

立法會
Legislative Council

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**Paper for the House Committee meeting
of 22 May 2020**

**Questions scheduled for the
Legislative Council meeting of 27 May 2020**

Questions by:

- | | | |
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| (1) | Hon HO Kai-ming | (Oral reply) |
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| (3) | Hon Elizabeth QUAT | (Oral reply) |
| (4) | Hon CHAN Han-pan | (Oral reply) |
| (5) | Dr Hon Priscilla LEUNG | (Oral reply) |
| (6) | Hon Dennis KWOK | (Oral reply) |
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| (8) | Hon CHEUNG Kwok-kwan | (Written reply) |
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| (10) | Hon Charles Peter MOK | (Written reply) |
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| (16) | Hon Alvin YEUNG | (Written reply) |
| (17) | Dr Hon KWOK Ka-ki | (Written reply) |
| (18) | Hon Michael TIEN | (Written reply) |
| (19) | Hon WU Chi-wai | (Written reply) |
| (20) | Hon SHIU Ka-chun | (Written reply) |
| (21) | Hon LUK Chung-hung | (Written reply) |

Question 1
(For oral reply)

(Translation)

Assistance provided for the unemployed

Hon HO Kai-ming to ask:

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

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

Question 2
(For oral reply)

(Translation)

Preventing the emergence of home-grown terrorism

Hon Martin LIAO to ask:

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

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

Question 3
(For oral reply)

(Translation)

Issues related to news coverage work

Hon Elizabeth QUAT to ask:

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

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

Question 4
(For oral reply)

(Translation)

Retail prices of auto-fuels

Hon CHAN Han-pan to ask:

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

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

Question 5
(For oral reply)

(Translation)

Livelihood initiatives

Dr Hon Priscilla LEUNG to ask:

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

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

Question 6
(For oral reply)

(Translation)

Enacting legislation on Article 23 of the Basic Law

Hon Dennis KWOK to ask:

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

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

Question 7
(For written reply)

(Translation)

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

Hon Andrew WAN to ask:

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

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

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

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

Question 8
(For written reply)

(Translation)

Teaching of the Chinese history in schools

Hon CHEUNG Kwok-kwan to ask:

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

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

Question 9
(For written reply)

(Translation)

Relief measures

Hon Kenneth LEUNG to ask:

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

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

Question 10
(For written reply)

(Translation)

Privacy issues related to virus testing

Hon Charles Peter MOK to ask:

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

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

Question 11
(For written reply)

(Translation)

Impacts caused to the environment
by anti-epidemic measures

Hon CHAN Hak-kan to ask:

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

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

Question 12
(For written reply)

(Translation)

Operation of the Radio Television Hong Kong

Hon Elizabeth QUAT to ask:

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

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

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

Question 13
(For written reply)

(Translation)

Registration as electors for the
Information Technology Functional Constituency

Hon Charles Peter MOK to ask:

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

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

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

Question 14
(For written reply)

(Translation)

Applying neck restraint technique by police officers

Dr Hon Fernando CHEUNG to ask:

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

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

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

Question 15
(For written reply)

(Translation)

Smuggling of shark fins

Hon Kenneth LEUNG to ask:

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

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

Question 16
(For written reply)

(Translation)

Office accommodation for the Radio Television Hong Kong

Hon Alvin YEUNG to ask:

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

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

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

Question 17
(For written reply)

(Translation)

Use of force by police officers when making arrests

Dr Hon KWOK Ka-ki to ask:

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

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

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

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

Question 18
(For written reply)

(Translation)

Management of public toilets

Hon Michael TIEN to ask:

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

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

Question 19
(For written reply)

(Translation)

Business difficulty of the public light bus trade

Hon WU Chi-wai to ask:

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

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

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

Question 20
(For written reply)

(Translation)

Handling of data access requests

Hon SHIU Ka-chun to ask:

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

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

Question 21
(For written reply)

(Translation)

Cancellation of dividend payments by banks

Hon LUK Chung-hung to ask:

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

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