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### Replies to initial written questions raised by Finance Committee Members in examining the Estimates of Expenditure 2021-22

Controlling Officer: Secretary General, Legislative Council Secretariat

Session No. : 6

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**CONTROLLING OFFICER'S REPLY**

**LC001**

**(Question Serial No. 0748)**

Head: (112) Legislative Council Commission  
Subhead (No. & title): (000) Operational expenses  
Programme: (2) Council Business Services  
Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)  
Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Please set out the details of the terms of employment for the outsourced cleaners, including their salaries, annual leave, working hours, paid meal breaks, etc., for the current year.

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 31)

Reply:

The existing contract for the provision of cleaning service in the Legislative Council ("LegCo") Complex covers a period of 36 months. According to the service contract, the cleaning contractor is required to pay each cleaner/worker, during the service period, a monthly wage in an amount not less than:

- (a) the Average Monthly Salary for Cleaner (general) as promulgated in the latest Quarterly Report of Wage and Payroll Statistics published by the Census and Statistics Department ("C&SD"); or
- (b) statutory minimum wage plus paid rest days,

whichever is the higher. The contractor is also required to report to the LegCo Secretariat ("the Secretariat") the result of each wage level review and make available documents and information for inspection by the Secretariat at any time.

2. Currently, the wage for the cleaners is \$10,600 per month.<sup>1</sup> They normally work eight hours per day. They are entitled to one paid rest day for every period of seven days, 12 paid statutory holidays, and seven days of paid annual leave increasing progressively to a maximum of 14 days according to their length of service. On par with the Administration's initiatives to enhance the labour benefits of non-skilled employees engaged by contractors for government service contracts tendered on or after 1 April 2019, the contractor is required to provide each cleaner with a 6% contractual gratuity, statutory holiday pay for cleaners who have been employed for not less than one month, and extra wages for cleaners who are required to work when Typhoon Warning Signal No. 8 or above is hoisted. The contractor is not required to provide paid meal breaks to cleaners.

3. The cleaning contractor is required to provide, on a quarterly basis and upon request of the Secretariat, details of the working hours, working days, payment of wages and record of contribution to the statutory provident fund schemes in respect of the cleaners employed for providing cleaning service for the LegCo Complex. According to the information provided by the contractor and verified by the Secretariat, the amount of wages paid to cleaners has complied with the requirements mentioned in paragraph 1 above.

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<sup>1</sup> This is the provisional wage. It may be adjusted upward when the relevant quarterly report of wage and payroll statistics are published by C&SD.

**CONTROLLING OFFICER'S REPLY**

**LC002**

**(Question Serial No. 1736)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (366) Remuneration and reimbursements for Members of the Legislative Council

Programme: (1) Members' Offices and Remuneration

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Please advise on the actual expenditure incurred last year for reimbursement of the expenses of Members of the Legislative Council on office operation, information technology and communication equipment, entertainment and travelling, and setting up and winding up of offices.

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 117)

Reply:

The actual amounts of reimbursements made to Members in respect of the following kinds of expenses for 2019-20 financial year were as follows:

| Nature of expenses   | \$ million |
|--|------------|
| Office Operation Expenses Reimbursement                      | 172.819    |
| Entertainment and Travelling Expenses Reimbursement          | 15.096     |
| Setting Up and Information Technology Expenses Reimbursement | 1.969      |
| Winding Up Expenses Reimbursement                            | 0.446      |

- End -

**CONTROLLING OFFICER'S REPLY**

**LC003**

**(Question Serial No. 2823)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (3) Legal Service

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Please set out the relevant bills/issues/procedural matters on which the Legislative Council sought external legal advice in the past 3 years, the organizations providing such legal advice and the expenditure incurred.

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 29)

Reply:

In the past 3 legislative years, apart from in-house legal advice, external legal advice was sought by the President of the Legislative Council. The subject matters for external legal advice and the relevant expenditure incurred up to 11 March 2021 are set out below.

| <b>Legislative year</b> | <b>Matters for external legal advice (excluding litigation proceedings)</b>  | <b>Expenditure \$</b> |
|-------------------------|--|-----------------------|
| 2018-19                 | <p><b>Matters relating to the Legislative Council's power to summon the Chief Executive of the Hong Kong Special Administrative Region</b></p> <p>Fees and expenses incurred for briefing one local Senior Counsel ("SC") and one junior counsel through a law firm to advise on issues relating to the Legislative Council ("LegCo")'s power to summon the Chief Executive to attend before the Council or its committee.</p> | 347,200               |

| Legislative year | Matters for external legal advice (excluding litigation proceedings)  | Expenditure \$ |
|------------------|---|----------------|
| 2018-19          | <p><b>Matters arising from two motions relating to the handling by the LegCo Secretariat of the practice and procedure for the election of Chairman of a Bills Committee by adoption of certain guidelines provided by the House Committee on 4 May 2019</b></p> <p>Fees and expenses incurred for briefing a local SC and a junior counsel through a law firm to advise on the issues arising from two motions relating to the handling by the LegCo Secretariat ("the Secretariat") of the election of the Chairman of the Bills Committee on Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019.</p> | 439,650        |
| 2018-19          | <p><b>Matters relating to two proposed resolutions under section 17(2) of The Legislative Council Commission Ordinance (Cap. 443)</b></p> <p>Fees and expenses incurred for briefing two local SC through a law firm to advise on issues arising from two proposed resolutions to direct The Legislative Council Commission to take disciplinary action against the Secretary General by reason of his alleged dereliction of duty or the Secretariat's alleged mishandling of the security arrangements for the LegCo Complex.</p>   | 425,975        |
| 2019-20          | <p><b>Matters relating to election of the Chairman of the House Committee for the 2019-20 session</b></p> <p>Fees and expenses incurred for briefing a local SC and a United Kingdom Queen's Counsel through two law firms to advise on issues arising from the delay in the election of the Chairman of the House Committee.</p>   | 879,327        |

