

# Legislative Council

## Agenda

Wednesday 27 March 2019 at 11:00 am

### I. Papers to be laid on the Table of the Council

1 item of subsidiary legislation/instrument and 6 other papers to be laid on the Table of the Council are set out in Appendix 1

### IIA. Urgent questions

Members to ask 3 urgent oral questions, contents of which are set out in Appendix 2A

#### Urgent questions for oral replies to be asked by

#### Public officers to reply

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|--|-------------------------------|
| 1. Dr Hon Elizabeth QUAT<br><u>(Tackling the outbreak of measles epidemic)</u>                               | Secretary for Food and Health |
| 2. Dr Hon Helena WONG<br><u>(Immediately providing measles vaccination for persons with weaker immunity)</u> | Secretary for Food and Health |
| 3. Dr Hon Priscilla LEUNG<br><u>(Immediate measures to prevent the measles epidemic from spreading)</u>      | 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

#### Public officers to reply

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|--|---|
| 1. Hon Paul TSE<br><u>(Defaults on payments owed to the Government and public organizations)</u> | Secretary for Financial Services and the Treasury |
| 2. Hon Mrs Regina IP<br><u>(Under Secretaries and Political Assistants)</u>                      | Secretary for Constitutional and Mainland Affairs |

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|----|--|---|
| 3. | Hon AU Nok-hin<br><u>(Juridical assistance in criminal matters)</u>                  | Secretary for Security                          |
| 4. | Hon CHAN Han-pan<br><u>(Mental health services)</u>                                  | Secretary for Food and Health                   |
| 5. | Hon CHU Hoi-dick<br><u>(Representativeness and operation of Rural Committees)</u>    | Secretary for Home Affairs                      |
| 6. | Dr Hon Priscilla LEUNG<br><u>(Regulating franchising-related business practices)</u> | Secretary for Commerce and Economic Development |

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

### **III. Government Bill**

#### **First Reading and Second Reading (debate to be adjourned)**

Broadcasting and Telecommunications Legislation (Amendment) Bill 2019 : Secretary for Commerce and Economic Development

### **IV. Members' Motions**

- 1. Motion on “Requesting the Government to shelve the formulation of arrangements for the surrender of fugitive offenders between Mainland China and Hong Kong”**

Hon Alvin YEUNG to move the motion in **Appendix 3**

2 Members (Hon Claudia MO and Hon James TO) to move amendments as set out in LC Paper No. CB(3) 489/18-19 issued on 22 March 2019

Public officers to attend : Secretary for Security  
Under Secretary for Security

**2. Motion on “Reviewing the implementation of school-based management”**

Hon IP Kin-yuen to move the motion in **Appendix 4**

3 Members (Hon HO Kai-ming, Hon CHEUNG Kwok-kwan and Hon HUI Chi-fung) to move amendments as set out in LC Paper No. CB(3) 490/18-19 issued on 22 March 2019

Public officers to attend : Secretary for Education  
Under Secretary for Education

Clerk to the Legislative Council

## Council meeting of 27 March 2019

## Papers to be laid on the Table of the Council

<b>Subsidiary legislation/instrument</b>	<b>Legal Notice No.</b>
1. <u>Merchant Shipping (Safety) (IMSBC Code) (Amendment) Regulation 2019</u>	36 of 2019

**Other papers**

2. HKSAR Government Scholarship Fund  
Financial statements for the year ended 31 August 2018 (including Report of the Director of Audit)  
(to be presented by Secretary for Education)
3. Self-financing Post-secondary Education Fund  
Financial statements for the year ended 31 August 2018 (including Report of the Director of Audit)  
(to be presented by Secretary for Education)
4. Hong Kong Rotary Club Students' Loan Fund  
Financial statements for the year ended 31 August 2018 (including Report of the Director of Audit)  
(to be presented by Secretary for Education)
5. Sing Tao Charitable Foundation Students' Loan Fund  
Financial statements for the year ended 31 August 2018 (including Report of the Director of Audit)  
(to be presented by Secretary for Education)
6. AIDS Trust Fund  
2017-18 Annual Report, Financial statements and Report of the Director of Audit for the year ended 31 March 2018  
(to be presented by Secretary for Food and Health)
7. Report No. 14/18-19 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments  
(to be presented by Hon Starry LEE, Chairman of the House Committee)

**Urgent questions for oral replies to be asked at the Council meeting of 27 March 2019**

	<b>Subject matters</b>	<b>Public officers to reply</b>
1	Dr Hon Elizabeth QUAT <u>Tackling the outbreak of measles epidemic</u>	Secretary for Food and Health
2	Dr Hon Helena WONG <u>Immediately providing measles vaccination for persons with weaker immunity</u>	Secretary for Food and Health
3	Dr Hon Priscilla LEUNG <u>Immediate measures to prevent the measles epidemic from spreading</u>	Secretary for Food and Health

Urgent Question 1  
(For oral reply)

(Translation)

Tackling the outbreak of measles epidemic

Dr Hon Elizabeth QUAT to ask:

Measles is a highly contagious disease which may cause various kinds of complications and even death. It has been reported that the Centre for Health Protection (“CHP”) has confirmed that there is a recent outbreak of measles epidemic. This year up to the present, more than 20 confirmed cases of measles infection have been recorded, and a number of those who have contracted the disease work in the airport. The Director of the Carol Yu Centre for Infection of the University of Hong Kong has pointed out that there may be a second-round spread of measles and the situation is bleak. Regarding the immediate measures to tackle the outbreak of measles epidemic, will the Government inform this Council:

- (1) given that members of the public born before 1967 did not receive measles vaccination in their childhood, whether the Government will immediately conduct measles antibody tests and provide measles vaccination for such members of the public for free; if so, of the details; if not, the reasons for that;
- (2) whether it will immediately request airline companies to step up cleansing and disinfection of cabins of aircraft departing from and arriving in Hong Kong; if so, of the details; if not, the reasons for that; and
- (3) whether CHP will immediately classify the measles response level as “emergency” and announce in a timely manner the latest development of the measles epidemic and the corresponding measures, so as to allay the concern of the public and visitors; if so, of the details; if not, the reasons for that?

