

立法會
Legislative Council

LC Paper No. CB(2)543/20-21

Ref : CB2/H/5/20

House Committee of the Legislative Council

**Minutes of the 9th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 11 December 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 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 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

Member absent :

Hon Mrs Regina IP LAU Suk-ye, GBS, JP

Clerk in attendance :

Miss Flora TAI Clerk to the House Committee

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
Ms Shirley CHAN	Acting 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 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

I. Confirmation of minutes of meeting

Minutes of 8th meeting held on 4 December 2020 (LC Paper No. CB(2)489/20-21)

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' views and concerns on various issues, including vaccines for coronavirus disease 2019 ("COVID-19"), the "LeaveHomeSafe" mobile application, the population-wide compulsory testing and the arrangements for inbound travellers arriving in Hong Kong to be quarantined in designated hotels, etc., expressed at the last meeting of the House Committee ("HC") held on 4 December 2020 had been relayed to the Chief Secretary for Administration ("CS"). Regarding the progress on the procurement of COVID-19 vaccines, CS had pointed out that the Government of the Hong Kong Special Administration Region ("HKSAR Government") had made preparations on various fronts. Firstly, the HKSAR Government had joined the COVID-19 Vaccine Global Access Facility led by the World Health Organization to ensure that suppliers would provide to Hong Kong vaccine doses for not less than 35% of the Hong Kong people. At the same time, the HKSAR Government had also liaised with individual pharmaceutical companies for the purchase of vaccines, and it was expected that the amount of vaccine doses supplied to Hong Kong would be equivalent to a number that would allow each Hong Kong citizen to receive two doses of vaccines. Besides, the Chief Executive had secured the support of the Central People's Government, which had indicated that it would reserve a certain amount of vaccines that were developed or manufactured in the Mainland for the use of Hong Kong people when in need. The Chairman further said that regarding other issues of concern that had been raised by individual Members, CS would request the relevant Bureau Secretaries to explain more to Members and follow up those issues in detail.

Anti-epidemic measures

3. Dr Pierre CHAN said that the second, the third and the fourth 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 who were exempted from 14-day compulsory quarantine. He considered that the Administration should review the category of persons that would be granted exemption from the compulsory quarantine arrangement under the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599E). Dr CHAN further said that Taiwan had recorded zero local confirmed case for more than 200 days in a row and it had neither conducted a population-wide compulsory testing programme nor implemented measures to prohibit group gathering activities. In his view, this was attributable to the water-tight control measures being imposed on its inbound travellers. Echoing the view of Dr CHAN, Dr CHENG Chung-tai said that not only was it impractical to implement a population-wide compulsory testing programme but also the programme would not yield any concrete results.

4. Mr CHAN Han-pan, Ms Alice MAK and Dr Junius HO shared the view that the Administration should set the goals and directions on its anti-epidemic work as soon as possible. Expressing concern about the growing severity of the fourth wave of the epidemic, Mr CHAN said that around 140 000 specimens had been collected from the Community Testing Centres and about 400 specimens were tested positive. Dr HO considered that the Administration should set a timeline for achieving zero local infection level and resuming cross-boundary travel, and adopt a multi-pronged approach to combat the epidemic. In Dr HO's view, the implementation of appropriate quarantine measures on inbound travellers and the implementation of population-wide compulsory testing could be carried out in tandem to achieve better results.

5. Ms Alice MAK and Mr Wilson OR said that a number of confirmed cases had been reported in a couple of housing estates recently and the arrangements concerning the transfer of the residents concerned to quarantine centres and the compulsory testing of specified persons were far from satisfactory. Ms MAK considered that the Administration should have a better removal plan so that the residents concerned would not be asked to evacuate from their homes all of a sudden in the middle of the night. Mr OR was of the view that there was a lack of coordination among the departments concerned and clear information was not provided to the affected residents. He hoped that the Administration could enhance the transparency of information on the relevant arrangements and

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that more specimen collection packs could be distributed to members of the public. Ms MAK also hoped that the Administration could provide necessary support to those who were required to undergo compulsory testing with a view to addressing their daily living needs, and their loss of income in particular.

6. Mr SHIU Ka-fai said that the Administration should administer the COVID-19 vaccines to members of the public as soon as possible with a view to achieving zero local infection level and facilitating the recovery of the local economy. Pointing out that COVID-19 vaccines would be available shortly in various places including Macao, Mr SHIU hoped that the Administration could provide details of the COVID-19 vaccination programme for Hong Kong people soon.

