

# **立法會**

## ***Legislative Council***

LC Paper No. CB(2)683/20-21

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by the Administration)

Ref : CB2/PL/SE

### **Panel on Security**

#### **Minutes of policy briefing-cum-meeting held on Tuesday, 1 December 2020, at 2:30 pm in Conference Room 1 of the Legislative Council Complex**

#### **Members present**

: Hon CHAN Hak-kan, BBS, JP (Chairman)  
Hon YUNG Hoi-yan, JP (Deputy Chairman)  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon WONG Ting-kwong, GBS, 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 Steven HO Chun-yin, BBS  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon YIU Si-wing, BBS  
Hon MA Fung-kwok, GBS, JP  
Hon CHAN Han-pan, BBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Hon Elizabeth QUAT, BBS, JP  
Hon POON Siu-ping, BBS, MH  
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 CHAN Chun-ying, JP  
Hon CHEUNG Kwok-kwan, JP  
Dr Hon CHENG Chung-tai  
Hon Tony TSE Wai-chuen, BBS, JP

**Member attending** : Hon Vincent CHENG Wing-shun, MH, JP

**Public Officers attending** : Item III

The Administration

Mr John LEE, SBS, PDSM, PMSM, JP  
Secretary for Security

Ms Carol YIP, JP  
Permanent Secretary for Security

Mr Sonny AU, PDSM, PMSM, JP  
Under Secretary for Security

Miss Shirley YUNG, JP  
Deputy Secretary for Security (1)

Mrs Vicki KWOK, JP  
Deputy Secretary for Security (2)

Miss Hinny LAM, JP  
Deputy Secretary for Security (3)

Mrs Apollonia LIU, JP  
Deputy Secretary for Security (4)

Ms Ivy LAW, JP  
Commissioner for Narcotics

Mr LAU Wai-ming  
Administrative Assistant to Secretary for Security

Item IV

Independent Commission Against Corruption

Mr Simon PEH Yun-lu, SBS, IDSM  
Commissioner

Mr Ricky YAU Shu-chun  
Head of Operations

Mr HO Wai-chi  
Director of Community Relations

Mr Joe LEE Yat-sau  
Director of Corruption Prevention

Ms Sally KWAN Yee-lan  
Assistant Director / Administration

**Clerk in attendance** : Miss Betty MA  
Chief Council Secretary (2) 1

**Staff in attendance** : Mr Timothy TSO  
Senior Assistant Legal Adviser 1

Ms Gloria TSANG  
Senior Council Secretary (2) 7

Ms Priscilla LAU  
Council Secretary (2) 1

Miss Lulu YEUNG  
Clerical Assistant (2) 1

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**I. Information papers issued since the last meeting**  
(LC Paper Nos. CB(2)149/20-21(01), CB(2)176/20-21(01) and CB(2)205/20-21(01))

Members noted that the following papers listed in the agenda had been issued since the last meeting:

- (a) letter dated 3 November 2020 from Dr Helena WONG;
- (b) letter dated 4 November 2020 from Mr SHIU Ka-chun; and
- (c) Letter dated 6 November 2020 from Mr KWOK Wai-keung.

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**II. Date of next meeting and items for discussion**  
(LC Paper Nos. CB(2)419/20-21(01) and (02))

Regular meeting in January 2021

2. Members agreed that the following items would be discussed at the next regular meeting on 5 January 2021 at 2:30 pm:

- (a) Results of study of matters raised in the Annual Report 2019 to the Chief Executive by the Commissioner on Interception of Communications and Surveillance;
- (b) Proposed introduction of offences on voyeurism and non-consensual photography of intimate parts, and related offences; and
- (c) Installation of electric locks security system in Siu Lam Psychiatric Centre.

Local visit

3. Members noted and agreed to the following local visits proposed by the Administration for the Panel:

- (a) visit to the Customs and Excise Department ("C&ED") to better understand the development of Smart Customs and its anti-smuggling work; and
- (b) visit to the Heung Yuen Wai Boundary Control Point to understand its operations.

