

**Minutes of the 1st Meeting of
the 6th Term Kowloon City District Council**

Date: 9 January 2020 (Thursday)
Time: 2:30 p.m.
Venue: Conference Room, Kowloon City District Office

Present:

Host:	Mr Franco KWOK, JP	District Officer (Kowloon City) (Agenda items 1 and 2)
Chairman:	Mr SIU Leong-sing	(Agenda item 3)
Vice-chairman:	Dr KWONG Po-yin	(Agenda item 3)
Members:	Miss CHAU Hei-man	
	Mr CHEUNG King-fan	(Left at 4:54 p.m.)
	Mr CHO Wui-hung, MH	(Left at 4:55 p.m.)
	Mr FUNG Man-tao, Joshua	
	Mr HE Huahan	(Left at 4:54 p.m.)
	Mr HO Hin-ming, BBS, MH	
	Dr KWAN Ka-lun	
	Mr KWOK Tin-lap	
	Mr NG Po-keung, MH	(Left at 4:54 p.m.)
	Mr LAI Kwong-wai	
	Mr LAM Tak-shing	(Left at 4:54 p.m.)
	Mr LEE Hin-long	
	The Hon LEE Wai-king, Starry, SBS, JP	(Left at 4:54 p.m.)
	Ms LEUNG Yuen-ting	(Left at 4:54 p.m.)
	Mr MA Hei-pang	
	Miss MAK Sui-ki, Jakki	
	Mr PUN Kwok-wah, JP	
	Mr TSANG Kin-chiu	
	Mr WONG Kwok-tung, Daniel	
	Mr WONG Wing-kit	
	Mr YANG Wing-kit	(Left at 4:54 p.m.)
	Mr YEUNG Chun-yu	
	Mr YUM Kwok-tung, Pius	
Secretary:	Ms WONG Wing, Eva	Senior Executive Officer (District Council), Kowloon City District Office
<u>In Attendance:</u>	Mr Franco KWOK, JP	District Officer (Kowloon City) (Agenda item 3)
	Miss TSE Yik-ching, Alison	Assistant District Officer (Kowloon City)

Mr LAI Hau-yu, Philip	Senior Liaison Officer (District Liaison) 1, Kowloon City District Office
Miss LIU Suk-fun, Connie	Senior Liaison Officer (District Liaison) 2, Kowloon City District Office
Mr CHAN Sum-tin, Sam	Senior Liaison Officer (Building Management), Kowloon City District Office
Ms LAU Mei-yee, Helen	Senior Liaison Officer (Special Duties), Kowloon City District Office
Ms KWOK Lai-kuen, Eva	Senior Executive Officer (District Management), Kowloon City District Office

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Mr Franco KWOK, District Officer (Kowloon City) welcomed Members to the meeting. He stated that in accordance with Order 62(4) of the District Councils Ordinance, District Officers should convene the first meeting of District Councils until the Chairman and the Vice-chairman were elected. Therefore, he would chair this meeting till the Chairman and the Vice-chairman of Kowloon City District Council (KCDC) were elected. The election procedures set out in the District Council Ordinance was attached to the Notice of Meeting sent to Members via email on 16 December 2019. The Notice of Meeting also stated that the nomination period for the election of Chairman and Vice-chairman of KCDC at this meeting concluded at 1:30 p.m. today.

Election of the Chairman of KCDC

2. **Mr HO Hin-ming** invited **Mr Franco KWOK** to introduce the terms of reference of the District Council and the duties of Council members to KCDC members of the new term and other attendees.

3. **Mr Franco KWOK** responded that the issue raised by Mr HO Hin-ming was irrelevant to the election of Chairman and Vice-chairman of KCDC. He reaffirmed that he would not handle any matters other than those related to the Kowloon City District Council Standing Orders (Standing Orders).

4. **Mr YANG Wing-kit** requested to submit a nomination on the floor for Mr Daniel WONG to be the Chairman of KCDC.