- End -

**CONTROLLING OFFICER'S REPLY**

**LC004**

**(Question Serial No. 2824)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (2) Council Business Services

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Please set out the actual expenditure and the number of staff of various ranks of the Estate and Security Office last year; and the estimated expenditure on security matters and the details of various training programmes for the current year.

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 30)

Reply:

The staff establishment in the Estate and Security Office of the Legislative Council ("LegCo") Secretariat in 2020-21 is as follows:

***Security staff***

| <b>Rank</b>               | <b>Establishment<br/>(as at 28.2.2021)</b> |
|---------------------------|--|
| Chief Security Officer    | 1  |
| Senior Security Officer   | 1  |
| Security Officer          | 3  |
| Senior Security Assistant | 9  |
| Security Assistant I      | 36   |
| Security Assistant II     | 57   |
| <b>Total:</b>             | <b>107</b>                                 |



**Staff at other ranks**

| <b>Rank</b>                 | <b>Establishment<br/>(as at 28.2.2021)</b> |
|-----------------------------|--|
| Senior Council Secretary    | 1  |
| Council Secretary           | 1  |
| Estate Management Officer   | 2  |
| Administrative Assistant I  | 1  |
| Administrative Assistant II | 2  |
| Clerical Assistant          | 2  |
| Artisan                     | 4  |
| Office Assistant            | 1  |
| Workman I                   | 1  |
| Total:                      | 15   |

2. The actual expenditures of the Estate and Security Office in 2020-21 (11 months up to 28.2.2021) are \$76.703 million. (Note: The total expenditures of the Estate and Security Office include expenditures on building management services and electricity of the LegCo Complex.)

3. The total estimated expenditure on security matters of LegCo in 2021-22 is as follows:

| <b>Financial year</b> | <b>Personal emoluments</b> | <b>Departmental expenses</b> | <b>Total</b>     |
|-----------------------|----------------------------|------------------------------|------------------|
| 2021-22               | \$48.150 million           | \$3.366 million              | \$51.516 million |

4. In 2021-22, training workshops/courses covering topics such as first aid, automated external defibrillation, basic safety, occupational safety and health as well as emergency preparedness in property management will be arranged for security staff. The estimated training expenditure in 2021-22 is \$137,000.

- End -

**CONTROLLING OFFICER'S REPLY**

**LC005**

**(Question Serial No. 1738)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (366) Remuneration and reimbursements for Members of the Legislative Council

(000) Operational expenses

Programme: (1) Members' Offices and Remuneration

(3) Legal Service

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Regarding Members' offices and remuneration under this Programme, will the authorities advise on:

1. the total number of Members from whom recovery of relevant remuneration and expenses was sought as a result of their disqualification from office since the commencement of the Sixth Legislative Council ("LegCo"), and the amounts claimed against these disqualified persons; the latest progress of the recovery actions; the administrative and legal expenses thus incurred; and

2. in respect of the 24 Members who resigned from their office as LegCo Members in 2020, the amounts of gratuities paid by the Secretariat to them upon their departure from office, the operating expenses arising from winding up of their offices, and the additional expenses incurred; the total number of Members' assistants who were laid off by the resigned Members when they wound up their offices?

Asked by: Hon KWOK Wai-keung (LegCo internal reference no.: 85)

Reply:

Since the commencement of the Sixth Legislative Council ("LegCo"), The Legislative Council Commission ("the Commission") had taken actions to recover relevant remuneration and expenses from 10 persons who had been disqualified from being members of LegCo. Among these 10 persons, the Commission's claims against eight persons have been settled. Regarding the other two persons, namely Mr Sixtus LEUNG Chung-hang and Mr LEUNG Kwok-hung, the Commission has commenced legal proceedings to recover the full amount of Member's remuneration, operating expenses and advances paid to them:

- (a) In relation to the claim against Mr Sixtus LEUNG Chung-hung, the District Court entered Judgment against him on 5 May 2020. Upon his failure to satisfy the Judgment, the Commission commenced bankruptcy proceedings in the Court of First Instance ("CFI") on 17 August 2020. CFI adjudged Mr LEUNG bankrupt on 6 January 2021. Given Mr LEUNG's status as an adjudged bankrupt, the Chairman of the Commission has directed that it is not worthwhile for the Commission to incur further costs to take recovery action against Mr LEUNG.
- (b) The Commission has also commenced legal proceedings in CFI against Mr LEUNG Kwok-hung to recover the monies paid to him. A joint application has been made by the parties to seek CFI's directions for, among others, the action to be set down for trial.

