

Legislative Council

Agenda

Wednesday 19 January 2022 at 11:00 am

I. Laying of Papers on the Table of the Council

2 items of subsidiary legislation and 6 other papers to be laid on the Table of the Council set out in Appendix 1

IIA. Urgent Question

A Member to ask an urgent oral question in Appendix 2A

Urgent question for oral reply to be asked by

Hon Edward LEUNG

(Measures to immediately improve the management of the Penny's Bay Quarantine Centre)

Public officer to reply

Secretary for Food and Health

II. Questions

Members to ask 22 questions (6 for oral replies and 16 for written replies)

Questions for oral replies to be asked by

1. Hon Maggie CHAN

(Disbursement of cash or consumption vouchers to members of the public by the Government)

Financial Secretary

2. Hon YANG Wing-kit

(Accident and emergency services of public hospitals under the Kowloon Central Cluster)

Secretary for Food and Health

3. Hon LUK Chung-hung

(Taking out insurance policies for taxis)

Secretary for Transport and Housing
Secretary for Financial Services and the Treasury

4. Hon YIU Pak-leung

(Support for tourism industry)

Secretary for Commerce and Economic Development

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| 5. | Hon Tony TSE
<u>(The Northern Metropolis Development Strategy)</u> | Secretary for the Environment
Secretary for Development |
| 6. | Dr Hon TIK Chi-yuen
<u>(Non-governmental organizations receiving lump sum grant subvention)</u> | Secretary for Labour and Welfare |

Contents of 22 questions, Members to ask such questions and public officers to reply set out in **Appendix 2**

III. Member's Motion on Subsidiary Legislation

Proposed resolution to extend the period for amending subsidiary legislation (L.N. 234 of 2021)

Mover : Hon Starry LEE

Wording of the motion : **Appendix 3**

IV. Members' Other Motions

1st debate (covering the following 2 motions which seek to authorize that meetings of the Council or a committee may be conducted remotely in accordance with the Rules of Procedure by the means determined by the Council within a specified period)

1. Proposed resolution under Article 75 of the Basic Law

Mover : Hon Starry LEE

Wording of the motion : **Appendix 4**

2. Proposed resolution under the Legislative Council (Powers and Privileges) Ordinance

Mover : Hon Starry LEE

Wording of the motion : **Appendix 5**

(Debate and voting arrangements set out in LC Paper No. CB(3) 35/2022 issued on 18 January 2022)

2nd debate (covering the following motion)

3. Proposed resolution under The Legislative Council Commission Ordinance on the manner of election of members of The Legislative Council Commission

Mover : Hon Starry LEE

Wording of the motion : **Appendix 6**

3rd debate (covering the following motion)

4. Motion on “Guarding against the importation of COVID-19, preventing its spread on all fronts and resuming quarantine-free travel as soon as possible”

Mover : Hon LAI Tung-kwok

Wording of the motion : **Appendix 7**

5 amendment movers : Hon Dennis LEUNG, Hon Edward LEUNG, Hon YUNG Hoi-yan, Hon MA Fung-kwok and Hon YIM Kong
(Amendments set out in LC Paper No. CB(3) 30/2022 issued on 14 January 2022)

Public officers to attend : Secretary for Transport and Housing
Secretary for Food and Health
Secretary for Innovation and Technology
Under Secretary for Food and Health
Under Secretary for Transport and Housing

4th debate (covering the following motion)

5. Motion on “Regulating employment agencies for placement of foreign domestic helpers to protect the interests of employers and employees”

Mover : Hon Judy CHAN

Wording of the motion : **Appendix 8**

3 amendment movers : Ir Hon LEE Chun-keung, Hon NGAN Man-yu and Hon Paul TSE
(Amendments set out in LC Paper No. CB(3) 31/2022 issued on 14 January 2022)

Public officers to attend : Secretary for Labour and Welfare
Under Secretary for Security
Under Secretary for Labour and Welfare

Clerk to the Legislative Council

Council meeting of 19 January 2022

Laying of Papers on the Table of the Council

Subsidiary legislation	Legal Notice No.
1. <u>Pharmacy and Poisons (Amendment) Regulation 2022</u>	1 of 2022
2. <u>Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2022</u>	2 of 2022
 Other papers	
3. <u>Samaritan Fund</u> <u>Report on the Fund, Financial Statements and Report of the Director of Audit for the year ended 31 March 2021</u> (to be presented by Secretary for Food and Health)	
4. <u>Hospital Authority</u> <u>Annual Report 2020-2021 (including Independent Auditor's Report and Audited Financial Statements)</u> (to be presented by Secretary for Food and Health)	
5. <u>The Hospital Authority Public-Private Partnership Fund</u> <u>Financial Statements and Independent Auditor's Report for the year ended 31 March 2021</u> (to be presented by Secretary for Food and Health)	
6. <u>Correctional Services Department Welfare Fund</u> <u>Report by the Commissioner of Correctional Services of Hong Kong Incorporated on the Administration of the Fund, Financial Statements and Report of the Director of Audit for the year ended 31 March 2021</u> (to be presented by Secretary for Security)	
7. <u>Equal Opportunities Commission</u> <u>Annual Report 2020-21 (including Financial Statements and Independent Auditor's Report)</u> (to be presented by Secretary for Constitutional and Mainland Affairs)	
8. <u>Report of changes made to the approved Estimates of Expenditure during the second quarter of 2021-22</u> <u>Public Finance Ordinance : Section 8(8)(b)</u> (to be presented by Secretary for Financial Services and the Treasury)	

1 urgent question for oral reply to be asked at the Council meeting of 19 January 2022

	Subject matters	Public officer to reply	
1	Hon Edward LEUNG	<u>Measures to immediately improve the management of the Penny's Bay Quarantine Centre</u>	Secretary for Food and Health

Urgent Question
(For oral reply)

(Translation)

Measures to immediately improve the management of
the Penny's Bay Quarantine Centre

Hon Edward LEUNG to ask:

A female security guard working in the Penny's Bay Quarantine Centre ("PBQC") was suspected of having infected with the Coronavirus Disease 2019 in PBQC last week. A few days later, a security guard working in PBQC who had close contact with her was also confirmed to have been infected. With the epidemic situation worsening recently, a large number of members of the public have been sent to PBQC for isolation. However, with PBQC alleged for its mismanagement and unsatisfactory hygienic condition, coupled with the fact that the transmission chains of the Omicron variant have yet to be cut as of now, the public are concerned about PBQC's failure to properly implement infection control measures, which may result in the spread of the virus or cross-infection at PBQC and even in the community. In this connection, will the Government inform this Council how it will immediately improve the infection prevention measures of PBQC and its management, so as to prevent its staff from being infected and spreading the virus to the community?