Urgent Question 2  
(For oral reply)

(Translation)

Immediately providing measles vaccination  
for persons with weaker immunity

Dr Hon Helena WONG to ask:

It has been reported that there is a recent outbreak of measles epidemic: this year up to the present, more than 20 confirmed cases of measles infection have been recorded, while the figure for the whole of last year was only 15. Persons such as young children below Primary One, those members of the public born between 1967 and 1985 in Hong Kong as well as new arrivals may have weaker immunity to measles as most of them have never received any measles vaccination or have received just one dose of such vaccination. As such, will the Government inform this Council whether it will immediately provide measles vaccination for such persons so as to reduce their chances of being infected with measles, thereby preventing the spread of the epidemic; if so, whether the existing measles vaccine stock is sufficient for providing such vaccination; if it is insufficient, of the solution for that?

Urgent Question 3  
(For oral reply)

(Translation)

Immediate measures to prevent the measles epidemic from spreading

Dr Hon Priscilla LEUNG to ask:

There is a recent outbreak of measles epidemic in Hong Kong. It has been reported that this year up to the present, 26 confirmed cases of measles infection have been recorded and the infected persons in nine of those cases are personnel working at the airport and for airline companies. In this connection, will the Government inform this Council:

- (1) of the immediate measures adopted by the Government to increase the supply of measles vaccines, so as to provide measles vaccination for all persons having a higher risk of contracting the disease (including the personnel working at the airport and for airline companies, as well as healthcare workers); and
- (2) whether it will immediately request airline companies to regularly notify the Centre for Health Protection of the cases of their staff members contracting measles, so as to minimize the risk of the epidemic spreading?

## 22 questions to be asked at the Council meeting of 27 March 2019

		Subject matters	Public officers to reply
<b>Questions for oral replies</b>			
1	Hon Paul TSE	<u>Defaults on payments owed to the Government and public organizations</u>	Secretary for Financial Services and the Treasury
2	Hon Mrs Regina IP	<u>Under Secretaries and Political Assistants</u>	Secretary for Constitutional and Mainland Affairs
3	Hon AU Nok-hin	<u>Juridical assistance in criminal matters</u>	Secretary for Security
4	Hon CHAN Han-pan	<u>Mental health services</u>	Secretary for Food and Health
5	Hon CHU Hoi-dick	<u>Representativeness and operation of Rural Committees</u>	Secretary for Home Affairs
6	Dr Hon Priscilla LEUNG	<u>Regulating franchising-related business practices</u>	Secretary for Commerce and Economic Development
<b>Questions for written replies</b>			
7	Hon CHUNG Kwok-pan	<u>Handling of complaints by the Medical Council of Hong Kong</u>	Secretary for Food and Health
8	Hon LAU Kwok-fan	<u>Verifying the identity of recipients of mail items</u>	Secretary for Commerce and Economic Development
9	Hon Michael TIEN	<u>Construction records of public works projects</u>	Secretary for Development
10	Hon HUI Chi-fung	<u>Future plan for the General Post Office Building in Central</u>	Secretary for Development
11	Hon CHAN Chun-ying	<u>Medical and nursing manpower</u>	Secretary for Food and Health
12	Dr Hon Pierre CHAN	<u>Soccer pitches under the Leisure and Cultural Services Department</u>	Secretary for Home Affairs
13	Hon Claudia MO	<u>Control and ban on fur trade</u>	Secretary for Commerce and Economic Development
14	Hon Dennis KWOK	<u>Regulating the sale of first-hand private residential properties</u>	Secretary for Transport and Housing
15	Hon WU Chi-wai	<u>Development plans for three squatter areas in Kowloon East</u>	Secretary for Development
16	Hon Andrew WAN	<u>Records and materials on housing policy</u>	Chief Secretary for Administration
17	Hon Jimmy NG	<u>Importation of labour</u>	Secretary for Labour and Welfare
18	Hon CHAN Hak-kan	<u>Regulation of the use of animals to solicit business</u>	Secretary for Food and Health
19	Dr Hon Elizabeth QUAT	<u>Preventing wild animals from causing injuries and nuisances to residents</u>	Secretary for the Environment
20	Hon Holden CHOW	<u>Measures to cope with the demand for public hospital services</u>	Secretary for Food and Health
21	Hon Kenneth LEUNG	<u>Non-liability for payment, remission and refund of stamp duty</u>	Secretary for Financial Services and the Treasury
22	Hon James TO	<u>Car parks owned or sold by the Link Real Estate Investment Trust</u>	Secretary for Development

Question 1  
(For oral reply)

(Translation)

Defaults on payments owed to the Government and public organizations

Hon Paul TSE to ask:

Last year, a Mainland woman was sentenced to imprisonment and ordered to pay legal costs of almost \$200,000 for taking photos inside a courtroom, but the Government has so far not given an account of whether she has settled the payments. During the period from 2012 to 2014, while about 70 000 buyers were required to make statutory declarations retrospectively in relation to exemptions from the Buyer's Stamp Duty, quite a number of them, believing that the Inland Revenue Department would not seriously pursue their responsibilities, neither paid the stamp duty nor made the relevant declarations retrospectively. As a result, the Government has foregone a significant amount of stamp duty payments. In the past five years, the average number of cases in which the Hospital Authority failed to recover medical fees from non-eligible persons was 6 550 a year and the total amount of medical fees written off was more than \$200 million. In one of those cases, the amount of unpaid medical fees has accumulated to over \$6 million since 2015. As at December 2017, the rate of non-local smoking offenders defaulting on payment of fines was as high as 20%. As at July 2017, the total amount of defaults on student loan repayment by post-secondary graduates stood at \$170 million. Although I had relayed to the Chief Executive at the Chief Executive's Question Time held on 13 June last year that given the serious situation of defaults on payments for public services by service users, it was necessary to adopt measures to prevent Hong Kong from becoming "the capital of defaults on payments", the situation has not been improved so far. In this connection, will the Government inform this Council:

- (1) of the total amounts of default payments owed to, the expenditures incurred in recovering the default payments by, and the total amounts of default payments written off by, the Government and various public organizations respectively in each of the past three years;
- (2) of the policies and measures in place to plug the loopholes in defaults on payments by public service users; whether it will, by drawing reference to the practice adopted by the Singapore Government of prohibiting non-local registered vehicles with unsettled fines for traffic-related offences from entering Singapore, prohibit non-local residents defaulting payments from re-entering Hong Kong; and

- (3) whether it will, when publishing the Budget for the coming year in future, set out information on the amount of fees written off in the last financial year that has ended, which may serve as one of the indicators of whether the Government has effectively managed public money; if not, of the reasons for that?

