

# LegCo to consider Employment (Amendment) Bill 2018

The following is issued on behalf of the Legislative Council Secretariat:

The Legislative Council (LegCo) will hold a meeting on Wednesday (October 24) at 11am in the Chamber of the LegCo Complex. During the meeting, the Second Reading debate on the Employment (Amendment) Bill 2018 will resume. If the Bill is supported by Members and receives its Second Reading, it will stand committed to the committee of the whole Council. After the committee of the whole Council has completed consideration of the Bill and its report is adopted by the Council, the Bill will be set down for the Third Reading.

The Second Reading debate on the Inland Revenue (Amendment) (No. 3) Bill 2018 and the Inland Revenue (Amendment) (No. 4) Bill 2018 will also resume. If the Bills are supported by Members and receive their Second Reading, they will stand committed to the committee of the whole Council. After the committee of the whole Council has completed consideration of the Bills and their reports are adopted by the Council, the Bills will be set down for the Third Reading.

On Members' motions, Ms Claudia Mo will move a motion under Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China. The motion states: "That, pursuant to Article 73(5) and (10) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, this Council summons the Secretary for Security, Mr John Lee, and the Director of Immigration, Mr Erick Tsang, to attend before the Council on November 21, 2018 to produce all relevant papers, books, records or documents and to testify or give evidence in relation to the incident of the Hong Kong Special Administrative Region (HKSAR) Government's refusal to renew, for no reason, the work visa of Mr Victor Mallet, Vice President of the Foreign Correspondents' Club, Hong Kong and Asia news editor of the Financial Times, thereby causing concerns locally and internationally that the HKSAR Government suppresses freedom of the press and freedom of speech through political means."

Meanwhile, Ms Mo will also move a motion under the Legislative Council (Powers and Privileges) Ordinance. The motion states: "That this Council appoints a select committee to inquire into the incident of serious land subsidence of buildings near the construction site of To Kwa Wan station of the Shatin to Central Link, and whether the incident involved ineffective monitoring by the Hong Kong Special Administrative Region Government and the MTR Corporation Limited and their deliberate concealment of the land subsidence problem, and other related matters; and that in the performance of its duties the committee be authorised under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap 382) to exercise the powers conferred by section 9(1) of that Ordinance."

Mr Lam Cheuk-ting will move a motion under the Legislative Council (Powers and Privileges) Ordinance. The motion states: "That this Council appoints a select committee to inquire into matters relating to the MTR Corporation Limited's alleged concealment of the substandard construction works and alternations to the construction drawings of the Shatin to Central Link (SCL), alleged failure to suspend the construction works and notify the public when the settlement of some monitoring points is found to have exceeded the pre-set trigger levels during the construction of eight stations along SCL, and subsequent proposal of relaxing the pre-set trigger levels for temporary suspension of works of the monitoring points near the construction site of the Exhibition Centre Station of SCL, and other related matters, and that in the performance of its duties the committee be authorised under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap 382) to exercise the powers conferred by section 9(1) of that Ordinance."

In addition, Mr Michael Tien will move a motion on restructuring the governance of MTR Corporation Limited. The motion states: "That the MTR Corporation Limited (MTRCL) has built and operates 11 railways in Hong Kong, and in the future, seven new railway projects will most likely be assigned to MTRCL; the people of Hong Kong heavily rely on the railway system as a mode of transport, but in recent years, there have been strong views in society on the service quality, corporate governance and supervision of works of MTRCL; the Hong Kong Special Administrative Region (SAR) Government as the majority shareholder of MTRCL has a major responsibility of monitoring MTRCL in providing to the public the safest railway services and infrastructure of the best quality; in this connection, this Council urges the SAR Government to adopt the following measures to restructure the governance of MTRCL to restore public confidence in MTRCL:

(1) setting up an independent railway development department – given that at present, a railway from planning to construction involves various government departments, including the Electrical and Mechanical Services Department, the Civil Engineering and Development Department, the Buildings Department and the Highways Department, resulting in fragmentation of responsibilities and inefficiency; besides, responsible for all the works of roads, tunnels, bridges, etc. in Hong Kong, the Highways Department can hardly attend to everything at the same time, thus giving rise to problems in the regulation of railways; hence, the SAR Government should set up an independent railway development department dedicated to railway works and be directly responsible to the Secretary for Transport and Housing;

(2) planning new development areas in tandem with their ancillary railway facilities – in planning some of the new development areas in the past, since the SAR Government did not concurrently consider ancillary transport facilities, serious traffic problems arose in such areas, and the SAR Government then constructed railways in a rush, thus causing the works quality to fall; hence, new development areas and ancillary railway facilities should be planned in tandem in order to prevent the quality of railway projects from being affected by very tight work schedules;