5. **Mr Franco KWOK** remarked that it had been clearly stated in the Notice of Meeting issued by the Kowloon City District Office (KCDO) to Members on 16 December 2019 that the deadline for the nomination of Chairman and Vice-chairman of KCDC was one hour prior to the commencement of the meeting, i.e. at 1:30 p.m. on 9 January 2020. Therefore, nominations received after the nomination deadline would not be accepted.

6. **Mr YANG Wing-kit** said the District Councils Ordinance did not stipulate that the nomination of Chairman and Vice-chairman on the floor was prohibited. He requested Mr Franco KWOK to give an explanation for his decision. He also resubmitted a nomination for Mr Daniel WONG to be the Chairman of KCDC.

7. **Mr Franco KWOK** reiterated that the Notice of Meeting sent out by KCDO on 16 December 2019 had spelled out the electoral procedures and clearly stated the deadline for nomination was 1:30 p.m. today. KCDO did not receive from Members any different views concerning today's election. Therefore, nominations received after the deadline would not be accepted. He then briefed Members on the procedures of and arrangements for the election of Chairman and Vice-chairman of KCDC. He also confirmed with Members that the nomination forms for the Chairman and the Vice-chairman of KCDC were submitted by candidates, nominees and seconders in the capacity of Members of the sixth term KCDC. He stated that as at 1:30 p.m. on 9 January 2020, KCDO received two valid nomination forms for the Chairman of KCDC and the candidates were Mr SIU Leong-sing and Mr PUN Kwok-wah respectively. The nomination forms had been sent to Members via emails before the meeting.

8. **Mr HO Hin-ming** requested **Mr Franco KWOK** to allow time for the two candidates to give a self-introduction.

9. **Mr Franco KWOK** remarked that he convened this meeting on the election of Chairman and Vice-chairman of KCDC in accordance with Schedule 5 of the District Councils Ordinance, the voting procedures wherein did not include a self-introduction from candidates. Nevertheless, at Members' request, discretions were made and each candidate would be given five minutes to give a self-introduction.

10. **Mr PUN Kwok-wah** and **Mr SIU Leong-sing** gave a self-introduction respectively.

11. **Mr HO Hin-ming** opined that at previous meetings, one of the candidates often arrived late and left early. He enquired if a motion of no-confidence could be initiated against the candidate on account of derelict of duty.

12. **Mr Franco KWOK** replied that if Members had reservations about the appointment of a certain candidate as the Chairman of KCDC, they could cast votes to select a suitable candidate. He restated that this part of meeting was to conduct the election of Chairman and Vice-chairman of KCDC and Members could raise the relevant issues to the Chairman and the Vice-chairman concerned for discussion upon the completion of the election process. He then initiated a voting by secret ballot by all KCDC Members for the post of Chairman. Upon the counting of votes, he announced that a total of 25 valid votes were received and the number of votes going to the two candidates were as follows:

Mr SIU Leong-sing	15 votes
Mr PUN Kwok-wah	10 votes

13. **Mr YANG Wing-kit** demanded to put the election results on hold and seek clarifications from the Department of Justice on whether Members were allowed to submit nominations for the Chairman of a District Council on the floor during a meeting.

14. **Mr Franco KWOK** reiterated that in the Notice of Meeting issued by KCDO on 16 December 2019, Members were informed that the deadline for the nomination of Chairman and Vice-chairman of KCDC was one hour prior to the commencement of the election meeting, i.e. at 1:30 p.m. on 9 January 2020. KCDO had also sought legal advices on the relevant arrangement. If Members had other questions about the election results, they could take any action they deemed appropriate.

15. **Mr Daniel WONG** turned down the nomination to be the Chairman of KCDC.

16. **Mr Franco KWOK** announced that **Mr SIU Leong-sing** was elected as the Chairman of KCDC for the term of office from January 2020 to 31 December 2023.

Election of the Vice-chairman of KCDC

17. **Mr Franco KWOK** reported that as at 1:30 p.m. on 9 January 2020, KCDO received a total of two valid nominations for the Vice-chairman of KCDC. The candidates were Dr KWONG Po-yin and Mr CHO Wui-hung. The nomination forms had been sent to Members for perusal via emails before the meeting. Discretions were made again and each candidate was given five minutes to introduce themselves to Members.

