

**立法會**  
**Legislative Council**

LC Paper No. CB(2)427/20-21

Ref : CB2/H/5/20

**House Committee of the Legislative Council**

**Minutes of the 7th meeting  
held in Conference Room 1 of the Legislative Council Complex  
at 2:30 pm on Friday, 27 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  
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 CHEUNG Kwok-kwan, 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  
Hon Tony TSE Wai-chuen, BBS, 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  
Dr Hon Junius HO Kwan-yiu, JP  
Hon LAM Cheuk-ting  
Hon SHIU Ka-chun  
Hon KWONG Chun-yu  
Hon Jeremy TAM Man-ho

**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
Miss Joyce CHAN	Assistant Legal Adviser 1
Miss Rachel DAI	Assistant Legal Adviser 2
Ms Vanessa CHENG	Assistant Legal Adviser 5
Ms Wendy KAN	Assistant Legal Adviser 6
Mr Mark LAM	Assistant Legal Adviser 7
Mr Cliff IP	Assistant Legal Adviser 8
Miss Evelyn LEE	Assistant Legal Adviser 10
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 minutes of meeting**

**Minutes of 6th meeting held on 20 November 2020**  
*(LC Paper No. CB(2)384/20-21)*

The minutes 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, including the anti-epidemic measures and the fire incident in Yau Ma Tei, expressed at the last meeting of the House Committee ("HC") held on 20 November 2020 had been relayed to the Chief Secretary for Administration ("CS"). She further said that CS had noted Members' views and had indicated that the Government had all along strengthened and improved the relevant measures continuously and had plugged the loopholes having regard to the changing epidemic situation. The Government had recently launched various measures to tackle the epidemic. CS had further said that the Administration would continue to maintain close communication with Members and pool the collective wisdom in rising to the challenges brought about by the epidemic.

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Anti-epidemic measures

3. Ms Elizabeth QUAT said that the public had hoped that the Administration could impose more stringent measures to contain the epidemic. In particular, she was concerned that the number of confirmed cases associated with group gathering activities on private premises had continued to emerge. Ms QUAT was of the view that the Administration should urge the public to avoid taking part in such kind of activities, and consider enacting legislation to prohibit group gathering activities on private premises if the epidemic situation worsened.

Members' views on the Chief Executive's 2020 Policy Address

4. Ms Elizabeth QUAT said that the Policy Address had not touched on a number of issues which were of wide public concern including matters relating to the judicial reform, the enactment of legislation to prohibit acts of insulting public officers and acts of doxxing as well as the introduction of a regulatory regime to tackle online disinformation. Mr Michael TIEN said that the progress of upgrading the signalling systems of seven railway lines by the MTR Corporation Limited was worrying. Expressing concern about the reform on the monitoring of railway systems, he was disappointed that the issue concerning the establishment of a "Railway Department" was not mentioned in the Policy Address. Both Ms QUAT and Mr TIEN hoped that CS could follow-up the above matters.

5. Mr Tony TSE, Mrs Regina IP, Mr Michael TIEN and Mr CHAN Hak-kan expressed support for the Administration's decision to withdraw all the staff establishment proposals awaiting the scrutiny of the Legislative Council ("LegCo") and to review them individually. They urged the Administration to conduct the review promptly and if any of the posts was considered to be absolutely necessary, the Administration should submit the proposal(s) concerned as early as possible to LegCo again for approval. Mrs IP and Mr CHAN were concerned whether the Administration would incorporate those staff establishment proposals into the Budget to be submitted to LegCo later for approval in one go. They hoped that CS would clarify the matter to address their concern.