Question 2  
(For oral reply)

(Translation)

Under Secretaries and Political Assistants

Hon Mrs Regina IP to ask:

In 2008, the Government created two additional layers of political appointment positions, namely Under Secretaries and Political Assistants. The duty of the Under Secretaries is to assist the Secretaries of Departments in handling political responsibilities and the Political Assistants are responsible for providing political analyses and advice for principal officials as well as conducting political liaison work. In this connection, will the Government inform this Council:

- (1) whether it has regularly conducted comprehensive reviews of the duties and work efficiency of the Under Secretaries and Political Assistants; if so, of the specific indicators adopted in the reviews and the outcome of the last review; if not, the reasons for that;
- (2) whether it has provided the Under Secretaries and Political Assistants with professional training to enhance their lobbying skills and their capability to liaise with the media and the public; if so, of the mode and effectiveness of the training; if not, the reasons for that; and
- (3) whether it will consider adding a range of objective entry qualifications and assessments to the mechanisms for selecting Under Secretaries and Political Assistants, so as to ensure that the candidates selected possess a high level of professional capabilities; if so, of the details; if not, the reasons for that?

Question 3  
(For oral reply)

(Translation)

Juridical assistance in criminal matters

Hon AU Nok-hin to ask:

Hong Kong has currently signed mutual legal assistance in criminal matters agreements and surrender of fugitive offenders agreements respectively with 32 and 20 jurisdictions (not including Taiwan). Recently, the Security Bureau has submitted a proposal to amend the Fugitive Offenders Ordinance and the Mutual Legal Assistance in Criminal Matters Ordinance, and pointed out that the proposal was triggered by a homicide case in Taiwan involving Hong Kong residents. In this connection, will the Government inform this Council:

- (1) as it is learnt that the Taiwan Shilin District Prosecutors Office has thrice made requests for juridical assistance to the SAR Government, whether the Government has responded accordingly; if so, of the details, including the policy bureau or government department making the response and the follow-up actions; if not, the reasons for that;
- (2) whether, according to the Basic Law, the SAR Government is required to obtain prior approval from the Central Authorities before it may conduct any negotiation with the Taiwan authorities over the extradition of a suspect; if so, whether the SAR Government has sought approval in respect of the said case; if not, of the reasons for that; and
- (3) whether it has assessed if the commencement of the legislative process for amending the aforesaid ordinances will affect the enforcement of the aforesaid agreements signed between Hong Kong and other jurisdictions and cause any jurisdiction to terminate the relevant agreements?

Question 4  
(For oral reply)

(Translation)

Mental health services

Hon CHAN Han-pan to ask:

The Mental Health Review Report, which was released in April 2017, put forward recommendations for the enhancement of the overall mental health services in Hong Kong. In December of the same year, the Government established the Advisory Committee on Mental Health to advise the Government on mental health policies. Regarding the mental health services, will the Government inform this Council:

- (1) whether it will establish a Mental Health Commission for implementing mental health-related policies and measures, including carrying out the relevant education work in primary and secondary schools; if so, of the details; if not, the reasons for that;
- (2) whether it has worked out a roadmap and milestones for the development of mental health services, say, the number of persons having distressing or disabling psychiatric difficulties accounting for not more than 5% of the population of Hong Kong in 2030; if so, of the details; if not, the reasons for that; and
- (3) whether it will allocate additional resources to improve the public mental health services, including providing evening specialist outpatient services, increasing the number of inpatient beds, recruiting more healthcare workers, providing additional halfway houses, providing permanent premises for various Integrated Community Centres for Mental Wellness, as well as strengthening the support for the family members and carers of patients with mental illness; if so, of the details; if not, the reasons for that?

Question 5  
(For oral reply)

(Translation)

Representativeness and operation of Rural Committees

Hon CHU Hoi-dick to ask:

The Rural Representative Election Ordinance (Cap. 576) provides that the representatives of specified villages and market towns elected from the rural ordinary elections shall be members of the relevant Rural Committees (“RCs”), and the executive committee members and other office holders of an RC are to be elected from among its members. In this connection, will the Government inform this Council:

- (1) as currently there is no statutory requirement for the articles of association of an RC to be made public, whether the Government has put in place measures to ensure that the electors of Rural Representative Elections understand the articles of association of the relevant RC, and can determine if the electoral arrangements and the conduct of an election to elect the office holders of the RC concerned are consistent with Article 21(a) and (b) of the Hong Kong Bill of Rights set out in Part II of the Hong Kong Bill of Rights Ordinance, as required under section 62(3) of Cap. 576;
- (2) whether it will consider enhancing, by making legislative amendments or through other means, the transparency of the operation and accountability of RCs; if so, of the details; if not, the reasons for that; and
- (3) whether it will transfer the work on registration of electors for the Rural Representative Elections from the Home Affairs Department to the Registration and Electoral Office, and enhance the interoperability of the registers of electors for the elections in respect of Legislative Council geographical constituencies, District Councils and Rural Representatives, thereby improving the registration rates of electors for Rural Representative Elections; if so, of the details; if not, the reasons for that?

