

# Legislative Council

## Agenda

Wednesday 4 November 2020 at 11:00 am

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

1 item of subsidiary legislation and 4 other papers to be laid on the Table of the Council set out 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 Tony TSE  
(Anti-epidemic work in private buildings)
2. Hon Andrew WAN  
(Police officers' conduct)
3. Hon Vincent CHENG  
(Use, recovery and recycling of plastics)
4. Hon CHUNG Kwok-pan  
(Boosting economic recovery)
5. Dr Hon Junius HO  
(Activities and measures for boosting sense of national identity)
6. Hon Kenneth LAU  
(Provision of medical services for patients in remote villages)

#### **Public officers to reply**

- Secretary for Development
- Secretary for Security
- Secretary for the Environment
- Chief Secretary for Administration  
Under Secretary for Food and Health
- Secretary for Home Affairs
- Secretary for Food and Health

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

### III. Government Bills

#### First Reading and Second Reading (debate to be adjourned)

1. Supplementary Appropriation (2019-2020) Bill : Secretary for Financial Services and the Treasury

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

(Standing over from previous meetings since 8 July 2020)

2. Freight Containers (Safety) (Amendment) Bill 2019 : Secretary for Transport and Housing

### IV. Members' Motions on Subsidiary Legislation

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

1. **Proposed resolution to extend the period for amending subsidiary legislation (L.N. 152 of 2020)**

Mover : Hon CHEUNG Kwok-kwan

Wording of the motion : Appendix 3

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

2. **Proposed resolution to extend the period for amending subsidiary legislation (L.N. 155 to L.N. 157 of 2020)**

Mover : Hon KWONG Chun-yu

Wording of the motion : Appendix 4

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

**3. Proposed resolution to extend the period for amending subsidiary legislation (L.N. 174 to L.N. 176 of 2020)**

Mover : Hon Steven HO

Wording of the motion : **Appendix 5**

**V. Members' Motions (not including those on Subsidiary Legislation)**

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

(Standing over from previous meetings since 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 6**

(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 previous meetings since 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 7**

(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 8**

**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 9**

**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 10**

**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 11**

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 12

- 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 13

- 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 14

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)

**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)**

(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 15 and 16

**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 17

(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 18

(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 19

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 20**

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 5 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 21**

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 22  
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 23  
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 24  
Public officers to attend : Secretary for Food and Health  
Under Secretary for Food and Health

**20. Motion under Article 73(5) and (10) of the Basic Law to summon the Chief Secretary for Administration, Secretary for Food and Health, Under Secretary for Food and Health, Secretary for Commerce and Economic Development, Secretary for Transport and Housing and Secretary for Financial Services and the Treasury to produce papers and testify**

Mover : Dr Hon KWOK Ka-ki  
Wording of the motion : Appendix 25  
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)

**21. 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 26**
- 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)

**22. 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 27**
- 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 4 November 2020**

**Laying of Papers on the Table of the Council**

**Subsidiary legislation**

**Legal Notice No.**

- |  |             |
|--|-------------|
| 1. <u>Pharmacy and Poisons (Amendment) (No. 4) Regulation 2020</u> | 212 of 2020 |
|--|-------------|

**Other papers**

2. Consumer Council Annual Report 2019-20 (including Financial Statements and Independent Auditor's Report)  
(to be presented by Secretary for Commerce and Economic Development)
3. Hong Kong Productivity Council Annual Report, Independent Auditor's Report and Financial Statements 2019-2020  
(to be presented by Secretary for Innovation and Technology)
4. Hong Kong Science and Technology Parks Corporation 2019-2020 Annual Report (including Independent Auditor's Report and Consolidated Financial Statements)  
(to be presented by Secretary for Innovation and Technology)
5. Travel Industry Authority Annual Report 2019/2020 (including Financial Statements and Independent Auditor's Report)  
(to be presented by Secretary for Commerce and Economic Development)

## 22 questions to be asked at the Council meeting of 4 November 2020

		<b>Subject matters</b>	<b>Public officers to reply</b>
<b>Questions for oral replies</b>			
1	Hon Tony TSE	<u>Anti-epidemic work in private buildings</u>	Secretary for Development
2	Hon Andrew WAN	<u>Police officers' conduct</u>	Secretary for Security
3	Hon Vincent CHENG	<u>Use, recovery and recycling of plastics</u>	Secretary for the Environment
4	Hon CHUNG Kwok-pan	<u>Boosting economic recovery</u>	Chief Secretary for Administration Under Secretary for Food and Health
5	Dr Hon Junius HO	<u>Activities and measures for boosting sense of national identity</u>	Secretary for Home Affairs
6	Hon Kenneth LAU	<u>Provision of medical services for patients in remote villages</u>	Secretary for Food and Health
<b>Questions for written replies</b>			
7	Hon Alice MAK	<u>Measures against doxxing and cyber-bullying</u>	Secretary for Constitutional and Mainland Affairs
8	Hon Steven HO	<u>Squatter structures and agricultural structures</u>	Secretary for Development
9	Hon Martin LIAO	<u>Youth exchange and internship activities on the Mainland</u>	Secretary for Home Affairs
10	Dr Hon Priscilla LEUNG	<u>Ten new initiatives for people's livelihoods</u>	Secretary for Labour and Welfare
11	Hon Mrs Regina IP	<u>MTRCL operating railway services in Sweden</u>	Secretary for Transport and Housing
12	Hon Frankie YICK	<u>Government public transport fare concession scheme</u>	Secretary for Labour and Welfare
13	Hon Kenneth LEUNG	<u>Appointment of overseas judges and their attendance at hearings</u>	Chief Secretary for Administration
14	Hon Jimmy NG	<u>Innovation and Technology Fund</u>	Secretary for Innovation and Technology
15	Hon Holden CHOW	<u>Transport infrastructure for the Tuen Mun District</u>	Secretary for Transport and Housing
16	Hon James TO	<u>The incident of collision of vessels near the waters of Lamma Island</u>	Secretary for Transport and Housing
17	Hon Paul TSE	<u>Provision of further assistance for people in need</u>	Secretary for Financial Services and the Treasury
18	Hon CHAN Hak-kan	<u>Services provided for persons with intellectual disabilities and their parents</u>	Secretary for Education
19	Hon Charles Peter MOK	<u>Assisting institutions in enhancing the application of information technology</u>	Secretary for Innovation and Technology
20	Hon Elizabeth QUAT	<u>Prevention of cruelty to animals</u>	Secretary for Food and Health
21	Dr Hon Junius HO	<u>Clearance of display items on Government land or public places</u>	Secretary for Food and Health
22	Hon CHUNG Kwok-pan	<u>Statistics and dissemination of information on the epidemic</u>	Secretary for Food and Health

