

LegCo to consider Travel Industry Bill

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

The Legislative Council (LegCo) will hold a meeting on Wednesday (November 28) at 11 am in the Chamber of the LegCo Complex. During the meeting, the Second Reading debate on the Travel Industry Bill 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 Companies (Amendment) Bill 2018 and the Supplementary Appropriation (2017-2018) Bill 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.

During the meeting, Ms Chan Hoi-yan returned at the Legislative Council by-election held on November 25, 2018 will take the Legislative Council Oath.

On Members' motions, Mr James To will move two separate proposed resolutions under section 34(2) of the Interpretation and General Clauses Ordinance to repeal the Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Republic of India) Order and the Inland Revenue (Double Taxation Relief with respect to Taxes on Income and Prevention of Tax Evasion and Avoidance) (Republic of Finland) Order laid on the table of the Legislative Council on October 10, 2018.

Mrs Regina Ip will move a motion on studying the enactment of an ordinance on regulating subdivided units. The motion states: "That at present, there are in Hong Kong over 150 000 families and elderly singletons waiting for public rental housing, with an average waiting time of 5.3 years, and quite a number of applicants live in units of flats subdivided into separate units (commonly known as 'subdivided units'); according to the estimate of the Government in 2017, there were about 91 800 households living in subdivided units across the territory; the Chief Executive has undertaken in the newly released Policy Address that the Government will actively facilitate various short-term community initiatives to increase the supply of transitional housing and allow wholesale conversion of industrial buildings for transitional housing; in the light of these new initiatives, it is believed that quite a number of transitional housing units leased out in the form of subdivided units will emerge in Hong Kong, but the existing Buildings Ordinance cannot comprehensively regulate the safety of flat subdivision works; in this connection, this Council urges the Government to study the enactment of an ordinance on regulating subdivided units, the contents of which include:

(1) by drawing reference from the Housing Act 2004 of the United Kingdom, establishing a licensing system for regulating the operation of subdivided units, and setting standards for the facilities, number of occupants and area of units, so as to ensure a comfortable and safe living environment for households;

(2) requiring the installation of separate water and electricity meters for each subdivided unit to prevent overcharging of water and electricity tariffs by landlords; and

(3) regulating the rate of rental increase for subdivided units to prevent the households from being heavily burdened by rental."

Ms Alice Mak, Mr Vincent Cheng, Mr Leung Yiu-chung and Mr Andrew Wan will move separate amendments to Mrs Regina Ip's motion.

Mr Jeremy Tam will move a motion on legislating for the protection of whistle-blowers. The motion states: "That, unless insiders of business organisations or government agencies ('whistle-blowers') divulge that acts endangering public interests have occurred in their organisations or agencies, it is invariably difficult for the public or the media to verify the occurrence of such incidents; many past incidents involving significant public interests in Hong Kong, such as the unlawful sewage discharge by the sewage treatment contractor of Tuen Mun Pillar Point Valley Landfill in contravention of the standard requirements of the Environmental Protection Department, the frequent glitches in the new Air Traffic Control System of the Civil Aviation Department after its launch, and the shortened steel bars of the diaphragm walls at Hung Hom Station of the Shatin to Central Link of the MTR Corporation Limited, would have gone unnoticed if no one had blown the whistle, and the public would not have known the truth; since there is no dedicated legislation in Hong Kong for protecting whistle-blowers and those who stand up for justice are often subjected to reprisals, including various retributive acts such as harassment, discriminatory actions, dismissal and litigation, many insiders are afraid to blow the whistle; since many countries in the world, including the United Kingdom, the United States and Japan, have already enacted dedicated legislation to protect whistle-blowers, this Council urges the SAR Government to expeditiously enact a whistle-blowing protection law to protect whistle-blowers and safeguard public interests; the areas of legislation should cover:

(1) providing statutory protection to whistle-blowers if the incidents disclosed involve criminal offences, breach of legal obligation, miscarriage of justice, threat to public safety or health, environmental damage, abuse of powers, waste of public money, etc., so as to guard them against any unfair treatment, such as punitive actions like dismissal, pay reduction, demotion, transfer, suspension, financial penalty and denial of learning opportunities;

(2) requiring all business organisations and government agencies to formulate their own internal measures on protecting whistle-blowers, including the setting up of a well-defined mechanism respectively for reporting incidents and protecting whistle-blowers, so as to stamp out any possible retributive

acts;

(3) allowing whistle-blowers to disclose to the public incidents endangering public interests in ways they deem fit, including using the media or the Legislative Council as the channels, in addition to the internal reporting mechanism mentioned above;

(4) requiring any persons or organisations responsible for handling the secrets divulged by a whistle-blower to maintain the strictest confidentiality of the whistle-blower's personal information; and

(5) allowing whistle-blowers to apply for personal protection measures from the judicial authorities when they or their families feel their personal safety or freedom under threat."

Ms Claudia Mo, Mr Kenneth Leung and Mr Chan Hak-kan will move separate amendments to Mr Jeremy Tam's motion.

Meanwhile, Mr Chung Kwok-pan will move a motion for the adjournment of the Council under Rule 16(4) of the Rules of Procedure. The motion states: "That this Council do now adjourn for the purpose of debating the following issue: the impact of the recent China-United States relations on Hong Kong's economy."

During the meeting, Members will also 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). 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.