

# Government welcomes breakthrough in scrutiny of bills by LegCo House Committee

A Government spokesman today (May 9) welcomed the successful handling of a number of bills and subsidiary legislation by the House Committee (HC) of the Legislative Council (LegCo) at its Special Meeting held yesterday afternoon (May 8).

The spokesman said, "In accordance with Article 73 of the Basic Law, one of the major functions of the LegCo is to enact laws. The HC plays the most essential role in LegCo in performing this constitutional function to make preparations for the meetings of LegCo, which includes, deciding if bills committees are required to be set up to scrutinise the bills submitted to LegCo and monitor the progress of these bills committees. However, starting from last October, the HC has held 17 meetings and spent more than 30 hours of discussion but still failed to elect its chairman and deputy chairman for the current term of LegCo, seriously impeding HC and jeopardising its normal operation, creating substantial backlogs of bills that affect social development and economy, as well as people's livelihood."

At the Special Meeting yesterday, the HC completed the handling of a number of bills and subsidiary legislation which had not been dealt with for seven months since last October owing to the delay in chairman election that brought the HC to a standstill. These include:

- 13 bills submitted by the Government during the current legislative session;
- Legal Service Division reports on 31 subsidiary legislation gazetted since March 27, 2020;
- the motion on the endorsement of the appointment of the Chief Justice of the Court of Final Appeal, and
- four Reports of Bills Committees (four among the 11 bills which have gone through the First Reading and for which Bill Committees have been formed in the preceding two sessions).

The spokesman said, "The Government is pleased to learn that the impasse in the HC has finally ended which enables the continual scrutiny of bills and subsidiary legislation proposed by the Government. The Government will continue to fully co-operate with LegCo in its work of scrutinising laws in the remaining term of office of the LegCo.

"As of May 8 this year, there are 26 bills that the LegCo is scrutinising. Of these, 15 were proposed during the current legislative session, while the other 11 were first read in the past two legislative sessions and respective bills committees have been formed to scrutinise them. Among the latter, the bills committees have completed scrutiny of seven bills which have yet to be introduced to the full Council for the resumption of

Second Reading debate. Of these seven bills, HC has finished scrutinising the bills committee reports of six bills (four vetted by HC yesterday, and the other two vetted by HC last year, namely the National Anthem Bill and the Trade Marks (Amendment) Bill 2019)."

The spokesman added, "The Bills Committee on the National Anthem Bill, after 17 meetings and over 50 hours of deliberation, had reported to HC on June 14, 2019. Subsequently, at the HC meeting on June 28, HC raised no objection to the Government's plan to resume the Second Reading debate on the Bill in the 2019-2020 legislative session."

The spokesman emphasised, "The national anthem is the symbol and sign of the country. The legislative principle of the National Anthem Bill is clear, that is to fully reflect the legislative purpose and intent of the Law of the People's Republic of China on National Anthem (National Anthem Law) as a national law, which is to preserve the dignity of the national anthem and promote respect for the national anthem; and at the same time to give due regard to the common law system practised in Hong Kong, as well as the actual circumstances in Hong Kong. In accordance with the Bill, a person would only commit a criminal offence if the person publicly and intentionally insults the national anthem. It would not constitute an offence to express one's opinion as long as they are not expressed in the form of public and intentional insults to the national anthem. Therefore, it is completely untrue and fabricated for certain LegCo Members to claim that the law is 'draconian'.

"The Hong Kong Special Administrative Region Government hopes that LegCo Members would support the Government to continue to take forward the legislative procedures of the aforementioned bills, so that the efforts by the Government, LegCo and relevant stakeholders in formulating policies would not go down the drain."