4. In view of the COVID-19 epidemic situation, the Chairman said that Members would be informed of the visit arrangements in due course.

**III. Briefing by the Secretary for Security on the Chief Executive's 2020 Policy Address**  
(LC Paper No. CB(2)419/20-21(03), The Chief Executive's 2020 Policy Address and The Chief Executive's 2020 Policy Address Supplement)

5. Secretary for Security ("S for S") briefed Members on the initiatives of the Security Bureau ("SB") in the 2020 Policy Address and Supplement, as set out in the Administration's paper.

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(*Post-meeting note*: The speaking note of S for S was issued to members vide LC Paper No. CB(2)443/20-21(01) on 1 December 2020.)

Assisting juveniles in rehabilitation

6. Ms Alice MAK expressed concern about the handling of arrestees under the age of 18, who were involved in a series of violent incidents since June 2019, with the Police Superintendent's Discretion Scheme ("PSDS"). She was concerned whether such measure would connive and encourage juveniles to perform illegal acts.

7. S for S said that apart from assisting juveniles in rehabilitation, it was also important to disseminate law-abiding awareness to the society. Hence, for arrestees under the age of 18 who had expressed contrition and were not involved in serious offences, the Police would consider handling the cases with measures conducive to their rehabilitation, for example, by cautioning them under PSDS or imposing bind over orders. It was particularly pointed out that some juvenile offenders suffered from peer pressure to take part and the offences involved were not serious. The Police would only consider PSDS with the prerequisite that they must admit their wrongdoings.

8. Mr Paul TSE was of the view that factors to be considered whether to administer a caution should be clearly set out. Noting that the general public might not be familiar with the arrangements under PSDS, Mr Steven HO urged the Administration to clearly set out the factors to be considered to administer a caution and be more proactive in promoting public awareness of the scheme. S for S advised that a number of factors would be taken into account in deliberating whether to administer a caution, including whether the offender and his/her parents or guardian(s) agreed to the Superintendent's caution, whether the offender voluntarily admitted the offence and had expressed contrition, the seriousness and prevalence of the offence, etc. He stressed that PSDS would not be considered if the offence committed was serious in nature.

9. Mr POON Siu-ping asked whether extra resources would be allocated to strengthen law-abiding awareness in the society, for example, whether SB was going to collaborate with the Education Bureau ("EDB") to promote law-abiding awareness among students. While reiterating the importance of law-abiding awareness to maintain Hong Kong as a safe city, S for S said that EDB had set out relevant guidelines to help

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students' understanding of their obligations and responsibilities to comply with the law. Law enforcement agencies ("LEAs") would provide assistance to EDB and schools when necessary. Notably, dedicated police officers were appointed as School Liaison Officers to strengthen police commitment in juvenile crime prevention work.

10. Apart from referring juveniles issued with Superintendent's cautions to EDB, the Social Welfare Department ("SWD") or non-governmental organizations ("NGO") to facilitate their rehabilitation, Mr CHAN Chun-ying asked whether the Administration has other plans to follow up with juveniles who had committed illegal acts because of their political belief. S for S said that for juvenile offenders who had expressed contrition, the Government would further consider strengthening education via Police's supervision and NGOs' follow-up work under PSDS. In response to Ms Elizabeth QUAT's suggestion that the Disciplined Services should work together to enhance law-abiding awareness among youngsters, S for S advised that SB had requested various Disciplined Services to strengthen its work with various youth uniformed groups, with a view to promoting law-abiding awareness and cultivating right values among youngsters.

11. Dr Priscilla LEUNG sought information on the figures relating to PSDS in previous years. She said that a systematic approach was adopted in the United Kingdom ("UK") to follow up with the counselling work of juvenile offenders, and was concerned about relevant follow-up work in Hong Kong, in particular for those juvenile offenders being put in jail. Mr LEUNG Che-cheung cast doubt about the effectiveness of rehabilitation assistance provided by social workers under PSDS. He asked how PSDS would be adopted to assist juveniles in rehabilitation. S for S pointed out that PSDS had been effectively operating for many years, with the recidivism rate of about 6% to 9%, compared with that of around 20% to 40% for offenders at correctional institutions. Under PSDS, juveniles were put under police supervision for a period of two years in which police officers regularly visited juveniles concerned and provided guidance as appropriate. Where necessary, juveniles were referred to SWD or NGOs for further follow-up. For juvenile offenders who were not put under PSDS, it was highlighted that SB, the Police and the society would work together to enhance their law-abiding awareness. S for S added that there were 19 cases administered with cautions since June 2019 and he undertook to take into account members' views in the PSDS arrangement.