7. Ms Elizabeth QUAT, Mr SHIU Ka-fai and Dr CHENG Chung-tai expressed concern that at present, a number of scheduled premises regulated under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) (such as beauty parlours) had to be closed under the tightened social distancing measures and this had also adversely affected the livelihood of those engaged in related industries. Ms QUAT said that given the Chief Executive had indicated that another round of measures would be launched to provide financial assistance to the affected industries, she hoped that the details of the assistance to be provided could be announced as soon as possible. Mr SHIU said that financial assistance should also be rendered to companies which provided support services to the affected industries. Dr CHENG considered that the Administration should meet with the industries concerned to listen to their views before working out the assistance measures.

8. Mr Michael TIEN reiterated his concern about the availability of sufficient rooms under the Designated Quarantine Hotel Scheme to accommodate all returnees from countries/places outside China to undergo 14-day compulsory quarantine. He said that there were about 1 000 returnees/day on average in early December 2020 and the 10 000 hotel rooms to be provided under the Scheme would not be enough to accommodate all those returnees. He urged the Administration to implement the Scheme as soon as possible and to increase the number of rooms of the designated quarantine hotels.

9. The Chairman said that Members' views would be relayed to CS and Members could also follow up their issues of concern through other channels.

III. Business arising from previous Council meetings

(a) **Legal Service Division report on bill referred to the House Committee in accordance with Rule 54(4)**

Sex Discrimination (Amendment) Bill 2020
(LC Paper No. LS18/20-21)

10. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the above Bill.

11. Dr CHENG Chung-tai considered it necessary to form a Bills Committee to study the Bill in detail. Members agreed. Ms Elizabeth QUAT, Ms YUNG Hoi-yan and Dr CHENG Chung-tai agreed to join the Bills Committee.

(b) **Legal Service Division report on subsidiary legislation gazetted on 4 December 2020**

(LC Paper No. LS21/20-21)

12. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on seven items of subsidiary legislation (i.e. L.N. 236 to L.N. 239 and L.N. 241 to L.N. 243) which were gazetted on 4 December 2020 and tabled in Council on 9 December 2020.

13. Mr Steven HO considered it necessary to form a subcommittee to study the Shipping and Port Control (Amendment) (No. 2) Regulation 2020 (L.N. 236) and the Merchant Shipping (Local Vessels) (General) (Amendment) (No. 2) Regulation 2020 (L.N. 237) in detail. Members agreed. Mr Steven HO and Dr CHENG Chung-tai agreed to join the proposed subcommittee.

14. Dr CHENG Chung-tai considered it necessary to study the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 15) Regulation 2020 (L.N. 241), the Prevention and Control of Disease (Wearing of Mask) (Amendment) (No. 3) Regulation 2020 (L.N. 242) and the Prevention and Control of Disease (Compulsory Testing for Certain Persons) (Amendment) Regulation 2020 (L.N. 243) in detail. At the suggestion of the Chairman, Members agreed that the three items of subsidiary legislation should be studied by the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease.

15. Members did not raise any questions on L.N. 238 and L.N. 239.

(c) Legal Service Division report on subsidiary legislation gazetted on 8 December 2020

(LC Paper No. LS22/20-21)

16. At the invitation of the Chairman, LA briefed Members on the report prepared by LSD on eight items of subsidiary legislation (i.e. L.N. 244 to L.N. 251) which were gazetted on 8 December 2020 and tabled in Council on 9 December 2020. LA said that LSD was studying the legal and drafting aspects of L.N. 251 and would report further, if necessary.

17. LA said that in relation to the above 11 items of subsidiary legislation relating to the prevention and control of COVID-19 (i.e. L.N. 241 to L.N. 251), the Secretariat had received the English version of the Legislative Council Briefs in the morning on the day of this HC meeting.

18. Dr CHENG Chung-tai considered it necessary to study the eight items of subsidiary legislation (i.e. L.N. 244 to L.N. 251) made under the Prevention and Control of Disease Ordinance (Cap. 599) in detail. At the suggestion of the Chairman, Members agreed that the eight items of subsidiary legislation should be studied by the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease.

19. The Chairman reminded Members that the deadline for amending the above 15 items of subsidiary legislation (i.e. L.N. 236 to L.N. 239 and L.N. 241 to L.N. 251) would be the Council meeting of 6 January 2021, or that of 27 January 2021 if extended by a resolution of the Council.

IV. Further business for the Council meeting of 16 December 2020

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

Report No. 6/20-21 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

(LC Paper No. CB(2)491/20-21)

20. 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 16 December 2020. No Member had indicated intention to speak on any of those items of subsidiary legislation.