Other issue

6. Mr Steven HO said that as the Chinese New Year was approaching soon, local fishermen would use their own fishing vessels to send their Mainland deckhands back to the Mainland for the festive

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season. He expressed concern that for fishing vessels which had navigated in the waters of Hong Kong on their way to the Mainland, the fishermen on board would have to undergo a 14-day compulsory quarantine upon arrival in the Mainland. Besides, he was also concerned that in the past few months, some local fishermen had experienced difficulties in getting permissions to go ashore in the Mainland. Mr HO hoped that CS could coordinate with the bureaux and departments concerned in liaising with the Mainland authorities in respect of the relevant arrangements with a view to facilitating the fishing operation of local fishermen.

7. The Chairman reiterated that as all the Panels had already commenced their work in the current session, Members could follow up their issues of concern through the relevant Panel(s). She further said that Members could also express their views regarding the policy initiatives introduced in the 2020 Policy Address during the policy briefings of relevant Panels and the debate on the Motion of Thanks on the Policy Address to be held in the Council later.

### **III. Business arising from previous Council meetings**

**(a) Legal Service Division report on subsidiary legislation gazetted on 18 November 2020**  
*(LC Paper No. LS11/20-21)*

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8. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on two items of subsidiary legislation (i.e. L.N. 222 and L.N. 223) which were gazetted on 18 November 2020 and tabled in Council on 25 November 2020.

9. Dr CHENG Chung-tai considered it necessary to study the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 7) Regulation 2020 (L.N. 222) and the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 13) Regulation 2020 (L.N. 223) in detail. At the suggestion of the Chairman, Members agreed that the two items of subsidiary legislation should be studied by the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease.

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**(b) Legal Service Division report on subsidiary legislation gazetted on 20 November 2020**

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*(LC Paper No. LS12/20-21)*

10. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on four items of subsidiary legislation (i.e. L.N. 224 to L.N. 227) which were gazetted on 20 November 2020 and tabled in Council on 25 November 2020.

11. Members did not raise any questions on the above four items of subsidiary legislation.

12. The Chairman reminded Members that the deadline for amending the above six items of subsidiary legislation would be the Council meeting of 16 December 2020, or that of 13 January 2021 if extended by a resolution of the Council.

**IV. Further business for the Council meeting of 2 December 2020**

**(a) Laying of Papers on the Table of the Council**

**Report No. 4/20-21 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments**

*(LC Paper No. CB(2)386/20-21)*

13. The Chairman said that the Report covered nine items of subsidiary legislation and the period for amending them would expire at the Council meeting of 2 December 2020. No Member had indicated intention to speak on any of those items of subsidiary legislation.

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

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**(1) Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Bill**

**(2) Stamp Duty (Amendment) Bill 2020**

14. The Chairman said that HC would consider the above two Bills at its meeting on 4 December 2020.

**V. Business for the Council meeting of 9 December 2020**

**(a) Questions**

*(LC Paper No. CB(3)164/20-21)*

15. 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)**

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16. The Chairman said that HC would consider the Sex Discrimination (Amendment) Bill 2020 at its meeting on 11 December 2020.

**(c) Government Bill - Second Reading (debate to resume), consideration by committee of the whole Council and Third Reading**

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17. The Chairman said that the Second Reading debate on the Supplementary Appropriation (2019-2020) Bill would be resumed at the meeting.

**(d) Government Motion**

**Proposed resolution under Article 73(7) of the Basic Law and section 7A of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) on appointment of a judge from another common law jurisdiction of the Court of Final Appeal to be moved by the Chief Secretary for Administration**

*(LC Paper No. CB(3)172/20-21)*

18. Members noted that the Administration would move the above proposed resolution at the meeting.

**(e) Members' Motions**

**(1) Motion on "Formulating a comprehensive rural development policy" to be moved by Hon Kenneth LAU**  
*(LC Paper No. CB(3)179/20-21)*

**(2) Motion on "Thoroughly reforming the subject of Liberal Studies" to be moved by Hon Elizabeth QUAT**  
*(LC Paper No. CB(3)180/20-21)*

19. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above two motions would be Wednesday, 2 December 2020.