18. **Mr CHO Wui-hung** and **Dr KWONG Po-yin** gave a self-introduction.

19. **Mr Franco KWOK** arranged to conduct a voting by secret ballot by all Members for the Vice-chairman of KCDC. Upon the counting of votes, he announced that a total of 25

valid votes were received and the number of votes for each candidate was as follows:

Dr KWONG Po-yin	15 votes
Mr CHO Wui-hung	10 votes

20. **Mr Franco KWOK** announced that Dr KWONG Po-yin was elected as the Vice-chairman of KCDC for the term of office from January 2020 to 31 December 2023.

21. **Mr HO Hin-ming** remarked that some Members had shown their votes to reporters and the public. He hoped KCDO would be cautious about this at future elections.

22. **Mr Franco KWOK** stated that he did not notice the matter. However, he noted Mr HO Hin-ming's views and would include these in future reviews of the arrangements for election procedures.

23. **Mr Franco KWOK** invited the newly appointed Chairman and Vice-chairman of KCDC to chair the remaining part of the meeting.

Any Other Business

24. **Mr PUN Kwok-wah** remarked that the agenda item remaining at this meeting after the election of Chairman and Vice-chairman of KCDC was "Any Other Business". He requested the Chairman to explain the purposes and functions of this part of meeting. He also enquired if the Secretariat did prepare issues to be discussed by Members under the agenda item "Any Other Business".

25. **Ms Eva WONG, Senior Executive Officer (District Council) of KCDO**, replied that the Chairman of KCDC could decide on the issues to be discussed under the agenda item "Any Other Business".

26. **The Chairman** announced that the issues for discussion under this item "Any Other Business" included the appointment of the Secretary of KCDC, seating arrangement for Members, guest duty roster, establishment of the Non-Standing Working Group on Review of Standing Orders of KCDC, the scheduling of the second KCDC meeting and matters relating to the committees under KCDC, etc.

27. **Mr PUN Kwok-wah** asked the Chairman whether "Any Other Business" included issues pending decision. He added that in accordance with the Standing Orders, to make valid any items pending decision, including motions, statements and queries, they should be put forward to KCDC before the meeting.

28. **Dr KWONG Po-yin** requested to make an oral statement.
29. **Mr HO Hin-ming** stated that he had raised hands several times requesting to speak out his views, but the Chairman only gave permission to other Members to make speeches, not him. He doubted if the arrangement was fair. He also wished to know the details about Members' seating arrangement.
30. **The Chairman** stated that he had taken up the post of the Chairman of KCDC only just now and hoped that Members would allow time for him to adapt to and pick up the role. He also offered an apology to Mr HO Hin-ming. **The Chairman** then suggested adjourning the meeting for five minutes.
31. **Mr YANG Wing-kit** opined that the Chairman should end this meeting if there was no other business pending discussion. He objected to the adjournment of meetings and requested the Chairman to explain the reasons for the decision.
32. **Mr Joshua FUNG** remarked that judging from the speeches of certain Members, these Members obviously bore ill will. He agreed to adjourn the meeting for five minutes so as to seek ways to continue with the meeting and the remaining discussion in a peaceful manner.
33. **Mr Pius YUM** supported adjourning the meeting for five minutes.
34. **Mr LAI Kwong-wai** supported adjourning the meeting for five minutes for certain Members to calm down.
35. **Mr HO Hin-ming** thanked Members for their concern over his physical health. He believed that if there was no other business pending discussion, the Chairman should end the meeting soon so he could go home for a rest. Thus he disagreed with the decision to adjourn the meeting for five minutes.
36. **Mr LEE Hin-long** supported the adjournment suggestion.
37. **Mr YANG Wing-kit** said that as there were people shouting in the public gallery, and subject to the Standing Orders, the Chairman should call upon the people to remain quiet.
38. **Mr NG Po-keung** asked the Chairman if "Any Other Business" included items pending a decision. He was worried that if the discussion of these items took place at this meeting, it would set a bad precedent for future KCDC meetings and committee meetings under KCDC.

