

立法會
Legislative Council

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Questions scheduled to be asked at Council meetings

Under the existing practice, members of the House Committee (“HC”) are provided by the Secretariat with a paper setting out (i) the Members who have been allocated question slots for the Council meeting to be held about two weeks later; and (ii) wording of those draft questions. This paper is issued for HC members’ advance information before expiry of the deadline for giving notice of such questions and approval by the President. Operational experience reveals that many of the draft questions are subsequently modified by Members or, on some occasions, replaced by new questions. To avoid confusion, **the following new arrangements will be implemented** with immediate effect:

- (a) wording of draft questions referred to in (ii) above will no longer be provided to HC members for advance information;
- (b) the questions scheduled for a Council meeting will be provided to Members vide a circular as soon as they have been approved by the President (usually on the Thursday immediately preceding the relevant Council meeting); and
- (c) Members will be informed by circular of (i) above, i.e. the outcome of allocation of question slots (usually on the third Monday before the relevant Council meeting).

2. In this connection, I attach the following for Members' information:

- (a) the 22 questions approved by the President to be asked at the Council meeting of 4 November 2020 (**Appendix 1**); and
- (b) a list of Members who have been allocated question slots for the Council meeting of 11 November 2020 (**Appendix 2**).

(Dora WAI)
for Clerk to the Legislative Council

Encls.

立法會
Legislative Council

Council meeting of 4 November 2020
22 questions approved by the President

Questions by:

- | | | |
|------|------------------------|-----------------|
| (1) | Hon Tony TSE | (Oral reply) |
| (2) | Hon Andrew WAN | (Oral reply) |
| (3) | Hon Vincent CHENG | (Oral reply) |
| (4) | Hon CHUNG Kwok-pan | (Oral reply) |
| (5) | Dr Hon Junius HO | (Oral reply) |
| (6) | Hon Kenneth LAU | (Oral reply) |
| (7) | Hon Alice MAK | (Written reply) |
| (8) | Hon Steven HO | (Written reply) |
| (9) | Hon Martin LIAO | (Written reply) |
| (10) | Dr Hon Priscilla LEUNG | (Written reply) |
| (11) | Hon Mrs Regina IP | (Written reply) |
| (12) | Hon Frankie YICK | (Written reply) |
| (13) | Hon Kenneth LEUNG | (Written reply) |
| (14) | Hon Jimmy NG | (Written reply) |
| (15) | Hon Holden CHOW | (Written reply) |
| (16) | Hon James TO | (Written reply) |
| (17) | Hon Paul TSE | (Written reply) |
| (18) | Hon CHAN Hak-kan | (Written reply) |
| (19) | Hon Charles Peter MOK | (Written reply) |
| (20) | Hon Elizabeth QUAT | (Written reply) |
| (21) | Dr Hon Junius HO | (Written reply) |
| (22) | Hon CHUNG Kwok-pan | (Written reply) |

Question 1
(For oral reply)

(Translation)

Anti-epidemic work in private buildings

Hon Tony TSE to ask:

The Government indicated in April this year that it would commission consultancy firms to proactively inspect the external drainage pipes of 20 000 target private domestic and composite buildings across the territory (“the inspection scheme”) in order to reduce the risk of epidemic spreading. The Government has also allocated funding under the Anti-epidemic Fund for the creation of time-limited jobs to undertake the relevant tasks. Some members of the public have criticized the inspection scheme for not covering the repair works for problematic drainage pipes and the inadequacies in the number of buildings covered and the scope of inspection items. Regarding the anti-epidemic work in private buildings, will the Government inform this Council:

- (1) of the implementation status of the inspection scheme, including the respective numbers of jobs created in various trades, the number of buildings inspected, the major problems uncovered in the drainage pipes, and the follow-up actions taken, so far; the total estimated expenditure and the anticipated completion date of the inspection scheme;
- (2) whether it will expand the inspection scheme, including increasing the number of buildings covered and conducting more extensive epidemic prevention inspections on other common areas and facilities of the buildings (including lift lobbies, main gates, refuse chambers and ventilation systems); if not, of the reasons for that; and
- (3) whether it will provide subsidies for private building owners who have financial difficulties to help them meet the expenses arising from repairing drainage pipes and enhancing the overall epidemic prevention standards and facilities of their buildings; if not, of the reasons for that?

Question 2
(For oral reply)

(Translation)

Police officers' conduct

Hon Andrew WAN to ask:

It has been reported that during the trials of cases relating to the movement of opposition to the proposed legislative amendments, some magistrates criticized the police officers who had given evidence as not being honest and reliable witnesses, and even as “covering one lie with another lie” and “not duly performing their duties”. Moreover, some police officers were alleged to have “aligned their testimonies” because the testimonies they gave had striking similarities. Besides, some police officers were alleged to have enforced the law improperly when handling social incidents, including violently treating members of the public (some of whom were pregnant women and children), Members of the Legislative Council and the District Councils as well as journalists, arbitrarily charging people at the scene for violating the “No-gathering Order”, and indiscriminately arresting people. In this connection, will the Government inform this Council:

- (1) given that some police officers were alleged to have poor performance when giving evidence in court, whether the Government will request the Secretary for Justice and the Secretary for Security to apologize to the public for this;
- (2) in respect of those police officers who were criticized by the court for their performance in giving evidence, of the follow-up actions taken by the Police, including whether prosecutions have been instituted against the police officers suspected of having breached the law; if so, of the number of prosecutions instituted against such police officers last year; if not, the reasons for that; and
- (3) given that in recent months, some police officers were alleged to have enforced the law improperly and were charged for various offences (e.g. drug trafficking, criminal damage, assaults and indecent assaults), whether it has assessed if there have been harbouring and connivance by some senior government officials, resulting in such a situation; if it has assessed and the outcome is in the affirmative, of the officials involved; whether it has reviewed if the conduct of police officers has been deteriorating, and the effectiveness of the work of the Police's Integrity Audit Action Group?