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12. Noting that there were some 2 000 primary and secondary students arrested who were in connection with the series of violent incidents since June 2019, the Deputy Chairman was concerned about the handling of cases by PSDS or bind over orders, and asked whether the bind over period could be raised. She also called on the Administration to be more proactive in the follow-up service provided to juveniles. S for S said that the bind-over period was three years the longest, and whether a case would be administered with cautions or imposed by bind over orders was determined by the court having regard to the circumstances of each case. It was stressed that rehabilitation was a key element in both PSDS and bind over orders. Under PSDS, juveniles were put under police supervision for a maximum of two years. However, a bind-over order did not necessarily include an element of supervision. That said, he thanked for the suggestion from the Deputy Chairman and said that the Government would examine it.

13. Apart from guiding arrestees under the age of 18 who had expressed contrition to return to the right path, Mr WONG Ting-kwong considered that PSDS should be able to find out the mastermind involved in the illegal acts as well. He was also concerned about the light and inadequate punishment handed down by the court against some offenders involved in "black violence" recently. S for S reiterated that PSDS would be considered only with the prerequisite that juvenile offenders had admitted their wrongdoings and the offences involved were not serious. S for S further explained that although the Police would always gather sufficient evidence for every case, the court would consider a number of factors which were beyond their control. In general, about 80% of the persons relating to "black violence" had to bear legal consequences, including conviction with sentence or bind-over order granted by the court, which was similar to that of other cases.

14. Dr CHENG Chung-tai was concerned about Police's making use of PSDS to obtain information from juveniles for other purposes. S for S stressed that all cases were prosecuted based on fact and evidence. For the sake of justice, offenders should cooperate and assist in law enforcement and investigation. He made it clear that PSDS was not used to make juveniles give information to the police.

National security

15. Mr CHAN Chun-ying sought information on the manpower support in implementing the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative

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Region ("the National Security Law"). S for S said that manpower pressure for law enforcement and prosecution work was a persisting challenge. Another challenge is that the officers should have suitable experience, mindset and integrity, etc. That said, the Government would actively deal with manpower-related issues, and had to overcome various objective factors gradually.

16. Dr Junius HO asked about the timetable to introduce legislation as stipulated in Article 23 of the Basic Law ("BL") pursuant to Article 7 of the National Security Law. S for S said that SB had been studying and preparing for the legislation on BL Article 23. In this regard, the experience in implementing the National Security Law and court rulings would be of relevance to the legislation on BL Article 23, while public consultation would be required in the legislation process in Hong Kong. Relevant legislative work would be conducted as early as practicable.

17. Mr Paul TSE was concerned about the security risk in relation to sanctions against officials for the implementation of the National Security Law, given the Chief Executive ("CE")'s statement that her remuneration had to be paid by cash as a result of sanction imposed by the United States ("US") Government in light of the implementation of the National Security Law. S for S said that the inconvenience as mentioned would not undermine the Government's determination to safeguard national security.

Police-related issues

18. Mr Holden CHOW thanked for the Police's effort in seriously handling illegal and violent acts in accordance with the law. In response to Mr CHOW's concern that a bail order was recently exercised to a person being alleged of the offence of riot, S for S stressed that the Police, in appropriate cases, would gather all justifications and present in the court opposing to bail applications. Having said that, he undertook to reflect Mr CHOW's request to the Department of Justice ("DoJ") to file an appeal as early as practicable.