22 questions to be asked at the Council meeting of 19 January 2022

	Subject matters	Public officers to reply
Questions for oral replies		
1	Hon Maggie CHAN <u>Disbursement of cash or consumption vouchers to members of the public by the Government</u>	Financial Secretary
2	Hon YANG Wing-kit <u>Accident and emergency services of public hospitals under the Kowloon Central Cluster</u>	Secretary for Food and Health
3	Hon LUK Chung-hung <u>Taking out insurance policies for taxis</u>	Secretary for Transport and Housing Secretary for Financial Services and the Treasury
4	Hon YIU Pak-leung <u>Support for tourism industry</u>	Secretary for Commerce and Economic Development
5	Hon Tony TSE <u>The Northern Metropolis Development Strategy</u>	Secretary for the Environment Secretary for Development
6	Dr Hon TIK Chi-yuen <u>Non-governmental organizations receiving lump sum grant subvention</u>	Secretary for Labour and Welfare
Questions for written replies		
7	Hon Elizabeth QUAT <u>Impact of releasing and feeding wild animals on the environment</u>	Secretary for Food and Health
8	Ir Hon LEE Chun-keung <u>Enhancing students' sense of national identity</u>	Secretary for Education
9	Ir Dr Hon LO Wai-kwok <u>Occupational safety</u>	Secretary for Labour and Welfare
10	Hon Mrs Regina IP <u>Reducing nuisances caused by wild pigs</u>	Secretary for the Environment
11	Hon LAI Tung-kwok <u>Manpower of the Police</u>	Secretary for Security
12	Hon Judy CHAN <u>Statistics on foreign domestic helpers and intermediaries for foreign domestic helpers</u>	Secretary for Labour and Welfare
13	Hon Dominic LEE <u>Quarantine arrangements for air crew</u>	Secretary for Transport and Housing
14	Hon Frankie YICK <u>Support for the transport sector</u>	Secretary for Transport and Housing
15	Dr Hon Johnny NG <u>Quality Migrant Admission Scheme</u>	Secretary for Security
16	Hon Edward LEUNG <u>The problem of job-hopping by foreign domestic helpers</u>	Secretary for Security
17	Hon Paul TSE <u>Food Truck Pilot Scheme</u>	Secretary for Commerce and Economic Development
18	Hon Starry LEE <u>Housing supply</u>	Secretary for Transport and Housing
19	Hon Michael TIEN <u>Revitalization of Tuen Mun River</u>	Secretary for the Environment
20	Hon Rock CHEN <u>Supporting young people to go to the Guangdong-Hong Kong-Macao Greater Bay Area for development</u>	Secretary for Constitutional and Mainland Affairs
21	Hon Dennis LEUNG <u>Support for schools and students amid the epidemic</u>	Secretary for Education
22	Ir Hon CHAN Siu-hung <u>Work safety in confined spaces</u>	Secretary for Labour and Welfare

Question 1
(For oral reply)

(Translation)

Disbursement of cash or consumption vouchers to
members of the public by the Government

Hon Maggie CHAN to ask:

Since 2011, the Government has disbursed cash or consumption vouchers to members of the public for several times with a view to returning wealth to the people, or relieving people's hardship and boosting the economy, which has been supported by the majority of members of the public and business operators. Some members of the public are of the view that as the Coronavirus Disease 2019 epidemic is not yet over, and there are still many uncertainties about the prospect of Hong Kong's economy, the Government should continue to implement measures to relieve people's hardship. In this connection, will the Government inform this Council:

- (1) whether it has considered disbursing again consumption vouchers of a total value equivalent to or not less than \$5,000 to members of the public, and launching other measures to relieve people's hardship; if so, of the details; if not, the reasons for that;
- (2) whether it has compiled statistics on the impacts of the various schemes for disbursing cash or consumption vouchers on the various economic indicators (including the Gross Domestic Product, the unemployment rate and prices), and whether it has assessed the effects brought by such schemes to the people of different income strata and the various trades and industries; if so, of the details; if not, the reasons for that; and
- (3) given that chaos arose in the past when the Government implemented schemes for disbursing cash or consumption vouchers (e.g. a large number of elderly people who submitted paper application forms having to queue up for a long time for the procedure of resubmission of registrations), whether the Government has learnt from such experience to prevent the recurrence of similar problems, and whether it has considered allocating resources for cooperating with grass-roots organizations in various districts to enable such organizations to assist the Government in the publicity and registration matters; if so, of the details; if not, the reasons for that?

Question 2
(For oral reply)

(Translation)

Accident and emergency services of
public hospitals under the Kowloon Central Cluster

Hon YANG Wing-kit to ask:

At present, the public hospitals located within the Wong Tai Sin (“WTS”) district do not provide accident and emergency (“A&E”) services, and the authorities have no plan to provide A&E services in Our Lady of Maryknoll Hospital (“OLMH”) upon redevelopment. As such, patients calling ambulance services in the WTS district will mainly be sent to hospitals outside the district, such as Queen Elizabeth Hospital (“QEH”), Kwong Wah Hospital, United Christian Hospital, or the New Acute Hospital at Kai Tak Development Area (“New Acute Hospital”) to be commissioned in the future for treatment. Some residents of the WTS district are worried that the long travelling trips may lead to delays in treatment. In this connection, will the Government inform this Council:

- (1) of the number of patients who boarded the ambulance in the WTS district and the average time taken from such patients’ boarding the ambulance to their arrival at the A&E departments, in each of the past three years;
- (2) whether it will coordinate the services of OLMH and the Tung Wah Group of Hospitals Wong Tai Sin Hospital, so that the two hospitals can, upon redevelopment, provide more comprehensive specialist services and 24-hour A&E services; if so, of the details; if not, the reasons for that; and
- (3) given that upon the completion of the New Acute Hospital, most of the services of QEH will be relocated to that hospital, and the original site of QEH will be used for medical purposes, whether the relevant purposes include A&E and specialist services; if so, of the details; if not, the reasons for that?

Question 3
(For oral reply)

(Translation)

Taking out insurance policies for taxis

Hon LUK Chung-hung to ask:

Some taxi owners have relayed that they have all along been facing the problems of “difficulties in taking out insurance policies and high insurance premiums”. Earlier on, an insurance company which provided insurance services for about 10 000 taxis suddenly issued notices on termination of insurance policies to its taxi insurance policyholders, almost causing 10 000 taxis to cease operation. Subsequently, the Insurance Authority (“IA”) invoked the powers under the Insurance Ordinance to appoint managers to take full control of the affairs and property of the insurance company concerned. The managers revoked such notices immediately afterwards, and the issue was settled temporarily. In this connection, will the Government inform this Council:

- (1) whether it will conduct a study on the issues of taxi owners taking out insurance, so as to completely resolve the problem of “difficulties in taking out insurance policies and high insurance premiums”;
- (2) whether the authorities have conducted investigations into whether the insurance company concerned violated the relevant legislation or the guidelines issued by IA; if so, of the details, and how the authorities will hold the company responsible; and
- (3) whether it will improve the existing notification mechanism for termination of taxi insurance policies by extending the notice period for termination of insurance from seven days currently to one month?

