

立法會
Legislative Council

LC Paper No. CB(2)332/20-21

Ref : CB2/H/5/20

House Committee of the Legislative Council

**Minutes of the 5th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 13 November 2020**

Members present :

Hon Starry LEE Wai-king, SBS, JP (Chairman)
Hon MA Fung-kwok, GBS, JP (Deputy Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon YIU Si-wing, BBS
Hon CHAN Han-pan, BBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, GBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Jimmy NG Wing-ka, BBS, JP
Dr Hon Junius HO Kwan-yiu, JP

Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai, JP
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan, JP
Dr Hon Pierre CHAN
Hon CHAN Chun-ying, JP
Hon LUK Chung-hung, JP
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Dr Hon CHENG Chung-tai
Hon Vincent CHENG Wing-shun, MH, JP

Members absent :

Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon WU Chi-wai, MH
Hon Charles Peter MOK, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Andrew WAN Siu-kin
Hon LAM Cheuk-ting
Hon SHIU Ka-chun
Hon CHEUNG Kwok-kwan, JP
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Tony TSE Wai-chuen, BBS, JP

Clerk in attendance :

Miss Flora TAI	Clerk to the House Committee
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Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
Ms Connie FUNG	Legal Adviser
Miss Odelia LEUNG	Deputy Secretary General
Ms Anita SIT	Assistant Secretary General 1
Ms Dora WAI	Assistant Secretary General 3

Mr Matthew LOO	Assistant Secretary General 4
Mr Timothy TSO	Senior Assistant Legal Adviser 1
Ms Clara TAM	Acting Senior Assistant Legal Adviser 2
Mr Bonny LOO	Senior Assistant Legal Adviser 3
Ms Alice LEUNG	Chief Council Secretary (2)6
Ms Vanessa CHENG	Assistant Legal Adviser 5
Miss Connie AU	Senior Council Secretary (2)6
Mr Richard WONG	Senior Council Secretary (2)8
Miss Michelle TANG	Council Secretary (2)6
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

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I. Confirmation of verbatim transcript/minutes of meetings

(a) Verbatim transcript of the special meeting held on 28 August 2020

(LC Paper No. CB(2)214/20-21)

(b) Minutes of the 4th meeting held on 6 November 2020

(LC Paper No. CB(2)215/20-21)

The above two sets of verbatim transcript/minutes of meetings were confirmed.

II. Matters arising

Report by the Chairman on her meeting with the Chief Secretary for Administration

2. The Chairman said that Members' concerns on various issues expressed at the last meeting of the House Committee ("HC") held on 6 November 2020 had been relayed to the Chief Secretary for Administration ("CS"). She further said that CS had noted Members' concerns and had indicated that relevant Bureau Secretaries had on different occasions responded to such issues and elaborated on the Government's stance. CS had said that if there were any new viewpoints regarding the issues concerned, Members could raise and follow up such viewpoints at the relevant Panel(s). CS hoped that Members could make the most of the Council's time, adopt a pragmatic approach and join hands with the Administration in serving members of the public and in taking

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forward the work of the Legislative Council ("LegCo"). The Chairman further said that as the 18 Panels had already commenced their work in the current session, Members could follow up their issues of concern through the relevant Panel(s).

Anti-epidemic measures

3. Some Members including Ms Elizabeth QUAT, Dr Priscilla LEUNG, Ms Alice MAK, Ir Dr LO Wai-kwok and Mr Jeffrey LAM shared the view that the Administration should implement compulsory population-wide testing for coronavirus disease 2019 ("COVID-19") with a view to eliminating the virus completely from the community and achieving zero infection level so that the economy could be restarted and cross-boundary travel could be resumed. Ms QUAT said that more stringent measures should be put in place to prevent imported cases from spreading the virus in the community. She also hoped that the Administration could launch the "Hong Kong Health Code" system as soon as possible. Dr LEUNG considered that under the Prevention and Control of Disease Ordinance (Cap. 599), the Administration was empowered to implement compulsory population-wide testing for the sake of public health and the Administration should implement the compulsory population-wide testing in a decisive manner. Ms MAK shared a similar view with Dr LEUNG. She added that the Hong Kong Federation of Trade Unions was of the view that before the compulsory population-wide testing could be implemented, the Administration should promptly conduct compulsory testing for designated groups (including staff of residential care homes and nursing homes, workers engaged in the transport sector, restaurant staff and frontline staff of the property management sector) first. In addition, the compulsory testing arrangement should also be extended to cover civil servants, medical staff, teaching staff, hotel staff and people with symptoms of COVID-19. The Administration should amend the relevant legislation as soon as possible where necessary to facilitate the implementation of compulsory testing for designated groups. Ir Dr LO said that the emergence of a number of local cases with unknown source was alarming and the public was worried about the situation. CS should coordinate all relevant bureaux and departments to carry out anti-epidemic work properly. Mr LAM suggested that CS should be invited to LegCo to brief Members on the Government's latest efforts and measures to combat COVID-19.

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4. Dr Pierre CHAN and Dr CHENG Chung-tai shared a similar view that the first, second and third waves of the epidemic were attributable to the spreading of the COVID-19 virus into the community through persons arriving in Hong Kong from overseas. They considered that exempting seafarers and aircrew from the compulsory quarantine arrangement was a loophole, and that such an exemption was closely related to the third outbreak of COVID-19 cases in Hong Kong. Dr CHAN called on the Administration to impose proper border control measures and compulsory quarantine arrangements to prevent the importation of cases and the spreading of the virus in the community. Dr CHENG considered that the existing exemption arrangements under the compulsory quarantine regime should be critically reviewed.