2. As at 12 March 2021, the total legal expenditure incurred<sup>1</sup> for the above-mentioned recovery actions was about \$1.466 million.

3. In 2020, a total of 24 Members had vacated their offices as members of LegCo. Five of them had been disqualified from being members of LegCo, three had decided not to continue to serve as members of LegCo after 30 September 2020 and 16 had resigned from their offices as members of LegCo. Among these 24 persons, four persons were eligible for the Winding Up Expenses Reimbursement. The LegCo Secretariat has reimbursed winding up expenses of \$739,000 and severance payments of \$346,000 to 34 staff employed by these four former Members.

4. Following the decision made by the Standing Committee of the National People's Congress on 11 August 2020 that the Sixth LegCo is to continue to discharge its duties after 30 September 2020 for not less than one year until the commencement of the Seventh LegCo, the Commission decided in September 2020 that a gratuity covering the four-year period from 1 October 2016 to 30 September 2020 should be paid to all Members upon expiry of this period, irrespective of whether they would continue to serve as LegCo Members after 30 September 2020. The total amount of gratuity paid to the three persons who decided not to continue to serve as Members after 30 September 2020 and the 16 persons who had resigned as LegCo Members was about \$13.323 million.

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<sup>1</sup> This represents the total amount of external counsel's invoices and fee notes received thus far.

**CONTROLLING OFFICER'S REPLY**

**LC006**

**(Question Serial No. 2920)**

Head: (112) Legislative Council Commission  
Subhead (No. & title): (000) Operational expenses  
Programme: (2) Council Business Services  
Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)  
Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

It is mentioned in this Programme that during the pandemic, the Legislative Council ("LegCo") adopted special meeting and work arrangements. In this connection, will the authorities advise on:

1. the number of days on which the Cafeteria in the LegCo Complex was closed since January last year; whether any additional subsidy was provided to compensate the Cafeteria for its operating losses during the closure period and mitigate the impact on its staff;
2. further to the above question, whether the Secretariat has provided additional grants and anti-epidemic items, etc. for outsourced workers in the Complex (e.g. cleaners and Cafeteria staff) while strengthening epidemic prevention efforts in the Complex amid the pandemic, in order to tie in with the implementation of epidemic prevention measures in the Complex and for the conduct of meetings; if so, the expenditure and number of staff involved; and
3. whether the Secretariat has earmarked provisions for the continued implementation of epidemic prevention measures and provision of relevant subsidies in the coming year; if so, the expenditure involved?

Asked by: Hon KWOK Wai-keung (LegCo internal reference no.: 84)

Reply:

Since January 2020 and up to end of March 2021, the service of the Legislative Council ("LegCo") Cafeteria was suspended for four days (from 29 January to 1 February 2020) owing to the COVID-19 pandemic. No subsidy was granted by The Legislative Council Commission ("the Commission") to the operator of the LegCo Cafeteria to compensate it for its operating losses during the pandemic.

2. From March to September 2020, with the funds allocated under the Government's Anti-epidemic Fund ("AEF") programme, the LegCo Secretariat disbursed a monthly allowance of \$1,000 per month per person to each frontline worker performing cleaning and/or security duties engaged by the Commission through service contracts. The total number of times that outsourced workers received the monthly allowance during the period was 471. Those workers included cleaners, gardeners and temporary security guards. The total amount of the expenditure was \$518,100 (inclusive of the administrative fees paid to the service contractors for disbursing the monthly allowance) and was fully recovered from AEF.

3. The Commission has earmarked a budget of \$52,000 for procurement of anti-epidemic supplies (e.g. masks and disinfectant products) for 2021-22.

- End -

**CONTROLLING OFFICER'S REPLY**

**LC007**

**(Question Serial No. 1737)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses  
(885) Legislative Council Commission

Programme: (2) Council Business Services

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

In connection with the implementation of the recommendations of the security consultant, which was engaged by the Commission following the intrusion into and vandalism of the Legislative Council ("LegCo") Complex in July 2019, to enhance the security of the LegCo Complex, please inform this Committee of:

1. the details of the establishment of the security staff of the LegCo in 2020-21 and 2021-22, including the ranks, the salaries, the numbers of security staff employed on contract and temporary terms, and the detailed expenditure involved; and
2. the additional security measures implemented in the Complex, in addition to employing more security staff, and the amount of expenditure involved.

Asked by: Hon LAU Ip-keung, Kenneth (LegCo internal reference no.: 50)

Reply:

There is no temporary staff in the Security grade of the Legislative Council ("LegCo") Secretariat ("the Secretariat"). The establishment and remuneration of Security grade staff in 2020-21 and 2021-22 are as follows:

| <b>Rank</b>               | <b>Establishment<br/>(2020-21)</b> | <b>Establishment<br/>(2021-22)</b> | <b>Master pay scale</b> |
|---------------------------|------------------------------------|------------------------------------|-------------------------|
| Chief Security Officer    | 1                                  | 1                                  | Point 44 - 47           |
| Senior Security Officer   | 1                                  | 1                                  | Point 35 - 39           |
| Security Officer          | 3                                  | 3                                  | Point 29 - 30           |
| Senior Security Assistant | 9                                  | 9                                  | Point 20 - 21           |
| Security Assistant I      | 36                                 | 36                                 | Point 15 - 16           |
| Security Assistant II     | 57                                 | 57                                 | Point 8 - 14            |
| Total:                    | 107                                | 107                                | -                       |

The total remuneration expenses for security staff in 2020-21 (11 months up to 28.2.2021) is \$42.950 million, and the estimate for those in 2021-22 is \$48.150 million.