Question 4
(For oral reply)

(Translation)

Support for tourism industry

Hon YIU Pak-leung to ask:

Some practitioners of the tourism industry have relayed that the industry has been hard hit by the Coronavirus Disease 2019 epidemic. Although the Chief Executive has recently announced the launch of the fifth-round measures under the Anti-epidemic Fund to assist those industries affected by the epidemic, such measures are just a drop in the bucket to the tourism industry. The tourism industry hopes that the Government will conduct policy planning and provide continuous support for the industry in a systematic manner, so as to expand the room for business for the industry as far as possible. In this connection, will the Government inform this Council:

- (1) given that the Government has again tightened the anti-epidemic measures, and that various tourism-related activities have to be suspended causing the industry to suffer heavy losses, whether the Government will draw up criteria for the expeditious resumption, upon easing of the epidemic situation, of tourism activities such as local tours, “cruise-to-nowhere” travel and the “Free Tour” programme; if so, of the details; if not, the reasons for that; and
- (2) whether it will, by drawing reference from the earlier practice of offering short-term jobs to tourism practitioners, consider creating temporary posts related to anti-epidemic work or guided tours for local hotspots for frontline tourism practitioners who are underemployed, so as to retain talents for the tourism industry; if so, of the details; if not, the reasons for that?

Question 5
(For oral reply)

(Translation)

The Northern Metropolis Development Strategy

Hon Tony TSE to ask:

The Government has put forward the Northern Metropolis Development Strategy in the 2021 Policy Address with a view to driving Hong Kong's economic as well as innovation and technology development, increasing housing supply, and at the same time formulating and implementing a conservation policy. However, some members of the architectural, surveying, town planning and landscape sectors hold different views regarding the details of the proposed 2 000-hectare conservation area. In this connection, will the Government inform this Council:

- (1) of the study basis for the total area, site distribution, conservation proposals, etc. of the aforesaid conservation area, and whether it will conduct further studies and make amendments in the light of the views of the sectors;
- (2) regarding the Sam Po Shue Wetland Conservation Park which will cover an area of around 520 hectares of the aforesaid conservation area, as some members of the sectors consider that some sites within the Park have relatively low ecological conservation value, and that incorporating such sites into the conservation area will affect the enormous development potentials to be brought about by a number of existing and proposed MTR stations as well as the Shenzhen Innovation and Technology Zone in the vicinity of the Park, whether the Government will review afresh the relevant planning so as to optimize the development potentials of the land concerned; and
- (3) as some members of the sectors are worried that the planning and conservation studies for the Northern Metropolis will slow down and even bring a halt to the progress of the public and private development projects which are underway or awaiting vetting and approval, how the Government will prevent the occurrence of such situations and whether it will take measures to expedite the progress of the existing development projects in the district in order to increase the land and housing supply in the near future?

Question 6
(For oral reply)

(Translation)

Non-governmental organizations receiving
lump sum grant subvention

Dr Hon TIK Chi-yuen to ask:

Last month, the Government indicated that the overall recurrent expenditure for the coming financial year would have to be cut by 1%, taking the current financial year as the basis. It is estimated that the 164 non-governmental organizations receiving lump sum grant subvention (“NGOs”) will each, on average, be subjected to a cut of subvention by about \$1.22 million. Calculated on the basis of the current mid-point salary of Point 26 of an Assistant Social Work Officer, this means that each of these NGOs will need to cut two such posts. The social welfare sector is worried that as the existing resources and manpower of these NGOs have already been in acute shortage, the failure to implement appropriate policies will render the underprivileged groups always unable to receive appropriate services. In this connection, will the Government inform this Council:

- (1) of the respective actual staffing establishments and numbers of subvented staff members of subvented residential care homes for persons with disabilities, residential care homes for the elderly, care and attention homes for the elderly and day care centres for the elderly, in each of the past three years;
- (2) whether it has assessed the respective numbers of headcounts and service recipients that have to be cut by the NGOs due to the cut in funding by the Government; and
- (3) whether the Labour and Welfare Bureau has considered deploying the various funds of the Government or social resources to make up for the cut in funding for the NGOs?

Question 7
(For written reply)

(Translation)

Impact of releasing and feeding wild animals
on the environment

Hon Elizabeth QUAT to ask:

It has been reported that animal release activities are increasingly prevalent and highly commercialized. Some animals, after being released, have sustained injuries or die due to their inability to adapt to the environment, or become invasive species, threatening the local natural ecosystem. Moreover, some animal protection organizations are concerned about the unnatural population growth of pigeons, monkeys and wild pigs due to intentional feeding in Hong Kong in recent years, and some of these animals gradually get used to approaching human in urban areas for food. Such situation has not only compromised environmental hygiene, but also increased the risk of epidemic spreading. In this connection, will the Government inform this Council:

- (1) whether any legislation is currently in place to regulate animal release activities; if so, of the details, and whether it has reviewed if such legislation can effectively regulate the relevant activities and trades; if such legislation is not in place, whether it will, by following the practice of the authorities of the Taiwan region, enact legislation to prohibit unauthorized animal release activities, so as to avoid inflicting suffering on animals after they are released and posing an impact on the natural ecology;
- (2) given that recently quite a number of wild animals (especially wild pigs and monkeys) have intruded into urban areas and caused nuisances to members of the public, whether the Government will expeditiously enact specific legislation to prohibit the feeding of wild animals, so as to avoid creating a negative impact on the environment and anti-epidemic efforts; if so, of the details; if not, the reasons for that; and
- (3) as some members of the public have indicated that they feel very distressed by the illegal feeding of wild pigeons, and queried that the practice of issuing fixed penalty notices of \$1,500 to persons who dirty public places while feeding wild pigeons lacks deterrent effect, whether the Government will raise the penalties in order to enhance the deterrent effect; if so, of the details; if not, the reasons for that?

Question 8
(For written reply)

(Translation)

Enhancing students' sense of national identity

Ir Hon LEE Chun-keung to ask:

There are comments that by increasing students' exposure to Chinese culture, the Government can enable them to build a solid foundation of knowledge about the country from childhood, thereby enhancing their sense of national identity. In this connection, will the Government inform this Council:

- (1) of the new measures that the Education Bureau ("EDB") has put in place to enhance students' interest in Chinese culture and their sense of national identity;
- (2) given that children have very strong learning abilities even during their pre-primary years, whether EDB will enrich the relevant pre-primary learning elements, including allowing pre-primary children to read more books with contents on Chinese fables as well as traditional Chinese culture and arts, and allowing them to listen to more Chinese nursery rhymes and music, so as to nurture their interest in Chinese culture from childhood; and
- (3) as it is learnt that at present, the quintessence of Chinese culture such as paper cutting, Chinese painting and calligraphy is rarely taught in the curricula of primary and secondary schools, whether EDB will encourage schools to organize more extra-curricular activities relating to Chinese arts and crafts, so as to deepen students' understanding of Chinese culture?

Question 9
(For written reply)

(Translation)

Occupational safety

Ir Dr Hon LO Wai-kwok to ask:

It is learnt that Hong Kong had about 20 fatal industrial accidents every year in recent years, and the number last year was even as high as 25. Late last year alone, a few industrial accidents involving sewer manholes caused the death of three workers. In this connection, will the Government inform this Council:

- (1) of the staffing establishment of the Labour Department (“LD”) for conducting inspections on construction sites to ensure occupational safety, and the number of inspections conducted, in each of the past three years; whether it will allocate additional resources to LD for stepping up inspection work; if so, of the details; if not, the reasons for that;
- (2) whether it will review the legislation related to occupational safety and health (“OSH”) as soon as possible, so as to (i) ensure the provision of sufficient safety equipment for workers, (ii) improve the code of practice for safe working, and (iii) increase the penalties for offenders; if so, of the details; if not, the reasons for that; and
- (3) whether it will step up publicity and education efforts on OSH, so as to further enhance the safety awareness of employers and employees, thereby avoiding the recurrence of tragic industrial accidents; if so, of the details; if not, the reasons for that?