39. **Mr LEE Hin-long** stated that as Members held different views towards the proposal of adjourning the meeting, he suggested that the Chairman should act in accordance with Order 11 of the Standing Orders and announce a temporary adjournment upon the agreement of the majority of Members.

40. **Mr CHO Wui-hung** remarked that before the Chairman conducted a voting on the adjournment proposal, he should permit Members to finish their speeches so as to safeguard their rights to speak. He also called upon the Chairman to stay calm and avoid calling for adjournment in a random manner.

41. **The Hon Starry LEE** suggested that the Chairman should draw reference from other District Councils and not include items pending a decision in “Any Other Business”. She also expressed objection against the adjournment proposal. She opined that the Chairman should end this meeting if there was no item pending a decision.

42. **Mr PUN Kwok-wah** said that Members should avoid making targeted accusations. He requested the Chairman to pay heed to the situation.

43. **The Chairman** announced to conduct a voting on the adjournment of meeting for five minutes in accordance with Order 11 of the Standing Orders. As a total of 14 Members expressed support for the adjournment proposal, he announced to adjourn the meeting for five minutes.

(Adjournment)

44. **Mr YANG Wing-kit** stated that since the Chairman announced an adjournment, over 15 minutes had passed before the meeting was resumed. In accordance with the Standing Orders, the Chairman should announce to terminate the meeting as a quorum was not present after the adjournment for 15 minutes.

45. **The Chairman** stated that during the adjournment, he answered various enquiries from Members concerning the procedures of the meeting. He also pointed out that in accordance with Order 12(2) of the Standing Orders, the Chairman would terminate a meeting if a quorum was not constituted after the adjournment of the meeting for 15 minutes. As the adjournment only lasted for five minutes, he ruled that the meeting could resume pursuant to the Standing Orders.

46. **Mr LEE Hin-long** remarked that the Chairman was empowered to determine whether a quorum was present and to adjourn a meeting. As all Members were present after

the adjournment, a quorum was reached.

47. **Mr Pius YUM** opined that in accordance with Order 12(2) of the Standing Orders, there did not exist the problem of not reaching the quorum for this meeting as the number of members currently attending the meeting exceeded half of the total number of members.

48. At the request of Mr YANG Wing-kit, **Ms Eva WONG of KCDO** explained that according to Order 12(2) of the Standing Orders, if a quorum was not constituted at the beginning of a meeting or during a meeting, the Chairman should request the Secretary to call in the absentees to attend the meeting. If the quorum was still not reached after 15 minutes, the Chairman would terminate the meeting immediately.

49. **The Chairman** announced to resume the meeting as a quorum was present.

50. In response to the motion put forward by Mr YANG Wing-kit on the floor, **the Chairman** stated that in accordance with Order 17 of the Standing Orders, unless otherwise approved by the Chairman, Members who wished to move a motion at a meeting should inform the Secretary ten clear working days before the meeting. Regarding the enquires of Mr NG Po-keung and Mr YANG Wing-kit about “Any Other Business”, the Chairman remarked that Order 13(4) of the Standing Orders stipulated that the Chairman could include new agenda items or change the order of agenda items prior to the commencement of and in the course of a meeting upon agreement by over half of the Members present at the meeting. He also said that “Any Other Business” only involved executive arrangements of KCDC, but not items pending a decision. He also requested Members not to cast personal attacks on other members and attendees not to cause disturbances at the meeting.

51. **Mr YANG Wing-kit** requested the Secretary to explain the arrangement for Members making statements.

52. **Ms Eva WONG of KCDO** explained that in accordance with Order 29 of the Standing Orders, if Members wished to make a written statement at a meeting, they should send the statement to the Secretary ten clear working days before the meeting. If Members would like to give an oral statement at a meeting, they should inform the Secretary before the meeting and the time allowed for making an oral statement should not exceed five minutes.

53. **Mr HO Hin-ming** suspected that there was a loophole in the ways of calculating 15 minutes of adjournment as stipulated in Order 12(2) of the Standing Orders. He suggested finding ways to plug the loophole.

54. **Mr YANG Wing-kit** requested the Chairman to abide by the Standing Orders

strictly when chairing the meeting. He also opined that this meeting should have been terminated and the remaining discussions were not valid.