Question 6  
(For oral reply)

(Translation)

Regulating franchising-related business practices

Dr Hon Priscilla LEUNG to ask:

It is learnt that more and more operators of chained convenience stores and self-service laundries are expanding their networks of outlets through granting franchise. However, there is currently no dedicated legislation in Hong Kong regulating the powers and responsibilities between a franchisor and a franchisee under a franchise model. Often, only after signing a franchise agreement did the small shop operators find that the provisions in the agreement are quite unfavourable to them, and they are oppressed by the franchisors but have nowhere to turn to for assistance. In this connection, will the Government inform this Council:

- (1) whether any government department or public body is currently responsible for regulating franchising-related business practices; if so, of the number of complaints received from franchisees against their franchisors by that department or body in the past three years; if not, the reasons for that;
- (2) whether it studied in the past three years ways to enhance the protection for franchisees, such as by amending legislation relating to consumer rights and interests to classify franchisees as consumers; if so, of the outcome; if not, the reasons for that; and
- (3) whether it will, upon making reference to the practices of other jurisdictions, explore the enactment of a dedicated legislation or the establishment of a system to regulate franchising-related business practices; if so, of the details and timetable; if not, the reasons for that?

Question 7  
(For written reply)

(Translation)

Handling of complaints by the Medical Council of Hong Kong

Hon CHUNG Kwok-pan to ask:

This Council passed in March last year the amendments to the Medical Registration Ordinance (Cap. 161) to reform the composition of the Medical Council of Hong Kong (“MCHK”), its mechanisms for complaint investigation and disciplinary inquiry, etc., including allowing MCHK to set up more than one Preliminary Investigation Committee (“PIC”) and inquiry panels. In this connection, will the Government inform this Council:

- (1) whether it knows the number of complaints received by MCHK in each of the past three years and, among such cases, the respective numbers of those (i) determined by PICs of MCHK as having a prima-facie case and (ii) found to be substantiated by the inquiry panels of MCHK; the current number of complaints pending handling, and the estimated time needed to finish handling those cases;
- (2) whether it knows (i) the progress of the follow-up actions undertaken by MCHK on the aforesaid legislative amendments and (ii) how the number of complaints handled and the handling time taken (including the time spent on inquiry proceedings) after Cap. 161 was amended compare with the relevant figures prior to that; and
- (3) whether the Government has, since March last year, conducted reviews to see if (i) MCHK’s progress in handling complaints is satisfactory, (ii) the administrative measures implemented by MCHK are effective, and (iii) any new measures can be put in place to expedite the clearing of the backlog; if it has conducted reviews, of the details; if not, the reasons for that?

Question 8  
(For written reply)

(Translation)

Verifying the identity of recipients of mail items

Hon LAU Kwok-fan to ask:

It has been reported that the Hongkong Post (“HKP”) has recently implemented a new measure: when postmen make door delivery of mail items requiring signature by recipients (such as registered, Speedpost and Local CourierPost letters/packets), or when post office counter staff deliver mail items requiring signature to persons holding mail delivery notification cards, they are no longer required to request the recipients of these mail items to produce identity documents for identity verification. In this connection, will the Government inform this Council:

- (1) whether HKP had consulted the public before implementing the new measure; if so, of the outcome; if not, the reasons for that;
- (2) whether HKP has so far received any complaint lodged by members of the public concerning the new measure; if so, of the details;
- (3) as some members of the public have pointed out that mail items requiring signature, the charges for which are higher than those for surface mail items, originally have an important advantage of ensuring that the recipients are either the designated recipients of mail items or persons whose identities are traceable, whether HKP has assessed if the new measure has rendered mail items requiring signature losing this advantage and thus made such items no different from surface mail items; if HKP has assessed and the outcome is in the affirmative, of the remedial measures; if the assessment outcome is in the negative, the justifications for that; and
- (4) as some members of the public have pointed out that people post mail items requiring signature for the purpose of preventing recipients, after receiving such mail items, from denying receipt of them, but under the new measure, when the designated recipients of mail items requiring signature claim that they have never received the items, HKP can hardly verify such claims as there is no way to confirm the identities of the recipients of the items, thus defeating the purpose of posting such items, whether HKP has any solution?

Question 9  
(For written reply)

(Translation)

Construction records of public works projects

Hon Michael TIEN to ask:

Recently, incidents of missing construction records of the Shatin to Central Link Project and the Hong Kong Link Road of the Hong Kong-Zhuhai-Macao Bridge Project have been uncovered one after another, which has aroused widespread concern. Some members of the public suspect that such incidents are just the tip of the iceberg. In this connection, will the Government inform this Council whether it will check the construction records of all public works projects implemented in the past five years and give the public an account of whether similar situations are found; if so, of the details; if not, the reasons for that?

Question 10  
(For written reply)

(Translation)

Future plan for the General Post Office Building in Central

Hon HUI Chi-fung to ask:

The Government plans to relocate the Hongkong Post's Headquarters, which is currently housed in the General Post Office Building in Central ("GPO Building") situated in Site 3 of the new Central harbourfront, to a postal complex to be built in Kowloon Bay. The vacated GPO Building will be demolished to allow Site 3 to be used for commercial development. In this connection, will the Government inform this Council:

- (1) of the timetable for the demolition works of the GPO Building;
- (2) of the planned timing for including Site 3 in the Land Sale Programme;
- (3) as some community groups have requested that the GPO Building be preserved in-situ in view of its conservation value, whether the Government has invited the Antiquities Advisory Board to conduct a historical building grading exercise for the building; if so, of the details; if not, the reasons for that;
- (4) given that Docomomo International, an international conservation body, included the GPO Building in the list of "Heritage in Danger" in 2015, and wrote to the Chief Executive in 2018 urging the Government to preserve the building, whether the Government has made a response; and
- (5) whether it will consider afresh preserving in-situ and revitalizing the GPO Building?

