

立法會
Legislative Council

LC Paper No. CB(2)1244/19-20

Ref : CB2/H/5/19

House Committee of the Legislative Council

**Minutes of the 5th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 19 June 2020**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon MA Fung-kwok, SBS, JP (Deputy Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon CHAN Han-pan, BBS, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, GBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Jimmy NG Wing-ka, BBS, JP
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai, JP

Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan, JP
Dr Hon Pierre CHAN
Hon CHAN Chun-ying, JP
Hon CHEUNG Kwok-kwan, JP
Hon LUK Chung-hung, JP
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS
Hon CHAN Hoi-yan

Member absent :

Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Claudia MO
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Kenneth LEUNG
Dr Hon KWOK Ka-ki
Hon Dennis KWOK Wing-hang
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon LAM Cheuk-ting
Hon SHIU Ka-chun
Hon Tanya CHAN
Hon HUI Chi-fung
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho

Clerk in attendance :

Miss Flora TAI Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
Ms Connie FUNG	Legal Adviser
Miss Odelia LEUNG	Deputy Secretary General
Ms Anita SIT	Assistant Secretary General 1
Ms Dora WAI	Assistant Secretary General 3
Mr Matthew LOO	Assistant Secretary General 4
Mr Timothy TSO	Senior Assistant Legal Adviser 1
Mr YICK Wing-kin	Senior Assistant Legal Adviser 2
Mr Bonny LOO	Senior Assistant Legal Adviser 3
Ms Amy YU	Principal Council Secretary 1
Ms Hallie CHAN	Head (Public Information)
Ms Alice LEUNG	Chief Council Secretary (2)6
Mr Alvin CHUI	Assistant Legal Adviser 3
Ms Vanessa CHENG	Assistant Legal Adviser 5
Miss Connie AU	Senior Council Secretary (2)6
Mr Richard WONG	Senior Council Secretary (2)8
Miss Michelle TANG	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

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Order of the meeting

(When the meeting commenced, Mr WU Chi-wai was putting placards at his own seat and the seats of some 20 Members who were not present at the meeting.)

Ms Elizabeth QUAT raised a point of order concerning the placards being displayed at the seats of Mr WU Chi-wai and some 20 Members who were not present at the meeting. She considered that those placards not related to any agenda items of the meeting should be removed. The Chairman concurred with Ms QUAT and asked Mr WU Chi-wai to remove those placards and return to his seat. Despite the Chairman's repeated requests, Mr WU refused to return to his seat and spoke loudly

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in protest against the Chairman's decision. The Chairman reminded Mr WU that those placards were not related to any agenda items of the meeting and he should not obstruct the conduct of the meeting, and then instructed the Secretariat staff to remove those placards.

(Mr WU Chi-wai then left the conference room.)

I. Confirmation of minutes of meeting

Minutes of the 4th meeting held on 12 June 2020

(LC Paper No. CB(2)1211/19-20)

2. The minutes were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration

3. The Chairman said that she and the Deputy Chairman had conveyed to the Chief Secretary for Administration ("CS") the views and concerns raised by Members at the last House Committee ("HC") meeting held on 12 June 2020 on Hong Kong's "health code" system and the Anti-epidemic Fund. CS had responded that the technical development of Hong Kong's "health code" system was near completion. The Hong Kong Special Administrative Region Government was actively discussing with the Guangdong and Macao authorities in respect of launching a pilot scheme on a trial basis, which would allow the participation of a limited number of people with the need to travel between Guangdong, Hong Kong and Macao to be exempted from quarantine requirements under specified conditions. CS had expressed understanding that there was a large demand in the society for travelling between Guangdong, Hong Kong and Macao, and that it was more expensive to take nucleic acid tests in Hong Kong than on the Mainland. CS had hoped that with more privately-run laboratories in Hong Kong providing the viral tests, the relevant charges would be gradually lowered under increasing competition.

Hong Kong's "health code" system

4. Ms Alice MAK and Mr KWOK Wai-keung expressed dissatisfaction with CS's response, which did not provide a specific date for launching Hong Kong's own "health code" system. Ms MAK considered that the Administration should explore concrete ways to lower the viral test charges, e.g. by allowing laboratories in the neighbouring cities to provide such tests so as to introduce competition into the market. Mr KWOK also considered it necessary to lower the viral test charges so as to meet the demand of cross-border families.

5. Ms Elizabeth QUAT, Mr Holden CHOW and Mr Vincent CHENG urged the Administration to expedite the launch of Hong Kong's "health code" system so as to meet the demand of cross-border families and the grass-root people who needed to frequently travel across borders. In the view of these Members, it was necessary for the viral test charges to be lowered to the level in Guangdong, which was less than \$200 for each test. Mr CHOW considered that government subsidies should be provided to those people who needed to frequently travel across borders, and he also expressed concern about whether the "limited number" as indicated by CS would be sufficient to meet the demand.

