

# Legislative Council

## Agenda

Wednesday 28 October 2020 at 11:00 am

### I. Laying of Papers on the Table of the Council

2 items of subsidiary legislation and 8 other papers to be laid on the Table of the Council set out in **Appendix 1**

#### Public officer to address the Council

Chief Secretary for Administration

#### Paper

The Government Minute in response to the Report of the Public Accounts Committee No. 74 of July 2020  
(Item 10 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

1. Hon Alvin YEUNG  
(External voting arrangement)
2. Hon Alice MAK  
(Regulation of online fundraising activities)
3. Hon LUK Chung-hung  
(Employees' rights, benefits and welfare of digital platform workers)
4. Hon Mrs Regina IP  
(Traffic problems at Borrett Road, Mid Levels)
5. Hon Charles Peter MOK  
(Extension of the probation of an RTHK reporter)
6. Dr Hon Helena WONG  
(Discussing the topic of Hong Kong independence in lessons)

#### Public officers to reply

Secretary for Constitutional and Mainland Affairs

Secretary for Financial Services and the Treasury

Secretary for Labour and Welfare

Secretary for Transport and Housing

Secretary for Commerce and Economic Development

Secretary for Education

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

### III. Government Bills

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

(Standing over from previous meetings since 8 July 2020)

1. Fisheries Protection (Amendment) Bill 2019 : Secretary for Food and Health
2. Broadcasting and Telecommunications Legislation (Amendment) Bill 2019 : Secretary for Commerce and Economic Development
3. Freight Containers (Safety) (Amendment) Bill 2019 : Secretary for Transport and Housing

### IV. Members' Motions

#### **1<sup>st</sup> debate (covering the following motion)**

(Standing over from the meeting of 21 October 2020)

1. **Motion under Rule 49B(1A) of the Rules of Procedure to censure Hon Holden CHOW**  
(debate to resume under Rule 40(6A) of the Rules of Procedure)

Mover : Hon Claudia MO

Wording of the motion : **Appendix 3**

(Report of the Legislative Council Investigation Committee established under Rule 49B(2A) of the Rules of Procedure in respect of the motion to censure Hon Holden CHOW Ho-ding was laid on the table of the Council on 8 July 2020)

**2<sup>nd</sup> debate (covering the following motion)**

(Standing over from the meeting of 21 October 2020)

- 2. Motion under Rule 49B(1A) of the Rules of Procedure to censure Hon HUI Chi-fung**  
(debate to resume under Rule 40(6A) of the Rules of Procedure)

Mover : Hon Mrs Regina IP

Wording of the motion : **Appendix 4**

(Report of the Legislative Council Investigation Committee established under Rule 49B(2A) of the Rules of Procedure in respect of the motion to censure Hon HUI Chi-fung was laid on the table of the Council on 8 July 2020)

**3<sup>rd</sup> debate (covering the following motion)**

(Standing over from previous meetings since 20 May 2020)

- 3. 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**

**4<sup>th</sup> debate (covering the following motion)**

(Standing over from previous meetings since 20 May 2020)

- 4. 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**

**5<sup>th</sup> 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 previous meetings since 23 October 2019)

**5. 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**

**6. 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, CB(3) 218/19-20 and CB(3) 29/20-21 issued on 9 and 17 December 2019 and 15 October 2020)

**6<sup>th</sup> 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 6)**

(Standing over from previous meetings since 23 October 2019)

**7. 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**

**8. 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

**9. 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, CB(3) 218/19-20 and CB(3) 29/20-21 issued on 9 and 17 December 2019 and 15 October 2020)

<b>7<sup>th</sup> debate (covering the following 5 motions on the Police's handling of protesters and persons performing duties in the protests during the "anti-extradition to China" movement)</b>
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(Items 10 to 12 standing over from previous meetings since 23 October 2019)

**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 12 and 13

**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 14**

(Item 13 standing over from previous meetings since 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 15**

(Item 14 standing over from previous meetings since 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 16**

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, CB(3) 218/19-20 and CB(3) 29/20-21 issued on 9 and 17 December 2019 and 15 October 2020)

**8<sup>th</sup> debate (covering the following motion on the causes and consequences of the disturbances arising from the amendments to the Fugitive Offenders Ordinance (Cap. 503) and related matters)**

(Standing over from previous meetings since 27 November 2019)

**15. 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 17**

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, CB(3) 218/19-20 and CB(3) 29/20-21 issued on 9 and 17 December 2019 and 15 October 2020)

**Debate and voting arrangements for the following 4 motions to be notified**

(Items 16 and 17 standing over from previous meetings since 15 January 2020)

**16. 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 18**

Public officers to attend : Secretary for Security  
Under Secretary for Security

**17. 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 19**

Public officers to attend : Secretary for Security  
Secretary for Transport and Housing  
Under Secretary for Security  
Under Secretary for Transport and Housing

(Items 18 and 19 standing over from previous meetings since 20 May 2020)

**18. 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 20**

Public officers to attend : Secretary for Food and Health  
Under Secretary for Food and Health

**19. 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 21**

Public officers to attend : Secretary for Food and Health  
Under Secretary for Food and Health



**9<sup>th</sup> debate (covering the following motion)**

(Standing over from previous meetings since 12 June 2019)

**20. 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 22**
- 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

**10<sup>th</sup> debate (covering the following motion)**

(Standing over from previous meetings since 3 June 2020)

**21. 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 23**
- 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 28 October 2020

## Laying of Papers on the Table of the Council

<b>Subsidiary legislation</b>	<b>Legal Notice No.</b>
1. <u>Inland Revenue (Double Taxation Relief with respect to Taxes on Income and Capital and Prevention of Tax Evasion and Avoidance) (Republic of Serbia) Order</u>	210 of 2020
2. <u>Inland Revenue (Double Taxation Relief with respect to Taxes on Income and Capital and Prevention of Tax Evasion and Avoidance) (Georgia) Order</u>	211 of 2020
 <b>Other papers</b>	
3. <u>Protection of Wages on Insolvency Fund Board Annual Report 2019-20 (including Independent Auditor's Report and Audited Financial Statements)</u> (to be presented by Secretary for Labour and Welfare)	
4. <u>Traffic Accident Victims Assistance Fund Annual Report for the year from 1 April 2019 to 31 March 2020 (including Financial Statements and Report of the Director of Audit)</u> (to be presented by Secretary for Labour and Welfare)	
5. <u>Government Flying Service Welfare Fund Report by the Controller, Government Flying Service on the Administration of the Fund for the year ended 31 March 2020 (including Financial Statements and Report of the Director of Audit)</u> (to be presented by Secretary for Security)	
6. <u>Urban Renewal Authority Annual Report 2019-20 (including Independent Auditor's Report and Financial Statements)</u> (to be presented by Financial Secretary)	
7. <u>The Land Registry Trading Fund Hong Kong Annual Report 2019-20 (including Certified Financial Statements and Report of the Director of Audit)</u> (to be presented by Secretary for Development)	

8. Electrical and Mechanical Services Trading Fund Report 2019/20 (including Financial Report and Report of the Director of Audit)  
(to be presented by Secretary for Development)
9. West Kowloon Cultural District Authority Annual Report 2019/20  
(to be presented by Financial Secretary)
10. The Government Minute in response to the Report of the Public Accounts Committee No. 74 of July 2020  
(to be presented by **Chief Secretary for Administration**, who **will address the Council** on this paper)