(3) urging MTRCL to regularly review its investment strategy of updating the

signalling system – in the past, repeated serious disruptions of MTR train services were caused by the ageing signalling system; hence, MTRCL should regularly upgrade the signalling system to the latest version, rather than refusing to upgrade the signalling system on the ground of the cost being the prime factor of consideration, so as to ensure provision of stable and reliable public transport services to passengers;

(4) rationalising the appointment of the Chairman and the Chief Executive Officer of MTRCL – to cope with the foreseeable railway projects, either of the Chairman and the Chief Executive Officer of MTRCL, being the two highest persons-in-charge, should have an engineering background to facilitate monitoring of the works progress at the highest level;

(5) supervising MTRCL in reviewing the criteria of its internal tendering system – when drawing up the criteria of its internal tendering system, MTRCL should study following the criteria of the tendering system of the SAR Government which draw greater reference from the past performance, cooperative attitude, accountability performance of tenderers, etc., rather than overstressing the principle of 'the lowest bid wins' and the number of times the tenderers were awarded railway projects in the past as priority considerations, so as to avoid monopolisation;

(6) requiring MTRCL to strengthen the project management notification system – MTRCL should draw up specific and transparent notification criteria and make improvements on two levels: on the first level, requiring frontline site staff to report to the management in higher ranks the site conditions, including but not limited to issuing to contractors non-conformance notices/reports for any work that does not comply with plans and works requirements, and on the second level, reporting to the Government all construction problems in respect of repeated mistakes without rectification, delays in resolving such problems and suspected violations of statutory requirements; and

(7) raising MTRCL's requirements for supervision of the works of contractors – MTRCL should draw reference from the requirements of the SAR Government in supervising public works, including considering the introduction of the Contractor Management Handbook for public works to conduct regular assessments on the quality, progress and safety of works, environmental protection, management and attitude of the persons-in-charge of projects, subcontracting of works, performance of procurement, etc., and requiring resident site staff to conduct thorough on-site supervision, thereby effecting more stringent supervision of railway projects."

Mr Luk Chung-hung, Mr Chan Han-pan, Dr Kwok Ka-ki and Mr Lam will move separate amendments to Mr Tien's motion.

Mr Chan Chi-chuen will move a motion on studying the formulation of policies for homosexual couples to enter into a union. The motion states: "That this Council urges the Government to study the formulation of policies for homosexual couples to enter into a union so that they can enjoy equal rights as heterosexual couples."

Dr Priscilla Leung, Mr Au Nok-hin and Mr Gary Fan will move separate amendments to Mr Chan Chi-chuen's motion.

During the meeting, Members will ask the Government 22 questions on various policy areas, six of which require oral replies.

The agenda of the above meeting can be obtained via the LegCo Website ([www.legco.gov.hk](http://www.legco.gov.hk)). Please note that the agenda is subject to change, and the latest information about the agenda could be found on the LegCo Website.

Members of the public are welcome to observe the proceedings of the meeting from the public galleries of the Chamber of the LegCo Complex. They may reserve seats by calling 3919 3399 during office hours. Members of the public can also watch or listen to the meeting via the "Webcast" system on the LegCo Website.

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## **CE to visit Japan**

The Chief Executive, Mrs Carrie Lam, will visit Japan from October 29 to November 2. The Secretary for Justice, Ms Teresa Cheng, SC; the Secretary for Commerce and Economic Development, Mr Edward Yau; and the Secretary for Innovation and Technology, Mr Nicholas W Yang, will join parts of the visit.

During the five-day visit, Mrs Lam will meet with senior government officials, members of parliament, members of the business and political sectors and professionals in Japan. She will speak at the "Think Global, Think Hong Kong" symposium and dinner organised by the Hong Kong Trade Development Council and at an activity to promote tourism in the Greater Bay Area organised by the Hong Kong Tourism Board, as well as at a forum on financial co-operation between the Greater Bay Area and Japanese enterprises organised by the Chinese Chamber of Commerce in Japan and the Chinese General Chamber of Commerce, Hong Kong.

In addition, Mrs Lam will attend an architecture exhibition organised by the Hong Kong Institute of Architects, a cheongsam exhibition organised by the Hong Kong Arts Centre, and a special concert presented by alumni of the Asian Youth Orchestra from Hong Kong and Japan. She will also meet with the leaders of a number of education institutions and organisations specialising in innovation and technology (I&T), and conduct visits to seek further collaboration in I&T between Japan and Hong Kong.

Mrs Lam will return to Hong Kong on November 2. During her absence, the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, will be the Acting Chief Executive.

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## FS visits Tai Po District (with photos)

The Financial Secretary, Mr Paul Chan, this afternoon (October 22) visited Tai Po District, where he met with members of the Tai Po District Council (TPDC), called at a hospital and inspected land development in the district.

Accompanied by the Chairman of the TPDC, Mr Cheung Hok-ming; the Vice Chairman of the TPDC, Ms Wong Pik-kiu; and the Acting District Officer (Tai Po), Ms Iris Lee, Mr Chan first inspected the land development of Lai Chi Shan, Tai Po.