5. The Chairman said that issues relating to the prevention and control of COVID-19 had been discussed at length during the meeting of the Panel on Health Services held in the morning on the day of this HC meeting. She reiterated that Members could follow up their issues of concern through the relevant Panel(s).

Relief measures amidst the epidemic

6. Noting that some of the programmes under the Anti-epidemic Fund had already concluded, Mr CHUNG Kwok-pan suggested that consideration should be given to redeploying the unused funding from these programmes to help other trades in need, such as the import and export trade sector and the travel industry which were hard hit by the epidemic but had received not much assistance from the Government so far. Echoing the view of Mr CHUNG, Mr YIU Si-wing said that the Administration should also consider redeploying the unused allocation for the Hong Kong Tourism Board to support the travel industry to avoid layoffs or closure of businesses. Mr Vincent CHENG said that many people were concerned that a lot of companies would lay off their staff upon the end of the second tranche of the Employment Support Scheme ("ESS") in November 2020. He hoped that CS could give an account to the public on whether or not other policy initiatives would be implemented to provide support to the unemployed (e.g. the setting up of an unemployment assistance fund) and whether or not the third tranche of ESS would be available.

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7. Mr Michael TIEN suggested that the Administration should liaise with the MTR Corporation Limited regarding the possibility of extending the "20% Rebate for Every Octopus Trip" programme for another six months until the end of June 2021. He also suggested that the Administration should discuss with the franchised bus companies to provide similar fare concessions to the public.

Winter influenza season

8. Mr Holden CHOW said that as Hong Kong would soon enter the winter influenza season, he considered that CS should coordinate the efforts of various bureaux and departments to tackle the winter influenza, including the provision of influenza vaccination for the public.

Communication between the Executive Authorities and the Legislature

9. Dr CHIANG Lai-wan hoped that the Chief Executive ("CE") would continue to attend the CE's Question and Answer Session. Mr Steven HO said that LegCo should now focus on the livelihood issues and to facilitate the effective use of meeting time, Bureaux Secretaries should get well-prepared to answer the questions put by Members at meetings of the Council and its committees. Mr HO hoped that CS could discuss this matter with the Bureaux Secretaries.

III. Business for the Council meeting of 25 November 2020

(a) **Questions**
(LC Paper No. CB(3)112/20-21)

10. The Chairman said that a list setting out the Members who had been allocated question slots for the meeting had already been issued to Members.

(b) **Government Bill - First Reading and Second Reading (debate to be adjourned)**

11. The Chairman said that no notice had been received yet.

(c) **Government Motion**

12. The Chairman said that no notice had been received yet.

(d) Members' Motions

13. The Chairman said that Members' motions which had stood over from previous Council meetings would be dealt with at the meeting.

Report of HC on Consideration of Subsidiary Legislation

14. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)124/20-21), which contained two items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 25 November 2020. She reminded Members to indicate their intention by 5:00 pm on Tuesday, 17 November 2020, should they wish to speak on any of those items of subsidiary legislation.

IV. Reports of Bills Committees and subcommittees

**(a) Report of the Subcommittee on Hotel and Guesthouse
Accommodation (Amendment) Ordinance 2020
(Commencement) Notice**

(LC Paper No. CB(2)217/20-21)

15. Mr YIU Si-wing, member of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Mr YIU said that members of the Subcommittee in general had no objection to the appointment of 1 December 2020 as the commencement date of the Amendment Ordinance.

**(b) Report of the Subcommittee on Proposed Senior Judicial
Appointment**

(LC Paper No. CB(4)132/20-21)

16. Dr Priscilla LEUNG, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Dr LEUNG said that save two members of the Subcommittee, the Subcommittee generally supported the proposed appointment of the Right Honourable Lord Patrick Hodge as a non-permanent judge from other common law jurisdictions of the Court of Final Appeal. Members noted that the Administration intended to move a resolution to seek the Council's endorsement of the proposed senior judicial appointment in accordance with Article 73(7) of the Basic Law at the Council meeting of 2 December 2020.

V. Position on Bills Committees and subcommittees
(*LC Paper No. CB(2)216/20-21*)

17. The Chairman said that as at 5:00 pm on 12 November 2020, there were three Bills Committees, 22 subcommittees under HC and one subcommittee on policy issues under a Panel in action. Nine subcommittees on policy issues were pending activation.

18. The Chairman invited Members to note that as the Hong Kong Special Administrative Region Government had announced and gazetted on 11 November 2020 that Mr Kenneth LEUNG and Mr Dennis KWOK, among others, had been disqualified from being a member of LegCo with effect from 30 July 2020, the number of members of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions had therefore been reduced to two. Given that a subcommittee should consist of not less than three members, Members agreed that the membership of the Subcommittee be re-opened. The Chairman said that the LegCo Secretariat would issue a circular to invite Members to join the Subcommittee.

19. The Chairman also invited Members to note that only one Member had signified to join the proposed Subcommittee on Two Orders Made under Section 49(1A) of the Inland Revenue Ordinance and Gazetted on 23 October 2020 by the deadline for signification of membership. According to the relevant House Rules, a subcommittee should consist of not less than three members and the above proposed subcommittee could not therefore be formed.

VI. Any other business

20. There being no other business, the meeting ended at 2:52 pm.