2. The security consultant engaged by the Secretariat in December 2019 completed a review on the physical security of the LegCo Complex and presented its report and recommendations to The Legislative Council Commission ("the Commission") in July 2020. The Commission has accepted the consultant's report and tasked the Secretariat to implement the recommendations in collaboration with the relevant government departments.

3. Most of the recommendations of the security consultant to strengthen the outer-perimeter and building-interior security of the LegCo Complex, including installation of fences and turnstiles, have been or are being implemented. The expenditures for the relevant works projects are borne by various government departments or the Commission. For 2021-22, the Commission has earmarked \$19.4 million for such projects.

- End -

**CONTROLLING OFFICER'S REPLY**

**(Question Serial No. 1739)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (366) Remuneration and reimbursements for Members of the Legislative Council

(000) Operational expenses

Programme: (1) Members' Offices and Remuneration

(3) Legal Service

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Please provide the amounts of remuneration and operating expenses to be recovered by The Legislative Council Commission ("the Commission") from 4 persons who were disqualified from being Members of the Legislative Council (i.e. Alvin YEUNG Ngok-kiu, Dennis KWOK Wing-hang, KWOK Ka-ki and Kenneth LEUNG), the latest progress of the recovery, and the details of the expenditure involved in seeking relevant legal advice by the Commission.

Asked by: Hon LAU Ip-keung, Kenneth (LegCo internal reference no.: 74)

Reply:

Following a decision of the Standing Committee of the National People's Congress dated 11 November 2020 disqualifying the four former Members from being members of the Legislative Council with effect from 30 July 2020, The Legislative Council Commission ("the Commission") demanded from the four former Members repayment of relevant remuneration and operating expenses paid to them in respect of the period from 30 July to 11 November 2020. The Commission's claims against the four Members have been settled and they had repaid the relevant amounts in accordance with the settlement.

2. A law firm has been instructed to deal with the above-mentioned matter. As at 12 March 2021, the total expenditure incurred<sup>1</sup> for the matter was \$27,450.

- End -

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<sup>1</sup> This represents the total amount of external counsel's invoice received thus far.



**CONTROLLING OFFICER'S REPLY**

**LC009**

**(Question Serial No. 1740)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (2) Council Business Services  
(3) Legal Service

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

1. What is the estimated expenditure on the emolument and allowances of the Secretary General of the Legislative Council in this financial year?
2. What is the estimated expenditure on the emolument and allowances of the Legal Adviser of the Legislative Council in this financial year?

Asked by: Hon LAU Ip-keung, Kenneth (LegCo internal reference no.: 75)

Reply:

The posts of Secretary General and Legal Adviser of the Legislative Council Secretariat ("the Secretariat") are pitched at D6 and D5 of the Directorate Pay Scale of the civil service respectively. A monthly cash allowance applicable to the respective posts, which is calculated on the basis of civil service staff costs given in Staff Cost Ready Reckoner issued by the Treasury, is also payable. The estimated expenditures, including salary and cash allowance, for Secretary General and Legal Adviser in 2021-22 are \$3.60 million and \$3.44 million respectively. According to their terms of appointment, a gratuity is payable upon completion of agreement, which is calculated at the rate of 15% and 25% respectively <sup>(Note)</sup> of the total salary drawn by the Secretary General and the Legal Adviser during the agreement period.

*Note: According to the policy of the Secretariat, staff who joined the Secretariat before 27 May 1999 are eligible for 25% gratuity, while those who joined afterwards are eligible for 10-15% gratuity.*

- End -

**CONTROLLING OFFICER'S REPLY**

**LC010**

**(Question Serial No. 1730)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses  
(885) Legislative Council Commission

Programme: (2) Council Business Services

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

In December 2019, the Secretariat engaged a security consultant to conduct a comprehensive review on the physical security of the Legislative Council ("LegCo") Complex. The consultant will make recommendations to address potential risks and threats and enhance the security of the LegCo Complex with a view to ensuring the safety of all Complex users and the smooth conduct of LegCo business. What is the progress of the review? Should any provisions be earmarked in 2021-22 for the implementation of such recommendations?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 28)

Reply:

The security consultant engaged by the Legislative Council ("LegCo") Secretariat ("the Secretariat") in December 2019 completed a review on the physical security of the LegCo Complex and presented its report and recommendations to The Legislative Council Commission ("the Commission") in July 2020. The Commission has accepted the consultant's report and tasked the Secretariat to implement the recommendations in collaboration with the relevant government departments.

2. Most of the recommendations of the security consultant to strengthen the outer-perimeter and building-interior security of the LegCo Complex, including installation of fences and turnstiles, have been or are being implemented. The expenditures for the relevant works projects are borne by various government departments or the Commission. For 2021-22, the Commission has earmarked \$19.4 million for such projects.