Question 11  
(For written reply)

(Translation)

Medical and nursing manpower

Hon CHAN Chun-ying to ask:

In 2016, Hong Kong had 1.9 doctors and 7.1 nurses per 1 000 persons, and such ratios were lower than those of Singapore and Japan. In addition, as the population of Hong Kong will continue to grow and age in the coming two decades (with the elderly population in 2036 rising by more than one million compared with that of 2016), it is expected that the shortage of medical and nursing manpower will aggravate. In this connection, will the Government inform this Council:

- (1) whether it will set target ratios of (i) doctor to population and (ii) nurse to population; if so, of the details and the timetable; if not, the reasons for that;
- (2) as the Report of Strategic Review on Healthcare Manpower Planning and Professional Development of 2017 projects that the shortfalls in medical and nursing manpower will continue to aggravate (with the shortfalls rising to 1 007 doctors and 1 669 general nurses respectively in 2030), whether the Government has introduced new measures to reduce such shortfalls and assessed the effectiveness of such measures; and
- (3) given that the retirement age for those doctors and nurses recruited by the Hospital Authority (“HA”) since June 2015 has been raised from 60 to 65, whether it knows if HA will raise the retirement age to 65 across the board for doctors and nurses recruited before June 2015; the measures put in place by HA to attract more retired doctors and nurses to accept rehiring offers?

Question 12  
(For written reply)

(Translation)

Soccer pitches under the Leisure and Cultural Services Department

Dr Hon Pierre CHAN to ask:

Regarding the soccer pitches under the Leisure and Cultural Services Department, will the Government inform this Council:

- (1) of the respective current numbers of the four types of soccer pitches, namely (i) 11-a-side soccer pitches (natural turf), (ii) 11-a-side soccer pitches (artificial turf), (iii) 7-a-side soccer pitches (natural turf) and (iv) 7-a-side soccer pitches (artificial turf); set out, for each type of soccer pitches in a table of the same format as the table below, the following of each pitch: the District Council district in which it is located, name, dimensions (length and width), construction cost and usage rate in 2018;

Type of pitches:

District Council district	Name	Dimensions (in metres)	Construction cost	Usage rate in 2018
Hong Kong				
Eastern	Siu Sai Wan Sports Ground			
...				
Kowloon				
...				
New Territories				
...				

- (2) of the method for calculating the usage rates of soccer pitches;
- (3) whether it has regularly reviewed the usage of soccer pitches; of the circumstances under which the Government will propose the construction of soccer pitches, and the relevant planning criteria; and
- (4) whether it consulted, in the past three years, members of the football sector and the public on the planning of soccer pitches; if so, of the details; if not, the reasons for that?

Question 13  
(For written reply)

Control and ban on fur trade

Hon Claudia MO to ask:

At present, Hong Kong is the world's third largest fur clothing exporter, and one of the world's major sources of fur garments and accessories. Some animal welfare concern groups are concerned that Hong Kong's fur industry is contributing to the inhumane killing of some one billion rabbits and 50 million other animals in fur farms and in the wild each year for the worldwide fur trade. In this connection, will the Government inform this Council:

- (1) given that the Mainland is Hong Kong's largest export market of furskins (of which a large proportion are re-exports from overseas countries for fur clothing production on the Mainland) and some concern groups are worried about Mainland's ineffective regulation of her fur industry, whether the Government will consider discussing with the Mainland authorities the removal of leather and furskin articles from the list of tariff-free types of products under phase three of the Mainland and Hong Kong Closer Economic Partnership Arrangement, as Hong Kong's first step towards a ban on fur trade; if so, of the details; if not, the reasons for that;
- (2) as it is learnt that there is currently little or no regulation of fur trade on the Mainland, which is the world's largest fur importer, whether the Government will consider banning fur trade with the Mainland until her fur trade regulations have been tightened to a level on a par with those of the European Union; if so, of the details; if not, the reasons for that; and
- (3) as there is now an international trend of tightened regulation of or imposition of a ban on fur trade and fur farming (e.g. San Francisco has banned fur trade and Japan has phased out fur farming), and many international fashion brands have implemented fur-free policies for fashion design, whether the Government will consider introducing a ban on the import, export and re-export of fur products; if so, of the details; if not, the reasons for that?

Question 14  
(For written reply)

(Translation)

Regulating the sale of first-hand private residential properties

Hon Dennis KWOK to ask:

On 29 June last year, the Government announced six new initiatives on housing. Two of such initiatives are: (i) proposed introduction of Special Rates on vacant first-hand private residential units by amending the Rating Ordinance (Cap. 116), and (ii) amending, with immediate effect, the Lands Department Consent Scheme by requiring developers to offer for sale no less than 20% of the total number of residential units subject to the relevant pre-sale consent at each round of sale. In this connection, will the Government inform this Council:

- (1) of the legislative timetable for amending Cap. 116;
- (2) whether it will determine the levels of Special Rates by an incremental scale based on the length of the vacant period of first-hand private residential units; if not, of the reasons for that;
- (3) of the number of pre-sale consents granted to residential projects by the Lands Department (“LandsD”) since the initiative of amending the Consent Scheme took effect, and set out in a table the following information by project name: (i) street number, (ii) total number of residential units, (iii) date of application for pre-sale consent, (iv) date of granting pre-sale consent, and (v) scheduled completion date of the project;
- (4) whether it knows the detailed arrangements for the first three rounds of sale of uncompleted residential units under each residential project mentioned in (3) (set out in tables of the same format as the table below);

Name of residential project:			
Sales arrangements	First round	Second round	Third round
Total number of residential units subject to pre-sale consent (T)			
Number of units offered for sale (A)			
Percentage of A in T			
Among A: number and percentage of units offered for public sale			
Among A: number and percentage of units offered for sale by tender			
Among A: numbers and percentages of units offered for sale respectively through the following means			
Public sale in both of the first and second rounds	Not applicable		Not applicable
Public sale in the first round, but sale by tender in the second round	Not applicable		Not applicable

Sale by tender in the first round, but public sale in the second round	Not applicable		Not applicable
Sale by tender in both of the first and second rounds	Not applicable		Not applicable
Public sale in all three rounds	Not applicable	Not applicable	
Public sale in the first and second rounds, but sale by tender in third round	Not applicable	Not applicable	
Public sale in the first and third rounds, but sale by tender in second round	Not applicable	Not applicable	
Public sale in the first round, but sale by tender in the second and third rounds	Not applicable	Not applicable	
Sale by tender in the first round, but public sale in the second and third rounds	Not applicable	Not applicable	
Sale by tender in the first and third rounds, but public sale in second round	Not applicable	Not applicable	
Sale by tender in the first and second rounds, but public sale in the third round	Not applicable	Not applicable	
Sale by tender in all three rounds	Not applicable	Not applicable	