Question 1  
(For oral reply)

(Translation)

Anti-epidemic work in private buildings

Hon Tony TSE to ask:

The Government indicated in April this year that it would commission consultancy firms to proactively inspect the external drainage pipes of 20 000 target private domestic and composite buildings across the territory (“the inspection scheme”) in order to reduce the risk of epidemic spreading. The Government has also allocated funding under the Anti-epidemic Fund for the creation of time-limited jobs to undertake the relevant tasks. Some members of the public have criticized the inspection scheme for not covering the repair works for problematic drainage pipes and the inadequacies in the number of buildings covered and the scope of inspection items. Regarding the anti-epidemic work in private buildings, will the Government inform this Council:

- (1) of the implementation status of the inspection scheme, including the respective numbers of jobs created in various trades, the number of buildings inspected, the major problems uncovered in the drainage pipes, and the follow-up actions taken, so far; the total estimated expenditure and the anticipated completion date of the inspection scheme;
- (2) whether it will expand the inspection scheme, including increasing the number of buildings covered and conducting more extensive epidemic prevention inspections on other common areas and facilities of the buildings (including lift lobbies, main gates, refuse chambers and ventilation systems); if not, of the reasons for that; and
- (3) whether it will provide subsidies for private building owners who have financial difficulties to help them meet the expenses arising from repairing drainage pipes and enhancing the overall epidemic prevention standards and facilities of their buildings; if not, of the reasons for that?

Question 2  
(For oral reply)

(Translation)

Police officers' conduct

Hon Andrew WAN to ask:

It has been reported that during the trials of cases relating to the movement of opposition to the proposed legislative amendments, some magistrates criticized the police officers who had given evidence as not being honest and reliable witnesses, and even as “covering one lie with another lie” and “not duly performing their duties”. Moreover, some police officers were alleged to have “aligned their testimonies” because the testimonies they gave had striking similarities. Besides, some police officers were alleged to have enforced the law improperly when handling social incidents, including violently treating members of the public (some of whom were pregnant women and children), Members of the Legislative Council and the District Councils as well as journalists, arbitrarily charging people at the scene for violating the “No-gathering Order”, and indiscriminately arresting people. In this connection, will the Government inform this Council:

- (1) given that some police officers were alleged to have poor performance when giving evidence in court, whether the Government will request the Secretary for Justice and the Secretary for Security to apologize to the public for this;
- (2) in respect of those police officers who were criticized by the court for their performance in giving evidence, of the follow-up actions taken by the Police, including whether prosecutions have been instituted against the police officers suspected of having breached the law; if so, of the number of prosecutions instituted against such police officers last year; if not, the reasons for that; and
- (3) given that in recent months, some police officers were alleged to have enforced the law improperly and were charged for various offences (e.g. drug trafficking, criminal damage, assaults and indecent assaults), whether it has assessed if there have been harbouring and connivance by some senior government officials, resulting in such a situation; if it has assessed and the outcome is in the affirmative, of the officials involved; whether it has reviewed if the conduct of police officers has been deteriorating, and the effectiveness of the work of the Police's Integrity Audit Action Group?

Question 3  
(For oral reply)

(Translation)

Use, recovery and recycling of plastics

Hon Vincent CHENG to ask:

As there are dine-in restrictions in catering outlets and members of the public have gone out less frequently amid the epidemic, members of the public have made more takeaway orders, resulting in an increase in the quantity of disposable plastic tableware discarded. A green group has estimated that currently over 50 million pieces of disposable plastic tableware are discarded in the territory daily, which has more than doubled the relevant quantities in the past few years. Moreover, online shopping has become a new normal amid the epidemic, and the quantity of plastic packaging materials discarded has also increased significantly. The aforesaid situation has put a heavy burden on the ecological environment. In this connection, will the Government inform this Council:

- (1) of the quantity of disposable plastic tableware discarded at the landfills in each month since January 2017;
- (2) of the new measures in place to encourage restaurants and members of the public to reduce the use of disposable plastic tableware, and to encourage online stores and the courier industry to reduce the use of packaging materials containing plastics; whether it will review the effectiveness of such measures so as to update the target for reducing the use of plastics; and
- (3) as the Environmental Protection Department has rolled out, since this year, a two-year “Plastic Recycling Pilot Scheme”, under which contractors are engaged to provide registered places, such as housing estates and schools, in the Eastern District, Sha Tin and Kwun Tong, with free service of collecting waste plastics from non-commercial and non-industrial sources, of the implementation of the scheme; whether it has assessed the effectiveness of the scheme and mapped out the way forward?