55. **The Chairman** replied that Members could hold discussions about the revision of the Standing Orders at future meetings. He emphasised that he chaired this meeting and made resolutions with the authority endowed to the Chairman by the Standing Orders.

56. **Mr HE Huahan** requested the Secretariat to provide the exact duration of the adjournment so as to evaluate the validity of the remaining part of the meeting.

57. **Mr LAI Kwong-wai** remarked that Order 12(2) of the Standing Orders concerned the absence of a quorum at the commencement of a meeting or in the course of a meeting, and made no elaboration on the adjournment of a meeting. Therefore, the remaining session of the meeting was still valid.

58. **The Chairman** stated that according to the information provided by the Secretariat, the time of the adjournment was between 3:48 p.m. and 4:00 p.m. Hence, in accordance with Order 12(2) of the Standing Orders, he ruled that the remaining part of the meeting was still valid.

59. **Mr HE Huahan** requested the Chairman to clarify whether the period of time when the meeting had not commenced due to the prolonged adjournment was considered as the duration of meeting.

60. **Mr CHO Wui-hung** requested the Chairman and the Secretariat to explain the starting time of the adjournment and the ways of calculating the duration of adjournment. He also asked if the starting time was counted upon the conduct of the voting or after the adjournment for the first time proposed by the Chairman. He also remarked that the procedures of voting on the adjournment was yet to be completed. Unlike at previous KCDC meetings, the Chairman did not calculate the number of “opposition” and “abstention” votes. Therefore, he had reservations about the voting results.

61. **Mr Pius YAM** stated that, according to the information provided by the Secretariat, the meeting was adjourned at 3:48 p.m. and resumed at 4:00 p.m., he emphasised that the duration of adjournment did not exceed 15 minutes.

62. **The Chairman** said that he noted the opinions of Members and added that though the duration of adjournment did exceed five minutes, Order 12(2) of the Standing Orders was only applicable at the commencement of a meeting or in the course of a meeting where a quorum was not present, but it was inapplicable to the adjournment of a meeting, so he ruled

that the current meeting was valid and could proceed. Following that, the Chairman announced that the discussion would move to "Any Other Business" on the agenda and the following matters would be addressed:

Appointment of the Secretary of KCDC

63. **The Chairman** stated that in pursuant of Section 69 of the District Councils Ordinance, the Council might appoint a public officer to serve as the Secretary. After seeking the views of Members, the Chairman announced that Ms Eva WONG, Senior Executive Officer (District Council), was appointed as the Secretary of KCDC.

Seating Arrangement for Members

64. **The Chairman** suggested that the seats of members would be rearranged every year and this year's seating would be decided by the drawing of lots after the meeting.

65. **Mr HO Hin-ming** said that Members were seated in the inner circle of the conference table while public servants took up seats in the outer circle in the past. He asked if the Chairman would consider changing the seating arrangement to make an improvement.

66. **Dr KWONG Po-yin** stated that DC members and public servants had no special views on the seating arrangement, but she pointed out that the seating arrangement should not restrict the exchange and interaction between DC members and public servants. DC members could request public servants to give a full reply to their questions before they exited from a meeting.

67. **Mr LAI Kwong-wai** supported the continued use of this seating arrangement, which was proven to be effectual, but he also welcomed Members to make suggestions, if any.

68. **The Chairman** stated that he took note of the views expressed by Mr. HO Hin-ming, but as no member refused to adopt the seating arrangement for DC members of the last term, it was announced that the relevant arrangement would continue and interested members could stay and witness the lot-drawing process. To ensure flexibility, Members could change their seats upon agreement, and the Secretariat would notify Members of the seat numbers by e-mail after the process.

Roster for Guests Attending Activities

69. **The Chairman** stated that the Secretariat would invite Members to attend some of the activities sponsored by DC according to the order of the seat number assigned after the lot-

drawing process with the aim of facilitating Members to monitor and fill in the assessment reports on the activities funded by DC. If members were unable to attend the event as scheduled due to other engagements, they could swap with other members and notify the Secretariat about the change. Members were also requested to take note of the roster for guests attending events issued by the Secretariat later on.