## 22 questions to be asked at the Council meeting of 28 October 2020

		<b>Subject matters</b>	<b>Public officers to reply</b>
<b>Questions for oral replies</b>			
1	Hon Alvin YEUNG	<u>External voting arrangement</u>	Secretary for Constitutional and Mainland Affairs
2	Hon Alice MAK	<u>Regulation of online fundraising activities</u>	Secretary for Financial Services and the Treasury
3	Hon LUK Chung-hung	<u>Employees' rights, benefits and welfare of digital platform workers</u>	Secretary for Labour and Welfare
4	Hon Mrs Regina IP	<u>Traffic problems at Borrett Road, Mid Levels</u>	Secretary for Transport and Housing
5	Hon Charles Peter MOK	<u>Extension of the probation of an RTHK reporter</u>	Secretary for Commerce and Economic Development
6	Dr Hon Helena WONG	<u>Discussing the topic of Hong Kong independence in lessons</u>	Secretary for Education
<b>Questions for written replies</b>			
7	Hon Claudia MO	<u>Prevention of cruelty to animals</u>	Secretary for Food and Health
8	Hon Holden CHOW	<u>Non-compliant display items on Government land</u>	Secretary for Food and Health
9	Hon WU Chi-wai	<u>New Territories North Development</u>	Secretary for Development
10	Hon Andrew WAN	<u>A site originally reserved for the Hong Kong Disneyland</u>	Secretary for Development
11	Dr Hon Fernando CHEUNG	<u>Coping with the epidemic by residential care homes</u>	Secretary for Labour and Welfare
12	Hon IP Kin-yuen	<u>Procedure for handling complaints against teachers</u>	Secretary for Education
13	Hon Kenneth LEUNG	<u>Overflowing of reservoirs</u>	Secretary for Development
14	Hon Elizabeth QUAT	<u>Trading of live animals</u>	Secretary for Food and Health
15	Hon Paul TSE	<u>Financial burden on the Government</u>	Secretary for Financial Services and the Treasury
16	Hon Tony TSE	<u>Restoration works for and security of tertiary institutions' campuses</u>	Secretary for Education
17	Dr Hon Pierre CHAN	<u>Statistics on the confirmed cases of Coronavirus Disease 2019</u>	Secretary for Food and Health
18	Hon Charles Peter MOK	<u>Participation of small and medium enterprises and start-ups in government procurements</u>	Secretary for Innovation and Technology
19	Hon Elizabeth QUAT	<u>Measures to boost the economy and relieve people's hardship</u>	Secretary for Food and Health
20	Dr Hon Helena WONG	<u>Way of handling of members of the public and reporters by police officers</u>	Secretary for Security
21	Hon CHAN Hak-kan	<u>Promoting the popularization of electric vehicles</u>	Secretary for the Environment
22	Hon Vincent CHENG	<u>Dangerous, abandoned and unauthorized signboards</u>	Secretary for Development

Question 1  
(For oral reply)

(Translation)

External voting arrangement

Hon Alvin YEUNG to ask:

It has been reported that the Government is studying the issue of allowing Hong Kong people residing in the Guangdong-Hong Kong-Macao Greater Bay Area (“Greater Bay Area”) to vote, in their residing places, in the Legislative Council General Election to be held next year (“external voting arrangement”). Some members of the public are worried that the arrangement will contravene the well-established and effective election approach and undermine the fairness of the election. In this connection, will the Government inform this Council:

- (1) of the actual commencement time of the study on the external voting arrangement; as there are comments that the arrangement is obviously in conflict with the requirement that an elector must ordinarily reside in Hong Kong as set out in section 28 of the Legislative Council Ordinance, whether this issue has been considered in the study; if so, of the justifications for implementing the arrangement; of the policy bureau or government department which takes the lead in the study, and whether any Mainland authorities have participated in the study; if so, of the names of such Mainland authorities;
- (2) of the respective expected numbers of Hong Kong people who, according to the external voting arrangement under examination, are eligible to vote in the Greater Bay Area, other Mainland places outside the Greater Bay Area, Taiwan Region, and other places outside China; and
- (3) of the legislative timetable and roadmap for the external voting arrangement; the mechanism to be put in place by the Government to guard against election-related corrupt conduct outside Hong Kong and to ensure that candidates have equal opportunities to conduct canvassing activities in the Greater Bay Area?

Question 2  
(For oral reply)

(Translation)

Regulation of online fundraising activities

Hon Alice MAK to ask:

Currently, organizations that plan to conduct fundraising activities in public places must first apply for permits or licences from the relevant government departments. Applications of fundraising activities for charitable purpose are vetted and approved by the Director of Social Welfare, whereas applications of fundraising activities for other purposes are vetted and approved by the Secretary for Home Affairs. Organizations that conduct fundraising activities must, after conclusion of the activities, submit to the relevant government departments a copy of the accounts or reports audited by a professional. However, fundraising activities conducted online are not subject to such regulation. Some members of the public are concerned that lawbreakers may launder money from unknown sources through such activities in order to subsidize unlawful activities such as those which threaten national security. In this connection, will the Government inform this Council:

- (1) whether it has considered, by following the current practice to regulate fundraising activities in public places, requiring organizations that plan to conduct fundraising activities online to first apply for permits or licences from the relevant government departments; if it has considered, of the decision; if not, the reasons for that;
- (2) whether the net proceeds generated through online fundraising activities are regarded as assessable income or profits; whether it will require that organizations that plan to conduct fundraising activities online must, after conclusion of the activities, submit to the relevant government departments a copy of the accounts or reports audited by a professional; if so, of the details; if not, the reasons for that; and
- (3) of the measures in place to step up the regulation of fundraising activities conducted online, in order to enhance the confidence of members of the public in making donations in such activities and to prevent the funds so raised from being used to subsidize unlawful activities?

Question 3  
(For oral reply)

(Translation)

Employees' rights, benefits and welfare  
of digital platform workers

Hon LUK Chung-hung to ask:

In recent years, with more and more people taking orders on digital platforms to engage in jobs paid on a per-service basis such as food delivery and transport (“platform workers”), relevant work injury accidents and labour dispute cases have increased concomitantly. It is learnt that as the employment relationship between platform workers and platform companies is ambiguous, concerns have been aroused as to whether the employees' rights, benefits and welfare (e.g. paid leave, minimum wage and compensations for work injury accidents) of such workers are deprived of. In this connection, will the Government inform this Council:

- (1) whether it has compiled statistics on the number of platform workers, in each month since January 2018, who took orders on digital platforms to engage in food delivery and transport, together with a breakdown by their average weekly working hours and average monthly incomes;
- (2) whether it has surveyed platform workers' entitlement to various employees' rights, benefits and welfare, and whether the relevant levels are lower than those stipulated in the labour legislation; if it has surveyed, of the findings; if not, the reasons for that; and
- (3) whether it will review the existing legislation to enhance the protection of the employees' rights, benefits and welfare of platform workers?

Question 4  
(For oral reply)

(Translation)

Traffic problems at Borrett Road, Mid Levels

Hon Mrs Regina IP to ask:

It is learnt that Borrett Road at Mid Levels is a narrow, bendy and steep road with frequent occurrence of accidents. For instance, last month, a head-on collision between a motorcycle and a dump truck resulted in the death of the motorcyclist, and a private car running downhill lost control at a bend and fell off the slope, causing three injuries. During the school starting and finishing time, lunch break and holding of activities of the two nearby schools, a large number of private cars and school buses enter Borrett Road to pick up and drop off school children, causing traffic congestion. Moreover, there are heavy vehicles passing through Borrett Road from time to time which increases the traffic load there and makes traffic accidents prone to occur. In this connection, will the Government inform this Council:

- (1) given that heavy vehicles may enter Borrett Road within specified hours only if they hold a prohibited zone permit, of the respective numbers of drivers of heavy vehicles who were prosecuted, in each of the past three years, for entering Borrett Road without the permit and outside the permitted hours; the specific measures in place to reduce the use of Borrett Road by heavy vehicles;
- (2) whether it will consider carrying out improvement works for Borrett Road, including widening the road and increasing the height of parapets at appropriate locations; and
- (3) given that the new residential developments in the vicinity of Borrett Road will have their intake one after another, and the redevelopment of a school there will be completed in three years' time, of the Government's measures to relieve the traffic load of Borrett Road in the long run, so as to prevent the traffic congestion problem there from worsening?