Question 4  
(For oral reply)

(Translation)

Boosting economic recovery

Hon CHUNG Kwok-pan to ask:

Since the beginning of this year, the Government has allocated a total of 311.5 billion dollars for implementing various relief measures, so as to assist enterprises and members of the public affected by the epidemic. That sum includes an allocation of 120 billion dollars made out of the Budget for the current financial year and an injection of 191.5 billion dollars into the Anti-epidemic Fund. In this connection, will the Government inform this Council:

- (1) of the to-date commitments and balances of the aforesaid allocations, and a breakdown of the commitments by the relief measures and the industries benefited;
- (2) whether it has studied the ways in which the balances of the aforesaid allocations can be used more effectively to better support enterprises and boost economic recovery; and
- (3) given that the epidemic on the Mainland has been brought under control, whether it will grant all persons arriving in Hong Kong from the Mainland exemption from compulsory quarantine and expeditiously launch a health code mutually recognized by the authorities of Guangdong, Hong Kong and Macao, so as to facilitate residents' commuting between the three places and to boost the economy; if so, of the details; if not, the reasons for that?

Question 5  
(For oral reply)

(Translation)

Activities and measures for boosting sense of national identity

Dr Hon Junius HO to ask:

Some members of the public have pointed out that since the 2019 District Council Ordinary Election, the Government has often been “at odds” with the District Councils (“DCs”) in promoting districts affairs. For instance, individual DCs have refused to organize or allocate funding to subsidize this year’s activities in celebration of the National Day and the reunification of Hong Kong. Such members of the public consider that in the absence of DCs’ collaboration, the Government, being an executive-led one, should take the initiative to organize related activities in various districts, so as to boost the sense of national identity and the sense of belonging to the country among members of the public. In this connection, will the Government inform this Council:

- (1) whether it has, in the light of the aforesaid situation, formulated corresponding plans to enable activities in celebration of the Reunification Day and the National Day to be held smoothly in various districts; if so, of the details; if not, the reasons for that;
- (2) whether it will consider taking the lead in flying the national flag/regional flag along the roadsides in various districts on the aforesaid days, or designating suitable locations in various districts for members of the public to fly the national flag/regional flag so as to enhance the festive atmosphere; if not, of the reasons for that; and
- (3) whether it has introduced new measures since January last year to boost the sense of national identity and the sense of belonging to the country among members of the public; if so, of the details?



Question 6  
(For oral reply)

(Translation)

Provision of medical services for  
patients in remote villages

Hon Kenneth LAU to ask:

Some chronically ill patients living in remote villages have relayed that due to inconvenient transport and their physical weakness, they have been unable to travel a long distance to seek medical treatment on a frequent basis and, as a result, their chronic diseases have not been treated properly. On the other hand, it has been reported that as public hospitals have recently reduced non-emergency services in light of the epidemic, some community groups have introduced the Community Interim Medication Refill Scheme to provide, during the epidemic, drug refills for chronically ill patients who cannot attend follow-up consultations as scheduled. In this connection, will the Government inform this Council:

- (1) of the measures in place to assist those chronically ill patients who live in remote villages and cannot attend follow-up consultations as scheduled in attending consultations expeditiously and obtaining drug refills in time;
- (2) whether it will draw reference from the aforesaid medication refill scheme and expeditiously set up District Health Centres in various districts across the New Territories, so as to provide outreach medical services and drug refills for those chronically ill patients living in remote villages; and
- (3) whether it will study new measures for promoting public-private partnership and medical-social collaboration, with a view to enabling those chronically ill patients living in remote villages to obtain more medical support; if so, of the details; if not, the measures in place to ensure that such chronically ill patients can obtain appropriate medical services?

Question 7  
(For written reply)

(Translation)

Measures against doxxing and cyber-bullying

Hon Alice MAK to ask:

From the eruption in the middle of last year of the disturbances arising from the opposition to the proposed legislative amendments to 30 September this year, the Office of the Privacy Commissioner for Personal Data, Hong Kong (“PCPD”) handled a total of over 4 700 cases relating to doxxing. Among such cases, around 35% of the persons who had been doxxed were police officers or their family members. In this connection, will the Government inform this Council:

- (1) whether it knows (i) the number of requests for assistance received by PCPD since January of last year from persons claiming that they had been doxxed, with a breakdown by the background of the assistance seekers, (ii) the respective numbers of cases in respect of which PCPD had taken various follow-up actions (including (a) requesting the operators to remove illegal web links and (b) referring the cases to the Police for conducting criminal investigation), and (iii) the respective numbers of persons prosecuted and convicted;
- (2) whether it has assessed if the current evidential threshold is too high for offences relating to doxxing;
- (3) as the Government indicated in its reply to my question on 8 January this year that it was studying with PCPD the amendments to the Personal Data (Privacy) Ordinance (Cap. 486), so as to more specifically address the acts relating to doxxing, of the specific contents of the legislative amendments and the legislative timetable; and
- (4) given that the Singapore authorities passed the amendments to the Protection from Harassment Act last year, including introducing new offences and penalties, expanding the scope of redress for victims of cyber-bullying, and establishing the Protection from Harassment Court to expedite the handling of applications for redress, so as to address the problem of doxxing, and that the General Data Protection Regulation which took effect in the European Union in 2018 provides that an individual enjoys the right to erasure (also known as “the right to be forgotten”) and is entitled to require organizations and enterprises to delete his or her personal data under specified circumstances, whether the Government will make reference to such practices and amend the local legislation to

step up efforts in combating the acts of doxxing and cyber-bullying; if so, of the details (including the public consultation and legislative timetables); if not, the reasons for that?