Question 3
(For oral reply)

(Translation)

Use, recovery and recycling of plastics

Hon Vincent CHENG to ask:

As there are dine-in restrictions in catering outlets and members of the public have gone out less frequently amid the epidemic, members of the public have made more takeaway orders, resulting in an increase in the quantity of disposable plastic tableware discarded. A green group has estimated that currently over 50 million pieces of disposable plastic tableware are discarded in the territory daily, which has more than doubled the relevant quantities in the past few years. Moreover, online shopping has become a new normal amid the epidemic, and the quantity of plastic packaging materials discarded has also increased significantly. The aforesaid situation has put a heavy burden on the ecological environment. In this connection, will the Government inform this Council:

- (1) of the quantity of disposable plastic tableware discarded at the landfills in each month since January 2017;
- (2) of the new measures in place to encourage restaurants and members of the public to reduce the use of disposable plastic tableware, and to encourage online stores and the courier industry to reduce the use of packaging materials containing plastics; whether it will review the effectiveness of such measures so as to update the target for reducing the use of plastics; and
- (3) as the Environmental Protection Department has rolled out, since this year, a two-year “Plastic Recycling Pilot Scheme”, under which contractors are engaged to provide registered places, such as housing estates and schools, in the Eastern District, Sha Tin and Kwun Tong, with free service of collecting waste plastics from non-commercial and non-industrial sources, of the implementation of the scheme; whether it has assessed the effectiveness of the scheme and mapped out the way forward?

Question 4
(For oral reply)

(Translation)

Boosting economic recovery

Hon CHUNG Kwok-pan to ask:

Since the beginning of this year, the Government has allocated a total of 311.5 billion dollars for implementing various relief measures, so as to assist enterprises and members of the public affected by the epidemic. That sum includes an allocation of 120 billion dollars made out of the Budget for the current financial year and an injection of 191.5 billion dollars into the Anti-epidemic Fund. In this connection, will the Government inform this Council:

- (1) of the to-date commitments and balances of the aforesaid allocations, and a breakdown of the commitments by the relief measures and the industries benefited;
- (2) whether it has studied the ways in which the balances of the aforesaid allocations can be used more effectively to better support enterprises and boost economic recovery; and
- (3) given that the epidemic on the Mainland has been brought under control, whether it will grant all persons arriving in Hong Kong from the Mainland exemption from compulsory quarantine and expeditiously launch a health code mutually recognized by the authorities of Guangdong, Hong Kong and Macao, so as to facilitate residents' commuting between the three places and to boost the economy; if so, of the details; if not, the reasons for that?

Question 5
(For oral reply)

(Translation)

Activities and measures for boosting sense of national identity

Dr Hon Junius HO to ask:

Some members of the public have pointed out that since the 2019 District Council Ordinary Election, the Government has often been “at odds” with the District Councils (“DCs”) in promoting districts affairs. For instance, individual DCs have refused to organize or allocate funding to subsidize this year’s activities in celebration of the National Day and the reunification of Hong Kong. Such members of the public consider that in the absence of DCs’ collaboration, the Government, being an executive-led one, should take the initiative to organize related activities in various districts, so as to boost the sense of national identity and the sense of belonging to the country among members of the public. In this connection, will the Government inform this Council:

- (1) whether it has, in the light of the aforesaid situation, formulated corresponding plans to enable activities in celebration of the Reunification Day and the National Day to be held smoothly in various districts; if so, of the details; if not, the reasons for that;
- (2) whether it will consider taking the lead in flying the national flag/regional flag along the roadsides in various districts on the aforesaid days, or designating suitable locations in various districts for members of the public to fly the national flag/regional flag so as to enhance the festive atmosphere; if not, of the reasons for that; and
- (3) whether it has introduced new measures since January last year to boost the sense of national identity and the sense of belonging to the country among members of the public; if so, of the details?

Question 6
(For oral reply)

(Translation)

Provision of medical services for
patients in remote villages

Hon Kenneth LAU to ask:

Some chronically ill patients living in remote villages have relayed that due to inconvenient transport and their physical weakness, they have been unable to travel a long distance to seek medical treatment on a frequent basis and, as a result, their chronic diseases have not been treated properly. On the other hand, it has been reported that as public hospitals have recently reduced non-emergency services in light of the epidemic, some community groups have introduced the Community Interim Medication Refill Scheme to provide, during the epidemic, drug refills for chronically ill patients who cannot attend follow-up consultations as scheduled. In this connection, will the Government inform this Council:

- (1) of the measures in place to assist those chronically ill patients who live in remote villages and cannot attend follow-up consultations as scheduled in attending consultations expeditiously and obtaining drug refills in time;
- (2) whether it will draw reference from the aforesaid medication refill scheme and expeditiously set up District Health Centres in various districts across the New Territories, so as to provide outreach medical services and drug refills for those chronically ill patients living in remote villages; and
- (3) whether it will study new measures for promoting public-private partnership and medical-social collaboration, with a view to enabling those chronically ill patients living in remote villages to obtain more medical support; if so, of the details; if not, the measures in place to ensure that such chronically ill patients can obtain appropriate medical services?

