

# LegCo to debate motion on requesting the Government to shelve the formulation of arrangements for the surrender of fugitive offenders between Mainland China and Hong Kong

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

The Legislative Council (LegCo) will hold a meeting on Wednesday (March 27) at 11am in the Chamber of the LegCo Complex. During the meeting, Members will debate a motion on requesting the Government to shelve the formulation of arrangements for the surrender of fugitive offenders between Mainland China and Hong Kong.

The motion, moved by Mr Alvin Yeung, states: "That, as Mainland China has not yet implemented judicial independence and fair trial, in order to safeguard Hong Kong's internationally recognised 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."

Ms Claudia Mo and Mr James To will move separate amendments to Mr Alvin Yeung's motion.

Mr Ip Kin-yuen will move a motion on reviewing the implementation of school-based management. The motion states: "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 January 1, 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."

Mr Ho Kai-ming, Mr Cheung Kwok-kwan and Mr Hui Chi-fung will move separate amendments to Mr Ip Kin-yuen's motion.

On Government Motion, the Secretary for Transport and Housing will move a motion on implementing the Toll Adjustment Proposal. The motion states: "Regarding the Government's proposal to adjust the tolls of private cars, taxis and motorcycles for using the three road harbour crossings with effect from January 1, 2020 (Toll Adjustment Proposal) with a view to rationalising cross-harbour traffic which will bring about benefits to society as a whole, with expected benefits including alleviating cross-harbour traffic congestion, reducing the obstruction of non-cross-harbour traffic by cross-harbour traffic queues, saving the commuting time for citizens using public transport and reducing emission from vehicles, etc., this Council supports the Government to introduce into this Council legislative amendments relating to the Cross-Harbour Tunnel and Eastern Harbour Crossing for the implementation of the Toll Adjustment Proposal, and to seek funding approval from the Finance Committee for the Western Harbour Crossing Toll Compensation Scheme."

Mr Jeremy Tam, Mr Luk Chung-hung, Mr Gary Fan, Mr Chan Han-pan and Mr Au Nok-hin will move separate amendments to the Secretary for Transport and Housing's motion.

On Government Bill, the Broadcasting and Telecommunications Legislation (Amendment) Bill 2019 will be introduced into the Council for the First Reading and the Second Reading. The Second Reading debate on the Bill will be adjourned.

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](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.