Question 5  
(For oral reply)

(Translation)

Extension of the probation of an RTHK reporter

Hon Charles Peter MOK to ask:

It has been reported that recently, an Assistant Programme Officer appointed on civil service probationary terms by Radio Television Hong Kong (“RTHK”) has been informed, before expiry of her three-year probationary period, that the RTHK management has decided to extend her probationary period by 120 days and to reopen the investigation into the complaints from the public against her. Some members of the public consider that the aforesaid decision is unusual and may be related to that staff member’s performance in news covering at a government press conference held last year, and that RTHK has, after being pressurized by senior government management, punished by means of personnel arrangements the reporter who seeks the truth. They are of the view that such a move has undermined RTHK’s editorial independence and public interest, and has weakened Hong Kong’s image as a free and open society. In this connection, will the Government inform this Council:

- (1) among the RTHK staff members appointed under the regular civil service appointment procedure and tasked with programme production, of the respective numbers of those who, on completion of three years’ service, (i) were converted to appointment on permanent terms, and (ii) continued to be employed on probationary terms (and the reasons for such an arrangement), in the past three years;
- (2) whether the Commerce and Economic Development Bureau has instructed or advised RTHK to extend the probationary period of the aforesaid staff member, and to reopen the investigation into the complaints against that staff member; and
- (3) of the completion date of the initial investigation conducted by RTHK into the complaints against that staff member; the justifications for RTHK to reopen the investigation, and the number of commendations received so far from members of the public regarding the work performance of that staff member?

Question 6  
(For oral reply)

(Translation)

Discussing the topic of Hong Kong independence in lessons

Dr Hon Helena WONG to ask:

Last month, the Education Bureau (“EDB”) cancelled the registration of a primary school teacher on the ground that he had prepared lesson plans and learning materials that involved a well-planned dissemination of the message of Hong Kong independence, which constituted a serious professional misconduct. On the other hand, the Secretary for Education indicated earlier on that it was unnecessary to discuss in lessons the topic of Hong Kong independence; should such discussion be made, the conclusion that Hong Kong independence is infeasible must be reached. In this connection, will the Government inform this Council:

- (1) why EDB rejected the request of the teacher concerned for making an oral representation; as it has been reported that an internal investigation conducted by the school in which the teacher worked concluded that the teacher had not been found to have disseminated the message of Hong Kong independence in a well-planned manner, why EDB’s investigation reached an opposite conclusion;
- (2) whether EDB, when handling the case, had considered the teaching situation in the lessons concerned, including the fact that the video clips played covered both views supporting and dissenting on Hong Kong independence (e.g. the Chief Executive’s remark that Hong Kong independence violates “one country, two systems” and the Basic Law); if not, whether it has assessed if it is unfair for EDB to conclude, solely on the basis of the lesson plans and an incomplete investigation, that the teacher concerned had disseminated the message of Hong Kong independence in a well-planned manner, and whether EDB will consider withdrawing its decision of cancelling the registration of the teacher concerned; and
- (3) whether it has assessed if the aforesaid remark made by the Secretary for Education has created a restricted area for academic exploration, infringed upon the academic freedom enjoyed by educational institutions under the Basic Law, and impeded students’ thinking in multiple perspectives?

Question 7  
(For written reply)

(Translation)

Prevention of cruelty to animals

Hon Claudia MO to ask:

It has been reported that in February this year, 30 animals were suspected to have been thrown from height in Sham Tseng, among which 18 died and 12 were injured. Last month, the Department of Justice (“DoJ”) decided, after reviewing the findings of the Police’s investigation, not to initiate prosecutions against the suspects involved in the case on grounds that the totality of the evidence was insufficient to establish a reasonable prospect of conviction. DoJ’s decision has aroused strong dissatisfaction and queries among the public, and some members of the public have criticized the Government for disregarding justice and animal life by condoning perpetrators of cruelty to animals. In this connection, will the Government inform this Council:

- (1) whether DoJ can give an account of the basis for reaching the conclusion that the totality of the evidence was insufficient to establish a reasonable prospect of conviction in the aforesaid case, so as to allay public concerns;
- (2) whether DoJ will review afresh the totality of the evidence in the aforesaid case and consider initiating prosecutions against the suspects concerned, so as to seek justice for the animals that died or were injured in the case;
- (3) as DoJ has reportedly said that it would take follow-up actions if the law enforcement agencies uncovered new evidence and sought legal advice from DoJ in relation to the case, whether the law enforcement agencies have conducted afresh investigations into the case, with a view to finding new evidence for DoJ to consider the institution of prosecutions; if so, of the progress and the anticipated time needed; if not, the reasons for that;
- (4) given that the offences in the Prevention of Cruelty to Animals Ordinance (Cap. 169) are only triable summarily but there is no time limit prescribed in the Ordinance for initiating prosecution, and it is stipulated in the Magistrates Ordinance (Cap. 227) that the time limit for prosecution under such circumstances should be six months, whether the Government will expeditiously amend Cap. 169 to stipulate a longer time limit for prosecution, so as to afford the law enforcement agencies more time to investigate cases relating to cruelty to animals; if so, of the details and timetable; if not, the reasons for that; and

- (5) whether it will consider amending the legislation to extend the requirement that dog owners must arrange to have their dogs microchipped to encompass cats and other types of animals which are commonly kept, so as to facilitate the tracing of the identities of the keepers and ensure that they fulfil the duty of care to take proper care of the animals they keep?

Question 8  
(For written reply)

(Translation)

Non-compliant display items on Government land

Hon Holden CHOW to ask:

When this year's National Day was drawing near, some members of the public flowed national flags on the streets and at public places in various districts to express patriotic sentiments and create festive atmosphere. However, they were confused and outraged upon the removal of all these national flags by the Food and Environmental Hygiene Department ("FEHD") on the National Day. They pointed out that while FEHD had swiftly removed such display items, it had not removed, after a prolonged period of time, those display items on the "Lennon Walls" in various districts which contained words that incited hatred and caused social dissension, arousing the suspicion of favouritism. In this connection, will the Government inform this Council:

- (1) of (i) the handling procedure generally followed by FEHD after non-compliant display items were found on government land, and (ii) the average time taken by FEHD to remove the display items concerned, in the past 12 months;
- (2) of the procedure followed by FEHD prior to removing the display items on the Lennon Walls, and the average time taken for removing the display items on each of the Lennon Walls since June last year; how such procedure and the time taken compare with the procedure followed and the time taken for removing the aforesaid national flags; if there are significant differences between the two, of the reasons for that; and
- (3) whether the Government may, under the existing policy, adopt a lenient approach in handling display items related to the National Day (especially display items such as national flags that manifest the sovereignty of the State), e.g. removing such items only after the National Day; whether the Government will proactively support activities that are held to manifest the sovereignty of the State (e.g. demarcating designated locations in various districts for members of the public to lawfully display related items before and after the National Day); if so, of the details; if not, the reasons for that?