- End -

**CONTROLLING OFFICER'S REPLY**

**LC011**

**(Question Serial No. 1731)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (3) Legal Service

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Please set out the matters on which the Legislative Council sought external legal advice in the past 3 years and the expenditure incurred.

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 113)

Reply:

In the past 3 legislative years, apart from in-house legal advice, external legal advice was sought by the President of the Legislative Council. The subject matters for external legal advice and the relevant expenditure incurred up to 11 March 2021 are set out below.

| <b>Legislative year</b> | <b>Matters for external legal advice (excluding litigation proceedings)</b>  | <b>Expenditure \$</b> |
|-------------------------|--|-----------------------|
| 2018-19                 | <p><b>Matters relating to the Legislative Council's power to summon the Chief Executive of the Hong Kong Special Administrative Region</b></p> <p>Fees and expenses incurred for briefing one local Senior Counsel ("SC") and one junior counsel through a law firm to advise on issues relating to the Legislative Council ("LegCo")'s power to summon the Chief Executive to attend before the Council or its committee.</p> | 347,200               |

| Legislative year | Matters for external legal advice (excluding litigation proceedings)  | Expenditure \$ |
|------------------|---|----------------|
| 2018-19          | <p><b>Matters arising from two motions relating to the handling by the LegCo Secretariat of the practice and procedure for the election of Chairman of a Bills Committee by adoption of certain guidelines provided by the House Committee on 4 May 2019</b></p> <p>Fees and expenses incurred for briefing a local SC and a junior counsel through a law firm to advise on the issues arising from two motions relating to the handling by the LegCo Secretariat ("the Secretariat") of the election of the Chairman of the Bills Committee on Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019.</p> | 439,650        |
| 2018-19          | <p><b>Matters relating to two proposed resolutions under section 17(2) of The Legislative Council Commission Ordinance (Cap. 443)</b></p> <p>Fees and expenses incurred for briefing two local SC through a law firm to advise on issues arising from two proposed resolutions to direct The Legislative Council Commission to take disciplinary action against the Secretary General by reason of his alleged dereliction of duty or the Secretariat's alleged mishandling of the security arrangements for the LegCo Complex.</p>   | 425,975        |
| 2019-20          | <p><b>Matters relating to election of the Chairman of the House Committee for the 2019-20 session</b></p> <p>Fees and expenses incurred for briefing a local SC and a United Kingdom Queen's Counsel through two law firms to advise on issues arising from the delay in the election of the Chairman of the House Committee.</p>   | 879,327        |

- End -

**CONTROLLING OFFICER'S REPLY**

**LC012**

**(Question Serial No. 1732)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (-) Not Specified

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

In recent years, a number of staff members of the Legislative Council ("LegCo") Secretariat, including council secretaries, legal advisers and security officers, have been doxxed for discharging their duties. Has the LegCo Secretariat received any requests for assistance in this respect? Has it provided support to the affected Secretariat staff, e.g. psychological counseling, emotional support, subsidies for replacement of vehicle licences, assistance in application for school transfers for their children or family members, etc.? Does it involve any additional costs?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 114)

Reply:

In May 2020, the Legislative Council Secretariat ("the Secretariat") had received reports from six security staff members on doxxing acts against them (including disclosing their personal information and that of their family members on the Internet) for discharging their duties ("doxxing cases"). Reports and complaints on these doxxing cases had been made to the Police and the Privacy Commissioner for Personal Data ("PCPD") respectively. In response to actions taken by PCPD, doxxing postings on social media platforms concerned had been removed, and some of these doxxing cases had also been referred to the Police for investigation.

2. The Secretariat attaches great importance to enhancing the physical and mental well-being of Secretariat staff members. Psychological counseling and support for all issues encountered by staff and their families, including but not limited to those arising from doxxing, has been provided to staff members through the Employee Assistance Programme ("EAP"), under which services including 24-hour telephone counseling and consultation service, face-to-face counseling, and clinical psychology service are provided to Secretariat staff and their family members to help them cope with stress and anxiety arising from work, family and personal problems. Details of the consultations are confidential between the counselors and the relevant staff. As such, the Secretariat has no information about any of the cases. In addition, as part of the Secretariat's corporate staff wellness programme, the Secretariat organizes thematic talks and activities in areas relating to physical and mental health, life management and stress management on a regular basis. The actual expenditures on EAP and corporate staff wellness programme in 2020-21 is \$62,000, and the estimate for those in 2021-22 is \$65,000.

- End -

**CONTROLLING OFFICER'S REPLY**

**LC013**

**(Question Serial No. 1733)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (6) Corporate Liaison and Education and Visitor Services

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

What were the sales, expenses and profit/loss generated from the sale of souvenir items offered by the Legislative Council Secretariat and the top 3 souvenir items with the highest sales in the past 3 years?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 122)

Reply:

The sales, expenses and profit and loss of the Legislative Council ("LegCo") Souvenir Shop ("the Shop") in the past 3 financial years are as follows:

| <b>Financial year<br/>(April – March the next<br/>year)</b> | <b>(HK\$)</b> |                             |                      |
|---|---------------|-----------------------------|----------------------|
|   | <b>Sales</b>  | <b>Expenses<sup>1</sup></b> | <b>Profit (Loss)</b> |
| 2020 – 21 <sup>2</sup><br>(11 months up to 28.2.2021)       | 37,010        | 45,339                      | (8,329)              |
| 2019 – 20 <sup>2</sup>                                      | 159,910       | 149,326                     | 10,584               |
| 2018 – 19   | 465,639       | 344,707                     | 120,932              |

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<sup>1</sup> Expenses of the Shop include product development cost, credit card and Octopus commission charges, and other consumable items.