Question 10
(For written reply)

(Translation)

Reducing nuisances caused by wild pigs

Hon Mrs Regina IP to ask:

In recent days, a number of incidents of wild pigs intruding into urban areas have occurred, and some wild pigs have even intruded into residential areas as well as crowded places, causing nuisances to members of the public and attacking them. There are views that the penalties imposed by the Government on persons feeding wild pigs illegally lack deterrent effect, resulting in incessant illegal feeding and wild pigs habitually foraging food in urban areas. In this connection, will the Government inform this Council:

- (1) of the new measures put in place by the Agriculture, Fisheries and Conservation Department (“AFCD”) to reduce the intrusion of wild pigs into residential areas and crowded places;
- (2) of the total number of wild pigs handled by AFCD since it announced in November last year that it would capture and euthanize wild pigs appearing in urban areas;
- (3) whether it will raise the penalties for persons feeding wild pigs illegally, especially those doing so repeatedly, with a view to eradicating acts of feeding wild pigs illegally; if not, of the reasons for that; and
- (4) of the progress of AFCD’s application of newly designed rubbish bins (e.g. those which can prevent wild pigs from tipping them over) at locations which are disturbed by wild pigs from time to time?

Question 11
(For written reply)

(Translation)

Manpower of the Police

Hon LAI Tung-kwok to ask:

In the 2020-2021 financial year (up to 28 February 2021), the number of vacancies at the Rank and File level of the Hong Kong Police Force (“HKPF”) stood at 4 744, representing an increase of 124.9% over the preceding financial year. Regarding the manpower of the Police, will the Government inform this Council:

- (1) of the respective up-to-date numbers of vacancies at and numbers of recruits of (i) the Gazetted Officer rank, (ii) the Inspector rank and (iii) the Rank and File level of HKPF since the current financial year; whether the numbers of recruits have met the recruitment targets for the current financial year;
- (2) whether HKPF increased the staffing establishment of the Hong Kong Auxiliary Police in the past three years; if so, of the relevant figures; and
- (3) whether HKPF implemented further measures last year to retain talents and alleviate the work pressure of frontline staff; if so, of the details, and whether such measures included expanding the eligibility for extension of service beyond retirement age to include police officers of all ranks?

Question 12
(For written reply)

(Translation)

Statistics on foreign domestic helpers and
intermediaries for foreign domestic helpers

Hon Judy CHAN to ask:

According to the Employment Ordinance (Cap. 57) (“EO”), any person who wishes to operate in Hong Kong an employment agency (“EA”) (including an intermediary for foreign domestic helpers (“FDHs”)) to provide job-placement services must apply to the Commissioner for Labour for a licence. It is not a requirement by the Government that FDHs have to obtain employment through FDH intermediaries, but the governments of individual source countries for FDHs may have such a requirement. It is learnt that some FDH intermediaries will therefore apply to the authorities of the countries concerned for relevant licences issued by their consulates. On the other hand, the epidemic has resulted in a drastic drop in the number of FDHs coming to Hong Kong. Regarding the statistics on FDH intermediaries and FDHs, will the Government inform this Council:

- (1) of the current number of EAs holding a licence under EO and engaging in the business of FDH intermediaries;
- (2) whether it knows the FDH source countries that currently require their migrant FDHs to obtain employment through FDH intermediaries, and the number of FDH intermediaries involved;
- (3) of the number of complaints about the misconduct of FDH intermediaries received by the authorities in 2020 and 2021, with a breakdown by the nature of complaints as set out in the table below;

Nature of complaints	2020	2021
(i) Failure to maintain proper records		
(ii) Operating an EA at a place other than the place of business specified in the licence		
(iii) Failure to notify the Labour Department of changes in the management and place of business within the statutory timeframe		
(iv) Overcharging of commission from job seekers		
(v) Unlicensed operation		
(vi) Furnishing any information which was known or reasonably ought to be known to be false or misleading in any material particular when submitting an application for renewal of licence		
(vii) Failure to display the licence or the schedule specifying the maximum commission which may be received from job seekers		

- (4) whether, in respect of the complaints mentioned in (3), the authorities have revoked or refused to issue/renew the licences of the FDH intermediaries involved, or issued warning letters to them, or taken other law enforcement actions; if so, of the details and the relevant figures;
- (5) whether, since the promulgation of the Code of Practice for Employment Agencies in January 2017 and the amendment of EO and the Employment Agency Regulations (Cap. 57A) in 2018, the number of complaints about FDH intermediaries received by the authorities has decreased; if so, of the details;
- (6) of (i) the number of FDHs who applied to the Immigration Department (“ImmD”) for visas for employment in Hong Kong, as well as (ii) the number of such visas issued by ImmD and the average time taken for vetting and approving each application, in each year from 2019 to 2021 (with a breakdown by nationality of FDHs);
- (7) whether it knows (i) the number of FDHs who arrived in Hong Kong and their average waiting time for coming to Hong Kong, as well as (ii) the number of FDHs who were unable to come to Hong Kong as originally scheduled due to the epidemic, in each year from 2019 to 2021 (with a breakdown by nationality of FDHs); and
- (8) given that at present the quotas for FDH quarantine facilities are limited rendering the booking of such facilities difficult, whether the authorities will consider using the date on which an FDH obtains a visa for employment in Hong Kong as a criterion for determining the order of priority for allocating quarantine quotas; if so, of the details; if not, the reasons for that?

Question 13
(For written reply)

(Translation)

Quarantine arrangements for air crew

Hon Dominic LEE to ask:

It is reported that since the end of last month, some locally based air crew of Cathay Pacific Airways Limited (“CX”) have contracted one after another the Coronavirus Disease 2019 and spread the virus in the community. Such incidents have revealed the loopholes in the quarantine arrangements for the locally based air crew of CX, such that the air crew may opt to “fly out on a passenger flight and return on a cargo flight”, thereby exempting from the compulsory quarantine requirement. The Chief Executive has subsequently stated that the senior personnel of CX has been instructed to conduct a holistic investigation into the incidents and submit reports to the Government. In this connection, will the Government inform this Council:

- (1) how the practice of the aforesaid air crew violated the quarantine requirement specified by the Government; of the measures put in place to prevent the recurrence of similar incidents;
- (2) whether CX has already submitted the reports to the Government; if so, of the specific details of the reports; if not, whether it knows the progress of the relevant work of CX;
- (3) whether the Government will follow up CX’s failure to comply with the Government’s quarantine requirement; if so, of the details and progress; if not, the reasons for that; and
- (4) given that the Government has, since the 1st of this month, tightened the quarantine arrangements for locally based air cargo crew by extending the duration of self-isolation in designated quarantine hotels from three days to seven days for all locally based air cargo crew who have laid over at specified places, whether the Government has reviewed if such quarantine period requirement is sufficient; if it has reviewed and the outcome is in the affirmative, of the justifications for that; if the outcome is in the negative, whether the quarantine period will be extended?