Question 9  
(For written reply)

(Translation)

New Territories North Development

Hon WU Chi-wai to ask:

The Government commenced in 2015 a study on “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030”, which put forward the preliminary concepts for the New Territories North (“NTN”) Development and formulated the broad land use concepts for three potential development areas (“PDAs”) under the NTN Development, namely the San Tin/Lok Ma Chau Development Node, Man Kam To Logistics Corridor, and NTN New Town (totalling some 720 hectares of development area). The report on the Preliminary Feasibility Study on Developing the New Territories North published by the Government in 2017 examined a spectrum of development thresholds with different characteristics, including increasing the development intensity in East NTN with the addition of transport infrastructure to accommodate a higher population closer to 400 000. In this connection, will the Government inform this Council:

- (1) whether it has estimated the construction costs of the various infrastructure facilities to be provided for the NTN Development as proposed in the aforesaid study report; if so, of the details;
- (2) given that the aforesaid study report proposed the construction of a north-south railway, whether the Government has conducted the relevant study; if so, of the details; if not, whether it will do so expeditiously;
- (3) whether the Government has, after publishing the aforesaid study report, studied the feasibility of increasing the maximum sustainable population under the NTN Development; if so, of the latest projections for the population and residential units;
- (4) of the details of the Study on Phase One Development of New Territories North – San Tin/Lok Ma Chau Development Node – Feasibility Study commenced last year by the Government; whether the Government has conducted internal studies or commissioned consultants to conduct studies on the remaining two PDAs; if so, of the details;
- (5) of the areas of the following lands within the aforesaid three PDAs:
  - (i) government-owned lands, (ii) privately owned lands (with a breakdown by brownfield sites, agricultural lands and other lands), and (iii) lands expected to be resumed for development; whether it

has assessed the expenditure to be involved in land resumption; if so, of the details;

- (6) a breakdown of the areas of the lands within each of the aforesaid PDAs by planned use;
- (7) as the Government indicated in March this year that it had completed a review of 160 hectares of brownfield sites for assessing their suitability for public housing development, whether such brownfield sites include those located within the scope of the NTN Development; if so, of the details and the area (in hectares) of those sites, among these brownfield sites, that are suitable for public housing development; and
- (8) of the latest planning and timetable for the NTN Development; whether it will expedite the implementation of the NTN Development so as to replace the large-scale reclamation projects under the “Lantau Tomorrow Vision” which have caused controversies?

Question 10  
(For written reply)

(Translation)

A site originally reserved for the Hong Kong Disneyland

Hon Andrew WAN to ask:

In 1999, the Government and The Walt Disney Company (“TWDC”) formed a joint-venture company, namely the Hong Kong International Theme Parks Limited (“HKITP”). In 2000, the Government and HKITP signed an Option Deed under which an Option, with expiration date on 24 September 2020, was granted to HKITP for it to buy, for taking forward the Phase 2 development of the Hong Kong Disneyland (“HKDL”), a site of approximately 60 hectares adjacent to HKDL at Penny’s Bay (“Phase 2 site”). After the site had been left idle for two decades, the Government announced on 23 September this year that having taken into account the current economic conditions, it would not extend the Option. Moreover, under the Deed of Restrictive Covenant (“DRC”) signed between the Government and HKITP, the use of the Phase 2 site has to comply with the permitted uses as listed in DRC, which do not include residential and medical uses. In this connection, will the Government inform this Council:

- (1) as the Option Deed provides that HKITP is entitled to a right for an automatic five-year extension of the Option, whether the Government had, before it made the decision of not extending the Option, obtained TWDC’s consent to the non-exercise of the right for an automatic extension of the Option by HKITP; if not, of the justifications for the Government’s unilateral decision of not to extend the Option, and whether it has studied if the Government may unilaterally amend the clauses of DRC;
- (2) whether it has studied or discussed with TWDC applying a loose interpretation to the clauses of DRC to the effect that (i) residential use is deemed as one of the permitted uses of the Phase 2 site, and (ii) the restrictive clauses on the prohibition of residential use are deemed to be inapplicable to transitional housing; if so, of the details (including the dates of the study/discussion, the policy bureaux involved and the outcome);
- (3) whether, notwithstanding that transitional housing and general residential uses are not listed in DRC as the permitted uses of the Phase 2 site, the Government may use the Phase 2 site for these purposes with the consent of TWDC or under other circumstances; if so, of the details; if not, the reasons why the site may be used for medical purpose, i.e. temporary quarantine facilities;



- (4) of the short-term or long-term uses currently proposed by the Government for the Phase 2 site and the relevant details; and
- (5) whether it has studied, given that the Option has expired, if the restrictions imposed on the Phase 2 site under DRC remain valid or applicable, in order to ascertain whether the Government may use the site for building transitional housing; if it has studied, of the outcome?

Question 11  
(For written reply)

(Translation)

Coping with the epidemic by residential care homes

Dr Hon Fernando CHEUNG to ask:

There are comments that the Government's refusal to completely close all boundary control points ended up at least 290 000 persons entering the territory with exemption from the quarantine requirement between February and July this year. This resulted in the outbreak of the third wave of the epidemic, with residential care homes ("RCHs") for persons with disabilities and RCHs for the elderly bearing the severe brunt of the epidemic. Quite a number of such RCH residents were confirmed to be infected and died, while other residents living in the same RCHs were sent to quarantine facilities for quarantine. On coping with the epidemic by these two types of RCHs, will the Government inform this Council:

- (1) of the respective to-date numbers of (i) confirmed cases among the residents, (ii) deaths among the residents and (iii) confirmed cases among the staff, in respect of the two types of RCHs; the respective numbers and name lists of the two types of RCHs in which there have been confirmed cases among their residents or staff;
- (2) of the respective to-date numbers of (i) residents and (ii) staff members in respect of the two types of RCHs placed under quarantine, together with a breakdown by the quarantine facility concerned; whether guidelines on the relevant quarantine arrangements have been drawn up;
- (3) of the respective numbers of workers currently employed by the two types of RCHs who were imported under the Supplementary Labour Scheme; the respective numbers of imported workers working in those RCHs of the two types in which there have been confirmed cases among their residents or staff; whether there are requirements (i) for such imported workers to be subject to compulsory quarantine for 14 days upon arrival in Hong Kong and to pass the virus test, and (ii) for employers to take appropriate anti-epidemic measures at the accommodations provided for such imported workers;
- (4) as it has been reported that the Social Welfare Department ("SWD") collaborates with the Electrical and Mechanical Services Department to deploy staff to inspect the ventilation systems of private RCHs with relatively poorer environment and to assist such RCHs in carrying out improvement works (e.g. retrofitting of exhaust fans) in order to reduce the risk of an outbreak of the

epidemic in such RCHs, of (i) the number and the name list of such RCHs with relatively poorer environment, and (ii) the number and the name list of those RCHs which need such improvement works, the items to be improved, the public expenditure involved and the progress of the works;

- (5) whether guidelines have been issued to RCHs on the arrangements for relatives and friends to visit the residents during the epidemic, in order to promote healthy communication among RCHs' staff, residents and their families;
- (6) whether guidelines have been issued to RCHs on the rehabilitation and living skills trainings that should be provided for the residents during the epidemic;
- (7) of the number of applications, received by the Government from RCHs for subsidies under the Innovation and Technology Fund for Application in Elderly and Rehabilitation Care, for procuring telephones and video telephony equipment to facilitate the residents' communication with their relatives and friends during the epidemic; the progress for the vetting and approval of such applications, and the numbers of approved applications and the RCHs involved; and
- (8) given that the Chief Executive indicated earlier on that quite a number of RCHs for the elderly in Hong Kong had difficulties in controlling infection due to their limited space, and that the Labour and Welfare Bureau received, as early as in May 2019, the report of the Working Group on the Review of Ordinances and Codes of Practice for Residential Care Homes set up by SWD, as well as planned to amend the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) and the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and the related regulations, in order to adjust upward the statutory minimum floor space per resident of the two types of RCHs from the existing 6.5 square metres to between 8 and 9.5 square metres, of the progress of the legislative amendment exercise and when the public and this Council will be consulted on the amendment bills?