Working Group on Reviewing the Standing Orders

70. **Mr Joshua FUNG** commented that the new-term DC would conduct meetings in accordance with the Standing Orders for the last term. He suggested that a working group be set up to discuss about the terms of the Standing Orders applicable to the new-term DC before the next DC meeting was held.

71. **The Chairman** agreed to the suggestion of Mr Joshua FUNG and advised that the meetings to be held would be carried out in compliance with the Standing Orders followed by the last-term DC until the new terms of the Standing Orders were discussed and approved. He also stated that a non-standing Working Group on Reviewing the Standing Orders (Working Group) would be established pursuant to Order 41 of the Standing Orders. A meeting would be conducted before the next DC meeting to discuss about the necessary amendments made to the Standing Orders. He requested the Secretary to follow up after the meeting and hoped that Members would actively join the Working Group.

The First Special KCDC Meeting

72. To work out the structure of the new-term DC, discuss the matters related to the operation of DC and vet the applications for funding for community involvement activities held by the end of March 2020 as soon as possible, **the Chairman** announced to hold the first special KCDC meeting at 2:30 p.m. on 21 January 2020 according to Order 9 of the Standing Orders, and an earlier deadline for submission of documents was approved in accordance with Order 13 (1) of the Standing Orders. He invited Members to hand in the papers for discussion to the Secretary before 15 January 2020 (Wednesday) and the Secretariat would send the agenda of the meeting and the papers for discussion to Members on 16 January 2020 (Thursday).

73. In reply to the enquiry of Mr. HO Hin-ming about the deadline for the submission of papers for the first special KCDC meeting, **the Chairman** said that it would be at 12:00 midnight on 15 January 2020 (Wednesday).

Oral Statement

74. **The Chairman** said that the Secretary received a request from Dr KWONG Po-yin on making an oral statement at the meeting. He then asked Dr KWONG Po-yin to make an oral statement of not more than five minutes in accordance with Order 29 of the Standing Orders.

75. **Mr PUN Kwok-wah** asked if the Secretariat had received Dr KWONG Po-yin's request for making an oral statement before this meeting and if the Chairman was sure that the content of the statement was in compliance with the District Councils Ordinance. He also asked the Chairman to explain to Members the provisions on the duties of DC members under the District Councils Ordinance. It was pointed out that the Chairman should ensure that the questions and statements put forward by Members did not violate the Ordinance.

76. **Mr CHO Wui-hung** expressed that the first DC meeting would be chaired by the District Officer as stipulated in the District Councils Ordinance until the Chairman and the Vice-chairman were elected. And it was required by the Standing Orders that a member should notify the Secretary of the making of an oral statement before the conduct of the meeting. Therefore, he was of the view that the Chairman should turn down the request of Dr KWONG Po-yin for making an oral statement at this meeting. Instead, Dr KWONG Po-yin should tender her request before the next meeting and submit it to the Chairman for approval so as to ensure that the relevant requirement was met. Mr CHO also asked whether the District Officer could approve Dr KWONG Po-yin for making an oral statement as well as handling and giving approval to other matters.

77. **Ms Eva WONG**, Secretary of KCDC, said that the notification for making an oral statement raised by Dr KWONG Po-yin was received before the meeting.

78. **The Hon Starry LEE** stated that in accordance with the Standing Orders, if Members intended to make a statement at the meeting, the Secretary should be notified of this before the meeting. However, the work of the new-term DC would be launched only after the election of Chairman and Vice-chairman, and thus, the request of Dr KWONG Po-yin for delivering an oral statement at this meeting was an act of contravening the Standing Orders. Therefore, she urged the Chairman to reject Dr KWONG's request and consider the approval for her request in accordance with the Standing Orders at the next Council meeting to guarantee fairness.

79. **Mr PUN Kwok-wah** sided with the Hon Starry Lee and pointed out that the convener of this meeting was the District Officer (DO) of Kowloon City District. Any Member who wished to make a statement at the meeting should notify DO beforehand and obtain his

permission. In addition, the Chairman should ensure that Dr KWONG Po-yin did not contravene the Standing Orders and the District Councils Ordinance before delivering the statement.