Question 8  
(For written reply)

(Translation)

Squatter structures and agricultural structures

Hon Steven HO to ask:

The seven regional Squatter Control Offices (“SCOs”) under the Lands Department (“LandsD”) are responsible for implementing the squatter control policy. Besides, LandsD is responsible for the vetting and approval of applications for erecting agricultural structures on private agricultural land. On matters relating to squatter structures and agricultural structures, will the Government inform this Council:

- (1) of the respective total numbers of surveyed squatter structures on (i) private agricultural land and (ii) government land throughout the territory in each of the past five years, with a tabulated breakdown by the SCO responsible and the use of such squatter structures (i.e. domestic use, agricultural use and other uses);
- (2) of the respective numbers of applications for undertaking repair works for surveyed squatter structures on (a) private agricultural land and (b) government land which LandsD (i) received, (ii) approved and (iii) rejected in each of the past five years, with a breakdown by the SCO responsible and the use of such squatter structures; if there were rejected applications, of the reasons for that;
- (3) of the respective numbers of non-compliant surveyed (i) domestic and (ii) non-domestic squatter structures which were demolished by the Government in each of the past five years, with a tabulated breakdown by the SCO responsible;
- (4) given that the Government launched, in November 2018, the Squatter Occupants Voluntary Registration Scheme to complement its initiative to revise the ex-gratia compensation and rehousing arrangements for domestic households in squatter structures affected by the Government’s development clearance exercises, of (i) the number of registrations initially anticipated to be received and (ii) the number of registrations received to date by the Government, as well as (iii) the estimated number of eligible domestic households in squatter structures who have not yet registered; whether it will consider further extending the registration deadline and relaxing the eligibility requirements for ex-gratia compensation and rehousing arrangements;

- (5) whether it knows the respective numbers of cases in the past five years in which (i) surveyed squatter structures for (a) agricultural use and (b) non-agricultural use, as well as (ii) agricultural structures on private agricultural land, collapsed due to their dilapidated conditions or typhoons and caused casualties; whether it has studied the correlation between the difficulties in applying for rebuilding and repair of those structures and their collapses;
- (6) of the respective numbers of applications for a Letter of Approval for Agricultural Structures (i) received, (ii) approved and (iii) rejected by LandsD in each of the past five years; the average and the longest time taken by LandsD for processing those applications; what other means, apart from applying for a Letter of Approval, are currently available for farmers to apply for erecting such structures; and
- (7) as the Government currently requires that if an agricultural structure to be erected exceeds a certain height and area, the applicant must (i) submit a building plan approved by the Buildings Department, and (ii) engage a qualified technician to certify the structural safety of the structure, of the commencement dates of these two requirements; as some farmers have relayed their difficulties in affording the high costs associated with these requirements, whether the Government will review and appropriately relax such requirements?

Question 9  
(For written reply)

(Translation)

Youth exchange and internship activities on the Mainland

Hon Martin LIAO to ask:

The Government has all along been encouraging and supporting Hong Kong's youth to go to the Mainland for exchanges and internships. However, such exchange and internship activities have been seriously affected and hindered by the travel restrictions imposed for coping with the Coronavirus Disease 2019 epidemic. In this connection, will the Government inform this Council:

- (1) of the detailed situations to date of how Hong Kong's youth exchange and internship activities on the Mainland have been affected by the epidemic;
- (2) of the measures in place to encourage, coordinate and support the schools and institutions concerned to make responses flexibly amid the epidemic and even adopt alternative modes, so as to continue with such exchange and internship activities;
- (3) whether the Government will, when discussing with the Mainland and Macao authorities the implementation details of the mutual recognition system for health codes of Guangdong, Hong Kong and Macao, strive to include those persons involved in youth exchange or internship activities as one of the priority categories of persons to be covered by the system; and
- (4) of the measures in place to promote comprehensive exchanges among the youth of Guangdong, Hong Kong and Macao, so as to enable Hong Kong's youth to gain a better understanding and experience of the development of the country and the Guangdong-Hong Kong-Macao Greater Bay Area?

Question 10  
(For written reply)

(Translation)

Ten new initiatives for people's livelihoods

Dr Hon Priscilla LEUNG to ask:

On 14 January this year, the Chief Executive announced 10 new initiatives for people's livelihoods ("the 10 initiatives"). One of such initiatives is to expand the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("TFC scheme") to cover persons aged 60 to 64. It has been reported that recently, a Member of the Executive Council indicated her reservation on the initiative of expanding the TFC scheme as the recurrent expenditure to be incurred by the initiative would be as high as \$10 billion each year. In this connection, will the Government inform this Council:

- (1) in respect of the three initiatives among the 10 initiatives, namely (i) reforming the Old Age Living Allowance Scheme, (ii) making Mandatory Provident Fund contributions for low-income persons, and (iii) providing cash allowance for low-income households not living in public housing and not receiving CSSA, of the respective latest (a) progress, (b) anticipated implementation dates, and (c) anticipated additional recurrent expenditures to be incurred each year;
- (2) as the Government indicated in July this year that the anticipated recurrent expenditure on the expanded TFC scheme in the 2025-2026 financial year was \$7 billion, of the respective amounts of such expenditure as anticipated by the Government (i) in January this year and (ii) most recently; if these two figures are different from that of July, of the reasons for that; the latest (a) progress of and (b) anticipated implementation date for the initiative of expanding the TFC scheme; and
- (3) given that the Government has spent a large amount of fiscal reserves on coping with the epidemic and implementing relief measures, whether it has plans to suspend or shelve any one of the 10 initiatives; if so, of the details, and whether it has assessed the political costs that such a move may entail and the risk of such a decision being subject to judicial review; if it has no such plan, whether it will make clarifications with the public as quickly as possible?

Question 11  
(For written reply)

(Translation)

MTRCL operating railway services in Sweden

Hon Mrs Regina IP to ask:

The MTR Corporation Limited (“MTRCL”) indicated in its Interim Report 2020 published in August this year that it was preparing for a bid submission for Sweden Mälartåg, a potential railway project, to be submitted in September this year. MTRCL is currently operating via its wholly owned subsidiaries three railways in Sweden, namely Stockholm Metro, MTRX and Stockholms pendeltåg. Furthermore, as the service of MTRX has been reduced due to a decline in demand under the impact of the epidemic, a serious fall in revenue has been recorded. Besides, the wholly owned subsidiary that operates Stockholms pendeltåg will likely remain in a loss-making position this year. In this connection, will the Government inform this Council if it knows:

- (1) whether MTRCL has successfully secured the operating contract for the Sweden Mälartåg project; if MTRCL has, of the details of the project (including the contract period, investment amount, anticipated profit, etc.);
- (2) the respective specific amounts of profit and loss in the past three years of the three Swedish railways currently operated by MTRCL;
- (3) given that MTRCL’s railway business in Sweden has been sustaining losses continuously in recent years, the justifications for MTRCL to continue bidding for the operation of new railway projects in Sweden; and
- (4) whether MTRCL has formulated any exit plan in respect of those Swedish railway projects that have been recording losses over a long period of time; if MTRCL has, of the details; if not, the reasons for that?