Question 7
(For written reply)

(Translation)

Measures against doxxing and cyber-bullying

Hon Alice MAK to ask:

From the eruption in the middle of last year of the disturbances arising from the opposition to the proposed legislative amendments to 30 September this year, the Office of the Privacy Commissioner for Personal Data, Hong Kong (“PCPD”) handled a total of over 4 700 cases relating to doxxing. Among such cases, around 35% of the persons who had been doxxed were police officers or their family members. In this connection, will the Government inform this Council:

- (1) whether it knows (i) the number of requests for assistance received by PCPD since January of last year from persons claiming that they had been doxxed, with a breakdown by the background of the assistance seekers, (ii) the respective numbers of cases in respect of which PCPD had taken various follow-up actions (including (a) requesting the operators to remove illegal web links and (b) referring the cases to the Police for conducting criminal investigation), and (iii) the respective numbers of persons prosecuted and convicted;
- (2) whether it has assessed if the current evidential threshold is too high for offences relating to doxxing;
- (3) as the Government indicated in its reply to my question on 8 January this year that it was studying with PCPD the amendments to the Personal Data (Privacy) Ordinance (Cap. 486), so as to more specifically address the acts relating to doxxing, of the specific contents of the legislative amendments and the legislative timetable; and
- (4) given that the Singapore authorities passed the amendments to the Protection from Harassment Act last year, including introducing new offences and penalties, expanding the scope of redress for victims of cyber-bullying, and establishing the Protection from Harassment Court to expedite the handling of applications for redress, so as to address the problem of doxxing, and that the General Data Protection Regulation which took effect in the European Union in 2018 provides that an individual enjoys the right to erasure (also known as “the right to be forgotten”) and is entitled to require organizations and enterprises to delete his or her personal data under specified circumstances, whether the Government will make reference to such practices and amend the local legislation to

step up efforts in combating the acts of doxxing and cyber-bullying; if so, of the details (including the public consultation and legislative timetables); if not, the reasons for that?

Question 8
(For written reply)

(Translation)

Squatter structures and agricultural structures

Hon Steven HO to ask:

The seven regional Squatter Control Offices (“SCOs”) under the Lands Department (“LandsD”) are responsible for implementing the squatter control policy. Besides, LandsD is responsible for the vetting and approval of applications for erecting agricultural structures on private agricultural land. On matters relating to squatter structures and agricultural structures, will the Government inform this Council:

- (1) of the respective total numbers of surveyed squatter structures on (i) private agricultural land and (ii) government land throughout the territory in each of the past five years, with a tabulated breakdown by the SCO responsible and the use of such squatter structures (i.e. domestic use, agricultural use and other uses);
- (2) of the respective numbers of applications for undertaking repair works for surveyed squatter structures on (a) private agricultural land and (b) government land which LandsD (i) received, (ii) approved and (iii) rejected in each of the past five years, with a breakdown by the SCO responsible and the use of such squatter structures; if there were rejected applications, of the reasons for that;
- (3) of the respective numbers of non-compliant surveyed (i) domestic and (ii) non-domestic squatter structures which were demolished by the Government in each of the past five years, with a tabulated breakdown by the SCO responsible;
- (4) given that the Government launched, in November 2018, the Squatter Occupants Voluntary Registration Scheme to complement its initiative to revise the ex-gratia compensation and rehousing arrangements for domestic households in squatter structures affected by the Government’s development clearance exercises, of (i) the number of registrations initially anticipated to be received and (ii) the number of registrations received to date by the Government, as well as (iii) the estimated number of eligible domestic households in squatter structures who have not yet registered; whether it will consider further extending the registration deadline and relaxing the eligibility requirements for ex-gratia compensation and rehousing arrangements;

- (5) whether it knows the respective numbers of cases in the past five years in which (i) surveyed squatter structures for (a) agricultural use and (b) non-agricultural use, as well as (ii) agricultural structures on private agricultural land, collapsed due to their dilapidated conditions or typhoons and caused casualties; whether it has studied the correlation between the difficulties in applying for rebuilding and repair of those structures and their collapses;
- (6) of the respective numbers of applications for a Letter of Approval for Agricultural Structures (i) received, (ii) approved and (iii) rejected by LandsD in each of the past five years; the average and the longest time taken by LandsD for processing those applications; what other means, apart from applying for a Letter of Approval, are currently available for farmers to apply for erecting such structures; and
- (7) as the Government currently requires that if an agricultural structure to be erected exceeds a certain height and area, the applicant must (i) submit a building plan approved by the Buildings Department, and (ii) engage a qualified technician to certify the structural safety of the structure, of the commencement dates of these two requirements; as some farmers have relayed their difficulties in affording the high costs associated with these requirements, whether the Government will review and appropriately relax such requirements?