Question 14
(For written reply)

(Translation)

Support for the transport sector

Hon Frankie YICK to ask:

Some practitioners of the transport sector have relayed that with the local retail prices of diesel and liquefied petroleum gas soaring by 40% to 50% due to the continuous rise in international oil prices last year, coupled with the business difficulties brought about by the fluctuating epidemic situation, the sector has been facing the hardship of not being able to make ends meet. Moreover, in the past few months, quite a number of taxi and red minibus (“RMB”) rentee-drivers switched one after another to other industries because their income could no longer offset the soaring fuel costs, resulting in an increasingly acute shortage of drivers. In this connection, will the Government inform this Council:

- (1) whether it has compiled statistics on the average amounts of fuel expenditures incurred by various commercial transport modes (i.e. goods vehicles, container trucks, franchised buses, non-franchised buses, school buses, taxis, RMBs, green minibuses, ferries and kaitos) and the rates of changes of such expenditures, as well as the proportions of such expenditures in the total operating costs, in each of the past two years;
- (2) as members of the sector have pointed out that there has been a 40% wastage of RMB drivers after the disbursement of fuel subsidies under the Anti-epidemic Fund to public light buses and taxis ended in June last year, whether the Government will consider providing such subsidies again; if so, of the details; if not, the reasons for that, and whether it will consider allowing the sector to levy fuel surcharges for offsetting the cost burden brought about by the soaring fuel prices; and
- (3) as members of the sector have pointed out that the fluctuating epidemic situation has led to a significant decrease in patronage and business difficulties, whether in the past six months the Government continued to keep in view the business environment of the sector as promised in its reply to my question on 21 July last year; if so, of the details, and the new measures in place to relieve the hardship of the sector; if not, the reasons for that?

Question 15
(For written reply)

(Translation)

Quality Migrant Admission Scheme

Dr Hon Johnny NG to ask:

The Government launched the Quality Migrant Admission Scheme (“QMAS”) in June 2006 to attract highly skilled or talented persons globally to settle in Hong Kong, so as to enhance the international competitiveness of Hong Kong. In order to attract non-local talents more proactively to enrich Hong Kong’s talent pool, the Chief Executive announced in the 2021 Policy Address that the Government would further increase the annual quota of QMAS to 4 000. In this connection, will the Government inform this Council:

- (1) of the total number of talents granted approval to come to Hong Kong under QMAS last year, with a tabulated breakdown by (i) the country/place from which they came, and (ii) the industry in which they were engaged/the sector to which they belonged before coming to Hong Kong;
- (2) whether it has assessed (i) if the talents admitted under QMAS meet the talent needs of various industries, and (ii) their effectiveness in promoting local economic and social development; and
- (3) whether it will (i) step up the publicity and recruitment work on QMAS, so as to cater for the development needs of Hong Kong’s economy and industries, and (ii) review the implementation of QMAS, so as to complement the National 14th Five-Year Plan and the development strategies of the Guangdong-Hong Kong-Macao Greater Bay Area?

Question 16
(For written reply)

(Translation)

The problem of job-hopping by foreign domestic helpers

Hon Edward LEUNG to ask:

With the Coronavirus Disease 2019 epidemic persisting, the number of foreign domestic helpers (“FDHs”) coming to Hong Kong has reduced sharply, resulting in a shortage of FDHs and giving rise to quite a number of cases of FDHs prematurely terminating their employment contracts for change of employers (commonly known as “job-hopping”). Although the Immigration Department (“ImmD”) has indicated that it has all along been vetting and approving employment visa applications from FDHs stringently to combat job-hopping, it has been reported that the situation has seen no improvement. In this connection, will the Government inform this Council:

- (1) of the respective numbers of applications for extension of the limit of stay in Hong Kong as visitors made by FDHs who had prematurely terminated their contracts which were received, approved and rejected by ImmD in each of the past five years;
- (2) of the number of complaints about intermediaries abetting FDHs or even providing incentives to encourage FDHs to job-hop received, and what follow-up actions were taken on such complaints, by ImmD in each of the past five years; and
- (3) regarding the substantiated cases among the complaints mentioned in (2), whether ImmD has put the FDHs and intermediaries concerned on a dedicated blacklist; if so, of the respective numbers of FDHs and intermediaries put on such blacklist in each of the past five years, and the penalties imposed on them?

Question 17
(For written reply)

(Translation)

Food Truck Pilot Scheme

Hon Paul TSE to ask:

The Government announced earlier that the Food Truck Pilot Scheme (“Pilot Scheme”) would end by the middle of this year due to “the unsatisfactory business development”. There are comments that the Pilot Scheme is “too detached from reality” and has ended up being a “big mistake” inflicting heavy losses on investors, and that whatever can be done should be done to remedy the “big mistake” rather than dropping the Pilot Scheme and washing one’s hands of it. Some members of the public attribute the failure of the Pilot Scheme to the Government’s poor planning. In this connection, will the Government inform this Council:

- (1) whether it can assess how much private capital, effort and time have been spent on the Pilot Scheme from the former Secretary for Commerce and Economic Development encouraging investor participation, the selection panel screening the various applicants for licences (including requiring them to prepare proposals and participate in a cooking contest), the Commerce and Economic Development Bureau deploying manpower and resources for the regulation of food trucks, to finally the policies failing to align with business development and investors successively closing down their businesses to reduce loss, and whether it will learn a lesson from this;
- (2) as it is learnt that in the past, the Government would cancel the operating licences of on-street cooked food stalls (commonly known as “Dai Pai Dong”) and mahjong parlours only by ceasing to issue new licences and would not revoke a licence until the death of the licensee concerned, whether the Government has assessed beforehand the losses that these food truck investors would suffer as a result of its announcement of the sudden “end of life” of the Pilot Scheme and its failure to provide proper “hospice” service for these food truck investors;
- (3) as it has been reported that in the face of the Government’s decision to end the Pilot Scheme, the only food truck operator still in business that specializes in hamburgers has no choice but to seek to secure a brick-and-mortar shop, whether the Government will provide the investor concerned or other investors who wish to continue operating food trucks with assistance in securing a brick-and-mortar shop or other appropriate support, so as to reduce the losses they suffer; and

- (4) as the Chief Executive has earlier announced the introduction of the fifth round of the Anti-epidemic Fund, whether the aforesaid food truck operator is eligible for the relevant subsidy; if so, of the details; if not, the reasons for that?

