

立法會
Legislative Council

LC Paper No. CB(2)1052/20-21

Ref : CB2/H/5/20

House Committee of the Legislative Council

**Minutes of the 20th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 30 April 2021**

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 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

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
Ms Dora WAI	Deputy Secretary General (Council and Corporate Services)
Ms Anita SIT	Assistant Secretary General 1
Ms Miranda HON	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 Vanessa CHENG	Assistant Legal Adviser 5
Ms Alice LEUNG	Chief Council Secretary (2)5
Miss Connie AU	Senior Council Secretary (2)5
Mr Richard WONG	Senior Council Secretary (2)6
Miss Michelle TANG	Council Secretary (2)5
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)6

Action

I. Confirmation of minutes of meeting

Minutes of 19th meeting held on 23 April 2021

(LC Paper No. CB(2)1026/20-21)

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 at her last meeting with the Chief Secretary for Administration ("CS"), CS had expressed gratitude to Members for the valuable comments that they had given during the Second Reading debate on the Appropriation Bill 2021. CS had also indicated that as the Legislative Council ("LegCo") would continue to operate until the prorogation of the current LegCo term around the end of October this year, the policy bureaux were reviewing their work plans in order to make full use of the extended LegCo term to secure the passage of more legislative proposals that would benefit people's livelihood.

3. The Chairman further said that she had received two letters from Dr Junius HO and Ms Elizabeth QUAT respectively before this meeting proposing to seek the agreement of the House Committee ("HC") for asking urgent oral questions at the Council meeting of 5 May 2021 on issues relating to the curbing of the importation of coronavirus disease 2019 ("COVID-19") virus variants that had been spreading in some overseas places into Hong Kong. The Chairman drew Members' attention that according to the newly amended rule 10 of the House Rules, Members should notify the HC Chairman before the deadline for proposing agenda items for a meeting should they wish their proposals on seeking HC's agreement for asking an urgent oral question to be considered at the meeting. Therefore, while she understood the concerns of Ms QUAT and Dr HO, she had decided not to put their proposals onto the agenda for this meeting. She would, however, relay their concerns to CS when she met with CS next Monday. She would also urge the Administration to impose more stringent control where appropriate to prevent COVID-19 virus variants from being imported into Hong Kong. The Chairman further said that Dr HO and Ms QUAT could seek the President's permission directly for asking the proposed questions in accordance with Rule 24(4) of the Rules of Procedure.

4. Ms Elizabeth QUAT expressed concern about the serious outbreak of the epidemic and the emergence of COVID-19 virus variants in some neighbouring countries like India and the Philippines. She said that the public was worried about the emergence of the local confirmed case with unknown source of infection involving mutated virus. Ms QUAT further said that while the flight suspension mechanism had just been tightened, some passenger flights from certain extremely high-risk places were still allowed to land in Hong Kong. She called on the Administration to enhance its contingency measures to "prevent the importation of cases and the spreading of the virus in the community" so as to safeguard the health of the public. Ms QUAT added that she would seek the President's permission for asking the proposed question without notice at the Council meeting of 5 May 2021. Sharing a similar concern over the importation of COVID-19 virus variants into Hong Kong, Dr Junius HO urged the Administration to clarify as soon as possible if any passenger flights from extremely high-risk places were allowed to land in Hong Kong after the implementation of the tightened flight suspension mechanism in order to allay public concern.

5. The Chairman said that the Panel on Health Services had scheduled to discuss "Measures for the prevention and control of coronavirus disease 2019 in Hong Kong" at its meeting on 14 May 2021 and Members could follow up on that occasion the issues relating to the epidemic. Members could also follow up their concerns about the Administration's anti-epidemic work with CS and relevant Bureau Secretaries through other channels.

6. Dr Pierre CHAN said that the outbreak of each of the earlier waves of the epidemic in Hong Kong was originated from cases imported from overseas. He considered it important for the Administration to perform diligently its gatekeeping role in respect of border control, with a view to safeguarding against the importation of COVID-19 cases. Dr CHAN further said that as some of the anti-epidemic measures fell within the scope of powers of CS, such as the power to deploy the Anti-epidemic Fund and the power to exempt compulsory quarantine requirements for persons under different categories, he considered it appropriate for the Chairman to relay to CS the views and concerns over issues relating to the epidemic expressed by Members at this HC meeting.

7. Mr Holden CHOW said that the compulsory testing notice issued by the Administration on 29 April 2021 in response to a local confirmed case with unknown source of infection involving mutated virus covered a number of premises in Tung Chung. However, the mobile specimen

collection stations set up in the district did not have sufficient capacity to cope with the large number of people who were subject to compulsory testing. Expressing concern that the gathering of large crowds of people at these stations might increase the risk of virus infection, Mr CHOW hoped that the Administration could arrange sufficient mobile specimen collection stations in the future.