19. Given that around 35% of the doxing cases handled by the Privacy Commissioner for Personal Data from mid-2019 to September 2020 involved police officers and their family members, Ms Alice MAK was concerned about the legislation against doxing and the ways to protect police officers. Ms Elizabeth QUAT shared a similar concern. Mr LEUNG Che-cheung asked whether consideration would be given to setting up a designated hospital for police officers. S for S said that



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injunctions had been applied previously to protect the privacy of police officers. Besides, the Constitutional and Mainland Affairs Bureau ("CMAB") had been studying the amendments to the Personal Data (Privacy) Ordinance (Cap. 486) to more effectively handle and regulate doxing related behaviour. SB would work closely with CMAB in this regard.

20. Mr Holden CHOW and Ms Elizabeth QUAT enquired about the Administration's measures and legislation against fake news and information. S for S stressed that SB attached great importance to the dissemination of fake and misleading information smearing Police and inciting others to perform illegal activities. Notably, SB had been in close liaison with the Home Affairs Bureau and other relevant departments to study corresponding measures to combat fake information.

21. The Chairman expressed concern about the recent petrol bombs found at the Police Sports and Recreation Club, and was concerned whether it was a sign of return of "black violence" and whether it was necessary to strengthen the security of some symbolic buildings. S for S said that the Police had never stopped taking security measures towards different critical infrastructure. The Police would investigate the intention of the case, and be proactive in intelligence gathering and risk assessment. SB would also work closely with the Police to ensure appropriate staff deployment and safeguard Hong Kong's security.

22. Dr CHENG Chung-tai said that the conduct and discipline of the Disciplined Services, especially in the Police Force, had always been the society's concern. However, the Policy Address mentioned nothing about it. He asked about the ways to strengthen Police's conducts. S for S said that while there were cases of police officers breaching the law, they were individual incidents. He stressed that this was against the police organization value and the police officers as an organization were dedicated to their duty. He stressed that any breach of the law by police officers would not be tolerated and every case would be strictly handled in accordance with the law.

Implementing co-location arrangement at new Huanggang Port and enhancing the handling capacity of control points

23. Mr YIU Si-wing and Mr MA Fung-kwok expressed support for the co-location arrangement at the new Huanggang Port and enquired about the progress of the initiative. Mr MA further asked about the project

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cost involved and the flow of passengers and vehicles during the redevelopment. Mr Tony TSE was glad to learn that the co-location arrangement at the new Huanggang Port was included in the Policy Address. He noted that the Shenzhen Municipal Government had already set out a comprehensive plan regarding the redevelopment project, and he called on SB to cooperate with the Development Bureau, the Planning Department and the Transport and Housing Bureau to set out the plan to implement the redevelopment and legislative exercise for co-location arrangement early.

24. S for S said that the Shenzhen Municipal Government had commenced the design stage of the redevelopment project of the Huanggang Port. The project was expected to be completed within three to four years and the actual implementation timetable would be officially announced in due course. While the co-location arrangement would require the approval of the Central People's Government, the Hong Kong Special Administrative Region ("HKSAR") Government would explore with the Shenzhen Municipal Government shortly on the implementation of co-location arrangement similar to that in place at the Shenzhen Bay Port, including relevant project cost involved. The HKSAR Government would also actively study the use of the land vacated after the redevelopment project. With previous legislative experience, it was believed that the co-location arrangement at the new Huanggang Port would be implemented more smoothly and efficiently.

25. Mr MA Fung-kwok further asked whether consideration would be given to implementing co-location arrangement at the boundary control points ("BCPs") at Man Kam To, Heung Yuen Wai and the Hong Kong-Zhuhai-Macao Bridge. S for S advised that the Government would take into account various factors, such as geographical locations and availability of space, to decide whether co-location arrangement should be implemented at other BCPs. In the long-term, the Lo Wu terminal might be considered for the implementation of co-location arrangement.

26. Noting that the Administration was going to extend the operating hours of the Shenzhen Bay Port to 24-hour by the end of 2020, Mr YIU Si-wing enquired about the feasibility of extending the operating hours of other BCPs. S for S advised that the governments of Hong Kong and Shenzhen aimed to fully implement the 24-hour operation of the Shenzhen Bay Port as early as practicable, and would keep reviewing the circumstances to extend the operating hours of other BCPs as appropriate. SB remained open in this matter.