Question 18
(For written reply)

(Translation)

Housing supply

Hon Starry LEE to ask:

The housing problem in Hong Kong is acute. The Government of the last term reintroduced the Long Term Housing Strategy (“LTHS”) with a view to alleviating the social conflicts arising from the housing problem, but the housing problem still aggravated persistently in recent years. The average waiting time (“AWT”) of general applicants for public rental housing (“PRH”) rose to 5.9 years in September last year, and the number of inadequately housed households also reached a new high of 127 000 last year. However, according to the LTHS Annual Progress Report 2020 published by the Transport and Housing Bureau last month, the future 10-year housing supply target is no different from that of the preceding year, and there is no timetable for reducing the number of subdivided units (“SDUs”). Society in general criticizes the aforesaid report at odds with reality and fails to address the call for a reformist mindset in respect of the housing problem. In this connection, will the Government inform this Council:

- (1) whether it will consider incorporating into LTHS three major objectives of “allocating PRH units to applicants within three years”, “helping youths in home ownership” and “bidding farewell to SDUs and small flats”; if so, of the details; if not, the reasons for that;
- (2) whether it will consider replacing the current approach of housing demand projection, which is mainly predicated on “net increases in the number of households”, with a “target-oriented” approach, as well as raising the future 10-year public housing supply target to at least 45 000 a year, so as to achieve “zero case backlog” in respect of PRH applications, restore the vision of three years’ AWT for general PRH applicants, and help youths in home ownership; if so, of the details; if not, the reasons for that; and
- (3) whether it will consider achieving the objective of bidding farewell to SDUs through increasing the supply of different types of public housing?

Question 19
(For written reply)

(Translation)

Revitalization of Tuen Mun River

Hon Michael TIEN to ask:

The Drainage Services Department (“DSD”) commenced the “Review and Selection of River Sections for Revitalization - Feasibility Study” in early 2021 to select river sections with revitalization potential and identify the preliminary scope of relevant revitalization works. The study covers Tuen Mun River and is scheduled for completion in 2023. However, some residents of Tuen Mun district have relayed that the pollution problem of Tuen Mun River has been severe all along. They always see a lot of grease and rubbish, including styrofoam, food waste and construction materials floating on the surface of Tuen Mun River, and they smell stench from time to time. The hygiene conditions are worrying. Although quite a number of residents have complained to the Environmental Protection Department, the Food and Environmental Hygiene Department and DSD (“the three departments”) over the years, those departments have often shirked their responsibilities, and thus the conditions have not seen any improvement. In this connection, will the Government inform this Council:

- (1) of the respective numbers of complaints or reports about the hygiene and stench of Tuen Mun River received by the three departments in each of the past three years;
- (2) whether the three departments explored in the past three years the main causes of the river water pollution of Tuen Mun River;
- (3) of the details of the inspection and desilting work carried out at Tuen Mun River by the three departments in each of the past three years, including the number of inspections, as well as the manpower and expenses involved;
- (4) as it has been reported that the pollution of Tuen Mun River may be caused by the misconnection of foul water pipes which discharge industrial wastewater to the River, whether the Government commenced investigations in the past three years into the sources of such industrial wastewater; if so, of the number of prosecutions instituted each year; and
- (5) whether Tuen Mun River has been included in the revitalization scheme; if so, of the latest progress of the revitalization works?

Question 20
(For written reply)

(Translation)

Supporting young people to go to
the Guangdong-Hong Kong-Macao Greater Bay Area for development

Hon Rock CHEN to ask:

To encourage and support Hong Kong's young people to go to the Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area ("GBA") to work and develop careers, the Government has successively launched the "Funding Scheme for Youth Entrepreneurship in the Guangdong-Hong Kong-Macao Greater Bay Area", the "Funding Scheme for Experiential Programmes at Innovation and Entrepreneurial Bases in the Guangdong-Hong Kong-Macao Greater Bay Area" and the "Greater Bay Area Youth Employment Scheme". In this connection, will the Government inform this Council:

- (1) whether it knows the details, including the number and percentage, of Hong Kong's young people who have started up businesses and taken up employment in the various Mainland cities of GBA, with a breakdown by (i) the age group to which they belong, (ii) whether they have started up businesses or taken up employment, (iii) the industry in which they are engaged and (iv) the post they are holding, etc.; if such figures are not available, whether it will compile the statistics on a regular basis;
- (2) whether it has established a mechanism to provide support services in respect of housing, laws, employment, healthcare or emergencies to Hong Kong's young people who have started up businesses and taken up employment in the Mainland cities of GBA; if so, of the number of requests for assistance received last year, with a breakdown by (i) the matter involved and (ii) whether the assistance seekers had joined the aforesaid schemes; if it has not established such a mechanism, of the reasons for that; and
- (3) whether it will consider setting up additional Economic and Trade Offices or Liaison Units in other Mainland cities of GBA, or establishing a dedicated department to provide support services to Hong Kong's young people living on the Mainland; if so, of the details; if not, the reasons for that?

Question 21
(For written reply)

(Translation)

Support for schools and students amid the epidemic

Hon Dennis LEUNG to ask:

With Coronavirus Disease 2019 (“COVID-19”) involving the Omicron mutant strain spreading in the community, the risk of a fifth wave of epidemic outbreak in Hong Kong has been on the increase. Regarding the support for schools and students amid the epidemic, will the Government inform this Council:

- (1) of (i) the respective numbers of teachers and school staff as well as students who received one dose and two doses of COVID-19 vaccine, with a breakdown by school type (i.e. kindergarten, primary school, secondary school and special school), and (ii) the respective numbers of schools which resumed half-day and whole-day face-to-face classes, as at the 3rd of this month;
- (2) whether it has assessed the risk posed by the spread of the Omicron mutant strain on the health of students at school; in view of the rapid transmission of the Omicron mutant strain, what measures have been put in place by the Education Bureau (“EDB”) to step up and support the anti-epidemic efforts of schools in order to lower the chances of teachers and school staff as well as students contracting the virus at school; and
- (3) of the criteria based on which the decision of a general suspension of face-to-face classes is made and, under such circumstances, how EDB will render schools and students appropriate assistance (especially the learning support to be provided for schoolchildren of grass-roots families and disadvantaged groups)?

Question 22
(For written reply)

(Translation)

Work safety in confined spaces

Ir Hon CHAN Siu-hung to ask:

On 18 November and 22 December last year, a fatal industrial accident involving works carried out in sewer manholes occurred in Siu Ho Wan Sewage Treatment Works and a construction site at Chek Lap Kok respectively, causing the death of three workers and injuries to a number of workers. In this connection, will the Government inform this Council:

- (1) of the progress of the investigations made into the two aforesaid industrial accidents; the improvement measures in place to prevent the recurrence of similar accidents;
- (2) whether the relevant government departments have conducted regular reviews of the code of practice on work safety in confined spaces and regular inspections of sites with confined spaces to ensure work safety; if so, of the details; if not, the reasons for that;
- (3) whether it will step up training for those who need to work in confined spaces with a view to ensuring their full understanding and compliance with safety procedures as well as enhancing their safety awareness; if so, of the details; and
- (4) whether it has considered assisting the industry in adopting advanced technologies and equipment, such as the use of unmanned aircraft systems and 3D scanning detectors to gain an understanding of the condition inside confined spaces, and even deploying machines in place of workers to enter and work in confined spaces, so as to ensure industrial safety?

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(4) of the Interpretation and
General Clauses Ordinance (Cap. 1))

Resolved that in relation to the Prevention and Control of Disease (Use of Vaccines) (Amendment) Regulation 2021, published in the Gazette as Legal Notice No. 234 of 2021, and laid on the table of the Legislative Council on 20 October 2021, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) and deemed to be extended under section 34(3) of that Ordinance, be extended under section 34(4) of that Ordinance to the meeting of 16 February 2022.