8. Ms Alice MAK recalled that during the oral question session at a Council meeting held earlier, Members had expressed concern over the Administration's anti-epidemic efforts targeted at foreign domestic helpers, as they would regularly go out and gather in public places on their rest days. During the oral question session, she had called on the Secretary for Labour and Welfare to consider requiring foreign domestic helpers to undergo regular compulsory testing, but her views were not taken on board. Ms MAK urged the Administration again to impose more stringent testing requirements on foreign domestic helpers. She also called on CS to urge all Bureau Secretaries to listen more to the views expressed by Members on the prevention and control of the epidemic.

9. Mr Abraham SHEK expressed concern about the press release issued by the Immigration Department on 28 April 2021 in response to Chapter 1 (Management of birth, death and marriage registrations) of Report No. 76 of the Director of Audit on the results of value for money audits. He said that according to the requirements set out in the Administration's Financial Circular No. 2/2020, it had been agreed between the Public Accounts Committee ("PAC") of LegCo and the Administration that during the period between the tabling of the audit report in LegCo and the public hearings of PAC, any public debate on the issues to be further investigated by PAC should be avoided by both sides as far as possible. Mr SHEK hoped that CS would urge all relevant bureaux and departments to observe the relevant requirements.

III. Business arising from previous Council meetings

Legal Service Division report on subsidiary legislation gazetted on 27 April 2021

(LC Paper No. LS68/20-21)

10. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on two items of subsidiary legislation (L.N. 52 and L.N. 53) which were

gazetted on 27 April 2021 and tabled in Council on 28 April 2021. LA said that LSD was scrutinizing the legal and drafting aspects of L.N. 52 and L.N. 53 and would report further, if necessary.

11. Mr Steven HO, Mr YIU Si-wing and Ms Elizabeth QUAT considered it necessary to study the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 2) Regulation 2021 (L.N. 52) and the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 3) Regulation 2021 (L.N. 53) in detail. The Chairman said that in accordance with the arrangement agreed by HC earlier, the two Regulations should be studied by the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease.

12. The Chairman reminded Members that the deadline for amending the above two items of subsidiary legislation would be the Council meeting of 26 May 2021, or that of 16 June 2021 if extended by a resolution of the Council.

IV. Business for the Council meeting of 12 May 2021

(a) **Questions**

(LC Paper No. CB(3)508/20-21)

13. 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)**

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

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

15. The Chairman said that the Second Reading debate on the Public Offices (Candidacy and Taking Up Offices) (Miscellaneous Amendments) Bill 2021 would be resumed at the meeting.

(d) **Government Motion**

Proposed resolution under the Buildings Ordinance to be moved by the Secretary for Development
(*LC Paper No. CB(3)510/20-21*)

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

17. The Chairman reminded Members that the duration of a debate on Government motion(s), including voting on the motion and the amendment(s) thereto, should be not more than four hours, and each Member could speak once for a maximum of five minutes.

(e) **Members' Motions**

(i) **Motion on "Driving the development of New Territories North with port economy" to be moved by Hon LAU Kwok-fan**
(*LC Paper No. CB(3)517/20-21*)

(ii) **Motion on "Setting up a New Generation Fund to help the new generation in Hong Kong plan for the future" to be moved by Dr Hon CHIANG Lai-wan**
(*LC Paper No. CB(3)513/20-21*)

18. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the above two motions would be Wednesday, 5 May 2021.

19. The Chairman also reminded Members that the duration of a debate on a Member's motion not intended to have legislative effect, including voting on the motion and the amendment(s) thereto, should be not more than four hours. The mover of the motion could speak for a maximum of 10 minutes in total for introductory speech and reply, and could speak for a maximum of five minutes on proposed amendment(s). For other Members, including mover(s) of amendment(s) to the motion, each of them could speak once for a maximum of five minutes in such debate.

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)519/20-21), which contained five items of subsidiary legislation the period for amendment of which would expire at the Council meeting of 12 May 2021. She reminded Members to indicate their intention by 5:00 pm on Tuesday, 4 May 2021, should they wish to speak on any of those items of subsidiary legislation.

V. Position on Bills Committees and subcommittees
(*LC Paper No. CB(2)1027/20-21*)

21. The Chairman said that as at 29 April 2021, there were 10 Bills Committees, two subcommittees under HC and nine subcommittees on policy issues under Panels in action.

VI. Any other business

22. There being no other business, the meeting ended at 2:46 pm.

Council Business Division 2
Legislative Council Secretariat
5 May 2021