<sup>2</sup> Guided tour service of the LegCo Complex was suspended while the Amber alert was in force in June 2019 as the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 was scheduled for resuming its Second Reading debate, and has been suspended since the intrusion into the LegCo Complex on 1 July 2019, and subsequently the COVID-19 pandemic from January 2020.



2. The top 3 souvenir items with the highest sales and the quantity sold in the past 3 financial years are as follows:

| Financial year<br>(April – March the next<br>year) | Top 3 souvenir items with the highest sales<br>(quantity sold) |  |  |
|--|--|--|--|
|  | 1  | 2  | 3  |
| 2020 – 21<br>(11 months up to 28.2.2021)           | A5 notebook<br><br>(126)                                       | A5 notebook cover set (81) and<br>Eco-pen (81) |  |
| 2019 – 20  | Metal bookmark<br><br>(807)                                    | Collapsible meal<br>container<br><br>(310)     | Wooden<br>chopsticks and<br>spoon set<br><br>(221) |
| 2018 – 19  | Metal bookmark<br><br>(1 468)                                  | Plastic folder<br><br>(988)                    | Wooden<br>chopsticks and<br>spoon set<br><br>(852) |

- End -

**CONTROLLING OFFICER'S REPLY**

**LC014**

**(Question Serial No. 1734)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (6) Corporate Liaison and Education and Visitor Services

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

How many guided tours were conducted by the Legislative Council ("LegCo") Secretariat in the past 3 years (please provide a breakdown by language of the tours)? How many persons participated in the guided tours and, among them, how many were individual members of the public who made a booking via the Internet or by telephone on their own?

What measures does the LegCo Secretariat have in place to step up the efforts in promoting the Council's image to the public and tourists to Hong Kong?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 123)

Reply:

Below is the breakdown of guided tours conducted in different languages in the past 3 years:

| Legislative year                        | Number of tours conducted <sup>1</sup>   |           |         |                |
|---|--|-----------|---------|----------------|
|   | Cantonese  | Putonghua | English | Total          |
| 2020 – 21<br>(5 months up to 28.2.2021) | Guided tours were not organized for the public due to the suspension of public services since the intrusion into the Legislative Council ("LegCo") Complex on 1 July 2019, and subsequently the COVID-19 pandemic from January 2020. |           |         |                |
| 2019 – 20 <sup>2</sup>                  | 1  | 2         | 3       | 6 <sup>2</sup> |
| 2018 – 19 <sup>3</sup>                  | 1 119  | 271       | 146     | 1 536          |

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<sup>1</sup> Guided tours have been conducted for schools, charitable groups, public groups, individuals, Members' guests and official events.

<sup>2</sup> Guided tours were not organized for the public due to the suspension of public services. The six tours were conducted for official events.

<sup>3</sup> Guided tour service of the LegCo Complex was suspended while the Amber alert was in force in June 2019 as the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 was scheduled for resuming its Second Reading debate, and has been suspended since the intrusion into the LegCo Complex on 1 July 2019.

2. Below are the total number of participants of tours for the public and the number of bookings of tours for public groups and individuals made by members of the public via the Internet or by telephone in the past 3 years:

| <b>Legislative year</b>                 | <b>Total number of participants of tours for the public<sup>4</sup></b>  | <b>Number of bookings made by members of the public via Internet or by telephone</b> | <b>Number of places reserved<sup>5</sup></b> | <b>Actual attendance</b> |
|---|--|--|--|--------------------------|
| 2020 – 21<br>(5 months up to 28.2.2021) | Guided tours were not organized for the public due to the suspension of public services since the intrusion into the LegCo Complex on 1 July 2019, and subsequently the COVID-19 pandemic from January 2020. |  |  |                          |
| 2019 – 20 <sup>2</sup>                  |  |  |  |                          |
| 2018 – 19 <sup>3</sup>                  | 36 764   | 931  | 9 375  | 8 297                    |

3. The LegCo Secretariat ("the Secretariat") attaches great importance to promoting the Council's image through enhanced publicity campaign, targeted public engagement, and proactive information dissemination.

While public services at the LegCo Complex were suspended due to the COVID-19 pandemic, specially-designed online educational activities have been launched as an interim initiative to enhance students' understanding of the Legislature. In-person education activities will resume once public health conditions allow.

During the 2020-21 fiscal year, the education facilities in the Main Lobby of the LegCo Complex have been revamped and redesigned to create an easily accessible new point of interest to visitors. In addition, the content and functions of various online platforms, including the LegCo Website, the LegCo Mobile App, the YouTube Channel and the Flickr Album, are regularly updated to provide the public a quick access to the information and educational materials of the LegCo business and activities.