**Basic Law of the Hong Kong Special Administrative Region
of the People's Republic of China**

Resolution

(Under Article 75 of the Basic Law of the Hong Kong Special
Administrative Region of the People's Republic of China)

**Rules of Procedure of the Legislative Council of the
Hong Kong Special Administrative Region**

Resolved that —

- (a) the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be amended as set out in the Schedule; and
 - (b) this Resolution is to come into operation on the day on which it is made and passed by the Legislative Council.
-

Schedule

Amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

1. Rule 81A added

Part N, before Rule 82—

Add

“81A. Remote Meetings of Council or Committee

- (1) The Council may authorize by resolution passed at a physical meeting that meetings of the Council or a committee specified in the resolution may be conducted remotely by the virtual, digital or electronic means determined by the Council within a period specified in the resolution during which the Council or a specified committee, as determined by the President or the chairman of the committee, is precluded from conducting a physical meeting by an event or occurrence (including an occasion of emergency or public danger) specified in the resolution.
- (2) A resolution referred to in subrule (1) shall be voted upon without amendment.
- (3) The virtual, digital or electronic means by which remote meetings are conducted under subrule (1) shall include but not limited to the following capabilities –
 - (a) incorporation of video and audio functions;
 - (b) allowing the participation of Members in the meetings in real-time and the broadcast of the proceedings; and
 - (c) facilitating the proceedings of the meetings to be recorded for the purposes of the production of the Official Record under Rule 6(6) (Duties of the Clerk).

- (4) Where an electronic voting system is provided for the purposes of a division ordered at a remote meeting, the operating requirements of the system shall include measures to ensure voting accuracy and security, enable the identities of Members present and voting to be verified, and facilitate the timely declaration of the result of each vote taken.
- (5) The President may, if he deems fit, designate a place or places within Hong Kong for a meeting conducted remotely under subrule (1), including any virtual, digital or electronic location at which Members or other persons attending the meeting may attend or participate by remote access.
- (6) A meeting conducted remotely under subrule (1) shall be held in accordance with Schedule 3.
- (7) In this Rule, “physical meeting” means a meeting of the Council or a committee at which no Member or other person attending the meeting attends or participates by virtual, digital or electronic means.”.

2. Schedule 3 added
After Schedule 2—
Add

“Schedule 3 [Rule 81A]

**Procedure for Conducting Remote Meetings
of the Council and a Committee**

Application of this Schedule

1. This Schedule applies to the conduct of a remote meeting of the Council or a committee pursuant to an authorization of the Council under Rule 81A(1) (Remote Meetings of Council or Committee) (“remote meeting”).

2. The provisions of the Rules of Procedure, House Rules and any other rules and procedures made under the Rules of Procedure shall remain in force except as may be modified or supplemented by this Schedule.

Notice of meeting

3. Where the President or the chairman of a committee determines that an event or occurrence specified in the resolution referred to in Rule 81A(1) (Remote Meetings of Council or Committee) has reached a point that precludes the Council or a committee from conducting a physical meeting in the Legislative Council Complex, he may direct that meetings of the Council or the committee be conducted remotely. Notice and agenda for a remote meeting shall be given in accordance with the current provisions of the Rules of Procedure.

Conduct of remote meeting

4. Where a remote meeting is conducted:
- (a) the President or the chairman of a committee or any other presiding Member (as the case may be), other Members attending the meeting and persons invited or summoned to attend the meeting shall join the meeting remotely from a place within Hong Kong through the virtual, digital or electronic means determined by the Council under the resolution passed pursuant to Rule 81A(1) (Remote Meetings of Council or Committee);
 - (b) the President or the chairman of a committee or any other presiding Member (as the case may be) shall have all the powers as provided for in the current provisions of the Rules of Procedure;
 - (c) Members of the Council or a committee attending the meeting and other participants are required to participate in the meeting from a place within Hong Kong through the virtual, digital or electronic means determined under paragraph (a) and have their faces shown on the screen while they are participating in the meeting; and

- (d) Members of the Council or a committee who participate in a remote meeting in accordance with paragraph (c) shall be counted as present for the purposes of constituting the quorum for the meeting and of voting at the meeting. The identities of participating Members shall be verified or authenticated in accordance with the procedures or guidelines prescribed by the President.

Voting at remote meeting

5. Only Members who are present when voting takes place shall be permitted to vote.

Voting by a show of hands

6. Save as otherwise provided in paragraph 9, voting at a remote meeting shall be conducted by a show of hands via the virtual, digital or electronic means determined under paragraph 4(a) in accordance with the provisions of Rule 47 (Decision of Council and Committee of the Whole Council) and the procedures or guidelines prescribed by the President as appropriate.

7. For any voting in committees (other than a committee of the whole Council, the Finance Committee and its subcommittees), irrespective of whether a division is ordered, members will be notified of the impending voting by the Legislative Council Secretariat if the chairman orders or upon request of a member.

8. Subject to the provision of an electronic voting system, when a division is ordered, voting at a remote meeting shall be conducted via the virtual, digital or electronic means determined under paragraph 4(a) in accordance with the provisions of Rule 49 (Divisions) and the procedures or guidelines prescribed by the President as appropriate.

Use of electronic voting system

9. Where an electronic voting system is provided for the purposes of a division ordered at a remote meeting of the Council, a committee of the whole Council, the Finance Committee or its subcommittees, the President, the Chairman in a committee of the whole Council or the chairman of the Finance Committee or its subcommittees may direct that the Members present and voting shall cast their votes in the division by

using such electronic voting system in accordance with the procedures or guidelines prescribed by the President.

10. The procedures or guidelines prescribed under paragraph 9 may provide for matters relating to the manner of conducting a division, including the verification or authentication of the identities of Members present and voting, and the ascertainment of a vote at a division at a remote meeting.

11. Before a matter is voted upon by using the electronic voting system, Members will be notified of the impending voting by the Legislative Council Secretariat.

Public participation

12. Remote meetings are deemed to be held in public if records of their proceedings are made available to members of the press and of the public by webcast via the Legislative Council website or a publicly accessible social media platform.

13. Members of the press and of the public may observe the open proceedings of the Council or a committee in a remote meeting via either the Legislative Council website or a publicly accessible social media platform.

14. Public access to the precincts of the Chamber shall be precluded during the whole of any day on which a remote meeting is conducted.

Power of the President to prescribe procedures or guidelines

15. In addition to his powers to prescribe procedures or guidelines under paragraphs 4(d), 6, 8 and 9, the President may prescribe other procedures or guidelines relating to any such matter as may be relevant to the conduct of remote meetings.”.

Legislative Council (Powers and Privileges) Ordinance

Resolution

(Under section 27(1) of the Legislative Council
(Powers and Privileges) Ordinance (Cap. 382))

Resolved that with effect from the day on which this resolution is made and passed by the Legislative Council until 31 December 2022, where it is determined by the President or the chairman of any committee defined in Rule 93(e) of the Rules of Procedure (“specified committee”) that the COVID-19 pandemic during that period has reached a point that precludes the Council or a specified committee from conducting a physical meeting in the Legislative Council Complex, meetings of the Council or a specified committee may be conducted remotely as authorized under section 27(1) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) by the virtual, digital or electronic means determined by the President in accordance with Rule 81A of and Schedule 3 to the Rules of Procedure.