He then visited Alice Ho Miu Ling Nethersole Hospital and listened to an introduction by the Hospital Chief Executive, Dr Man Chi-yin. Mr Chan visited the joint replacement centre and a combined heat and power (CHP) plant of the hospital. Alice Ho Miu Ling Nethersole Hospital is the first public hospital in Hong Kong to feature a CHP plant. It utilises landfill gas to fuel its combined heat and power generating system, which then supplies electricity to run the hospital's central air-conditioning system. Simultaneously, the waste heat from the generator's cooling and exhaust is captured and converted via a heat exchanger and a waste heat boiler respectively into clean hot water and steam used for showering, sterilising medical equipment, cooking and laundry washing. The CHP plant can reduce the hospital's annual carbon emissions by as much as 2 000 tonnes, accounting for 12 per cent of the hospital's total carbon emissions, which helps to improve air quality and protect the environment.

Mr Chan said that the Government will continue its endeavours to improve the environment and combat climate change. He has set aside \$800 million in this year's Budget to further promote the installation of renewable energy facilities at government buildings, venues and community facilities. The Government will also enhance tax concessions for capital expenditure incurred by enterprises in procuring eligible energy efficient building installations and renewable energy devices.

Before concluding the visit, Mr Chan met with members of the TPDC to exchange views on various livelihood and development issues of the district.





## [Gazettal of Road Traffic \(Registration and Licensing of Vehicles\) \(Amendment\) Regulation 2017 \(Commencement\) Notice 2018](#)

The Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2017 (Commencement) Notice 2018 was gazetted today (October 22).

The Secretary for Transport and Housing (STH) has appointed October 24, 2018 as the day on which section 3(3), in so far as it relates to the new paragraph 1(i)(xxvi) of the Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2017, comes into operation. In other words, the commencement date for the permitted operating area of the New Territories (NT) taxis which involves the Southern Connection of the Tuen Mun-Chek Lap Kok Link (TM-CLKL), i.e. Shun Long Road, is October 24, 2018, so as to tie in with the commissioning of the Hong Kong Boundary Crossing Facilities (HKBCF) of the Hong Kong-Zhuhai-Macao Bridge (HZMB).

A government spokesman said, "The works of the Mainline of Shun Long Road (i.e. the section connecting North Lantau Highway (urban bound)) have been completed. All three types of taxis (i.e. urban, NT and Lantau taxis) would then be able to travel to and from the HKBCF of the HZMB via the Mainline of Shun Long Road to provide services to passengers."

In view of the HZMB project, the STH made the Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2017 under section 6 of the Road Traffic Ordinance (Cap 374) and gazetted it on April 18, 2017 to amend Schedule 7 to the Road Traffic (Registration and Licensing of Vehicles) Regulation (Cap 374E) to revise the permitted operating areas, including that of the NT taxis, to facilitate the travelling of passengers between the operating areas of the NT taxis and the HKBCF upon the commissioning of the HZMB.

## Suspected MERS cases reported

The Centre for Health Protection (CHP) of the Department of Health today (October 22) reported two suspected cases of Middle East Respiratory Syndrome (MERS), and again urged the public to pay special attention to safety during travel, taking due consideration of the health risks in the places of visit. The cases are detailed below:

Sex	Male	Male
Age	9	18 months
Affected area involved	Dubai, United Arab Emirates	Dubai, United Arab Emirates
High-risk exposure	Camel ride	Nil
Hospital	Pamela Youde Nethersole Eastern Hospital	Pamela Youde Nethersole Eastern Hospital
Condition	Stable	Stable
MERS-Coronavirus preliminary test result	Negative	Negative

"Travellers to the Middle East should avoid going to farms, barns or markets with camels; avoid contact with sick persons and animals, especially camels, birds or poultry; and avoid unnecessary visits to healthcare facilities. We strongly advise travel agents organising tours to the Middle East to abstain from arranging camel rides and activities involving direct

contact with camels, which are known risk factors for acquiring MERS Coronavirus (MERS-CoV)," a spokesman for the CHP said.

Locally, the CHP's surveillance with public and private hospitals, with practising doctors and at boundary control points is firmly in place. Inbound travellers and members of the public who recently visited the Middle East and developed fever or lower respiratory symptoms within 14 days will be classified as suspected MERS cases. They will be taken to public hospitals for isolation and management until their specimens test negative for MERS-CoV.

Travellers to affected areas should maintain vigilance, adopt appropriate health precautions and take heed of personal, food and environmental hygiene. The public may visit the MERS pages of the [CHP](#) and its [Travel Health Service](#), MERS statistics in [affected areas](#), the CHP's [Facebook Page](#) and [YouTube Channel](#), and the World Health Organization's [latest news](#) for more information and health advice. Tour leaders and tour guides operating overseas tours are advised to refer to the CHP's [health advice on MERS](#).