6. Mr Steven HO and Mr CHAN Han-pan also expressed concern about high charges for the viral tests in Hong Kong. Mr HO pointed out that it was common for Hong Kong fishermen to travel many times to and from Hong Kong and Guangdong for the purpose of applying for the relevant certificates for their fishing vessels, and therefore, it was desirable if the viral tests conducted either in Guangdong, Hong Kong or Macao would be recognized by the relevant authorities in all three places. Mr CHAN hoped that the Administration could also explore other options to facilitate those people who needed to travel across borders, pending the launch of Hong Kong's "health code" system.

7. Mr CHUNG Kwok-pan and Mr SHIU Ka-fai considered that the Administration should explore more ways to facilitate those who needed to frequently travel between Guangdong, Hong Kong or Macao. Mr CHUNG said that cross-border students and truck drivers were eligible to apply for an exemption from the compulsory quarantine requirements, and he wondered why the same arrangements could not be made for the grass-root people and businessmen with similar needs. Mr SHIU pointed out that the Zhuhai and Macao authorities had already implemented mutual recognition of their respective "health code" systems

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and coronavirus disease 2019 ("COVID-19") virus test results, and he urged the Food and Health Bureau to step up its work in launching Hong Kong's "health code" system.

8. Mr YIU Si-wing and Ir Dr LO Wai-kwok considered that the Administration could be more accommodating to those who needed to frequently travel across borders. Mr YIU considered that the relevant procedures under Hong Kong's "health code" system should be simplified such that an applicant would only be required to conduct a viral test but not to consult a doctor. He also urged the Administration to first liaise with the Macao authorities concerning mutual recognition of "health codes". Ir Dr LO also suggested that it would be more desirable to develop in the direction towards a unified "health code" system in the Greater Bay Area.

Other issues raised by Members

9. Ms Alice MAK reiterated her view raised at the last HC meeting that the Administration should introduce a third round of relief measures under the Anti-epidemic Fund providing cash subsidies to those who were engaged in the sea, land and air transportation. Mr Vincent CHENG said that the Administration had earlier undertaken to create 45 000 jobs to boost the employment rate amid the COVID-19 pandemic, but only a few thousand jobs had been created to date, and he wondered when the other jobs could be created.

10. Mr Steven HO said that he was concerned that the Administration had submitted a large number of items for discussion by the Council, the Finance Committee, the Establishment Subcommittee and the Public Works Subcommittee. He considered that the Administration should give regard to issues of concern to Members from various sectors and set a priority for those items in a prudent manner. Mr CHAN Han-pan was concerned about when the Administration would implement its earlier proposal in respect of lowering the eligible age of elderly persons under the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities from 65 to 60.

11. Mr Michael TIEN said that he had received enquiries from the prospective tenants of Chun Yeung Estate indicating that the estate might again be used as a quarantine centre by the Hospital Authority during another peak of COVID-19 outbreak expected to occur in autumn and winter. He hoped to seek clarification from the Administration on the matter.

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12. The Chairman said that she noted Members' dissatisfaction with CS's responses, and she would ask CS to make concrete responses to Members' views and concerns raised at this meeting on Hong Kong's "health code" system, relief measures under the Anti-epidemic Fund, and other issues.

III. Business arising from previous Council meetings

(a) Legal Service Division report on subsidiary legislation gazetted on 12 June 2020
(LC Paper No. LS99/19-20)

13. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on five items of subsidiary legislation (i.e. L.N. 120 to L.N. 124) which were gazetted on 12 June 2020 and tabled in Council on 17 June 2020.

14. Members did not raise any questions on the above five items of subsidiary legislation (i.e. L.N. 120 to L.N. 124).

(b) Legal Service Division report on subsidiary legislation gazetted on 16 June 2020
(LC Paper No. LS101/19-20)

15. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 5) Regulation 2020 (L.N. 125) which was gazetted on 16 June 2020 and tabled in Council on 17 June 2020.

16. Members did not raise any questions on L.N. 125.

17. The Chairman reminded Members that the deadline for amending the above six items of subsidiary legislation (i.e. L.N. 120 to L.N. 125) would be the Council meeting of 15 July 2020, or that of the first Council meeting of the next legislative session if extended by a resolution of the Council.

IV. Further business for the Council meeting of 24 June 2020

(a) **Laying of Papers on the Table of the Council**

Report No. 5/19-20 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments
(*LC Paper No. CB(2)1218/19-20*)

18. The Chairman said that the Report covered 26 items of subsidiary legislation and the period for amending them would expire at the Council meeting of 24 June 2020. No Member had indicated intention to speak on any of those items of subsidiary legislation.