Question 12  
(For written reply)

(Translation)

Government public transport fare concession scheme

Hon Frankie YICK to ask:

Since June 2012, the Government has implemented in phases the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities (“the Scheme”) to encourage the elderly (i.e. persons aged 65 or above) and persons with disabilities to participate in community activities. The public transport modes currently covered by the Scheme are MTR, franchised buses, ferries and green minibuses. However, although the Scheme has been implemented for eight years, quite a number of public transport modes (e.g. red minibuses (“RMBs”), non-franchised buses providing residents’ service (“RS”), kaitos, trams) have not been included in the Scheme. On the other hand, the Government commissioned a consultancy firm in 2018 to conduct a comprehensive review of the Scheme to study, among others, whether the Scheme should cover other public transport modes. In this connection, will the Government inform this Council:

- (1) of the latest progress of the aforesaid consultancy study (including the public transport modes recommended to be included in the Scheme); when the review outcome will be released;
- (2) of the factors currently considered by the Government for determining whether or not to include a certain public transport mode in the Scheme;
- (3) as the Government has indicated that one of the reasons for some public transport modes not having been included in the Scheme is that their fares are not regulated by the Government, whether the Government will consider including such public transport modes in the Scheme under certain circumstances (e.g. the operators concerned are willing to abide by certain conditions on fare restrictions and accept the amount of subsidies calculated on the basis of journey lengths); if so, of the details; if not, the reasons for that;
- (4) whether it has conducted studies on the impacts of the Scheme on the overall patronage of public transport services and on the patronage of individual public transport services; if so, of the details; if not, the reasons for that; and

- (5) as some operators of RMBs, RS, kaitos and trams have indicated that the patronage of such public transport modes has been dropping continuously in recent years and one of the reasons is that they have not been included in the Scheme, of the Government's new measures to assist such operators in improving their business environment?

Question 13  
(For written reply)

(Translation)

Appointment of overseas judges and their attendance at hearings

Hon Kenneth LEUNG to ask:

Under the Basic Law, the Hong Kong Court of Final Appeal Ordinance (Cap. 484) and the Judicial Officers Recommendation Commission Ordinance (Cap. 92), the Chief Executive may, on the recommendations of the Judicial Officers Recommendation Commission and upon the endorsements of the Legislative Council, appoint judges from the common law jurisdictions outside Hong Kong as non-permanent judges from other common law jurisdictions of the Court of Final Appeal (“overseas judges”). Regarding the appointment of overseas judges and their attendance at hearings, will the Government inform this Council if it knows:

- (1) in respect of each of the overseas judges appointed since 1 July 1997, (i) the judge’s name, (ii) the judge’s age at the time of first appointment, (iii) the common law jurisdiction to which the judge belongs/belonged, (iv) the date on which the judge was first appointed, and (v) the expiry date of the judge’s most recent appointment (set out in a table);
- (2) whether, in the past five years, there were candidates for overseas judges who declined the appointment; if so, the number of such candidates and the reasons for their declination; and
- (3) as the Government has indicated that since 1 July 1997, apart from very few exceptions, a judge has invariably been drawn from the list of overseas judges to hear a substantive appeal on the Court of Final Appeal, the number of such exceptions and the details of the cases concerned, as well as the causes for such exceptions?

Question 14  
(For written reply)

(Translation)

Innovation and Technology Fund

Hon Jimmy NG to ask:

To encourage and assist Hong Kong enterprises in upgrading their innovation and technological level, the Government has set up funding schemes under the Innovation and Technology Fund (“ITF”) to finance research and development (“R&D”) projects on innovation and technology. Besides, enterprises may claim enhanced tax deduction for the expenditures incurred on qualifying R&D activities which they have engaged “designated local research institutions” to undertake: a 300% tax deduction being granted for the first \$2 million of the aggregate amount of expenditures, and 200% for the remaining amount. Quite a number of Hong Kong businessmen hope that the Government will review and enhance the vetting and approval mechanism of the aforesaid funding schemes, and relax the eligibility criteria for applying for funding and claiming enhanced tax deduction, so that more R&D activities undertaken outside Hong Kong may benefit. In this connection, will the Government inform this Council:

- (1) of the respective numbers of applications received by (a) the Mainland-Hong Kong Joint Funding Scheme (“MHKJFS”) since its launch in April 2019, and (b) the Research and Development Cash Rebate Scheme (“CRS”) in the past three years (which are both under ITF), and among them, the respective numbers of applications (i) approved, (ii) rejected, and (iii) still being processed; among the rejected applications, of the respective numbers of those which were rejected for the following reasons: the institutions undertaking the R&D work not being local institutions, and more than 50% of the R&D work being conducted on the Mainland;
- (2) whether it will study relaxing the restrictions of the various funding schemes under ITF (including revising the funding guidelines of MHKJFS to increase, in respect of the projects under application, the maximum proportion of R&D work that may be conducted on the Mainland from the current 50% to 80% or above); if so, of the details; if not, the reasons for that;
- (3) whether it will review and expand the scope of CRS to cover R&D projects undertaken by Hong Kong enterprises in collaboration with Mainland research institutions; if so, of the details; if not, the reasons for that; and

- (4) whether it will study relaxing the requirement that enterprises must engage local research institutions to undertake R&D activities before they may obtain enhanced tax deduction for the expenditures incurred on R&D activities, so that the R&D activities that Hong Kong enterprises have engaged research institutions outside Hong Kong to undertake may also be entitled to enhanced tax deduction; if so, of the details; if not, the reasons for that?