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27. Mr Frankie YICK asked whether consideration would be given to permitting fresh food import/export at other BCPs other than Man Kam To. S for S said that the issue was under the purview of the Food and Health Bureau, and he would convey Mr YICK's view to them.

Handling of non-refoulement claims

28. Noting that the number of overstaying visitors from India had dropped by over 80%, Mr YIU Si-wing asked whether the pre-arrival registration ("PAR") for Indian nationals travelling to Hong Kong would be relaxed. S for S responded that a number of challenges remained despite a positive progress had been made by the Government in handling non-refoulement claims. While the PAR arrangement had proven to be effective in curbing potential claimants from India and should be maintained, SB had been working with the Immigration Department ("ImmD") and liaising with the Indian Chamber of Commerce Hong Kong to identify possible improvement measures to facilitate the smooth operation of PAR arrangement.

29. Mr CHAN Chun-ying noted with concern that about 13 000 non-refoulement claimants still remained in Hong Kong as at end October 2020, and the number of applications for judicial review ("JR") pending handling by the court was over 8 000. He asked whether SB would liaise with the Judiciary to clear the long JR queue. Ms Elizabeth QUAT expressed support for the proposed amendments to the Immigration Ordinance (Cap. 115). She urged SB to liaise with the Judiciary and consider setting up "special court" to speed up the handling of JR cases. S for S thanked for members' suggestions. While JR was a bottleneck in the handling of non-refoulement claims, he noted that the Judiciary had revised some requirements so as to expedite the handling of cases by the Court of Appeal. SB would also liaise with the Judiciary to explore further means to break through the bottleneck, having due regard to the principle of judicial independence.

30. Ms Elizabeth QUAT was also concerned about the large number of JR applications pending handling by the court and asked whether the Administration would look into the arrangement for legal aid to avoid abuse. S for S said that SB would liaise with the Judiciary as mentioned above, and he would also convey Ms QUAT's concern to relevant departments in respect of the legal aid arrangement.

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31. Noting that a large number of non-refoulement claimants still remained in Hong Kong for various reasons, Mr Wilson OR was concerned about the security threats they had posed to the society. He expressed support for the proposed amendments to Cap. 115 and was concerned about its effectiveness in combating crime committed by claimants, as well as minimizing their chance of abusing JR. He further asked whether the Administration would reconsider accommodating claimants in closed-camps.

32. S for S advised that there were some 650 non-ethnic Chinese ("NEC") persons arrested in 2019, which was lower than that of 1 500 NEC persons in 2016. Nevertheless, the Organized Crime and Triad Bureau of the Police had set up a working group to combat crime committed by NEC persons and enhance relevant intelligence gathering work. The Police had also stepped up patrol at some black spots at district level. S for S further explained that the proposed amendments to Cap. 115 sought to more effectively address various bottlenecks in relation to non-refoulement claims, which included enhancing the screening efficiency of ImmD and the Torture Claims Appeal Board, as well as expediting the removal procedure of rejected claimants. As JR was one of the bottlenecks, it was reiterated that SB would liaise with the Judiciary to explore further means to expedite the processing of the JR applications. Having said that, he appealed to Members' understanding that JR was part and parcel of Hong Kong's legal system and such procedure could not be eliminated.

Application of innovation and technology to enhance the law enforcement capabilities

33. Mr Jimmy NG was concerned about the drastic increase in the number of online deception cases in the first half of 2020, in particular the increase of romance scam cases by 52%. He enquired about the Administration's measures to tackle the problem with the use of innovation and technology. S for S stressed that the Police were highly capable in the investigation of technology crime. Notably, the Technology Crime Division of the Police had been applying software and database to enhance the capabilities in investigating and analyzing technology crime. LEAs had also been requested to make use of big data for enforcement work and case analysis.