(b) **Questions**

(*LC Paper No. CB(3)547/19-20*)

19. The Chairman said that Mr LUK Chung-hung and Mr WU Chi-wai had replaced their oral questions.

(c) **Members' Motions on Subsidiary Legislation**

1. Proposed resolution to extend the period for amending subsidiary legislation (L.N. 86 and L.N. 87 of 2020) to be moved by Hon Holden CHOW
(*LC Paper No. CB(3)558/19-20*)

20. The Chairman said that the purpose of the above proposed resolution was to extend the period for amending two items of subsidiary legislation (L.N. 86 and L.N. 87) which were made under the Property Management Services Ordinance (Cap. 626) to the Council meeting of 15 July 2020.

2. Proposed resolution to extend the period for amending subsidiary legislation (L.N. 116 to L.N. 119 of 2020) to be moved by Hon CHAN Hoi-yan
(*LC Paper No. CB(3)558/19-20*)

21. The Chairman said that the purpose of the above proposed resolution was to extend the period for amending four items of subsidiary legislation (i.e. L.N. 116 to L.N. 119) which were made under the Prevention and Control of Disease Ordinance (Cap. 599) to the first Council meeting of the next legislative session.

V. Reports of Bills Committees and subcommittees

(a) Report of the Bills Committee on Franchised Taxi Services Bill
(LC Paper No. CB(4)717/19-20)

22. Mr Tommy CHEUNG, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee and its decision to discontinue its work as detailed in its report. He said that the purpose of the Bill was to introduce franchised taxi services through empowering the granting of franchises and establishing a regulatory system, so as to meet the demand in the community for personalized and point-to-point public transport services.

23. Mr CHEUNG further said that the Bills Committee had held three meetings to discuss with the Administration the general merits and the policy aspects of the Bill, and to receive views from members of the public. Although the Bills Committee had received views from 52 individuals/organizations at its meeting on 6 January 2020, there were still 125 individuals/organizations who indicated their wish to express views at meetings of the Bills Committee. Since the epidemic of COVID-19 had become serious after the Lunar New Year, the public hearings scheduled by the Bills Committee had to be postponed time and again to avoid any risk of possible spread of the virus.

24. Mr CHEUNG informed Members that since there was not much time left before the end of the current legislative term, the Bills Committee, upon deliberation, considered it impracticable for the Bills Committee to complete the scrutiny of the Bill. Therefore, the Bills Committee had decided to discontinue the scrutiny work of the Bill.

25. Members agreed that having regard to the decision of the Bills Committee, the Bills Committee be dissolved.

(b) Report of the Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2019
(LC Paper No. CB(4)714/19-20)

26. Mr CHEUNG Kwok-kwan, Chairman of the Bills Committee, briefed Members on the deliberations of the Bills Committee as detailed in its report. Mr CHEUNG said that the Bills Committee raised no objection to the proposed amendment to the Bill submitted by the Administration, and the Bills Committee would not propose any

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amendments to the Bill. He further said that the Bills Committee had no objection to the resumption of the Second Reading debate on the Bill at the Council meeting of 8 July 2020.

27. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the Bill would be Saturday, 27 June 2020.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)1212/19-20)

28. The Chairman said that as at 18 June 2020, there were five Bills Committees, six subcommittees under HC and six subcommittees on policy issues under Panels in action.

29. The Chairman further said that at the HC meeting on 12 June 2020, Members agreed to form Bills Committees to respectively study the Limited Partnership Fund Bill and the Insurance (Amendment) Bill 2020. The Chairman then said that according to rule 21(b) of the House Rules, a Bills Committee should consist of not less than three members. Since less than three Members had signified to join these two proposed Bills Committees by the deadline for signification of membership respectively, these two proposed Bills Committees could not be formed.

30. Members agreed to rescind HC's earlier decisions to form Bills Committees to study the two Bills, and did not raise objection to the resumption of the Second Reading debates on the two Bills.

VII. Report of the delegation of the Panel on Education on its duty visit to Finland

(LC Paper No. CB(4)713/19-20)

31. At the invitation of the Chairman, Mr Vincent CHENG, deputy leader of the delegation of the Panel on Education ("the Panel") on its duty visit to Finland, briefed Members on the main findings and observations of the delegation from its duty visit from 8 to 14 September 2019 to Finland to study its education system, the details of which were set out in the delegation report. Mr CHENG said that the delegation report had originally been scheduled for discussion at the Panel meeting on 5 June 2020. However, the Panel meeting was ended before reaching the relevant agenda item, as Panel members had spent much time

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discussing issues relating to the work of the Subcommittee to Study the Development of Textbooks and Teaching Materials for Kindergartens, Primary and Secondary Schools.

32. The Chairman said that if not for the prorogation of the Sixth Legislative Council on 18 July 2020, the Panel could consider requesting priority allocation of a debate slot for moving a motion debate on the delegation report at a Council meeting.

VIII. Any other business

33. There being no other business, the meeting ended at 3:00 pm.

Council Business Division 2
Legislative Council Secretariat
24 June 2020