Question 12  
(For written reply)

(Translation)

Procedure for handling complaints against teachers

Hon IP Kin-yuen to ask:

Early this month, the Education Bureau (“EDB”) determined that a primary school teacher under complaint was culpable for serious professional misconduct and cancelled his teacher’s registration. EDB indicated that during the investigation, a professional team under EDB comprising directorate officers (“the professional team”) had reviewed the relevant lesson plans and teaching materials as well as the investigation report submitted by the school concerned, and invited that teacher on two occasions to submit written explanations. However, that teacher claims that he was not given any opportunity for making an oral representation, and not until 6 October did he first learn from EDB’s press conference about some of the grounds for the cancellation of his teacher’s registration. As a result, he never had the opportunity to fully defend his case. In this connection, will the Government inform this Council:

- (1) of the following details of the professional team:
  - (i) the number and ranks of its members, as well as the membership list,
  - (ii) the terms of reference,
  - (iii) whether it is of a standing nature,
  - (iv) the date of and reasons for its formation,
  - (v) the number of complaints against teachers handled by it since its formation, with a breakdown by the complaint-handling stage (i.e. complaint just received, investigation commenced, and investigation completed (specifying the investigation results)),
  - (vi) the mechanism for appointing members and their term of office, and
  - (vii) whether there is any non-official education professional participating in its work; if not, of the reasons for that;
- (2) of the complaint handling procedure of the professional team, including:
  - (i) whether anonymous complaints will be handled,
  - (ii) the detailed processes,
  - (iii) whether the complainee will be informed of all the contents of the complaint,

- (iv) the time given to the complainee to prepare his/her written representation,
  - (v) whether the complainee has an opportunity to attend a hearing to making an oral representation, and
  - (vi) whether the relevant procedure has been made public;
- (3) of the criteria adopted by EDB for determining whether a teacher has violated the professional code of conduct, including whether the Code for the Education Profession of Hong Kong is used as the basis;
- (4) of the number of complaints about teachers' professional conduct received by EDB since January last year, with a breakdown by the date of receipt and the complaint-handling stage; among such complaints, the number of those lodged by persons whose identities cannot be verified or by anonymous persons, and the number of those in which EDB took the initiative to conduct investigations; among those complaints in respect of which investigations have been completed, the respective numbers of those for which EDB has taken the following actions: (i) cancelling the teachers' registration, (ii) issuing reprimand letters, (iii) issuing advisory letters, (iv) giving verbal reminders, and (v) determining that the complaints being unsubstantiated; the mechanism for lodging appeals against EDB's decisions and the relevant requirements; and
- (5) given that at present, independent statutory bodies are responsible for regulatory matters (including registration and complaints handling) for the members of quite a number of professions (including doctors, nurses, lawyers and accountants) with self-regulation as the basic principle, while the regulatory matters for teachers are currently predominated by EDB, of the reasons for that?

Question 13  
(For written reply)

(Translation)

Overflowing of reservoirs

Hon Kenneth LEUNG to ask:

In 2017, 2018 and 2019, the overflow quantities of the various reservoirs in Hong Kong were 48.4 million, 44.4 million and 33.8 million cubic metres respectively, which were equivalent to about 5.5% of the quantities of Dongjiang water purchased in the respective years. In as early as 2004, the Drainage Services Department (“DSD”) planned to implement the Inter-reservoirs Transfer Scheme (“IRTS”) to divert the rainwater collected in Kowloon Byewash Reservoir to Lower Shing Mun Reservoir, so as to reduce the overflow from the former and increase the yield of the latter, and to reduce flood risk in the Lai Chi Kok area. DSD informed this Council in the following year that the construction works for IRTS would commence in 2010 and was expected to complete in 2012. However, the authorities for several years did not seek funding approval from this Council for the construction works for IRTS. Moreover, despite the recommendation in Report No. 64 of the Director of Audit published in April 2015 that the authorities should expedite the implementation of IRTS, not until 2019 did the relevant works commence. In this connection, will the Government inform this Council:

- (1) of the reasons for the delay in the commencement of the works for IRTS;
- (2) whether the progress of the works has been affected by the Coronavirus Disease 2019 epidemic; if so, of the estimated changes in the construction cost and completion date of the works;
- (3) of the overflow quantity (in cubic metres), in each of the past five years, of each reservoir which overflowed; and
- (4) of the other measures put in place before the completion of the aforesaid works to reduce wastage of fresh water due to reservoir overflow and to enable efficient use of such fresh water?

Question 14  
(For written reply)

Trading of live animals

Hon Elizabeth QUAT to ask:

Will the Government inform this Council of the following information regarding the trading (including import and re-export) of live animals other than livestock, cats, dogs and poultry:

- (1) the total number of live animals other than cats and dogs imported in each of the past five years by the pet trade, with a breakdown by the (i) classes (i.e. mammals, birds, reptiles and amphibians) and species to which such animals belonged, (ii) country/place of origin of such animals, and (iii) whether or not such animals belonged to species listed in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (“CITES”) (set out in a table);
- (2) the total number of traders of pets other than cats and dogs holding an Animal Trader Licence (“ATL”) issued under the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B) in each year from March 2017 (when Cap. 139B came into effect) to 2019, with a breakdown by the categories of animals traded (i.e. (i) small pet mammals, (ii) pet reptiles, (iii) pet birds, and (iv) other pet animals)(set out in a table);
- (3) the respective total numbers of prosecutions instituted, in each year from March 2017 to 2019, in respect of trading of live animals other than cats and dogs allegedly (i) in breach of ATL’s conditions, and (ii) without a valid ATL, as well as the respective numbers of convictions among such cases (set out in a table);
- (4) the total number of licences for possession of live animals of endangered species issued in each of the past five years under the Protection of Endangered Species of Animals and Plants Ordinance (Cap.586), with a breakdown by the classes to which the animals belonged (i.e. (i) birds, (ii) reptiles, (iii) fishes, (iv) mammals, (v) amphibians, and (vi) other animals)(set out in a table);
- (5) as some concern groups for animal rights have pointed out that in 80% of the cases, no details on the purposes of import were given in the statistics on Hong Kong’s import of live animals other than livestock, cats, dogs and poultry currently compiled by the Census and Statistics Department, whether the Government will consider setting up a comprehensive database on the trading of such live animals in Hong Kong, and making public such a database, so as to provide the public with details such as the species, countries/places

of origin, and the purposes (e.g. for re-export or for sale in Hong Kong) of such imported live animals; if not, of the reasons for that; and

- (6) the specific measures taken by the Government (i) to ensure that those CITES-listed and non-CITES-listed animals on sale locally have not been taken illegally from the wild in Hong Kong or overseas, and (ii) to differentiate between those obtained legally from captive breeding and those taken illegally from the wild?



Question 15  
(For written reply)

(Translation)

Financial burden on the Government

Hon Paul TSE to ask:

Last month, the Financial Secretary pointed out that the fiscal deficit for the current financial year would soar to over \$300 billion and fiscal reserves would plunge to around \$800 billion. Other than the fiscal deficit, the expenditure has continued to increase. It has been reported that as both the Hong Kong-Zhuhai-Macao Bridge (“HZMB”) and the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (“XRL”) have failed to make ends meet as they had been hit by the Coronavirus Disease 2019 epidemic, the Government needs to provide subsidies of \$1 billion and \$350 million respectively. As the epidemic still persists, some academics and members of the public are worried that structural fiscal deficits will, coupled with the imminent implementation of the costly large-scale reclamation projects under the “Lantau Tomorrow Vision”, deteriorate further and the financial pressure on the Government will surge. They have pointed out that it is incumbent upon the Government to generate revenue and manage costs, and to put the money previously allocated to various funds to effective use. In this connection, will the Government inform this Council:

- (1) of the operating expenditures and income profiles, since the beginning of this year, of various major infrastructure projects (including HZMB, XRL and the Kai Tak Cruise Terminal); the amounts of subsidies provided by the Government to various infrastructure projects;
- (2) of the accumulated balance of the Future Fund, set up by the Government in early years, and those of the eight funds (including the Capital Works Reserve Fund, Capital Investment Fund, Civil Service Pension Reserve Fund, Disaster Relief Fund, Innovation and Technology Fund, Land Fund, Loan Fund and Lotteries Fund) established under the Public Finance Ordinance (Cap. 2); whether it has estimated the amount of money that can be ploughed back from the balances of such funds to the Treasury and used to support those parties that have allegedly been neglected by the Government, namely the middle class, the small and medium enterprises and the unemployed persons; if so, of the details; if not, whether it will immediately conduct such an estimation;
- (3) as some members of the public are worried that the implementation of the large-scale reclamation projects under the “Lantau Tomorrow