Question 9
(For written reply)

(Translation)

Youth exchange and internship activities on the Mainland

Hon Martin LIAO to ask:

The Government has all along been encouraging and supporting Hong Kong's youth to go to the Mainland for exchanges and internships. However, such exchange and internship activities have been seriously affected and hindered by the travel restrictions imposed for coping with the Coronavirus Disease 2019 epidemic. In this connection, will the Government inform this Council:

- (1) of the detailed situations to date of how Hong Kong's youth exchange and internship activities on the Mainland have been affected by the epidemic;
- (2) of the measures in place to encourage, coordinate and support the schools and institutions concerned to make responses flexibly amid the epidemic and even adopt alternative modes, so as to continue with such exchange and internship activities;
- (3) whether the Government will, when discussing with the Mainland and Macao authorities the implementation details of the mutual recognition system for health codes of Guangdong, Hong Kong and Macao, strive to include those persons involved in youth exchange or internship activities as one of the priority categories of persons to be covered by the system; and
- (4) of the measures in place to promote comprehensive exchanges among the youth of Guangdong, Hong Kong and Macao, so as to enable Hong Kong's youth to gain a better understanding and experience of the development of the country and the Guangdong-Hong Kong-Macao Greater Bay Area?

Question 10
(For written reply)

(Translation)

Ten new initiatives for people's livelihoods

Dr Hon Priscilla LEUNG to ask:

On 14 January this year, the Chief Executive announced 10 new initiatives for people's livelihoods ("the 10 initiatives"). One of such initiatives is to expand the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("TFC scheme") to cover persons aged 60 to 64. It has been reported that recently, a Member of the Executive Council indicated her reservation on the initiative of expanding the TFC scheme as the recurrent expenditure to be incurred by the initiative would be as high as \$10 billion each year. In this connection, will the Government inform this Council:

- (1) in respect of the three initiatives among the 10 initiatives, namely (i) reforming the Old Age Living Allowance Scheme, (ii) making Mandatory Provident Fund contributions for low-income persons, and (iii) providing cash allowance for low-income households not living in public housing and not receiving CSSA, of the respective latest (a) progress, (b) anticipated implementation dates, and (c) anticipated additional recurrent expenditures to be incurred each year;
- (2) as the Government indicated in July this year that the anticipated recurrent expenditure on the expanded TFC scheme in the 2025-2026 financial year was \$7 billion, of the respective amounts of such expenditure as anticipated by the Government (i) in January this year and (ii) most recently; if these two figures are different from that of July, of the reasons for that; the latest (a) progress of and (b) anticipated implementation date for the initiative of expanding the TFC scheme; and
- (3) given that the Government has spent a large amount of fiscal reserves on coping with the epidemic and implementing relief measures, whether it has plans to suspend or shelve any one of the 10 initiatives; if so, of the details, and whether it has assessed the political costs that such a move may entail and the risk of such a decision being subject to judicial review; if it has no such plan, whether it will make clarifications with the public as quickly as possible?

Question 11
(For written reply)

(Translation)

MTRCL operating railway services in Sweden

Hon Mrs Regina IP to ask:

The MTR Corporation Limited (“MTRCL”) indicated in its Interim Report 2020 published in August this year that it was preparing for a bid submission for Sweden Mälartåg, a potential railway project, to be submitted in September this year. MTRCL is currently operating via its wholly owned subsidiaries three railways in Sweden, namely Stockholm Metro, MTRX and Stockholms pendeltåg. Furthermore, as the service of MTRX has been reduced due to a decline in demand under the impact of the epidemic, a serious fall in revenue has been recorded. Besides, the wholly owned subsidiary that operates Stockholms pendeltåg will likely remain in a loss-making position this year. In this connection, will the Government inform this Council if it knows:

- (1) whether MTRCL has successfully secured the operating contract for the Sweden Mälartåg project; if MTRCL has, of the details of the project (including the contract period, investment amount, anticipated profit, etc.);
- (2) the respective specific amounts of profit and loss in the past three years of the three Swedish railways currently operated by MTRCL;
- (3) given that MTRCL’s railway business in Sweden has been sustaining losses continuously in recent years, the justifications for MTRCL to continue bidding for the operation of new railway projects in Sweden; and
- (4) whether MTRCL has formulated any exit plan in respect of those Swedish railway projects that have been recording losses over a long period of time; if MTRCL has, of the details; if not, the reasons for that?

Question 12
(For written reply)

(Translation)

Government public transport fare concession scheme

Hon Frankie YICK to ask:

Since June 2012, the Government has implemented in phases the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities (“the Scheme”) to encourage the elderly (i.e. persons aged 65 or above) and persons with disabilities to participate in community activities. The public transport modes currently covered by the Scheme are MTR, franchised buses, ferries and green minibuses. However, although the Scheme has been implemented for eight years, quite a number of public transport modes (e.g. red minibuses (“RMBs”), non-franchised buses providing residents’ service (“RS”), kaitos, trams) have not been included in the Scheme. On the other hand, the Government commissioned a consultancy firm in 2018 to conduct a comprehensive review of the Scheme to study, among others, whether the Scheme should cover other public transport modes. In this connection, will the Government inform this Council:

- (1) of the latest progress of the aforesaid consultancy study (including the public transport modes recommended to be included in the Scheme); when the review outcome will be released;
- (2) of the factors currently considered by the Government for determining whether or not to include a certain public transport mode in the Scheme;
- (3) as the Government has indicated that one of the reasons for some public transport modes not having been included in the Scheme is that their fares are not regulated by the Government, whether the Government will consider including such public transport modes in the Scheme under certain circumstances (e.g. the operators concerned are willing to abide by certain conditions on fare restrictions and accept the amount of subsidies calculated on the basis of journey lengths); if so, of the details; if not, the reasons for that;
- (4) whether it has conducted studies on the impacts of the Scheme on the overall patronage of public transport services and on the patronage of individual public transport services; if so, of the details; if not, the reasons for that; and

- (5) as some operators of RMBs, RS, kaitos and trams have indicated that the patronage of such public transport modes has been dropping continuously in recent years and one of the reasons is that they have not been included in the Scheme, of the Government's new measures to assist such operators in improving their business environment?

Question 13
(For written reply)

(Translation)

Appointment of overseas judges and their attendance at hearings

Hon Kenneth LEUNG to ask:

Under the Basic Law, the Hong Kong Court of Final Appeal Ordinance (Cap. 484) and the Judicial Officers Recommendation Commission Ordinance (Cap. 92), the Chief Executive may, on the recommendations of the Judicial Officers Recommendation Commission and upon the endorsements of the Legislative Council, appoint judges from the common law jurisdictions outside Hong Kong as non-permanent judges from other common law jurisdictions of the Court of Final Appeal (“overseas judges”). Regarding the appointment of overseas judges and their attendance at hearings, will the Government inform this Council if it knows:

- (1) in respect of each of the overseas judges appointed since 1 July 1997, (i) the judge’s name, (ii) the judge’s age at the time of first appointment, (iii) the common law jurisdiction to which the judge belongs/belonged, (iv) the date on which the judge was first appointed, and (v) the expiry date of the judge’s most recent appointment (set out in a table);
- (2) whether, in the past five years, there were candidates for overseas judges who declined the appointment; if so, the number of such candidates and the reasons for their declination; and
- (3) as the Government has indicated that since 1 July 1997, apart from very few exceptions, a judge has invariably been drawn from the list of overseas judges to hear a substantive appeal on the Court of Final Appeal, the number of such exceptions and the details of the cases concerned, as well as the causes for such exceptions?

Question 14
(For written reply)

(Translation)

Innovation and Technology Fund

Hon Jimmy NG to ask:

To encourage and assist Hong Kong enterprises in upgrading their innovation and technological level, the Government has set up funding schemes under the Innovation and Technology Fund (“ITF”) to finance research and development (“R&D”) projects on innovation and technology. Besides, enterprises may claim enhanced tax deduction for the expenditures incurred on qualifying R&D activities which they have engaged “designated local research institutions” to undertake: a 300% tax deduction being granted for the first \$2 million of the aggregate amount of expenditures, and 200% for the remaining amount. Quite a number of Hong Kong businessmen hope that the Government will review and enhance the vetting and approval mechanism of the aforesaid funding schemes, and relax the eligibility criteria for applying for funding and claiming enhanced tax deduction, so that more R&D activities undertaken outside Hong Kong may benefit. In this connection, will the Government inform this Council:

- (1) of the respective numbers of applications received by (a) the Mainland-Hong Kong Joint Funding Scheme (“MHKJFS”) since its launch in April 2019, and (b) the Research and Development Cash Rebate Scheme (“CRS”) in the past three years (which are both under ITF), and among them, the respective numbers of applications (i) approved, (ii) rejected, and (iii) still being processed; among the rejected applications, of the respective numbers of those which were rejected for the following reasons: the institutions undertaking the R&D work not being local institutions, and more than 50% of the R&D work being conducted on the Mainland;
- (2) whether it will study relaxing the restrictions of the various funding schemes under ITF (including revising the funding guidelines of MHKJFS to increase, in respect of the projects under application, the maximum proportion of R&D work that may be conducted on the Mainland from the current 50% to 80% or above); if so, of the details; if not, the reasons for that;
- (3) whether it will review and expand the scope of CRS to cover R&D projects undertaken by Hong Kong enterprises in collaboration with Mainland research institutions; if so, of the details; if not, the reasons for that; and

- (4) whether it will study relaxing the requirement that enterprises must engage local research institutions to undertake R&D activities before they may obtain enhanced tax deduction for the expenditures incurred on R&D activities, so that the R&D activities that Hong Kong enterprises have engaged research institutions outside Hong Kong to undertake may also be entitled to enhanced tax deduction; if so, of the details; if not, the reasons for that?

Question 15
(For written reply)

(Translation)

Transport infrastructure for the Tuen Mun District

Hon Holden CHOW to ask:

It has been reported that the Northern Connection of Tuen Mun-Chek Lap Kok Link (“TM-CLKL”) will be commissioned by the end of this year at the earliest. There is a roundabout at the northern end of the Northern Connection of TM-CLKL connecting Lung Fu Road and Lung Mun Road. Some members of the transport trades are worried that upon the commissioning of the Northern Connection of TM-CLKL, the vehicular flow at the roundabout will surge, giving rise to vehicles from different directions competing for the use of the carriageways and serious traffic congestion. Regarding the transport infrastructure for the Tuen Mun District, will the Government inform this Council:

- (1) of the latest anticipated commissioning date of the Northern Connection of TM-CLKL;
- (2) whether the Government will, in order to reduce the occurrence of traffic congestion and traffic accidents at the aforesaid roundabout upon the commissioning of the Northern Connection of TM-CLKL, improve the design of the roundabout; and
- (3) given that the Government commenced the investigation and preliminary design work for the Tuen Mun Western Bypass as early as in 2008, but the project to date still remains at the stage of researching on the alignments, of the latest implementation timetable of the project?