80. **Dr KWONG Po-yin** stated that DC started to operate when the Secretariat sent out the Notice of Meeting. Members had enquired about matters concerning DC in the interim. She stressed that she had informed the Secretariat about her intention to make an oral statement before the meeting.

81. **Mr YANG Wing-kit** expressed that the Standing Orders required Members to notify the Secretary about the making of an oral statement before the meeting. Nevertheless, the Secretary was only appointed under the item "Any Other Business" at this meeting. He queried that Dr KWONG's act of simply notifying the staff of KCDO did not tally with the requirement set out in the Standing Orders. For this reason, he criticised the Chairman for extreme unfairness and he would exit from the meeting as a gesture of protest.

82. **Mr HO Hin-ming** said that he had asked about whether papers could be submitted at the first Council meeting. In reply, the Secretariat indicated that the first meeting would not deal with matters other than the election of Chairman and Vice-chairman of the Council. He claimed that if the Chairman permitted Dr KWONG to make an oral statement at the meeting, it would cause unfairness to other members who were not allowed to submit documents to relevant government departments on behalf of the public and showed disrespect to them. He also suggested that the Working Group should study the ways to plug the loophole.

83. **Mr LEE Hin-long** hoped that all Members would respect the Council and pointed out that DC operated in accordance with the Standing Orders instead of the rules of procedures. Since Dr KWONG Po-yin had informed the Secretariat that she would deliver an oral statement before the meeting, she was deemed as acting in line with the Standing Orders, and hence, further approval was not required. As for the query by a member about whether the Secretary was formally appointed, he regarded that Dr KWONG Po-yin had well informed the staff of the Secretariat about her intention of making an oral statement before the meeting and therefore, the requirement of the Standing Orders was fulfilled.

84. **The Hon Starry LEE** reiterated that as a long-time member in Kowloon City District, she wished much to maintain the normal operation of the Council. The Chairman and Dr KWONG Po-yin should understand that all members should well observe the Standing Orders and follow the established practices of DC. While the Chairman could exercise discretion to approve the inclusion of additional discussion items, he should ensure that other members had sufficient time to discuss these issues properly. In view of this, she disagreed with the Chairman's abrupt addition of new discussion items in the meeting.

85. **Mr Pius YAM** asked the Chairman to strictly confine the time and number of speeches made by Members.

86. **Dr KWONG Po-yin** expressed her understanding of Members' concerns, but she hoped that everyone would understand the differences among oral statements, statements, resolutions and discussion of papers. She stressed that making an oral statement at meetings differed from submitting discussion papers.

87. **Mr PUN Kwok-wah** pointed out that under the Standing Orders, the same criteria were applied to the submission of papers, moving motions, raising questions and making declarations. He also pointed out that the convener of the meeting was DO of Kowloon City District and he considered that it was DO's responsibility to decide whether Dr KWONG should be allowed to make an oral statement.

88. **Mr Franco KWOK**, indicated that in accordance with Order 13 (1) of the Standing Orders, any Member who wished to raise a discussion item at a DC meeting should submit the item to the Secretary ten clear working days before the forthcoming meeting but the time of notice could be shorter if the Chairman deemed appropriate. With the approval of the Chairman, the relevant document could be tabled at the meeting for discussion. Since the Chairman of DC would be elected at the first meeting, there was no document approved for discussion by the Chairman at the first DC meeting. The Secretariat therefore replied to Mr HO Hin-ming that Members could not submit documents at the first meeting. In addition, according to legal advices, DO could only act as the presider of the first meeting of the Council so as to confirm the time and place of the first meeting. The agenda items to be discussed would be left to the decision of the Chairman elected in pursuance of the Standing Orders. As to the making of an oral statement at the meeting, the member concerned should inform the Secretary about this before the meeting and the duration of the statement should not exceed five minutes. Regarding the enquiry of Mr PUN Kwok-wah about the functions of DC, according to Order 25 of the Standing Orders, any statement or question put forward at DC meetings should not be in conflict with the functions of DC. He believed that the Chairman and Members of DC could handle the issues including the making of statements in accordance with the Standing Orders.