Vision” by the Government amid the economic downturn will expedite the depletion of fiscal reserves in case it fails to exercise effective cost control, whether the Government will consider expanding the terms of reference of the Project Strategy and Governance Office and strengthening the manpower of the Office, so as to review the construction costs of each public works project costing over \$100 million and the large-scale reclamation projects under the “Lantau Tomorrow Vision” (including the studies related to artificial islands in the Central Waters with an estimated cost of \$550 million);

- (4) of (i) the total amounts of default payments owed to, (ii) the expenditures incurred in recovering the default payments by, and (iii) the total amounts of default payments written off, by various government departments and public organizations (including the Hospital Authority, the Water Supplies Department, the Inland Revenue Department and the Judiciary) in each of the past five years; the policies and measures adopted by various government departments for recovering default payments, as well as the effectiveness of the recovery actions (set out in detail); and
- (5) given that it may be necessary for the Government to use fiscal reserves to boost the economy and launch relief measures amid the epidemic, whether the Government will step up efforts in recovering default payments, so as to improve its financial position?

Question 16  
(For written reply)

(Translation)

Restoration works for and security of tertiary institutions' campuses

Hon Tony TSE to ask:

It has been reported that during last year's disturbances arising from the opposition to the proposed legislative amendments ("the disturbances"), the campus facilities of a number of tertiary institutions were extensively vandalized with a lot of properties stolen. As a result, such institutions have to spend hundreds of millions of dollars to carry out restoration works and step up campus security. Although the disturbances have subsided, incidents of facilities being vandalized, unauthorized posting of slogans and persons with different political views clashing with each other still happen from time to time in the campuses of a number of institutions. It has been reported that on the 26th of last month, some outsiders entered the campus of the University of Hong Kong, tearing up publicity materials and clashing with the students of the university. However, the university did not report the incident to the Police, and some security staff were subsequently disciplined for alleged mishandling of the incident. In this connection, will the Government inform this Council:

- (1) whether it knows the respective additional expenses on (i) restoration works and (ii) security, incurred by the various public-funded tertiary institutions in relation to the disturbances;
- (2) whether it knows, since the removal of the cordons around the campus of The Hong Kong Polytechnic University following the violent clashes at the campus at the end of November last year, the respective numbers of incidents of facilities being vandalized and persons with different political views clashing with each other in the campuses of various tertiary institutions, and the respective resultant numbers of teaching staff, students, security staff and other persons who sustained injuries;
- (3) in respect of the incidents mentioned in (2), of the number of those incidents which were handled by police officers who arrived at the scene and, among such cases, the respective numbers of those in which (i) someone had reported to the Police (please specify who did so) and (ii) the Police had taken the initiative to intervene; whether it will issue to the various tertiary institutions security guidelines, including one on the circumstances under which they should report to the Police to seek assistance instead of relying solely on security staff to handle the situation; and

- (4) whether the Government will learn a lesson from the disturbances and consider empowering the Education Bureau to monitor and regulate tertiary institutions, as well as to provide these institutions with more support, so as to ensure that such institutions can effectively manage and protect their campus facilities?

Question 17  
(For written reply)

(Translation)

Statistics on the confirmed cases of Coronavirus Disease 2019

Dr Hon Pierre CHAN to ask:

Will the Government inform this Council of the following statistics on the confirmed cases of Coronavirus Disease 2019 (“COVID-19”) since January this year:

- (1) the number of clusters involving five to nine cases, and set out the relevant details in Table 1;

Table 1

Name of cluster	Case numbers	Number of cases

- (2) the number of cases with unknown sources;
- (3) a breakdown of the numbers of (i) confirmed cases and (ii) death cases by the age group to which the patients belonged (set out in Table 2);

Table 2

Type of cases	Age group										
	0 to 9	10 to 19	20 to 29	30 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 89	90 to 99	100 to 109
(i)											
(ii)											

- (4) a breakdown of the numbers of (i) confirmed cases, (ii) death cases, (iii) confirmed cases involving persons aged 60 or above and (iv) death cases involving persons aged 60 or above by the date of confirmation (set out in Table 3);

Table 3

Type of cases	Date of confirmation		
	1 January to 29 February	1 March to 30 June	Since 1 July
(i)			
(ii)			
(iii)			
(iv)			

- (5) a breakdown of the numbers of confirmed cases involving healthcare personnel and allied health professionals (i.e. (i) doctors, (ii) nurses, (iii) physiotherapists, (iv) occupational therapists, (v) clinical psychologists, (vi) dietitians, (vii) audiologists, (viii) optometrists, (ix) orthoptists, (x) speech therapists, (xi) pharmacists, (xii) dispensers, (xiii) radiographers, (xiv) medical laboratory technologists, (xv) medical social workers, (xvi) prosthetist-orthotists and (xvii) podiatrists) as well as

(xviii) supporting healthcare workers by the type of healthcare facilities in which they work (set out in Table 4); and

Table 4

Staff	Public hospitals	Private hospitals	Private clinics
(i)			
...			
(xviii)			

- (6) whether it knows the number of cases of compensation claims lodged, since January this year, by employees under the Employees' Compensation Ordinance (Cap. 282) for contracting COVID-19 arising out of and in the course of their employment, together with the following information of such cases:
- (i) a breakdown of the number of such cases by the industry in which the employees concerned were engaged,
  - (ii) the number of cases in which the employers took the initiative to notify the Government of such cases,
  - (iii) the number and percentage of cases of successful claims,
  - (iv) the reasons for the claims being unsuccessful, and
  - (v) the assistance provided by the Government to those employees whose claims for compensations were unsuccessful?

Question 18  
(For written reply)

(Translation)

Participation of small and medium enterprises  
and start-ups in government procurements

Hon Charles Peter MOK to ask:

There are comments that encouraging small and medium enterprises (“SMEs”) and start-ups to participate in government procurements and helping them tap business opportunities will be conducive to promoting the economic development of Hong Kong in the long run. In recent years, the Government has introduced a new procurement policy which raises the weighting of the technical aspect in the overall score during tender assessment, and provided a platform through the Smart Government Innovation Lab (“Smart Lab”) to match the business needs of government departments with the solutions proposed by technology suppliers. Regarding the measures to enhance the participation rate of SMEs and start-ups in government procurements and the effectiveness of these measures, will the Government inform this Council:

- (1) regarding the (a) Minor Group and (b) Major Group under the Standing Offer Agreement for Quality Professional Services respectively, of (i) the number of SMEs to which contracts were awarded, and (ii) the respective percentages of the numbers and total values of such contracts in the total numbers and values of all contracts awarded in the relevant groups, in each of the past three years;
- (2) since the creation of the Smart Lab’s thematic website, of (i) the number of occasions in which the business needs of government departments successfully matched, through the platform, the solutions of the innovation and technology (“IT”) suppliers and, (ii) the names and scope of technology of the needs/solutions involved, (iii) the respective names of the solution suppliers and the government departments concerned, and (iv) the amounts and contract periods of the contracts signed;
- (3) given that in 2018, only 10 government departments handled tendering matters regarding the procurement of stores and services via the e-Tender Box system, and that the total value of the procurements handled via the online procurement platform under the Office of the Government Chief Information Officer accounted for only 16.6% of the total value of the government procurement contracts of a value not exceeding \$1.4 million, whether the Government has examined ways to enhance the features and

utilization rates of the online procurement platform, so as to facilitate the use of the platform by the procuring departments and tenderers;

- (4) whether it will examine adopting an innovative procurement system to increase SMEs' participation, including (i) making reference to the practice of the South Korean Government and inviting SME representatives to formulate and timely update the list of "Procurement of goods and services from SME-only" and stipulating that only tenders from SMEs will be accepted for specific types of goods or services, so as to provide greater incentives for SMEs to participate in bidding, and (ii) making reference to the practice of the Singapore Government and inviting enterprise tenderers to submit solutions, with a view to helping the government departments to achieve results, rather than just submitting tenders to meet the technical specifications set out by the departments;
- (5) whether it will provide staff members of the various government departments with training relating to the application of IT solutions, and organize regularly promotional exhibitions in respect of local IT solutions, so as to enable various policy bureaux and government departments to have a better understanding of the solutions that may resolve issues in their daily operation, thereby enhancing the chance of SMEs and start-ups participating in government procurements; and
- (6) whether it will extensively consult SMEs and start-ups on the direction of development of the government procurement policy?