Question 16
(For written reply)

(Translation)

The incident of collision of vessels near the waters of Lamma Island

Hon James TO to ask:

In response to the Report of the Commission of Inquiry into the Collision of Vessels near Lamma Island on 1 October 2012, the Transport and Housing Bureau set up an Internal Investigation Team (“the Team”) in June 2013 to investigate whether there were maladministration and negligence of duty on the part of Marine Department (“MD”) officers in carrying out their duties in relation to Lamma IV. The Team submitted its investigation report to the Civil Service Bureau and the Police in 2014 to facilitate the conduct of disciplinary procedures and criminal investigations respectively. In addition, it has been reported that the Police have submitted the relevant investigation report(s) to the Coroner’s Court (“CC”) and the Department of Justice (“DoJ”). In this connection, will the Government inform this Council:

- (1) as the Team held the view that 17 MD officers were involved in misconduct while discharging duties in respect of Lamma IV in the past, of the following information of such officers: (i) the rank at the time of the incident, (ii) details of the misconduct, (iii) disciplinary actions faced, and (iv) whether they have now left the service or retired (set out one by one in a table);
- (2) whether it will consider afresh making public the investigation report;
- (3) of the to-date number of investigation report(s) submitted by the Police to DoJ, as well as the date of submission and the number of pages of each report; whether the Police have received legal advice from DoJ after submitting the report(s); if so, whether the Police have submitted such legal advice to CC; if so, of the dates concerned;
- (4) whether DoJ has finished considering the investigation report(s) submitted by the Police; if not, how much longer it will take; if so, whether and when it will institute prosecutions against the persons involved in the incident;
- (5) of the to-date number of investigation report(s) submitted by the Police to CC, as well as the date of submission and the number of pages of each report;

- (6) whether it knows if the Coroner has finished considering the investigation report(s) submitted by the Police; if the Coroner has, whether he has given further instructions to the Police, and of the expected time when he will make a decision on whether or not to conduct a death inquest; and
- (7) whether it knows if the Coroner has received legal advice from DoJ; if the Coroner has, whether he has finished considering the relevant advice?

Question 17
(For written reply)

(Translation)

Provision of further assistance for people in need

Hon Paul TSE to ask:

By raising a question at the Legislative Council meeting of the 21st of last month, I repeatedly urged the Government to allow Mandatory Provident Fund (“MPF”) contributors to withdraw part of the accrued benefits in their MPF accounts in order to address their imminent financial needs and relieve their hardship, and yet the Government still flatly rejected my request. Quite a number of members of the public are gravely dissatisfied that the Government only seeks to uphold the integrity of the MPF system but turning a blind eye to people’s hardship in the waves of closing down of businesses and layoffs. There were messages on my Facebook page and various major social media that slammed the Secretary for Financial Services and the Treasury for being “detached from reality”, “living in cloud cuckoo land” and having a “let them eat cake” attitude. In the face of the waves of enterprises closing down, the upcoming Lunar New Year and the yet-to-end epidemic, some economic analysts and securities researchers have predicted a sharp rise in the unemployment rate in the coming months. In view of members of the public’s discontent with the Government’s disregard for their request for withdrawing their MPF contributions to address their imminent financial needs, their disgruntlement about the MPF system unreasonably locking up their usable funds for a long time, and the financial pressure exerted on them by the waves of unemployment and pay-cut which are more severe and persistent than those during the “SARS” epidemic, will the Government inform this Council:

- (1) whether it will consider afresh allowing MPF contributors to withdraw half of the accrued benefits in their own MPF accounts, or making contributions to MPF accounts on behalf of the employers and employees in Hong Kong for at least six months;
- (2) whether it will consider afresh making another cash payout of \$10,000 per person to all adult residents of Hong Kong for addressing their imminent needs;
- (3) whether it will provide a full or 50% waiver on salaries tax for this year for all taxpayers in Hong Kong;
- (4) whether it will provide concessions on rates and government rent for the whole of this year for all property owners in Hong Kong;

- (5) as more and more unemployed property owners, even though they are subject to the Special Stamp Duty for selling the properties that they have held for less than three years, are still eager to sell their properties urgently to obtain cash for addressing their imminent needs, whether the Government will (i) exempt unemployed property owners from paying such duty or (ii) abolish such duty that has been imposed since 2010; and
- (6) whether it will instruct the Secretary for Justice to (i) formulate within a prescribed timeframe a plan for establishing a supervisory managing organization for the estate of the late Mrs Nina WANG which has a value of over \$130 billion and (ii) proceed to plan on how best to use the estate for the purposes of combating the epidemic and relieving people's hardship?

