

中華人民共和國香港特別行政區政府  
政務司司長辦公室

Chief Secretary for Administration's Office  
The Government of the Hong Kong  
Special Administrative Region  
of the People's Republic of China



政務司司長 張建宗  
Matthew CHEUNG Kin-chung, GBM, GBS, JP  
Chief Secretary for Administration

LC Paper No. CB(2)957/19-20(01)

12 May 2020

The Honourable Starry Lee Wai-king, SBS, JP  
Chairman of the House Committee  
Legislative Council  
1 Legislative Council Road  
Central  
Hong Kong

Dear Chairman,

### **Resumption of Second Reading Debate on Bills**

In accordance with Article 73 of the Basic Law, one of the major functions of the Legislative Council (“LegCo”) is to enact laws. The Government is pleased to note that the House Committee (“HC”) at its Special Meeting held in the afternoon of 8 May 2020 handled a number of bills and subsidiary legislation which had been held in abeyance for seven months. These include 13 bills introduced by the Government during the current legislative session, the Legal Service Division’s reports on 31 subsidiary legislation gazetted since 27 March 2020, the motion on the appointment of the Chief Justice of the Court of Final Appeal and four reports of bills committees. The Government is also pleased to see that the impasse in HC has been unlocked and will fully co-operate with LegCo in its proceedings on the legislative items in the remainder of the current term of LegCo.

The current legislative session will end in just about two months. All the bills which cannot complete the scrutiny process by the end of the current session in July this year will lapse upon the end of the current term of LegCo. At present, there are 26 bills under LegCo’s scrutiny. After the HC Special Meeting held last Friday, ten Government bills are ready for resumption of Second Reading debate as and when appropriate.

The Government considers that LegCo should first proceed with the National Anthem Bill and the Trade Marks (Amendment) Bill 2019 at this juncture. The Bills Committees of these two bills had reported to HC on the outcome of their scrutiny as early as last year. As regards the remaining eight bills, the relevant procedures were completed at the HC Special Meeting on 8 May (including four bills of which the bills committees' reports were considered by HC and four bills for which HC decided not to form bills committees). The Government has prioritised the order of resumption of Second Reading debate on these bills as set out at *Annex*.

The national anthem is the symbol and sign of the country. The National Anthem Bill seeks to implement the Law of the People's Republic of China on National Anthem ("National Anthem Law"). The National Anthem Law was passed in September 2017 and added to Annex III of the Basic Law in November 2017. According to Article 18 of the Basic Law, the national laws listed in Annex III of the Basic Law shall be applied locally by way of promulgation or legislation by the Hong Kong Special Administrative Region ("HKSAR"). It is thus the constitutional responsibility of the HKSAR Government to implement the National Anthem Law locally as soon as practicable. The legislative principle of the National Anthem Bill is to fully reflect the legislative purpose and intent of the National Anthem Law, which is to preserve the dignity of the national anthem so that members of the community would respect the national anthem, whilst taking into account Hong Kong's common law system and actual circumstances.

The National Anthem Bill had been scrutinised by the Bills Committee in 17 meetings with over 50 hours of deliberation. The Bills Committee report was submitted to HC on 14 June 2019. Subsequently, at its meeting on 28 June HC raised no objection to the Government's plan to resume the Second Reading debate on the Bill in the 2019-2020 legislative session.

The Trade Marks (Amendment) Bill 2019 seeks to amend the Trade Marks Ordinance (Cap. 559) to provide a basis for the application of the International Registration of Marks to Hong Kong in due course. It will enable businesses to obtain and manage international trade mark registrations in a more convenient and more cost-effective manner. It is also in line with the Government's commitment to enhance Hong Kong's intellectual property regime.

The Bills Committee on the Trade Marks (Amendment) Bill 2019 held two meetings of about three hours in total to scrutinise the Bill. The Bills Committee report was submitted to HC on 3 May 2019. At the meeting on 10 May, HC raised no objection to the Government's plan to resume the Second Reading debate on the Bill at a future Council meeting.

The public officers in charge of the bills will, in accordance with the relevant requirements as set out in Rule 54(5) of the Rules of Procedure, give notice in writing delivered to the office of the Clerk after consultation with HC Chairman to resume the Second Reading debate on the aforementioned 10 bills at the Council meeting of 27 May 2020.

The HKSAR Government hopes to work closely together with LegCo Members to make the best use of time in concluding the legislative procedures of the above bills in the remainder of the current term of LegCo in accordance with the priorities set out in the Annex. We should also be grateful if the Chairman would arrange to circulate this letter to all Members of HC for reference.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Cheung Kin-chung', with a large, stylized initial 'M' and a long horizontal flourish extending to the right.

(Matthew Cheung Kin-chung)  
Chief Secretary for Administration

### Order of Resumption of Second Reading Debate on Bills

Order	Bill	Policy Bureaux Concerned
<b>(A) Bills for which the relevant Bills Committees reported the results of their scrutiny to the House Committee (“HC”) in the 2018-2019 legislative session</b>		
(1)	National Anthem Bill	Constitutional and Mainland Affairs Bureau (“CMAB”)
(2)	Trade Marks (Amendment) Bill 2019	Commerce and Economic Development Bureau (“CEDB”)
<b>(B) Bills considered by HC at the meeting on 8 May 2020</b>		
(3)	Inland Revenue (Amendment) (Tax Concessions) Bill 2020*	Financial Services and the Treasury Bureau (“FSTB”)
(4)	Inland Revenue (Amendment) (Ship Leasing Tax Concessions) Bill 2020*	Transport and Housing Bureau (“THB”)
(5)	Hotel and Guesthouse Accommodation (Amendment) Bill 2018 <sup>#</sup>	Home Affairs Bureau
(6)	Fire Safety (Industrial Buildings) Bill <sup>#</sup>	Security Bureau
(7)	Discrimination Legislation (Miscellaneous Amendments) Bill 2018 <sup>#</sup>	CMAB
(8)	Occupational Retirement Schemes (Amendment) Bill 2019 <sup>#</sup>	FSTB
(9)	Copyright (Amendment) Bill 2019*	CEDB
(10)	Supplementary Appropriation (2018-2019) Bill*	FSTB

\* HC, at its meeting on 8 May 2020, decided not to form a bills committee on the Bill

<sup>#</sup> The relevant Bills Committee reported to HC at its meeting on 8 May 2020 the results of its scrutiny on the Bill