General Clauses Ordinance

Resolution

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

Resolved that in relation to the —

- (a) Property Management Services Ordinance (Commencement) Notice 2020, published in the Gazette as Legal Notice No. 86 of 2020; and
- (b) Property Management Services (Licensing and Related Matters) Regulation, published in the Gazette as Legal Notice No. 87 of 2020,

and laid on the table of the Legislative Council on 27 May 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 15 July 2020.

Hon CHAN Hoi-yan's proposed resolution

Interpretation and General Clauses Ordinance

Resolution

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

Resolved that in relation to the —

- (a) Compulsory Quarantine of Certain Persons Arriving at Hong Kong (Amendment) (No. 3) Regulation 2020, published in the Gazette as Legal Notice No. 116 of 2020;
- (b) Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places (Amendment) (No. 2) Regulation 2020, published in the Gazette as Legal Notice No. 117 of 2020;
- (c) Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 3) Regulation 2020, published in the Gazette as Legal Notice No. 118 of 2020; and
- (d) Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 4) Regulation 2020, published in the Gazette as Legal Notice No. 119 of 2020,

and laid on the table of the Legislative Council on 3 June 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the first sitting (within the meaning of section 34(6) of that Ordinance) of the next session of the Legislative Council.

**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.