

**立法會**  
**Legislative Council**

LC Paper No. CB(4)840/19-20  
(These minutes have been  
cleared with the presiding  
member)

Ref: CB4/PS/1/19

**Panel on Education**

**Subcommittee to Study the Development of Textbooks and Teaching  
Materials for Kindergartens, Primary and Secondary Schools**

**Minutes of the third meeting  
held on Monday, 22 June 2020 at 9:30 am  
in Conference Room 1 of the Legislative Council Complex**

**Members** : Hon LEUNG Yiu-chung  
**present** Hon Abraham SHEK Lai-him, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon Claudia MO  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon MA Fung-kwok, SBS, JP  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon Alice MAK Mei-kuen, BBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Hon Elizabeth QUAT, BBS, JP  
Hon Jimmy NG Wing-ka, BBS, JP  
Hon SHIU Ka-chun  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan, JP  
Hon CHAN Chun-ying, JP  
Hon Tanya CHAN  
Hon HUI Chi-fung  
Dr Hon CHENG Chung-tai  
Hon Vincent CHENG Wing-shun, MH, JP  
Hon Tony TSE Wai-chuen, BBS

**Member attending** : Hon SHIU Ka-fai, JP

**Members absent** : Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon CHEUNG Kwok-kwan, JP  
Hon LAU Kwok-fan, MH

**Clerk in attendance** : Ms Angel WONG  
Chief Council Secretary (4)4

**Staff in attendance** : Miss Joyce CHAN  
Assistant Legal Adviser 1

Miss Mandy NG  
Senior Council Secretary (4)4

Ms Rachel WONG  
Council Secretary (4)4

Ms Sandy HAU  
Legislative Assistant (4)4

Miss Emma LAM  
Clerical Assistant (4)4

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**I. Election of Chairman (and Deputy Chairman)**

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. Mr LEUNG Yiu-chung, member who had the highest precedence in Council among members of the Subcommittee present, presided over the election of Chairman. Mr LEUNG said that many members had not yet given their views on whether candidates should present their election platform. The discussion would continue at this meeting.

3. Mrs Regina IP, Mr Vincent CHENG, Mr CHAN Chun-ying, Mr Jimmy NG, Mr Frankie YICK and Dr Priscilla LEUNG urged Mr LEUNG Yiu-chung to proceed directly to the election of Chairman. Mrs IP, Mr CHAN, Mr NG and Mr YICK considered it more important for a committee chairman to conduct meetings in accordance with the Rules of Procedures and Handbooks for

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Chairmen of Committees. There was no need to give candidates time to present their election platforms.

4. Dr Fernando CHEUNG, Mr SHIU Ka-chun, Ms Claudia MO, Ms Tanya CHAN, Mr HUI Chi-fung and Mr Charles MOK considered election platforms necessary. Dr CHEUNG and Ms MO said that election platforms should be held to ensure that the Chairman would not suppress freedom of speech and freedom of thought. Mr SHIU said that candidates should explain how they would conduct meetings with impartiality. Ms CHAN considered it necessary for candidates to explain their proposals on meeting scheduling in order to cover all the issues proposed in the work plan, given the limited time left in the current legislative session, and their proposals on how to handle discussion materials containing personal data and remarks which might be embarrassing to certain person(s) or entity(ies). Mr HUI said that candidates should explain how they would conduct the meetings and whether members of the textbook review panels would be invited to attend the meetings.

5. Ms Tanya CHAN and Mr CHAN Chi-chuen sought clarification on the possible legal issues arising from the works of the Subcommittee, particularly in relation to the collection and handling of teaching materials for discussion (such as in relation to the authenticity and copyright of the materials obtained), and issues such as whether deputations/individuals attending public hearing of the Subcommittee would be protected by the relevant provisions under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), whether the schools and teachers concerned would be invited to the meetings, and whether the Subcommittee had power to order attendance of witnesses.

6. At the invitation of Mr LEUNG Yiu-chung, Legal Adviser to the Subcommittee explained that as a matter of general principle, Members enjoyed privileges and immunities in respect of words (spoken or written) and speeches in debates in meetings of the Council and proceedings in a committee by virtue of sections 3 and 4 of Cap. 382. Oral representations and written submissions of deputations/individuals attending public hearing of committees would not be protected under Cap. 382. In relation to the issue of copyright, copyright was not infringed by anything done for the purposes of the proceedings of the Legislative Council ("LegCo"), or anything done by Members for the purposes of the exercise and discharge by the LegCo of its powers and functions according to section 54B of the Copyright Ordinance (Cap. 528). Furthermore, it was for the Subcommittee to decide on the method(s) to be adopted in respect of the collection of materials for the purpose of the Subcommittee's discussion.

7. At the invitation of Mr LEUNG Yiu-chung, the Clerk advised that the Subcommittee and the Chairman could determine the method for collecting documents for discussion. For written submissions provided by members of the public, the Chairman might decide whether the documents should be circulated

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to members for discussion unless specified otherwise by the providers. If a submission contained defamatory expressions, the Chairman might determine whether the expressions would be obliterated before circulation or whether the document would be circulated to members.

8. Mr LEUNG Yiu-chung said that at the next meeting, the Subcommittee would decide whether election platforms should be conducted.

9. The meeting ended at 10:30 am.

Council Business Division 4  
Legislative Council Secretariat  
31 July 2020

## Panel on Education

### Proceedings of the third meeting of the Subcommittee to Study the Development of Textbooks and Teaching Materials for Kindergartens, Primary and Secondary Schools on Monday, 22 June 2020 at 9:30 am in Conference Room 1 of the Legislative Council Complex

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda Item I – Election of Chairman (and Deputy Chairman)</i>			
000533-000739	Mr LEUNG Yiu-chung	Opening remarks	
000740-002749	Mr LEUNG Yiu-chung Mrs Regina IP Mr Vincent CHENG Mr CHAN Chun-ying Mr Jimmy NG Mr Frankie YICK Dr Fernando CHEUNG Mr SHIU Ka-chun Ms Claudia MO	Discussion on whether candidates should make election presentations	
002750-003059	Mr LEUNG Yiu-chung Ms Tanya CHAN	Concerns about copyright issue of the teaching materials collected	
003100-004319	Mr LEUNG Yiu-chung Mrs Regina IP Mr HUI Chi-fung Dr Priscilla LEUNG Mr Charles MOK	Discussion on whether candidates should make election presentations	
004320-010404	Mr LEUNG Yiu-chung Mr CHAN Chi-chuen Ms Tanya CHAN Mrs Regina IP Mr HUI Chi-fung Assistant Legal Adviser 1 Mr IP Kin-yuen Clerk	Concerns about possible legal issues arising from the works of the Subcommittee	
010405-010438	Mr LEUNG Yiu-chung	Closing remarks	