- (5) as it has been reported that the arrangement for the first three rounds of sale of uncompleted residential units of a residential development was as follows: while about 150 units were offered for sale at each round, only 55 and seven units were newly offered for sale at the second and third rounds of sale respectively, all three rounds of sale involved only about 30% of the total number of residential units subject to the pre-sale consent, whether the Government has studied if such practice of unit selling is contrary to the policy intent of the initiative of amending the Consent Scheme; if it has studied and the outcome is in the affirmative, of the follow-up actions; if the study outcome is in the negative, the reasons for that;
- (6) whether it will stipulate that developers must not offer for sale by tender the units of those residential projects of a certain scale; if so, of the details and the timetable; if not, the reasons for that;
- (7) whether it will stipulate the proportions or minimum numbers of units that are offered for public sale and for sale by tender at each round of sale; if so, of the details and the timetable; if not, the reasons for that; and
- (8) whether it will stipulate the maximum number of times for which a unit may be repeatedly offered for sale by tender; if so, of the details and the timetable; if not, the reasons for that?

Question 15  
(For written reply)

(Translation)

Development plans for three squatter areas in Kowloon East

Hon WU Chi-wai to ask:

It is learnt that there are three squatter areas in Kowloon East (i.e. Chuk Yuen United Village, Ngau Chi Wan Village and Cha Kwo Ling Village) which are yet to be redeveloped. Chuk Yuen United Village and Ngau Chi Wan Village have been zoned “Government, Institution or Community” sites but without any concrete development plans, while Cha Kwo Ling Village is within an “Undetermined” zone. Regarding the development plans for these three squatter areas, will the Government inform this Council:

- (1) of the respective current numbers of (i) surveyed and (ii) non-surveyed squatter structures in (a) Chuk Yuen United Village, (b) Ngau Chi Wan Village and (c) Cha Kwo Ling Village;
- (2) given that the Government has earmarked a piece of land in Ngau Chi Wan Village for the construction of a community hall but has not put forward any implementation plan for years, whether there has been any change in the planned use of the land concerned; if so, of the latest planned use and the development timetable; if not, the timetable and details for the construction of the community hall;
- (3) whether the Government will, in the coming three years, conduct detailed planning for the three squatter areas; if so, of the details; if not, the reasons for that; and
- (4) whether it will conduct re-planning for the three squatter areas in order to release more lands for public housing development; if so, of the details as well as the estimated number and floor area of public housing units that can be provided; if not, the reasons for that?

Question 16  
(For written reply)

(Translation)

Records and materials on housing policy

Hon Andrew WAN to ask:

Regarding the records/materials on housing policy from 1953 (the devastating fire in the Shek Kip Mei squatter area) to April 1973 (the establishment of the Hong Kong Housing Authority) (“the early stage”), and from May 1973 to last year (“the latter stage”), will the Government inform this Council:

- (1) of a breakdown of the quantity of records/materials on housing policy by time period of their creation and classification (i.e. (i) confidential at present, (ii) confidential when created but declassified at present, (iii) restricted at present, (iv) restricted when created but declassified at present, and (v) open/general documents since creation) (set out in the table below);

	Time period	(i)	(ii)	(iii)	(iv)	(v)	Total
The early stage	1953 to 1960						
	1961 to 1970						
	1971 to April 1973						
	Total:						
The latter stage	May 1973 to 1980						
	1981 to 1990						
	1991 to 2000						
	2001 to 2010						
	2011 to 2018						
	Total:						

- (2) of a breakdown of the quantity of records/materials on housing policy currently kept by the Government Records Service (“GRS”) by time period of their creation and classification (i.e. (i) confidential when created but declassified at present, (ii) restricted when created but declassified at present, and (iii) open/general documents since creation) (set out in the table below); and

	Time period	(i)	(ii)	(iii)	Total
The early stage	1953 to 1960				
	1961 to 1970				
	1971 to April 1973				
	Total:				
The latter stage	May 1973 to 1980				
	1981 to 1990				
	1991 to 2000				
	2001 to 2010				
	2011 to 2018				
	Total:				

- (3) whether it has issued a code of practice and guidelines on records management to housing-related statutory bodies, and required them to transfer to GRS for preservation their records/materials on housing policy and of historical value, so that such records/materials may, after arrangement, be made available for public access?

Question 17  
(For written reply)

(Translation)

Importation of labour

Hon Jimmy NG to ask:

Since February of last year, the seasonally adjusted unemployment rate in Hong Kong has remained at 2.8%, which is a record low since 1998. Operators of quite a number of industries have relayed that as they have encountered difficulties in staff recruitment, they hope that the Government will relax the criteria for vetting and approval of applications for importation of labour under the Supplementary Labour Scheme (“the Scheme”). In this connection, will the Government inform this Council:

- (1) given that from 2015 to 2017, the success rates of applications for labour importation under the Scheme for the (i) transport, storage and communications industries and (ii) financing, insurance, real estate and business services industries were lower than those for other industries, whether the Government has looked into the causes for that; if so, of the outcome; whether it will review the Scheme, with a view to raising the success rates of applications for importation of labour for those industries;
- (2) whether it will (i) consider afresh setting industry-specific quotas for labour importation, and (ii) relax the manpower ratio requirement of two full-time local workers to one imported worker under the Scheme; and
- (3) as the Chief Executive stated in last year’s Policy Address that the Government would consider allowing a greater flexibility for subsidized elderly service and rehabilitation service units to import carers, of the details and progress of the relevant work; whether the Government will examine allowing a greater flexibility also for other industries to import labour; if so, of the details?