THE LEGISLATIVE COUNCIL COMMISSION ORDINANCE

RESOLUTION

(Determination made under sections 4(1)(e) and 5(4)
of The Legislative Council Commission Ordinance (Cap. 443))

RESOLVED that with effect from 19 January 2022 the membership of The Legislative Council Commission, the election of members thereof and their term of office, be determined as follows:

Membership

1. In accordance with section 4(1)(e) of The Legislative Council Commission Ordinance (“the Ordinance”), the maximum number of members to be elected to The Legislative Council Commission (“the Commission”) by and from amongst Members of the Legislative Council (“LegCo”) shall be 10.

Manner of election

2. An election of members referred to in section 4(1)(e) of the Ordinance shall be presided by the President’s Deputy referred to in Rule 5 of the Rules of Procedure of LegCo, who is the Chairman of the House Committee. The date, time and venue of the election shall be determined by the President’s Deputy.

3. The LegCo Secretariat (“the Secretariat”) shall issue a circular and a nomination form to all LegCo Members at least five clear days before the election date, inviting nominations to be made.

4. Nominations shall be submitted by electronic means specified by the Secretariat. A valid nomination shall be made by a Member, seconded by at least one other Member and accepted by the Member being nominated.

5. The name of a Member shall not appear on more than one nomination for the office as a member of the Commission, whether in the capacity as a Member being nominated, or as a Member making the

nomination, or as a Member seconding the nomination; otherwise, only the first such nomination received by the Secretariat shall be valid. Nevertheless, a Member may nominate himself/herself for the office as a member of the Commission, provided that such nomination is seconded by at least one other Member. In such case, the name of the Member concerned will appear on a nomination in the capacities as a Member making nomination and a Member being nominated. The Secretariat shall notify the Member who submitted any invalid nomination.

6. Nominations shall reach the Secretariat at least two clear days before the election date.

7. If no valid nomination is received by the deadline, the deadline will automatically be extended to one clear day before the election date. If such extended deadline falls on a Saturday or public holiday, the deadline shall be advanced to the first preceding day that is not a Saturday or public holiday. All Members will be so notified by the Secretariat. If there is still no valid nomination received by the extended deadline, the President's Deputy shall determine another date for the election.

8. If the number of valid nominations received by the deadline or the extended deadline referred to in paragraph 6 or 7 is less than or equal to 10, the President's Deputy shall inform all Members in writing that the nominees are duly elected and the election under paragraph 2 will not be held.

9. If the number of valid nominations received by the deadline or extended deadline referred to in paragraph 6 or 7 is more than 10, a poll shall be taken at the election, and Members shall cast their votes by open ballot with the use of the Electronic Voting System. A Member may vote for as many nominees as, but not more than, the number of seats, i.e. 10. The nominees who get the highest numbers of votes will be declared elected.

10. In cases where a nominee would have been elected but for there being one or more other nominees having been given the same number of votes, a separate poll shall be taken in respect of that nominee and such other nominee(s) in accordance with the manner of election provided in paragraph 9 above.

11. If, after a separate poll is held under paragraph 10, there is still a nominee who would have been elected but for there being one or more other nominees having been given the same number of votes, lots shall be drawn by the President's Deputy among such nominees to determine which of them will take up the remaining seat(s).

12. Members will be informed of the election results as soon as possible.

Term of Office

13. Unless otherwise determined by the Council by resolution, the term of office of members elected under section 4(1)(e) of Cap. 443 shall be one year or until the next election of Commission members, or until the next dissolution of LegCo, whichever is the earlier.

(Translation)

**Hon LAI Tung-kwok's motion on
“Guarding against the importation of COVID-19, preventing its spread
on all fronts and resuming quarantine-free travel as soon as possible”**

Wording of the Motion

That with the recent global prevalence of the Omicron mutant strain, there is a surge in the number of imported cases in Hong Kong and the mutant strain has spread into the community, exposing once again the serious loopholes in the line of quarantine defence; while the Lunar New Year is approaching, the date for resuming quarantine-free travel between the Mainland and Hong Kong remains uncertain; the SAR Government must thoroughly review and plug the loopholes in epidemic prevention so that the Central Government and the Guangdong Provincial Government can have sufficient confidence in resuming quarantine-free travel between the Mainland and Hong Kong; given that the implementation of the anti-epidemic strategy involves various policy bureaux and government departments, this Council requests the SAR Government to implement immediately all feasible measures to build a solid line of defence to guard against the importation of cases and the resurgence of local infection, and strive for the resumption of quarantine-free travel as soon as possible, in order to ease people's hardship and benefit people's livelihood, including:

- (1) enhancing the functionality of the 'LeaveHomeSafe' app to ensure effective and expeditious tracing of close contacts, so as to cut the virus transmission chain;
- (2) drawing up a timetable for amending the definition of 'fully vaccinated' to having received three doses of vaccine;
- (3) immediately plugging the existing loopholes in quarantine of air cargo crew and seriously pursuing, in accordance with the law, the liabilities of non-compliant personnel and companies; and
- (4) when setting priorities for quota on quarantine-free travel, reasonably catering to the needs of various parties, including cross-boundary workers, cross-boundary students and families separated between the Mainland and Hong Kong, etc..

(Translation)

**Hon Judy CHAN's motion on
“Regulating employment agencies for placement of foreign domestic
helpers to protect the interests of employers and employees”**

Wording of the Motion

That there are currently some 350 000 foreign domestic helpers (‘FDHs’) in Hong Kong who play a significant role in supporting family caregiving and unleashing female labour force, however, the employment agencies for placement of FDHs (‘EAs’) have all along been criticized as their quality varies and some of them have engaged in malpractices; the outbreak of COVID-19 has given rise to numerous problems, including the rising cost of employing FDHs, extremely long waiting time for FDHs to come to Hong Kong, insufficient quarantine facilities for FDHs as well as the worsening situation of job-hopping of FDHs, causing much distress to middle-class families; in this connection, this Council urges the Government to:

- (1) review the existing legal provisions and codes, including studying the enhancement of the Employment Ordinance, the Employment Agency Regulations and the Code of Practice for Employment Agencies, so as to upgrade the service quality of EAs, enhance the transparency of their operation and curb the operation of non-compliant EAs;
- (2) review the standard employment contract which has been in use for a long time, examine the outdated parts thereof, and consult the public on and make amendments to it, so as to balance the interests of employers and employees;
- (3) set up a unified support platform to assist employers and employees to understand their respective rights and obligations, including providing recruitment information, handling employment relationship, providing a list of licensed EAs and explaining practical information such as the relevant legislation;
- (4) establish a mechanism for regular exchanges with consulates and organizations of employers and employees in respect of the matters relating to the interests of FDHs, and take the initiative to strengthen communication, cooperation and publicity on matters such as the implementation of new policies by the relevant countries and the combat against unlawful behaviour; and

- (5) strengthen the functions of the Labour Department and the Labour Tribunal, thereby shortening the waiting time required for adjudication.