Question 15  
(For written reply)

(Translation)

Transport infrastructure for the Tuen Mun District

Hon Holden CHOW to ask:

It has been reported that the Northern Connection of Tuen Mun-Chek Lap Kok Link (“TM-CLKL”) will be commissioned by the end of this year at the earliest. There is a roundabout at the northern end of the Northern Connection of TM-CLKL connecting Lung Fu Road and Lung Mun Road. Some members of the transport trades are worried that upon the commissioning of the Northern Connection of TM-CLKL, the vehicular flow at the roundabout will surge, giving rise to vehicles from different directions competing for the use of the carriageways and serious traffic congestion. Regarding the transport infrastructure for the Tuen Mun District, will the Government inform this Council:

- (1) of the latest anticipated commissioning date of the Northern Connection of TM-CLKL;
- (2) whether the Government will, in order to reduce the occurrence of traffic congestion and traffic accidents at the aforesaid roundabout upon the commissioning of the Northern Connection of TM-CLKL, improve the design of the roundabout; and
- (3) given that the Government commenced the investigation and preliminary design work for the Tuen Mun Western Bypass as early as in 2008, but the project to date still remains at the stage of researching on the alignments, of the latest implementation timetable of the project?

Question 16  
(For written reply)

(Translation)

The incident of collision of vessels near the waters of Lamma Island

Hon James TO to ask:

In response to the Report of the Commission of Inquiry into the Collision of Vessels near Lamma Island on 1 October 2012, the Transport and Housing Bureau set up an Internal Investigation Team (“the Team”) in June 2013 to investigate whether there were maladministration and negligence of duty on the part of Marine Department (“MD”) officers in carrying out their duties in relation to Lamma IV. The Team submitted its investigation report to the Civil Service Bureau and the Police in 2014 to facilitate the conduct of disciplinary procedures and criminal investigations respectively. In addition, it has been reported that the Police have submitted the relevant investigation report(s) to the Coroner’s Court (“CC”) and the Department of Justice (“DoJ”). In this connection, will the Government inform this Council:

- (1) as the Team held the view that 17 MD officers were involved in misconduct while discharging duties in respect of Lamma IV in the past, of the following information of such officers: (i) the rank at the time of the incident, (ii) details of the misconduct, (iii) disciplinary actions faced, and (iv) whether they have now left the service or retired (set out one by one in a table);
- (2) whether it will consider afresh making public the investigation report;
- (3) of the to-date number of investigation report(s) submitted by the Police to DoJ, as well as the date of submission and the number of pages of each report; whether the Police have received legal advice from DoJ after submitting the report(s); if so, whether the Police have submitted such legal advice to CC; if so, of the dates concerned;
- (4) whether DoJ has finished considering the investigation report(s) submitted by the Police; if not, how much longer it will take; if so, whether and when it will institute prosecutions against the persons involved in the incident;
- (5) of the to-date number of investigation report(s) submitted by the Police to CC, as well as the date of submission and the number of pages of each report;

- (6) whether it knows if the Coroner has finished considering the investigation report(s) submitted by the Police; if the Coroner has, whether he has given further instructions to the Police, and of the expected time when he will make a decision on whether or not to conduct a death inquest; and
- (7) whether it knows if the Coroner has received legal advice from DoJ; if the Coroner has, whether he has finished considering the relevant advice?



Question 17  
(For written reply)

(Translation)

Provision of further assistance for people in need

Hon Paul TSE to ask:

By raising a question at the Legislative Council meeting of the 21st of last month, I repeatedly urged the Government to allow Mandatory Provident Fund (“MPF”) contributors to withdraw part of the accrued benefits in their MPF accounts in order to address their imminent financial needs and relieve their hardship, and yet the Government still flatly rejected my request. Quite a number of members of the public are gravely dissatisfied that the Government only seeks to uphold the integrity of the MPF system but turning a blind eye to people’s hardship in the waves of closing down of businesses and layoffs. There were messages on my Facebook page and various major social media that slammed the Secretary for Financial Services and the Treasury for being “detached from reality”, “living in cloud cuckoo land” and having a “let them eat cake” attitude. In the face of the waves of enterprises closing down, the upcoming Lunar New Year and the yet-to-end epidemic, some economic analysts and securities researchers have predicted a sharp rise in the unemployment rate in the coming months. In view of members of the public’s discontent with the Government’s disregard for their request for withdrawing their MPF contributions to address their imminent financial needs, their disgruntlement about the MPF system unreasonably locking up their usable funds for a long time, and the financial pressure exerted on them by the waves of unemployment and pay-cut which are more severe and persistent than those during the “SARS” epidemic, will the Government inform this Council:

- (1) whether it will consider afresh allowing MPF contributors to withdraw half of the accrued benefits in their own MPF accounts, or making contributions to MPF accounts on behalf of the employers and employees in Hong Kong for at least six months;
- (2) whether it will consider afresh making another cash payout of \$10,000 per person to all adult residents of Hong Kong for addressing their imminent needs;
- (3) whether it will provide a full or 50% waiver on salaries tax for this year for all taxpayers in Hong Kong;
- (4) whether it will provide concessions on rates and government rent for the whole of this year for all property owners in Hong Kong;

- (5) as more and more unemployed property owners, even though they are subject to the Special Stamp Duty for selling the properties that they have held for less than three years, are still eager to sell their properties urgently to obtain cash for addressing their imminent needs, whether the Government will (i) exempt unemployed property owners from paying such duty or (ii) abolish such duty that has been imposed since 2010; and
- (6) whether it will instruct the Secretary for Justice to (i) formulate within a prescribed timeframe a plan for establishing a supervisory managing organization for the estate of the late Mrs Nina WANG which has a value of over \$130 billion and (ii) proceed to plan on how best to use the estate for the purposes of combating the epidemic and relieving people's hardship?