34. Mr POON Siu-ping sought the implementation timetable of the application of innovation and technology to enhance the law enforcement

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capabilities. Mr Steven HO was concerned about illegal fishing activities and suggested that consideration should be given to applying innovation and technology to strengthen the capability in combating relevant activities and other law enforcement work on the sea. He further asked whether extra resources would be allocated in the upcoming Budget to strengthen law enforcement capabilities on the sea.

35. S for S thanked for Mr HO's suggestion, and said that he would request the Police, C&ED and the Marine Department to review the current situation. Mr HO particularly pointed out that the Police, who were responsible for carrying out majority of law enforcement work, should be allocated with extra resources.

Quality Migrant Admission Scheme

36. While there might be local talents leaving Hong Kong for various reasons, Mr SHIU Ka-fai believed that the Quality Migrant Admission Scheme ("QMAS") could attract highly skilled professionals or talented persons to settle in Hong Kong. He asked whether QMAS would be reviewed so as to reinforce Hong Kong's competitiveness. He also asked about the publicity work conducted worldwide to attract international talents. Separately, Mr CHUNG Kwok-pan queried why the quota was increased to 2 000 from September 2020 onwards given that the annual quota of 1 000 under QMAS had not been used up in previous years.

37. S for S explained that Hong Kong had introduced various admission schemes for talents and professionals, including QMAS and General Employment Policy for professionals. The annual quota under QMAS was not cumulative. Following the promulgation of the first Talent List Hong Kong in August 2018, the number of QMAS applications and the corresponding number of applicants who were allotted a quota had substantially increased. In the first half of 2020, some 700 applicants were allotted a quota, accounting for over 50% of the annual quota. Anticipating that the annual quota might be exceeded this year, the Government had therefore decided to increase the annual QMAS quota. To enlarge Hong Kong's talent pool, the Government would promote QMAS with the assistance of the Economic and Trade Offices outside Hong Kong. Government officials would also promote the scheme when they conducted duty trips outside Hong Kong. Relevant publicity would also be incorporated in appropriate work undertaken by bureaus concerned.

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38. In response to Mr CHUNG Kwok-pan's enquiry about the professions in the Talent List, S for S advised that applicants from over 100 countries were received under QMAS and those who met the professional requirements in the Talent List would be awarded extra points. The talents admitted under QMAS came from various places, including but not limited to the Mainland China, the US, Australia, Canada and the UK. Among them, 27% were professionals of financial services and accounting, 25% were information technology and telecommunications experts and 7% belonged to the legal services sector.

Other issues

39. Mr Vincent CHENG cited the fatal fire incident in Yau Ma Tei in November 2020 and expressed concern about the slow progress to comply with the requirements set in the Fire Safety Directions ("Directions") in old buildings. He asked whether consideration would be given to purchasing basic fire safety equipment for "three-nil" buildings and empowering the Fire Services Department ("FSD") and the Buildings Department ("BD") to undertake some of the fire safety improvement works. S for S said that in light of the risks exposed by the fatal fire incident in Yau Ma Tei, FSD and BD had immediately embarked on a special exercise to inspect some 2 000 domestic or composite buildings that were of comparable age as the building concerned in the fire incident (namely, aged 60 or above) by the end of 2020. To assist owners in complying with Directions, FSD had offered technical support, and adopted a flexible and pragmatic approach in handling individual cases without compromising basic fire safety, including launching various facilitation measures for owners such as lowering the capacity requirement of fire service water tanks, etc. As regards the suggestion for the Government to undertake some of the fire safety improvement works for the owners/users of old buildings, the Government would examine in detail whether there would be room to overcome issues such as titles disputes and other legal matters. In the meantime, the Government would consider engaging the District Fire Safety Committees in providing suitable fire safety equipment to residents in need to enhancing emergency preparedness at home.

40. Dr Junius HO enquired about the plan and timetable of legislating against face coverings by way of a bill. S for S said that it was not appropriate for him to make a comment at the moment as the Prohibition on Face Covering Regulation was in the process of legal proceedings.