Question 18
(For written reply)

(Translation)

Services provided for persons
with intellectual disabilities and their parents

Hon CHAN Hak-kan to ask:

It has been reported that earlier on, students with intellectual disabilities (“ID”) living in the boarding facility of a special school were found to have been abused by staff members of the school. Besides, persons with ID are required to leave their schools and move out of the boarding facilities upon their reaching the age of 21, but it takes decades for them to wait for adult residential services. Such persons have to live at home and be taken care of by their family members during the time they are waiting for the services. In September this year, a tragedy was reported in which a mother, who had become mentally and physically exhausted for taking care of her 21-year-old son with ID who had just left school, was suspected of having strangled him to death, and then attempted to commit suicide. On the services provided for persons with ID and their parents, will the Government inform this Council:

- (1) of the number of complaints received by the Education Bureau (“EDB”) in each of the past five years about students with ID being abused in the boarding facilities of special schools and, among such cases, the number of those found substantiated after investigations and the relevant details;
- (2) of the number of reports received by EDB in each of the past five years on injuries sustained by students with ID in the boarding facilities of special schools, and the relevant details;
- (3) of the current staffing establishment of the boarding section of a special school;
- (4) whether EDB will (i) step up its monitoring and inspection of the boarding facilities of special schools, (ii) review the codes on management and care of students issued to special schools, (iii) strengthen the staffing establishment of the boarding sections of special schools, and (iv) provide special school students with regular physical check-ups for early detection of abnormalities (e.g. injuries caused by abuse);
- (5) of the respective current numbers of persons waiting for various types of residential services for persons with ID;

- (6) of the support services put in place by the Government for persons with ID who are waiting for residential services and their parents; whether EDB will consider allowing students with ID to continue to stay in schools after reaching the age of 21 until they have been allocated places in hostels for persons with ID; and
- (7) whether EDB and the Social Welfare Department will (i) strengthen the support for parents of persons with ID (e.g. providing training on the relevant caring skills and knowledge), and (ii) take other measures to alleviate the parents' pressure, so as to prevent the occurrence of similar tragedies?

Question 19
(For written reply)

(Translation)

Assisting institutions in enhancing the
application of information technology

Hon Charles Peter MOK to ask:

The Government has implemented a Distance Business Programme (“the Programme”) under the Anti-epidemic Fund to support enterprises to continue their businesses and provide services during the epidemic through the adoption of information technology (“IT”) solutions. The Programme has been open for funding applications since 18 May 2020. On 18 August, the Government introduced enhancement measures for the Programme so that social enterprises not holding a Business Registration Certificate may still be eligible for application if they submit a Social Enterprises Certificate issued by the Hong Kong Council of Social Service under the Programme. However, some operators of non-governmental organizations (“NGOs”) and social enterprises have relayed that the application procedure of the Programme is time-consuming and cumbersome, making it difficult for them to benefit from the Programme. On assisting NGOs and social enterprises in enhancing the application of IT, will the Government inform this Council:

- (1) of the number of funding applications received under the Programme since 18 August from NGOs and social enterprises, broken down by the type of supporting document they hold (i.e. Social Enterprises Certificate and Business Registration Certificate);
- (2) whether it will consider streamlining the application as well as vetting and approval procedures of the Programme to facilitate the filing of applications by NGOs and social enterprises; and
- (3) of the other measures in place to assist NGOs and social enterprises in enhancing the application of IT?

Question 20
(For written reply)

(Translation)

Prevention of cruelty to animals

Hon Elizabeth QUAT to ask:

It has been reported that a number of serious cases of cruelty to animals have occurred one after another in Hong Kong in recent months, including those in which a mongrel was abandoned after being abused, pets were found dead or reported missing during cross-boundary shipments, a large batch of cats and dogs were found trapped in a small flat, and 30 animals were thrown from height. There are comments that as the Prevention of Cruelty to Animals Ordinance (Cap. 169), which is the centre-piece legislation for animal welfare and management, was adapted as early as in 1935 from the Protection of Animals Act 1911 of the United Kingdom, it is outdated in regard to its penalties and legislative principles, albeit it has been amended on three occasions. In this connection, will the Government inform this Council:

- (1) of the number of complaints about cruelty to animals accepted and followed up by the authorities in the past three years and, among such complaints, the respective numbers of those the investigation outcome of which was that the complaints were (i) substantiated and (ii) unsubstantiated, and the reasons for that;
- (2) of the number of new initiatives implemented by the authorities in the past two years for protecting animal rights, interests and welfare, the details of such initiatives, and the annual public expenditure incurred;
- (3) as the Government has indicated that it will expeditiously amend Cap. 169, including imposing a “duty of care” on animal keepers and enhancing the power of the law enforcement agencies, so as to step up efforts in combating acts of cruelty to animals, of the details of the proposed amendments and the legislative timetable;
- (4) of the number of complaints received by the authorities in the past three years involving (a) pet relocation services, (b) other pet services, and (c) the use of animals in commercial activities; the legislation currently in place to regulate such activities; whether the Government will study introducing regulation on pet services, including (i) establishing statutory licensing and punishment mechanisms, and (ii) issuing practice guidelines to service providers, in order to better safeguard animal welfare; if so, of the details; if not, the reasons for that;