Question 19  
(For written reply)

(Translation)

Measures to boost the economy and relieve people's hardship

Hon Elizabeth QUAT to ask:

Regarding the measures to boost the economy and relieve people's hardship amid the Coronavirus Disease 2019 ("COVID-19") epidemic, will the Government inform this Council:

- (1) of the latest progress of the implementation of a system for mutual recognition of health codes ("mutual recognition system") by the authorities of Guangdong, Hong Kong and Macao;
- (2) whether it will discuss the following matters with the authorities of Guangdong and Macao:
  - (i) on the premise that the effectiveness of the efforts to combat the epidemic will not be compromised, increasing the health code quota under the mutual recognition system by phases, with the first phase covering those who need to commute between the three places on grounds of business and trade, work, study, visiting relatives or special needs; and
  - (ii) allowing residents of the three places, upon entry, to renew their health codes through nucleic acid tests on COVID-19 conducted locally;if so, of the details; if not, the reasons for that;
- (3) of the progress of the discussions between the Government and other countries and places, apart from Singapore, on the establishment of bilateral "Air Travel Bubbles";
- (4) given that the non-seasonally adjusted numbers of unemployed and underemployed persons in June to August this year have risen to almost 250 000 and almost 150 000 respectively, whether the Government will consider afresh establishing an unemployment assistance; if so, of the details; if not, the reasons for that;
- (5) whether it will consider amending the legislation to permit employees to withdraw the accrued benefits of employees' contributions in their Mandatory Provident Fund accounts, but such a withdrawal may be made only once with the amount capped at 50% of the accrued benefits concerned or \$100,000, whichever is the lower; if so, of the details and the legislative timetable; if not, the reasons for that; and

- (6) as some experts have pointed out that COVID-19 may co-exist with mankind for a long time, and Hong Kong cannot rely solely on internal consumption to support its economy in the long run, of the Government's new plans to boost the economy and help various trades and industries to tide over the difficult times?

Question 20  
(For written reply)

(Translation)

Way of handling of members of the public and reporters by police officers

Dr Hon Helena WONG to ask:

Regarding police officers' way of handling of members of the public and reporters, will the Government inform this Council:

- (1) as it has been reported that on 31 August this year, a pregnant woman was dragged, sprayed with pepper spray and held in a chokehold by police officers, resulting in her falling onto the ground and being hospitalized as she felt unwell, whether it has assessed if the police officers concerned violated the guidelines on the use of force in the Police General Orders (i.e. irritant agent devices such as pepper spray may be used when the person concerned takes physical action to prevent a police officer's control which might cause injury to oneself or others); if it has assessed and the outcome is in the negative, of the reasons for that; of the number of pregnant women, since June last year, who were injured at the scenes of public events as a result of the actions taken by police officers;
- (2) as it has been reported that on 6 September this year, when a 12-year-old girl who was on her way with her elder brother to a nearby shopping mall to buy pastels tried, allegedly out of fright, to flee the scene of a social event, she was knocked down to the ground and pinned down by a police officer who knelt on her, whether it has assessed:
  - (i) if that police officer, by using force on that girl, breached Article 37(a) of the Convention on the Rights of the Child (i.e. "[n]o child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment"); if it has assessed and the outcome is in the affirmative, whether the Police have reprimanded the police officer concerned; if the assessment outcome is in the negative, of the reasons for that; and
  - (ii) if that police officer's subduing by knocking down to the ground a suspect (especially a child) who has not taken any action that threatens other people's safety amounts to excessive force, and if this kind of force may be used only when a verbal order is unheeded; if it has assessed and the outcome is in the negative, of the reasons for that; and

- (3) as it has been reported that police officers recently stopped and searched quite a number of reporters in a number of demonstrations, ticketed online media reporters for contravening the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G), and even threatened reporters that they would no longer handle the latter in “such a gentle manner” in future, whether it has assessed if police officers obstructing, from time to time, reporters’ news covering has stemmed from their fear of their way of discharging duties being monitored by the media, which are regarded as the “fourth estate”; whether the Police will undertake to facilitate rather than hinder reporters’ news covering in future?

Question 21  
(For written reply)

(Translation)

Promoting the popularization of electric vehicles

Hon CHAN Hak-kan to ask:

On promoting the popularization of electric vehicles (“EVs”) in Hong Kong, will the Government inform this Council:

- (1) of the brands, models, purchase prices and numbers of service years to date of the official vehicles currently allocated to the Chief Executive and the various Secretaries of Departments and Directors of Bureaux (set out in a table by post title);
- (2) of the number of newly registered electric private cars (“e-PCs”) in Hong Kong from January to September this year (with a breakdown by brand);
- (3) of the respective numbers of various types of newly registered electric commercial vehicles in the past three years;
- (4) of the respective (i) monthly and (ii) up-to-date numbers of applications for tax concession received and approved by the Transport Department under the “One-for-One Replacement” Scheme, since the launch of the Scheme in 2018;
- (5) given that two of the eligibility criteria of the “One-for-One Replacement” Scheme are that: (i) the old private car (“PC”) must have been first registered for six years or more, and (ii) the applicant must have been the registered owner of that vehicle for 18 months or more without interruption, of the respective numbers of PCs as at 30 September this year which satisfied the two aforesaid criteria; the relevant projected figures for the coming three years;
- (6) whether it knows the numbers of (i) parking spaces and (ii) public EV chargers, together with a breakdown by type (i.e. standard, medium and quick), in each car park under the MTR Corporation Limited, the Link Asset Management Limited and the Hong Kong Housing Authority as at 30 September this year (set out in a table);
- (7) given that in her Policy Address delivered last year, the Chief Executive put forward the initiative of preparing a \$2 billion pilot subsidy scheme to subsidize the installation of EV charging-enabling infrastructure in the car parks of eligible residential buildings, of the latest progress and details of the scheme;
- (8) as the Government has indicated that it will update the Clean Air Plan to, among other things, examine the policy of further promoting the use of EVs, and will formulate Hong Kong’s first

roadmap on the popularization of EVs, of the relevant details; the expected time for publishing the Plan;

- (9) given that the Government injected in 2020 an additional \$800 million to the New Energy Transport Fund (previously named the Pilot Green Transport Fund) to further encourage trial and wider use of green innovative transport technologies, of the scope of subsidy, the number of applications received so far, the target number of projects to be subsidized, as well as when the effectiveness of the Fund will be reviewed; and
- (10) as it has been reported that the Government of the United Kingdom has, starting from this year, introduced green number plates for e-PCs as eco-labels to facilitate the implementation of new policies on encouraging members of the public to switch to EVs, whether the Government will draw reference from such practice and implement similar policies to enhance public awareness of environmental protection and the community's understanding of the benefits of zero-emission of EVs; if so, of the details; if not, the reasons for that?