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41. Dr Junius HO and Mr Paul TSE expressed concern about a recent judgment laid down by the Court of Final Appeal that requiring the hair of male prisoners to be cut "sufficiently close" constituted direct discrimination under the Sex Discrimination Ordinance (Cap. 480). S for S advised that the Correctional Services Department had been studying the judgment and relevant requirements in other overseas countries, and would follow up with DoJ to introduce appropriate measures accordingly.

42. Ms Elizabeth QUAT enquired about the progress of the legislation against insulting public officers who were on duty. S for S said that SB was in discussion with Civil Service Bureau covering the matter and examining the practice of other places in this regard.

*[To allow sufficient time for discussion, members agreed that the meeting would be extended to 5:00 pm.]*

**IV. Briefing by the Commissioner, Independent Commission Against Corruption on the Chief Executive's 2020 Policy Address**

(LC Paper No. CB(2)397/20-21(01), The Chief Executive's 2020 Policy Address and The Chief Executive's 2020 Policy Address Supplement)

43. Commissioner, Independent Commission Against Corruption ("C/ICAC") briefed members on the paper provided by the Independent Commission Against Corruption ("ICAC") regarding Hong Kong's corruption situation in the first 10 months of 2020 and the major anti-corruption initiatives in the coming year.

*(Post-meeting note: The speaking note of C/ICAC was issued to members vide LC Paper No. CB(2)443/20-21(02) on 1 December 2020.)*

Legislative Council General Election

44. Mr Tony TSE commended ICAC's anti-corruption effort over the years to maintain Hong Kong as a clean and honest city. He declared that he was the Chairperson of the Property Management Services Authority ("PMSA"), and was glad to note that ICAC would work with PMSA on a number of collaborative initiatives to enhance corruption prevention in the industry.

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45. Noting that the Administration was studying the feasibility of allowing voting outside Hong Kong in the forthcoming LegCo General Election, Mr Tony TSE and Mr POON Siu-ping expressed concern about ICAC's work against electoral corruption and malpractice therein. C/ICAC responded that while the feasibility of outside voting was being studied by CMAB, ICAC possessed relevant experience in law enforcement, public education and corruption prevention, and would be well-prepared to work with various stakeholders to keep LegCo General Election clean.

Corruption-related issues in government sector and public bodies

46. Mr POON Siu-ping sought information about the Integrity Promotion Campaign for Public Sector and the corruption prevention guide to be launched by ICAC. C/ICAC said that some bureaux/departments, such as the Food and Environmental Hygiene Department ("FEHD") and the Environmental Protection Department, were required to perform regulatory enforcement functions even though they were not LEAs. ICAC had thus drawn up corruption prevention guide for their reference. The Chairman further asked whether it was ICAC's normal practice to launch corruption prevention guide for government departments and public bodies. C/ICAC explained that LEAs had in general arranged anti-corruption training for their staff members, which might not be the case in other bureaux/departments. ICAC had therefore launched corruption prevention guide for staff members of other bureaux/departments on corruption-related matters.

47. Noting from ICAC's paper that 96 government servants were referred to the relevant bureaux/departments for consideration of disciplinary and/or administrative action during the first 10 months of 2020, Mr POON Siu-ping enquired about the bureaux/departments involved in corruption complaints. Head of Operations, ICAC ("H(Ops)/ICAC") said that the number of corruption complaints received in the government sector was similar to that of last year. In general, departments with a larger establishment and frequent contact with members of the public would attract more corruption complaints, such as the Police and FEHD. In response to the Chairman's further enquiry, H(Ops)/ICAC clarified that the number of corruption complaints received did not imply that a bureau/department was facing serious corruption.



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48. Mr CHUNG Kwok-pan expressed concern about the Administration's recent stance on the proposed extension of the Prevention of Bribery Ordinance (Cap. 201) to regulate CE. C/ICAC said that policy objective and legislative amendments were the work of the Government. ICAC, being an LEA, was not in a suitable position to give a response.

49. There being no other business, the meeting ended at 4:50 pm.

Council Business Division 2  
Legislative Council Secretariat  
19 January 2021