Question 18  
(For written reply)

(Translation)

Regulation of the use of animals to solicit business

Hon CHAN Hak-kan to ask:

Currently, quite a number of shops without a restaurant licence, restaurants and cafes keep animals on their premises for entertainment of customers with a view to soliciting business. Quite a number of members of the public have relayed to me that these animals are often kept under extremely unsatisfactory conditions, including not having enough rest time, being confined in a narrow activity space, and not being given inadequate food. In this connection, will the Government inform this Council:

- (1) whether the Government received complaints in the past three years about animals being abused on the aforesaid premises; if so, of the details;
- (2) whether the Government compiled statistics in the past three years on the number of such kind of premises; if so, of the details; if not, the reasons for that;
- (3) whether (i) the use of animals by operators of restaurants to solicit business and (ii) the provision of food, which was prepared off-site (e.g. cup noodles, biscuits and packaged drinks), by operators of premises without a restaurant licence for customers' consumption on the premises are subject to regulation under the existing legislation; if so, of the details;
- (4) whether the Government instituted prosecutions in the past three years against the operators of premises mentioned in (3) (ii) above for operating a restaurant without a licence; if so, of the details; if not, the reasons for that;
- (5) whether the Government instituted, by invoking the Food Business Regulation (Cap. 132X), prosecutions in the past three years against the relevant operators for the presence of animals in food premises; if so, of the details;
- (6) whether the Government deployed officers to pose as patrons in the past three years to investigate if the operators or the customers of those premises had committed offences under the Prevention of Cruelty to Animals Ordinance (Cap. 169); if so, of the details; if not, the reasons for that; and
- (7) whether it will amend the legislation to strengthen the regulation of commercial acts of using animals to solicit business, so as to protect animal rights?

Question 19  
(For written reply)

(Translation)

Preventing wild animals from causing injuries and nuisances to residents

Dr Hon Elizabeth QUAT to ask:

It has been reported that nuisances have been caused to members of the public by wild animals from time to time, including monkeys trespassing on residential areas, and some passers-by being hit by wild pigs and sustaining injuries. In this connection, will the Government inform this Council:

- (1) whether it knows the respective numbers of (i) monkeys and (ii) wild pigs in each of the past five years;
- (2) whether it knows the respective numbers of cases in each of the past five years of wild animals causing (i) injuries and (ii) nuisances to residents, with a breakdown by type of animals and district;
- (3) whether it has assessed the effectiveness of the various neutering/contraceptive programmes for wild animals currently put in place in controlling the number of wild animals; if so, of the outcome; of the (i) amount of public money spent on and (ii) manpower deployed for the implementation of such programmes by the Government in the past five years, with a breakdown by type of animals involved;
- (4) given that a contractor will carry out on-site trials early this year to assess the effectiveness of the newly designed refuse collection facilities in preventing wild animals such as monkeys and wild pigs from foraging food from refuse, of the number of designs involved in the trials; if only one design is involved, the reasons for that, and whether trials will be conducted on more designs; if so, of the details and the timetable; if not, the reasons for that; of the time as planned by the Government when it will completely switch to using the newly designed refuse collection facilities; whether it will expedite the use of such facilities; if so, of the timetable; if not, the reasons for that; and
- (5) as the Agriculture, Fisheries and Conservation Department is conducting a series of publicity and education programmes to publicize the negative impacts of feeding wild animals, whether the Government will step up the relevant publicity and education efforts as well as consider legislating against the feeding of wild animals; if so, of the details; if not, the reasons for that?

Question 20  
(For written reply)

(Translation)

Measures to cope with the demand for public hospital services

Hon Holden CHOW to ask:

It has been reported that the various public hospitals have experienced an overflow of patients in recent years (particularly during the winter surge of influenza), resulting in deterioration in the quality of healthcare services and healthcare workers being overstretched. In this connection, will the Government inform this Council:

- (1) as the Government announced in January of last year and this year respectively that an additional allocation of \$500 million would be made to the Hospital Authority (“HA”) for coping with the winter surge of influenza, whether it knows the respective uses of those two allocations, including the numbers of doctors, nurses, clerical and supporting staff members employed, with a breakdown by whether they are/were full-time, part-time or temporary employees;
- (2) whether it knows the number of additional doctors, nurses, clerical and supporting staff members that HA plans to recruit in the next financial year (with a breakdown by name of the public hospital to which they will be posted); and
- (3) whether it knows if HA has put in place new measures to (i) alleviate the work pressure on healthcare workers (such as streamlining administrative procedure) and (ii) improve their working environment; if HA has, the details; if not, the reasons for that?

Question 21  
(For written reply)

(Translation)

Non-liability for payment, remission and refund of stamp duty

Hon Kenneth LEUNG to ask:

Under section 41 of the Stamp Duty Ordinance (Cap. 117), the Central People's Government, the Government or any incorporated public officer or any person acting in his capacity as a public officer shall not be liable for the payment of stamp duty chargeable on any instrument. Under section 52 of Cap. 117, the Chief Executive ("CE") may remit, wholly or in part, the stamp duty payable, or refund, wholly or in part, the stamp duty paid, in respect of any instrument chargeable with stamp duty. Regarding the enforcement of those provisions, will the Government inform this Council:

- (1) of the number of cases in each of the past 10 years in which the payment of stamp duty was exempted under section 41 of Cap. 117 and the details of such cases (including the identities of the beneficiaries, as well as the amounts and types of stamp duty involved);
- (2) of the number of cases in each of the past 10 years in which remission or refund of stamp duty was granted under section 52 of Cap. 117 and the details of such cases (including the identities of the beneficiaries, as well as the amounts and types of stamp duty involved);
- (3) of the number of cases among those in (1) and (2) in which the beneficiary was the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region ("LOCPG") or companies associated with it, and the details of such cases (including the amounts and types of stamp duty involved);
- (4) whether the Government will stipulate specific conditions (e.g. the property involved to be for self-use or for non-profit-making purposes only) to be met by property transactions before exemption or remission of stamp duty may be granted; if so, of the details, including the mechanism for monitoring the compliance with the relevant conditions; if not, the reasons for that;
- (5) of the policy intents of the aforesaid provisions and the procedures for vetting and approval of the applications concerned; what information the persons applying for exemption, remission or refund of stamp duty have to furnish in support of their applications; and

- (6) as it has been reported that the transactions for acquisition of properties in Hong Kong by a private company owned by two staff members of LOCPG have been granted remission by CE under section 52 of Cap. 117 of all the stamp duty payable, of the reasons why the company was accorded such treatment; if it was because the persons concerned claimed that the company was controlled by LOCPG, how the authorities verified the claim?