The Secretariat will continue with its efforts to promote LegCo corporate image both locally and overseas.

- End -

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<sup>4</sup> The tours for the public include those conducted for schools, charitable groups, public groups and individuals.

<sup>5</sup> For tours for public groups, a person can book a tour for a group of 15 to 45 persons. For tours for individuals, a person can reserve up to six places of a tour.

**CONTROLLING OFFICER'S REPLY**

**LC015**

**(Question Serial No. 0804)**

Head: (112) Legislative Council Commission  
Subhead (No. & title): (000) Operational expenses  
Programme: (2) Council Business Services  
Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)  
Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

1. Please set out the respective numbers of times when a Member was named and ruled as having committed disorderly conduct by the President, the Chairman of a committee of the whole Council or the chairman of any committee in the past 3 legislative sessions, the numbers of Members involved and the disorderly conduct involved;
2. Please set out the respective numbers of Members who were ordered by the President, the Chairman of a committee of the whole Council or the chairman of any committee to withdraw immediately from the Council or the committee for their disorderly conduct at such meetings in the past 3 legislative sessions, the numbers of times when the Members concerned were evicted and the disorderly conduct involved; and
3. Please set out the respective numbers of meeting hours lost due to disruptions caused by Members' disorderly conduct in each of the past 3 legislative sessions, and the negative consequences arising from such conduct (e.g. physical confrontations).

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 43)

Reply:

The information about Members' disorderly conduct at meetings of the Council and its committees in the past 3 legislative sessions is as follows:

| Session                               | Number of times when a Member was named and ruled as having committed disorderly conduct and was ordered to withdraw |                 |                   |                  | Number of Members involved |
|---------------------------------------|--|-----------------|-------------------|------------------|----------------------------|
|                                       | Council  | House Committee | Finance Committee | Other committees |                            |
| 2018-19                               | 17   | 12              | 0                 | 4                | 15 Members                 |
| 2019-20                               | 49   | 52              | 7                 | 12               | 27 Members                 |
| 2020-21<br>(5 months up to 28.2.2021) | 1  | 0               | 0                 | 0                | 1 Member                   |

2. During the past 3 legislative sessions, the number of times that each Member concerned was evicted from meetings of the Council or its committees due to disorderly conduct ranged from one to 16. The disorderly conduct mainly involved chanting aloud repeatedly, displaying objects/placards that caused obstruction to other Members, refusal to return to seats, dashing towards the President's or chairman's podium, using offensive, insulting or unparliamentary language, hurling unknown objects/liquid, setting off sound devices that caused nuisances, etc.

3. The Legislative Council Secretariat does not keep statistics on the meeting hours lost due to disruptions caused by Members' disorderly conduct. Physical confrontations arose on some occasions when the security staff had to be deployed to remove the Members concerned from the Chamber/conference room on the instruction of the President or chairman of the committee concerned.

- End -

**CONTROLLING OFFICER'S REPLY**

**LC016**

**(Question Serial No. 1735)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (4) Redress System

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

How many cases (excluding telephone cases) were received in total by the Public Complaints Office of the Legislative Council in the past 3 legislative years? Among them, how many cases were completed and not processed respectively (set out a breakdown by reasons)?

Asked by: Hon OR Chong-shing, Wilson (LegCo internal reference no.: 67)

Reply:

The number of cases received, completed and assessed not pursuable by the Public Complaints Office of the Legislative Council Secretariat in the past 3 legislative years is as follows:

| Legislative year | Number of cases received | Number of cases completed | Number of cases assessed not pursuable |
|------------------|--------------------------|---------------------------|--|
| 2017-18          | 1 693                    | 1 824                     | 129                                    |
| 2018-19          | 2 431                    | 2 384                     | 382                                    |
| 2019-20          | 3 865                    | 3 929                     | 1 169                                  |

2. The Public Complaints Office has not maintained record on the breakdown by reasons of cases not pursued in the past 3 legislative years. In general, cases are assessed not pursuable if they are outside the scope of the Legislative Council Redress System, or if they are considered unreasonable/groundless or are incomprehensible. For cases falling outside the scope of the Redress System, advice on appropriate handling channels will be given to the complainants if possible (e.g. complainants aggrieved about the breach of personal data privacy will be advised to approach the Office of the Privacy Commissioner for Personal Data for assistance).

- End -

**CONTROLLING OFFICER'S REPLY**

**LC017**

**(Question Serial No. 0745)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (366) Remuneration and reimbursements for Members of the Legislative Council

(000) Operational expenses

Programme: (1) Members' Offices and Remuneration

(3) Legal Service

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Please give an account of the latest progress of the recovery of remuneration and operating expenses from 3 former Legislative Council Members, namely Sixtus LEUNG Chung-hang, YAU Wai-ching and LEUNG Kwok-hung, by The Legislative Council Commission, including the legal expenses incurred so far and the amount recovered.