Question 22  
(For written reply)

(Translation)

Dangerous, abandoned and unauthorized signboards

Hon Vincent CHENG to ask:

Under the Large Scale Operations on Target Streets implemented since 2014, the Buildings Department (“BD”) each year selects one or more street sections and carries out large scale operations to dispose of the signboards alongside the sections. The relevant work includes investigation, issuing Dangerous Structure Removal Notices to or instituting prosecutions against owners of unauthorized or abandoned signboards, and engaging contractors to carry out removal or rectification works on behalf of the owners. On the other hand, it was pointed out in Report No. 71 of the Director of Audit published in November 2018 that there had been a number of inadequacies in BD’s management of signboards. The Chief Executive stated in last year’s Policy Address Supplement that BD would use new technologies such as big data, artificial intelligence and three-dimensional images on a pilot basis in black spot areas to enhance the efficiency of law enforcement actions, with a view to protecting public safety. However, it has been reported that the Government has not yet awarded service contracts for the new technologies concerned. In addition, quite a number of shops in various districts have been affected by the epidemic and closed down in recent months, resulting in a continuous increase in the number of abandoned signboards. In this connection, will the Government inform this Council:

- (1) why the service contracts for the aforesaid new technologies have not yet been awarded; of the expected time when such new technologies will start to be used, and whether it has identified districts in which new technologies will be used on a pilot basis;
- (2) of the following statistics on signboard-related work of BD in each of the past three years: (i) the number of reports received, (ii) the number of removal orders issued, (iii) the number of signboards removed or repaired, (iv) the number of outstanding removal orders, and (v) the number of prosecutions instituted (with a tabulated breakdown by District Council (“DC”) district);
- (3) as quite a number of shops have been affected by the epidemic and closed down, whether BD has compiled statistics on the additional number of abandoned signboards between January and September this year, with a breakdown by DC district;
- (4) of the party responsible for removing abandoned or dangerous signboards under the circumstances that the owners of such

signboards cannot be ascertained, and whether the owners' corporations, owners' committees or management companies of the buildings concerned are required to assume such a responsibility;

- (5) of the number of applications for joining the Signboard Validation Scheme received by BD in each of the past three years; as the Scheme has been implemented for seven years, whether BD has assessed the effectiveness of the Scheme; of BD's new measures to expedite the handling of abandoned or unauthorized signboards; and
- (6) given that some conservation groups have requested the Government to preserve some abandoned signboards with distinctive features or historic significance, whether the Government will consider acceding to such a request; if so, of the details; if not, the reasons for that?



**Motion moved by Hon Claudia MO Man-ching  
under Rule 49B(1A) of the Rules of Procedure  
to censure Hon Holden CHOW Ho-ding**

**Wording of the Motion**

That this Council, in accordance with Article 79(7) of the Basic Law, censures Hon Holden CHOW Ho-ding 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 Holden CHOW Ho-ding's misbehaviour and breach of oath under Article 104 of the Basic Law are particularized as follows:

**Improperly interfering with and obstructing the Select Committee's inquiry**

- (1) As a Legislative Council ("LegCo") Member and the Deputy Chairman of the Select Committee to Inquire into Matters about the Agreement between Mr LEUNG Chun-ying and the Australian firm UGL Limited (the "**Select Committee**"), Hon Holden CHOW Ho-ding discussed the major areas of study of the Select Committee with the subject of inquiry, Chief Executive LEUNG Chun-ying, and further conspired with and assisted Mr LEUNG Chun-ying to improperly involve in and interfere with the investigation. At his own risk, Hon Holden CHOW Ho-ding accepted Mr LEUNG Chun-ying's request to amend the major areas of study of the Select Committee, and directly submitted the amendments made by Mr LEUNG Chun-ying to the proposed major areas of study to the Select Committee for discussion at its meeting on 25 April 2017 (the "**Amendments**"), in an attempt to obstruct and pervert the course of the open inquiry proceedings, and conspire with Mr LEUNG Chun-ying to create results advantageous to Mr LEUNG. Such behaviours seriously obstruct the Select Committee in the proper discharge of its duty, violate procedural justice and damage the independence, impartiality and legitimacy of the investigation of the Select Committee. Hon Holden CHOW Ho-ding fails to fulfil the obligation of a committee member. This incident clearly involves role conflicts and/or even conflicts of interests since the aforementioned behaviours are in favour of Mr LEUNG Chun-ying and lead to the suspicion that the cooperation

between Hon Holden CHOW Ho-ding and Mr LEUNG Chun-ying may involve transfers of benefits.

#### Contempt of the LegCo

- (2) As a LegCo Member, Hon Holden CHOW Ho-ding conspired with and assisted Mr LEUNG Chun-ying to involve in and interfere with the matters of the LegCo in his capacity as the Chief Executive. Such behaviours damage the dignity, autonomy and independence of the LegCo, amounting to contempt of the functions and powers of the LegCo, bringing shame on the LegCo and seriously undermining the public's confidence in the LegCo and LegCo Members.

#### Making false representations in the LegCo

- (3) As a LegCo Member and the Deputy Chairman of the Select Committee, Hon Holden CHOW Ho-ding intentionally and repeatedly made false representations in relation to the origin of the Amendments at the meeting of the Select Committee on 25 April 2017, with the intention to mislead the Select Committee and the public into believing that the Amendments were genuinely raised by Hon Holden CHOW Ho-ding himself. He refused to admit until the fact that the Amendments were made by Mr LEUNG Chun-ying was revealed. Such behaviours completely fail to meet the level of the credibility, integrity and dutifulness expected of a LegCo Member.

#### The aforementioned conduct amounting to misbehaviour and breach of oath

- (4) As a LegCo Member, Hon Holden CHOW Ho-ding committed the aforementioned misbehaviour for Mr LEUNG Chun-ying, clearly indicating that he has breached the oath he made on 12 October 2016 under Article 104 of the Basic Law and the Oaths and Declarations Ordinance (Cap. 11) that he will "serve the Hong Kong Special Administrative Region conscientiously, dutifully, in full accordance with the law, honestly and with integrity", which is a basic duty of a LegCo Member.

**Motion moved by Hon Mrs Regina IP LAU Suk-ye  
under Rule 49B(1A) of the Rules of Procedure  
to censure Hon HUI Chi-fung**

**Wording of the Motion**

That this Council, in accordance with Article 79(7) of the Basic Law, censures Hon HUI Chi-fung for misbehaviour (details as particularized in the Schedule to this motion).

**Schedule**

Details of Hon HUI Chi-fung's misbehaviour are particularized as follows:

- (1) In the morning of 24 April 2018, when the Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill was holding its meeting, Hon HUI Chi-fung grabbed the mobile phone and documents of a female officer of the Security Bureau at the four-lift lobby on the second floor of the Legislative Council ("LegCo") Complex. The female officer followed Hon HUI Chi-fung and demanded him to return the mobile phone to her, but to no avail. The female officer burst into tears when reporting the incident. As a LegCo Member, Hon HUI Chi-fung showed no respect for public officers and grabbed a person's belongings. His behaviour was abhorrent.
- (2) After grabbing the mobile phone and documents of the female officer, Hon HUI Chi-fung quickly hid himself in a men's toilet on the second floor of the LegCo Complex and stayed there for 10-odd minutes. Subsequently, Hon HUI Chi-fung even admitted openly that he had browsed the information contained in her mobile phone and recorded the information therein "by his own means". Such acts constitute a serious infringement on the female officer's privacy. As the mobile phone was provided by the Government, it might also contain sensitive internal information of the Government.
- (3) Such acts of ramming a public officer may constitute various criminal offences, and are unacceptable even when the perpetrator is an ordinary citizen. As a LegCo Member, Hon HUI Chi-fung fell short of public expectation.

- (4) In the above incident, Hon HUI Chi-fung showed no respect for public officers, acted violently and seriously infringed upon the female officer's privacy, thus failing to fulfil what the public expect of a LegCo Member and tarnishing LegCo's reputation. Such acts clearly amount to misbehaviour under Article 79(7) of the Basic Law.

**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 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 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.