

LegCo to debate motion on studying formulation of policies for homosexual couples to enter into union

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

The Legislative Council (LegCo) will hold a meeting on Wednesday (November 21) at 11am in the Chamber of the LegCo Complex. During the meeting, Members will debate a motion on studying the formulation of policies for homosexual couples to enter into a union.

The motion, moved by Mr Chan Chi-chuen, 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.

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 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 Cheuk-ting will move separate amendments to Mr Tien's motion.

Meanwhile, Mr Chan Chun-ying will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending the Financial Institutions (Resolution) (Loss-absorbing Capacity Requirements-Banking Sector) Rules laid on the table of the Council on October 24, 2018 to the meeting of December 12, 2018.

Mr Christopher Cheung will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending the Securities and Futures (Financial Resources) (Amendment) Rules 2018 laid on the table of the Council on October 24, 2018 to the meeting of December 12, 2018.

Mr Frankie Yick will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending the Closed Area (Hong Kong-Zhuhai-Macao Bridge Hong Kong Port and Hong Kong Link Road) Order (Commencement) Notice, the Cross-boundary Movement of Physical Currency and Bearer Negotiable Instruments Ordinance (Amendment of Schedule 1) (No. 3) Notice 2018, the Hong Kong-Zhuhai-Macao Bridge Hong Kong Port and Hong Kong Link Road Closed Area (Permission to Enter) Notice (Commencement) Notice, the Immigration (Places of Detention) (Amendment) Order 2017 (Commencement) Notice and the Immigration Service (Designated Places) (Amendment) Order 2017 (Commencement) Notice laid on the table of the Council on October 24, 2018 to the meeting of December 12, 2018.

Mr Abraham Shek will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending the Land (Miscellaneous Provisions) (Amendment) Regulation 2018 laid on the table of the Council on October 31, 2018 to the meeting of January 9, 2019.

Mr Dennis Kwok will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending the Foreign Lawyers Practice (Amendment) Rules 2018 (Commencement) Notice, the Solicitors' Practice (Amendment) Rules 2018 (Commencement) Notice and the Summary Disposal of Complaints (Solicitors) (Amendment) Rules 2018 (Commencement) Notice laid on the table of the Council on October 31, 2018 to the meeting of January 9, 2019.

On Government motions, the Chief Secretary for Administration will move two proposed resolutions under the Legal Aid Ordinance to amend the Legal Aid Ordinance as set out in Appendix 1 and Appendix 2.

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.