- (5) given that the Police have, since November 2018, set up 22 dedicated investigation teams across the territory to handle cases of cruelty to animals, of (i) the number of cases of cruelty to animals which were handled, and (ii) the number of cases in respect of which prosecutions were instituted against the persons involved, by the investigation teams so far; how the Police will strengthen its work on animal protection and enhance the efficiency of the relevant law enforcement efforts; and
- (6) as it has been reported that (i) at present, animal protection police officers in New Taipei City of Taiwan are empowered to investigate on their own initiatives suspected cases of cruelty to animals, (ii) animal protection inspectors in Queensland of Australia are empowered to enter by force those premises suspected of being involved in crimes related to cruelty to animals, and (iii) animal police in foreign places have the powers which are comparable to those of police officers in general (including the powers of arrest, investigation, gathering of evidence and detention of offenders), whether the authorities will consider afresh establishing animal police teams specially tasked to investigate cases of cruelty to animals and abandonment of animals, and enhancing the capability and training of frontline law enforcement officers on handling cases of cruelty to animals; if so, of the details; if not, the reasons for that?

Question 21
(For written reply)

(Translation)

Clearance of display items on Government land or public places

Dr Hon Junius HO to ask:

Some members of the public have pointed out that since the 2019 District Council Ordinary Election, the Government has often been “at odds” with the District Councils in promoting district affairs. For instance, individual District Councils have refused to organize or allocate funding to subsidize this year’s activities in celebration of the National Day. On this year’s National Day, National Day decorations were not put up along the roadsides in some districts as in previous years. Some residents in the Sham Shui Po district, on their own initiatives, flew national flags in the vicinity of Wong Chuk Street in the small hours of the National Day to let the public enjoy the festive atmosphere on the National Day. However, the outsourced service contractors of the Food and Environmental Hygiene Department (“FEHD”) and the Highways Department removed those national flags by noontime on the National Day, arousing strong reverberations among the residents. In their view, while the departments concerned have swiftly removed the national flags, they have not removed, after a prolonged period of time, the display items loaded with seditious messages on the “Lennon walls” and in “Lennon tunnels” in streets and alleys and have therefore allowed such items to scar the cityscape. Such a situation has aroused suspicion of favouritism. In this connection, will the Government inform this Council:

- (1) which government department(s) or government officer(s) made the decision to take the action of removing the aforesaid national flags was; of the legal basis for the decision;
- (2) how FEHD and the Highways Department have handled the national flags removed, and of the present whereabouts of the flags; and
- (3) whether it has reviewed if the criteria adopted by various government departments for removing the display items on the Lennon walls and in Lennon tunnels are consistent with those adopted for removing the aforesaid national flags; if it has reviewed and the outcome is in the negative, of the reasons for that?

Question 22
(For written reply)

(Translation)

Statistics and dissemination of information on the epidemic

Hon CHUNG Kwok-pan to ask:

The Centre for Health Protection has, to date, recorded over 5 000 as well as over 100 confirmed and fatal cases of Coronavirus Disease 2019 (“COVID-19”) respectively. Regarding the statistics and dissemination of information on the epidemic, will the Government inform this Council:

- (1) of a breakdown of the total number of confirmed cases to date by the age group to which the patients belonged; the respective age groups with the highest recovery rate and highest mortality rate;
- (2) as the findings of overseas medical studies have reportedly shown that obese people and elderly persons, upon contracting COVID-19, have a comparatively higher incidence of hospitalization, developing severe symptoms and death (e.g. the mortality rate of patients aged above 65 is more than 90 times of those aged 18 to 29), whether the authorities have conducted similar statistical analyses on the local confirmed cases; if so, of the details; and
- (3) as some medical experts have pointed out that there may be a new wave of the epidemic outbreak in the winter, whether the authorities will consider providing the public with more information relating to the epidemic, such as the correlation between age and health condition and the morbidity and mortality rates, so that members of the public (in particular those belonging to high-risk groups) can take precautionary measures early?

立法會
Legislative Council

2020年11月11日立法會會議
獲編配質詢名額的議員名單

- | | | |
|------|-------|--------|
| (1) | 鄭松泰議員 | (口頭答覆) |
| (2) | 葉建源議員 | (口頭答覆) |
| (3) | 陳振英議員 | (口頭答覆) |
| (4) | 邵家臻議員 | (口頭答覆) |
| (5) | 柯創盛議員 | (口頭答覆) |
| (6) | 李國麟議員 | (口頭答覆) |
| (7) | 馬逢國議員 | (書面答覆) |
| (8) | 梁志祥議員 | (書面答覆) |
| (9) | 李慧琼議員 | (書面答覆) |
| (10) | 林健鋒議員 | (書面答覆) |
| (11) | 陳恒鏞議員 | (書面答覆) |
| (12) | 張國鈞議員 | (書面答覆) |
| (13) | 陳健波議員 | (書面答覆) |
| (14) | 容海恩議員 | (書面答覆) |
| (15) | 陸頌雄議員 | (書面答覆) |
| (16) | 許智峯議員 | (書面答覆) |
| (17) | 梁美芬議員 | (書面答覆) |
| (18) | 毛孟靜議員 | (書面答覆) |
| (19) | 梁繼昌議員 | (書面答覆) |
| (20) | 周浩鼎議員 | (書面答覆) |
| (21) | 吳永嘉議員 | (書面答覆) |
| (22) | 謝偉銓議員 | (書面答覆) |