Report of HC on Consideration of Subsidiary Legislation

20. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)177/20-21), which contained two items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 9 December 2020. She reminded Members to indicate their intention by 5:00 pm on Tuesday, 1 December 2020, should they wish to speak on any of those items of subsidiary legislation.

**VI. Reports of Bills Committees and subcommittees**

**(a) First Report of the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease**

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21. Dr CHIANG Lai-wan, Chairman of the Subcommittee, made a verbal report on the Subcommittee's deliberations. She said that HC had referred to the Subcommittee a total of 23 items of subsidiary legislation for scrutiny. These items of subsidiary legislation were made under the Prevention and Control of Disease Ordinance (Cap. 599) for the purpose of tackling the public health emergency relating to the coronavirus disease 2019 epidemic. The Subcommittee had held two meetings with the Administration and had completed the scrutiny work on seven items of subsidiary legislation relating to border control measures, 13 items of subsidiary legislation relating to social distancing measures, as well as two other items of subsidiary legislation relating to disclosure of information measures.

22. Dr CHIANG further said that given that the daily new confirmed cases in Hong Kong between early and mid November 2020 were mainly imported cases, members of the Subcommittee in general considered that the Administration's quarantine measures in respect of persons coming from overseas countries and places were not sufficiently precise, making it difficult to avoid contacts of the relevant persons in the community



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while they were undergoing quarantine. In these members' view, it would be most desirable if the Administration could provide point-to-point transportation to all travellers arriving in Hong Kong and arrange compulsory quarantine for them in designated hotels. While the above arrangements could not be implemented for the time being, the Administration should further tighten the relevant quarantine measures, including making it a mandatory requirement on hotels that guestrooms for confinees under compulsory quarantine and other guests had to be separated on different floors, restricting visits of confinees during the quarantine period, requiring minor confinees under the age of 18 to be accompanied by adults in the hotel guestrooms at all times during the quarantine period, and following up any persons that were in violation of compulsory quarantine orders in a serious manner.

23. Dr CHIANG further advised that there had been rapid changes of the epidemic situation in Hong Kong in recent days. Apart from the large outbreak cluster caused by group gathering activities in dancing or singing venues, there had been a number of locally infected cases with unknown source for consecutive days, indicating the existence of many silent transmission chains in the community. Having regard to the above situation, members of the Subcommittee requested the Administration to tighten social distancing measures, targeting those closed, crowded, closely-contacted, and mask-off leisure and entertainment group activities; to step up enforcement in order to ensure compliance with the relevant infection control measures by catering premises, including the requirement of wearing masks when customers were away from their tables; and to restrict the number of people participating in gathering activities in hotel guestrooms, etc.

24. Dr CHIANG informed Members that the Subcommittee would not propose any amendments to the 22 items of subsidiary legislation, and would submit a written report in due course. Members noted that the Subcommittee would hold another meeting with the Administration on 8 December 2020 to discuss the remaining item of subsidiary legislation relating to compulsory testing measures. The Subcommittee would further report its deliberations to HC upon completion of scrutiny of that item of subsidiary legislation.

25. The Chairman reminded Members that the period for amending L.N. 209 studied by the above Subcommittee would expire at the Council meeting of 9 December 2020, and that the deadline for giving notice of amendments, if any, would be Wednesday, 2 December 2020.

**(b) Report of the Subcommittee on Medical Laboratory Technologists (Special Exemptions) Regulation**

*(LC Paper No. CB(2)387/20-21)*

26. Mr WONG Ting-kwong, Chairman of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Mr WONG said that members of the Subcommittee in general raised no objection to the Regulation.

**(c) Report of the Subcommittee on Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) (No. 2) Order 2020**

*(LC Paper No. CB(2)383/20-21)*

27. Mr Abraham SHEK, member of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Mr SHEK said that the Subcommittee raised no objection to the Amendment Order.