Asked by: Hon TSE Wai-chuen, Tony (LegCo internal reference no.: 121)

Reply:

The respective amounts of Members' remuneration and operating expenses which have been paid to Mr Sixtus LEUNG Chung-hang, Miss YAU Wai-ching and Mr LEUNG Kwok-hung who were disqualified by the courts from assuming the office of Members of Legislative Council ("LegCo") for failure to lawfully and validly take the LegCo Oath are as follows:

|                            |                 |
|----------------------------|-----------------|
| Mr Sixtus LEUNG Chung-hang | \$ 929,573      |
| Miss YAU Wai-ching         | \$ 929,573      |
| Mr LEUNG Kwok-hung         | \$ 2,747,452.59 |



2. The Legislative Council Commission ("the Commission") commenced legal proceedings in the District Court to recover the full amount of Members' remuneration and advanced operating funds paid to Mr Sixtus LEUNG Chung-hang and Miss YAU Wai-ching:

- (a) The claim against Miss YAU Wai-ching has been settled whereby she has been making repayment of the above amount together with interest and legal costs by monthly instalments since September 2020; up to the end of March 2021, a total amount of \$175,000 has been received from Miss YAU, and a further \$1,025,000 will be due for repayment in the next 41 months pursuant to the settlement agreement.
- (b) In relation to the claim against Mr Sixtus LEUNG Chung-hang, the District Court entered Judgment against him on 5 May 2020. Upon his failure to satisfy the Judgment, the Commission commenced bankruptcy proceedings in the Court of First Instance ("CFI") on 17 August 2020. CFI adjudged Mr LEUNG bankrupt on 6 January 2021. Given Mr LEUNG's status as an adjudged bankrupt, the Chairman of the Commission has directed that it is not worthwhile for the Commission to incur further costs to take recovery action against Mr LEUNG. No amount has been recovered from him.

3. The Commission has also commenced legal proceedings in CFI against Mr LEUNG Kwok-hung to recover the full amount of Member's remuneration, operating expenses and advances paid to Mr LEUNG. A joint application has been made by the parties to seek CFI's directions for, among others, the action to be set down for trial. No amount has so far been recovered from Mr LEUNG.

4. As at 12 March 2021, the total expenditure incurred<sup>1</sup> for the above-mentioned legal actions was about \$1,395,157:

|  |           |
|--|-----------|
| (a) Legal proceedings against Mr Sixtus LEUNG and Miss YAU | \$673,360 |
| (b) Legal proceedings against Mr LEUNG Kwok-hung           | \$721,797 |

- End -

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<sup>1</sup> This represents the total amount of external counsel's invoices and fee notes received and settled thus far.

**CONTROLLING OFFICER'S REPLY**

**LC018**

**(Question Serial No. 0746)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (2) Council Business Services

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

1. Please provide a breakdown by year of the number of Legislative Council ("LegCo") Secretariat staff and security staff who have sustained injuries while handling protests and confrontations or matters relating to the maintenance of order within and outside the Council since 2014.

2. Please set out the relevant costs for repairing and replacing the facilities of the LegCo Complex which were damaged as a result of protests and confrontations or matters relating to the maintenance of order in 2020-21.

Asked by: Hon TSE Wai-chuen, Tony (LegCo internal reference no.: 122)

Reply:

The numbers of staff of the Legislative Council Secretariat who sustained injuries while carrying out duties in connection with the maintenance of order within and outside the Council since 2014-15 are as follows:

| <b>Financial year</b>                  | <b>Number of staff</b> |
|--|------------------------|
| 2014-15                                | 15                     |
| 2015-16                                | 6                      |
| 2016-17                                | 7                      |
| 2017-18                                | 5                      |
| 2018-19                                | 8                      |
| 2019-20                                | 3                      |
| 2020-21<br>(11 months up to 28.2.2021) | 3                      |

2. Foul-smelling objects and/or liquid were hurled during the Council meetings held in the Chamber and Conference Room 1 on 28 May and 4 June 2020. The carpet, some furniture items and computer equipment in the Chamber and the carpet in Conference Room 1 were befouled, which caused serious odour nuisances. The expenses incurred for repairing/replacing the damaged properties, cleaning up the contaminated areas and abating the nuisances caused by the said incidents amounted to about \$270,000 and have been fully recovered from the persons concerned.

- End -

**CONTROLLING OFFICER'S REPLY**

**LC019**

**(Question Serial No. 0747)**

Head: (112) Legislative Council Commission

Subhead (No. & title): (000) Operational expenses

Programme: (2) Council Business Services

Controlling Officer: Secretary General, Legislative Council Secretariat  
(Kenneth CHEN)

Director of Bureau: Secretary General, Legislative Council Secretariat

Question:

Please set out the number of meetings held, the number of meeting hours spent and the public expenditures incurred by the House Committee of the Legislative Council for the election of its Chairman and Deputy Chairman for the 2019-20 session.

Asked by: Hon TSE Wai-chuen, Tony (LegCo internal reference no.: 123)

Reply:

The House Committee of the Legislative Council held 19 meetings with a total duration of 29 hours and 44 minutes for the election of its Chairman and Deputy Chairman for the 2019-20 session. The expenditure incurred is estimated to be \$8,592,933.<sup>1</sup>

- End -

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<sup>1</sup> The figure on expenditure is calculated based on the average hourly expenditure incurred for servicing meetings of the Council and its committees in the 2019-20 session which is approximately \$289,000 (calculated based on average number of meeting hours in the past 3 years).