89. **The Chairman** said that in accordance with Order 29 of the Standing Orders, any member who wished to make a written statement should submit the statement to the Secretary ten clear working days before the meeting whilst those who wished to make an oral statement, they should notify the Secretary before the meeting and the oral statement to be made should not last more than five minutes. Since Dr KWONG Po-yin had already fulfilled the relevant requirements, she should be allowed to make an oral statement. If Members would like to comment on the contents of the Standing Orders, they were welcome to join the Working Group

for discussion and follow-ups. The Chairman then read out the functions of DC to Members as provided under Section 61 of the District Councils Ordinance.

90. **Mr CHO Wui-hung** stated that under the District Councils Ordinance, the Secretary of the Council was responsible for handling the issues of electing the Chairman and Vice-chairman of DC, and the routine duties of the Secretary were to prepare the agenda and audio records of as well as draft minutes for each DC meeting. As Ms Eva Wong was not yet appointed as the Secretary of the District Council before the first meeting, she was not in the position to receive any notice of making statements from Members.

91. **Mr Pius YAM** expressed that he could not understand why Members kept hindering Dr KWONG from making an oral statement and he thought that this would only hinder other Members from voicing their opinions.

92. **Mr PUN Kwok-wah** disagreed that the questioning about Dr KWONG's making of an oral statement hindered Members' expression of views and he reminded Members that the oral statement should not be in conflict with the functions of the Council. He asked the Chairman that based on which provision of Section 61 of the District Councils Ordinance he ruled that the statement made by Dr KWONG Po-yin was related to the functions of DC. If the relevant statement was irrelevant with the functions of DC, the Chairman would be regarded as failing to discharge his responsibility. He believed that the Chairman was already aware that the statement to be made by Dr KWONG was not compatible with the functions of the Council and he stated that at the last DC meeting held on 1 August 2019, Dr KWONG Po-yin intended to make an oral statement, but when he had asked about the contents of the statement, he ruled that it was not compatible with the functions of DC and thus disallowed her from making a statement in the capacity of the then Chairman.

93. **The Chairman** said that at the last DC meeting held on 1 August 2019, Mr PUN Kwok-wah, as the Chairman of DC, refused to let the democrats discuss about the issues related to anti-extradition in Hong Kong. He stressed that as an elected representative authorised by the public, he would not screen any issues and would allow Members to speak out. Thus he ruled that the making of an oral statement by Dr KWONG Po-yin was accepted in accordance with Order 29 of the Standing Orders.

94. **Dr KWONG Po-yin** made the following oral statement: as an advisory body of the Government, District Councils should listen to the views of the public. Since March last year, members of the public had continuously expressed their views on the extradition bill. Over a million citizens took to the streets for a number of times to express their views, but unfortunately their responses were disregarded by the Government. In the end, the Government suppressed them with arbitrary arrests and prosecutions, and triad groups were

motivated to beat members of the public up indiscriminately. More than half a year elapsed, and Hong Kong people had not given up yet. They carried on to manifest their views in the streets and in the election despite the threat of white terror. Just now a member mentioned the origin of power of DC members. I was of the view that it was not only originated from the District Councils Ordinance, but also from the support of Hong Kong citizens. I hoped that the SAR Government could turn back from the wrong path and respond to the demands of Hong Kong people positively. It should immediately stop forceful crackdown, arbitrary arrests and prosecutions, set up an independent investigation committee to find out the truth, study the matter of abuse of power seriously, implement universal suffrage at the 2020 Hong Kong Legislative Council election and the 2022 Hong Kong Chief Executive election. Only by exposing the truth could the wounds in the hearts of people be healed and Hong Kong continue to move forward. I also wished to observe a moment of silence for those who had lost their lives and got injured in the spate of incidents in Hong Kong in the past seven months.

95. There being no other business, **the Chairman** announced that the meeting was adjourned at 5:00 p.m.

96 The minutes of this meeting were confirmed on January 2020.

Chairman

Secretary

Secretariat of KCDC
January 2020