Question 18  
(For written reply)

(Translation)

Services provided for persons  
with intellectual disabilities and their parents

Hon CHAN Hak-kan to ask:

It has been reported that earlier on, students with intellectual disabilities (“ID”) living in the boarding facility of a special school were found to have been abused by staff members of the school. Besides, persons with ID are required to leave their schools and move out of the boarding facilities upon their reaching the age of 21, but it takes decades for them to wait for adult residential services. Such persons have to live at home and be taken care of by their family members during the time they are waiting for the services. In September this year, a tragedy was reported in which a mother, who had become mentally and physically exhausted for taking care of her 21-year-old son with ID who had just left school, was suspected of having strangled him to death, and then attempted to commit suicide. On the services provided for persons with ID and their parents, will the Government inform this Council:

- (1) of the number of complaints received by the Education Bureau (“EDB”) in each of the past five years about students with ID being abused in the boarding facilities of special schools and, among such cases, the number of those found substantiated after investigations and the relevant details;
- (2) of the number of reports received by EDB in each of the past five years on injuries sustained by students with ID in the boarding facilities of special schools, and the relevant details;
- (3) of the current staffing establishment of the boarding section of a special school;
- (4) whether EDB will (i) step up its monitoring and inspection of the boarding facilities of special schools, (ii) review the codes on management and care of students issued to special schools, (iii) strengthen the staffing establishment of the boarding sections of special schools, and (iv) provide special school students with regular physical check-ups for early detection of abnormalities (e.g. injuries caused by abuse);
- (5) of the respective current numbers of persons waiting for various types of residential services for persons with ID;

- (6) of the support services put in place by the Government for persons with ID who are waiting for residential services and their parents; whether EDB will consider allowing students with ID to continue to stay in schools after reaching the age of 21 until they have been allocated places in hostels for persons with ID; and
- (7) whether EDB and the Social Welfare Department will (i) strengthen the support for parents of persons with ID (e.g. providing training on the relevant caring skills and knowledge), and (ii) take other measures to alleviate the parents' pressure, so as to prevent the occurrence of similar tragedies?

Question 19  
(For written reply)

(Translation)

Assisting institutions in enhancing the  
application of information technology

Hon Charles Peter MOK to ask:

The Government has implemented a Distance Business Programme (“the Programme”) under the Anti-epidemic Fund to support enterprises to continue their businesses and provide services during the epidemic through the adoption of information technology (“IT”) solutions. The Programme has been open for funding applications since 18 May 2020. On 18 August, the Government introduced enhancement measures for the Programme so that social enterprises not holding a Business Registration Certificate may still be eligible for application if they submit a Social Enterprises Certificate issued by the Hong Kong Council of Social Service under the Programme. However, some operators of non-governmental organizations (“NGOs”) and social enterprises have relayed that the application procedure of the Programme is time-consuming and cumbersome, making it difficult for them to benefit from the Programme. On assisting NGOs and social enterprises in enhancing the application of IT, will the Government inform this Council:

- (1) of the number of funding applications received under the Programme since 18 August from NGOs and social enterprises, broken down by the type of supporting document they hold (i.e. Social Enterprises Certificate and Business Registration Certificate);
- (2) whether it will consider streamlining the application as well as vetting and approval procedures of the Programme to facilitate the filing of applications by NGOs and social enterprises; and
- (3) of the other measures in place to assist NGOs and social enterprises in enhancing the application of IT?

Question 20  
(For written reply)

(Translation)

Prevention of cruelty to animals

Hon Elizabeth QUAT to ask:

It has been reported that a number of serious cases of cruelty to animals have occurred one after another in Hong Kong in recent months, including those in which a mongrel was abandoned after being abused, pets were found dead or reported missing during cross-boundary shipments, a large batch of cats and dogs were found trapped in a small flat, and 30 animals were thrown from height. There are comments that as the Prevention of Cruelty to Animals Ordinance (Cap. 169), which is the centre-piece legislation for animal welfare and management, was adapted as early as in 1935 from the Protection of Animals Act 1911 of the United Kingdom, it is outdated in regard to its penalties and legislative principles, albeit it has been amended on three occasions. In this connection, will the Government inform this Council:

- (1) of the number of complaints about cruelty to animals accepted and followed up by the authorities in the past three years and, among such complaints, the respective numbers of those the investigation outcome of which was that the complaints were (i) substantiated and (ii) unsubstantiated, and the reasons for that;
- (2) of the number of new initiatives implemented by the authorities in the past two years for protecting animal rights, interests and welfare, the details of such initiatives, and the annual public expenditure incurred;
- (3) as the Government has indicated that it will expeditiously amend Cap. 169, including imposing a “duty of care” on animal keepers and enhancing the power of the law enforcement agencies, so as to step up efforts in combating acts of cruelty to animals, of the details of the proposed amendments and the legislative timetable;
- (4) of the number of complaints received by the authorities in the past three years involving (a) pet relocation services, (b) other pet services, and (c) the use of animals in commercial activities; the legislation currently in place to regulate such activities; whether the Government will study introducing regulation on pet services, including (i) establishing statutory licensing and punishment mechanisms, and (ii) issuing practice guidelines to service providers, in order to better safeguard animal welfare; if so, of the details; if not, the reasons for that;

- (5) given that the Police have, since November 2018, set up 22 dedicated investigation teams across the territory to handle cases of cruelty to animals, of (i) the number of cases of cruelty to animals which were handled, and (ii) the number of cases in respect of which prosecutions were instituted against the persons involved, by the investigation teams so far; how the Police will strengthen its work on animal protection and enhance the efficiency of the relevant law enforcement efforts; and
- (6) as it has been reported that (i) at present, animal protection police officers in New Taipei City of Taiwan are empowered to investigate on their own initiatives suspected cases of cruelty to animals, (ii) animal protection inspectors in Queensland of Australia are empowered to enter by force those premises suspected of being involved in crimes related to cruelty to animals, and (iii) animal police in foreign places have the powers which are comparable to those of police officers in general (including the powers of arrest, investigation, gathering of evidence and detention of offenders), whether the authorities will consider afresh establishing animal police teams specially tasked to investigate cases of cruelty to animals and abandonment of animals, and enhancing the capability and training of frontline law enforcement officers on handling cases of cruelty to animals; if so, of the details; if not, the reasons for that?