Question 22  
(For written reply)

(Translation)

Car parks owned or sold by the Link Real Estate Investment Trust

Hon James TO to ask:

It is learnt that since 2014, Link Real Estate Investment Trust (“Link REIT”) has sold one after another its car parks located within or near public housing estates and housing courts. Some acquirers have in turn divided up and sold the parking spaces of the car parks concerned to individuals. On the other hand, it has been stipulated in the land leases for some of the car parks that the relevant parking spaces are for parking only by vehicles of the residents, occupiers or bona fide visitors of the housing estates or courts concerned (“user restriction”). In this connection, will the Government inform this Council:

- (1) whether it knows the following information about each of the car parks which are owned and which have been sold by Link REIT (set out in a table):
  - (i) the name of the housing estate/court concerned;
  - (ii) the number of parking spaces provided; and
  - (iii) a breakdown of the number of parking spaces by type of their owners (i.e. Link REIT, other companies and individuals), type of vehicles that may be parked thereat, and whether any user restriction is currently in force;
- (2) whether it knows, in respect of the three types of parking spaces currently owned by Link REIT, other companies and individuals respectively, the number of those parking spaces the land lease of which contains user restriction clauses; among such parking spaces, the number of those the owners of which have been granted by the Lands Department waivers for complying with such clauses, and a breakdown of the average waiver fees by type of vehicles that may be parked at such parking spaces;
- (3) of the measures put in place to ensure compliance by individual owners of the parking spaces with the land lease conditions (in particular the user restriction clauses); whether, in the past three years, it instituted prosecutions against or imposed punishments on those persons who had violated the relevant land lease conditions of the parking spaces; if so, of the details and the number of such cases; and
- (4) whether it has measures in place to ensure that the prospective buyers of individual parking spaces know if the land leases

concerned contain user restriction clauses, e.g. by making public whether individual parking spaces in such car parks are subject to such clauses?

楊岳橋議員就  
“要求政府擱置設立中港移交逃犯安排”  
動議的議案

議案措辭

由於中國內地尚未落實司法獨立及公平審訊，為了保障香港在‘一國兩制’下國際認可的法治聲譽，以及保障香港市民及往來本港人士的人權，本會要求政府擱置設立任何允許香港移交逃犯至中國內地的引渡安排。

(Translation)

**Motion on  
“Requesting the Government to shelve the formulation  
of arrangements for the surrender of fugitive offenders  
between Mainland China and Hong Kong”  
to be moved by Hon Alvin YEUNG**

**Wording of the Motion**

That, as Mainland China has not yet implemented judicial independence and fair trial, in order to safeguard Hong Kong’s internationally recognized reputation for rule of law under ‘one country, two systems’, and to protect the human rights of Hong Kong people and individuals travelling to and from Hong Kong, this Council requests the Government to shelve the formulation of any extradition arrangement permitting Hong Kong to surrender fugitive offenders to Mainland China.

(Translation)

**Motion on  
“Reviewing the implementation of school-based management”  
to be moved by Hon IP Kin-yuen**

**Wording of the Motion**

That the recent incident of a teacher jumping to death in school has aroused extensive concern in society, and under the school-based management system, the teaching staff faces unfair treatment and their complaints are not handled effectively; the original intent of the school-based management system is to ‘put in place a more open, accountable and participatory school management structure’, and through the devolvement of responsibilities, schools can enjoy greater flexibility and autonomy in school management and use of resources, and schools can build up a management approach to complement school development based on their background, history and needs; in order to support the implementation of school-based management, the Government brought into effect the Education (Amendment) Ordinance 2004 on 1 January 2005 to provide the legal basis for the governance framework of school-based management and require all aided schools to each set up an Incorporated Management Committee (‘IMC’) for school management; in fact, most school principals in Hong Kong have worked wholeheartedly and shown excellent performance, but as greater autonomy and responsibilities are devolved to schools and due to a lack of check and balance in the school-based management system, incidents of alleged abuse of powers by IMCs or the school management have occurred one after another, and the complaints from the teaching staff and even those from school principals have not been handled effectively, and yet the Education Bureau has shirked its responsibilities on the pretext of showing respect to school-based management and returned the complaints to the schools for their own handling, arousing widespread discontent in the education sector; in fact, the Education Bureau has pointed out that there are ‘individual schools whose school managers lack the required knowledge and skills in school management, thus affecting the quality of school governance ... there are isolated cases in which supervisors cannot perform effectively the functions as stipulated in the Education Ordinance, or on certain occasions disregard the Education Bureau’s advice. Incompetent IMCs/supervisors may give room for school principals to wield too much power without proper check and balance or becoming too laid-back, thus adversely affecting the quality of school governance and management’; in this connection, this Council urges the Government to improve the policy of school-based management and the existing complaint mechanism, protect teachers from

unfair treatment at an institutional level and foster a caring work environment with mutual trust in schools; the relevant measures should include:

- (1) while considering the views submitted by the Task Force on School-based Management Policy, conducting a comprehensive review of the school-based management system to ensure proper check and balance on the governance power of schools, increase the transparency of school governance and the participation by teachers, and value the views of teachers, thereby giving play to the concept of 'participatory school management';
- (2) proactively discharging the monitoring responsibilities in handling school complaints to ensure that schools will act in accordance with the requirements under the Codes of Aid, the relevant ordinances and so on, while proactively looking for the truth such that a fair outcome can be achieved for complaints;
- (3) urging IMCs to each establish an independent panel of inquiry for handling serious complaint cases, with the inclusion of independent persons in its membership;
- (4) increasing the opportunities for teachers to participate in school policies, and ensuring that teacher representatives in IMCs must be returned by democratic elections with full right of participation, and that they are afforded respect and protection in their expression of views and involvement in school policies;
- (5) restoring the consultative mechanism between teacher representatives and management committees and the one between teacher representatives and the Education Bureau;
- (6) positively promoting good management and a culture of participation in schools; and
- (7) facing up to the aspirations of the education sector over the years and expeditiously establishing an independent and professional General Teaching Council.