**(d) Report of the Subcommittee on Five Pieces of Subsidiary Legislation Relating to Fee Waiving or Concession Measures for the Retail and Catering Sectors**

*(LC Paper No. CB(1)267/20-21)*

28. Mr Tommy CHEUNG, member of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Mr CHEUNG said that members of the Subcommittee in general supported the five items of subsidiary legislation.

**(e) Report of the Subcommittee on Seven Pieces of Subsidiary Legislation Relating to Fee Waiving or Concession Measures for the Construction Sector**

*(LC Paper No. CB(1)261/20-21)*

29. Ir Dr LO Wai-kwok, member of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Members noted that the Subcommittee supported the seven items of subsidiary legislation.

**(f) Report of the Subcommittee on Five Pieces of Subsidiary Legislation on Fee Waiving and Concession Measures Relating to the Tourism and Entertainment Sectors**

*(LC Paper No. CB(1)265/20-21)*

30. Mr Tommy CHEUNG, member of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Mr CHEUNG said that the Subcommittee supported the five items of subsidiary legislation.

**(g) Report of the Subcommittee on Registration of Determinations and Orders of Public Interest Entities Auditors Review Tribunal Rules and Registration of Orders of Insurance Appeals Tribunal Rules**

*(LC Paper No. CB(1)266/20-21)*

31. Mr WONG Ting-kwong, member of the Subcommittee, briefed Members on the deliberations of the Subcommittee as detailed in its report. Mr WONG said that the Subcommittee had no objection to the two items of subsidiary legislation.

**VII. Position on Bills Committees and subcommittees**

*(LC Paper No. CB(2)385/20-21)*

32. The Chairman said that as at 26 November 2020, there were two Bills Committees, nine subcommittees under HC and one subcommittee on policy issues under a Panel in action. Fifteen subcommittees on policy issues were pending activation.

**VIII. Election of Members to fill vacancies in the Public Accounts Committee, Committee on Members' Interests and Committee on Rules of Procedure**

33. The Chairman said that Members had agreed at the last HC meeting on 20 November 2020 that the election of Members to fill vacancies in the Public Accounts Committee ("PAC"), the Committee on Members' Interests ("CMI") and the Committee on Rules of Procedure ("CRoP") be held at this meeting in accordance with the nomination and election procedure endorsed by HC on 14 October 2016. The Chairman then invited nominations from Members.

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(a) **Election of two Members to PAC**

34. The following two Members were nominated. As there was no other nomination, the Chairman declared them elected for appointment to PAC:

Mr Tony TSE  
Mr LAU Kwok-fan

(b) **Election of three Members to CMI**

35. The following three Members were nominated. As there was no other nomination, the Chairman declared them elected for appointment to CMI:

Mrs Regina IP  
Mr WONG Kwok-kin  
Mr WONG Ting-kwong

(c) **Election of four Members to CRoP**

36. The following four Members were nominated. As there was no other nomination, the Chairman declared them elected for appointment to CRoP:

Mr CHAN Chun-ying  
Ir Dr LO Wai-kwok  
Ms Elizabeth QUAT  
Mrs Regina IP

37. The Chairman said that the HC meeting would be suspended for about 10 minutes to allow members (including the newly elected members) of the three committees to elect among themselves their respective Deputy Chairmen.

*(The meeting was suspended at 3:08 pm and resumed at 3:15 pm.)*

38. The Chairman informed Members that:

(a) Mr Paul TSE was elected Deputy Chairman of PAC;

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- (b) Ms Elizabeth QUAT was elected Deputy Chairman of CMI;  
and
- (c) Mr CHEUNG Kwok-kwan was elected Deputy Chairman of  
CRoP.

Members endorsed the results of the election of the Deputy Chairmen of the three committees.

39. The Chairman said that HC's recommendation in regard to the members elected would be submitted to the President for appointment.

**IX. Any other business**

40. There being no other business, the meeting ended at 3:16 pm.

Council Business Division 2  
Legislative Council Secretariat  
3 December 2020