Question 21  
(For written reply)

(Translation)

Clearance of display items on Government land or public places

Dr Hon Junius HO to ask:

Some members of the public have pointed out that since the 2019 District Council Ordinary Election, the Government has often been “at odds” with the District Councils in promoting district affairs. For instance, individual District Councils have refused to organize or allocate funding to subsidize this year’s activities in celebration of the National Day. On this year’s National Day, National Day decorations were not put up along the roadsides in some districts as in previous years. Some residents in the Sham Shui Po district, on their own initiatives, flew national flags in the vicinity of Wong Chuk Street in the small hours of the National Day to let the public enjoy the festive atmosphere on the National Day. However, the outsourced service contractors of the Food and Environmental Hygiene Department (“FEHD”) and the Highways Department removed those national flags by noontime on the National Day, arousing strong reverberations among the residents. In their view, while the departments concerned have swiftly removed the national flags, they have not removed, after a prolonged period of time, the display items loaded with seditious messages on the “Lennon walls” and in “Lennon tunnels” in streets and alleys and have therefore allowed such items to scar the cityscape. Such a situation has aroused suspicion of favouritism. In this connection, will the Government inform this Council:

- (1) which government department(s) or government officer(s) made the decision to take the action of removing the aforesaid national flags was; of the legal basis for the decision;
- (2) how FEHD and the Highways Department have handled the national flags removed, and of the present whereabouts of the flags; and
- (3) whether it has reviewed if the criteria adopted by various government departments for removing the display items on the Lennon walls and in Lennon tunnels are consistent with those adopted for removing the aforesaid national flags; if it has reviewed and the outcome is in the negative, of the reasons for that?



Question 22  
(For written reply)

(Translation)

Statistics and dissemination of information on the epidemic

Hon CHUNG Kwok-pan to ask:

The Centre for Health Protection has, to date, recorded over 5 000 as well as over 100 confirmed and fatal cases of Coronavirus Disease 2019 (“COVID-19”) respectively. Regarding the statistics and dissemination of information on the epidemic, will the Government inform this Council:

- (1) of a breakdown of the total number of confirmed cases to date by the age group to which the patients belonged; the respective age groups with the highest recovery rate and highest mortality rate;
- (2) as the findings of overseas medical studies have reportedly shown that obese people and elderly persons, upon contracting COVID-19, have a comparatively higher incidence of hospitalization, developing severe symptoms and death (e.g. the mortality rate of patients aged above 65 is more than 90 times of those aged 18 to 29), whether the authorities have conducted similar statistical analyses on the local confirmed cases; if so, of the details; and
- (3) as some medical experts have pointed out that there may be a new wave of the epidemic outbreak in the winter, whether the authorities will consider providing the public with more information relating to the epidemic, such as the correlation between age and health condition and the morbidity and mortality rates, so that members of the public (in particular those belonging to high-risk groups) can take precautionary measures early?

**Interpretation and General Clauses Ordinance**

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**Resolution**

(Under section 34(4) of the Interpretation and  
General Clauses Ordinance (Cap. 1))

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**Resolved** that in relation to the Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation, published in the Gazette as Legal Notice No. 152 of 2020, and laid on the table of the Legislative Council on 14 October 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 2 December 2020.

**Interpretation and General Clauses Ordinance**

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**Resolution**

(Under section 34(4) of the Interpretation and  
General Clauses Ordinance (Cap. 1))

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**Resolved** that in relation to the —

- (a) Closed Area (Heung Yuen Wai Boundary Control Point) Order (Commencement) Notice, published in the Gazette as Legal Notice No. 155 of 2020;
- (b) Cross-boundary Movement of Physical Currency and Bearer Negotiable Instruments Ordinance (Amendment of Schedule 1) Notice 2020, published in the Gazette as Legal Notice No. 156 of 2020; and
- (c) Import and Export (Electronic Cargo Information) (Amendment) Regulation 2018 (Commencement) Notice, published in the Gazette as Legal Notice No. 157 of 2020,

and laid on the table of the Legislative Council on 14 October 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 2 December 2020.

**Interpretation and General Clauses Ordinance**

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**Resolution**

(Under section 34(4) of the Interpretation and  
General Clauses Ordinance (Cap. 1))

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**Resolved** that in relation to the —

- (a) Marine Fish Culture (Amendment) Regulation 2020, published in the Gazette as Legal Notice No. 174 of 2020;
- (b) Public Health (Animals and Birds) (Licensing of Livestock Keeping) (Amendment) (No. 2) Regulation 2020, published in the Gazette as Legal Notice No. 175 of 2020; and
- (c) Public Health (Animals and Birds) (Licensing of Livestock Keeping) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2020, published in the Gazette as Legal Notice No. 176 of 2020,

and laid on the table of the Legislative Council on 14 October 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 2 December 2020.

**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").

**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, Secretary for Food and Health, Under Secretary for Food and Health, Secretary for Commerce and Economic Development, Secretary for Transport and Housing and Secretary for Financial Services and the Treasury 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 disease prevention loopholes in the HKSAR Government’s arrangements for expanding the compulsory quarantine exemption, which brought about the third wave outbreak of COVID-19 causing the tragic deaths of over 100 people.

(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.