(b) Member's Motions on Subsidiary Legislation

- 1. Proposed resolution to extend the period for amending subsidiary legislation to be moved by Dr Hon CHIANG Lai-wan (L.N. 222 and L.N. 223 of 2020)**
(LC Paper No. CB(3)236/20-21)
- 2. Proposed resolution to extend the period for amending subsidiary legislation to be moved by Dr Hon CHIANG Lai-wan (L.N. 235 of 2020)**
(LC Paper No. CB(3)236/20-21)

21. The Chairman said that the purpose of the above two proposed resolutions was to extend the period for amending three items of subsidiary legislation (L.N. 222, L.N. 223 and L.N. 235) made under the Prevention and Control of Disease Ordinance (Cap. 599) to the Council meetings of 13 January and 20 January 2021 respectively.

22. The Chairman further said that in view of the severe outbreak of COVID-19 in Hong Kong, the President had decided that the meeting would be adjourned after dealing with items with legislative effect.

V. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)490/20-21)

23. The Chairman said that Members were informed vide LC Paper No. CB(2)503/20-21 issued on 10 December 2020 about the results of consultation on allocation of resources to the servicing work of investigation committees, select committees formed by a petition and subcommittees on policy issues ("policy subcommittees"). In accordance with the consultation results, the following nine policy subcommittees could be activated immediately:

- (a) Subcommittee on Issues Relating to the Silver Age Card under the Panel on Welfare Services;
- (b) Subcommittee to Study Issues Relating to Animal Rights under the Panel on Food Safety and Environmental Hygiene;
- (c) Subcommittee on Issues Relating to Transitional Housing and Subdivided Units under the Panel on Housing;

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- (d) Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project under the Panel on Development and the Panel on Home Affairs;
- (e) Subcommittee on Issues Relating to the Improvement of Environmental Hygiene and Cityscape under the Panel on Food Safety and Environmental Hygiene;
- (f) Subcommittee on Issues Relating to the Stimulation of Hong Kong's Economy under the Panel on Commerce and Industry;
- (g) Subcommittee to Study the Setting Up of an Unemployment Assistance System in Hong Kong under the Panel on Manpower;
- (h) Subcommittee on Matters Relating to Railways under the Panel on Transport; and
- (i) Subcommittee on Issues Relating to Insurance Coverage for the Transport Sector under the Panel on Transport.

Accordingly, 10 policy subcommittees under Panels were currently in action and six policy subcommittees were pending activation. The Chairman further said that as at 10 December 2020, there were four Bills Committees and three subcommittees under HC in action.

Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions

24. The Chairman said that at the HC meeting on 13 November 2020, Members had agreed that the membership of the above Subcommittee be re-opened. A circular was issued on 1 December 2020 to invite Members to join the Subcommittee accordingly. No Member had, however, signified to join the Subcommittee by the deadline for signification of membership and there was presently only one member in the Subcommittee. The Chairman further said that as a subcommittee should consist of not less than three members according to the relevant House Rules, the Subcommittee could not continue its operation. Members agreed that the Subcommittee be dissolved.

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25. Members noted that the Subcommittee would submit a report to HC later on two items of subsidiary legislation, i.e. the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (Amendment) Regulation 2020 (L.N. 164) and the United Nations Sanctions (South Sudan) Regulation 2019 (Amendment) Regulation 2020 (L.N. 165), which had been considered by the Subcommittee in this session.

26. The Chairman further advised that the Subcommittee had not yet considered the United Nations Sanctions (Central African Republic) Regulation 2020 (Amendment) Regulation 2020 (L.N. 216) and the United Nations Sanctions (Mali) Regulation 2019 (Amendment) Regulation 2020 (L.N. 217) which were referred to the Subcommittee by HC at its meeting on 20 November 2020. Members considered it not necessary to form another subcommittee to study these two Regulations.

VI. Election of a Member to fill the vacancy in the Disaster Relief Fund Advisory Committee

27. The Chairman said that Members had agreed at the last HC meeting on 4 December 2020 that an election be conducted at this HC meeting to fill the vacancy in the Disaster Relief Fund Advisory Committee in accordance with the nomination and election procedure agreed by HC on 14 October 2016. The Chairman then invited nominations from Members.

28. Mr LAU Kwok-fan was nominated. As there was no other nomination, the Chairman declared Mr LAU Kwok-fan elected to serve on the Disaster Relief Fund Advisory Committee.

VII. Any other business

29. There being no other business, the meeting ended at 2:58 pm.