

Missing girl in Tseung Kwan O located

A girl who went missing in Tseung Kwan O has been located.

Yao Tsz-yan, aged 13, went missing after she left her residence in Tong Ming Street on January 3 afternoon. Her family made a report to Police on the next day (January 4).

The girl was located in Wai Yip Street, Ngau Tau Kok yesterday (January 8).

LCQ22: Handling of unauthorised signboards

Following is a question by the Hon Vincent Cheng and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (January 9):

Since September 2, 2013, the Buildings Department (BD) has implemented a voluntary Validation Scheme for Unauthorised Signboards (Validation Scheme) to provide an additional option for signboard owners apart from removing their unauthorised signboards and re-erecting legal ones under the Minor Works Control System (MWCS). In addition, BD has launched large scale operations (LSOs) each year since 2014 on one or more street sections against dangerous signboards and unauthorised signboards not joining the Validation Scheme. The relevant work includes investigation, issuing Dangerous Structure Removal Notices (DSRNs), instituting prosecutions or engaging contractors to carry out removal or rectification works on behalf of the owners (default works). On the other hand, it was pointed out in Report No. 71 of the Director of Audit (the Audit Report) published in November last year that there had been a number of inadequacies in BD's management of signboards. In this connection, will the Government inform this Council:

(1) of the number of signboards validated under the Validation Scheme in each of the past five years (set out in a table); whether it has reviewed if the relevant figures are on the low side;

(2) as the Audit Report revealed that BD conducted LSOs from 2015 to 2017 on a total of 20 street sections but none of them had been completed as at April last year, of the detailed addresses of those street sections and the latest implementation status of LSOs, including the number of removal orders issued, the respective numbers of removal orders which have been and have not been complied with, the number of cases of default works carried out, and the

number of prosecutions instituted by BD (set out in a table); the follow-up work carried out by BD in respect of those street sections and whether new LSOs will be conducted;

(3) given that BD issued 507 removal orders in the LSOs in 2017 but only 89 (i.e. 17%) of them had been complied with as at April last year, whether BD knows the reasons for the non-compliance of the removal orders;

(4) given that BD issued 133 DSRNs in the LSOs in 2017 and the target date by which BD should carry out default works for the non-compliant cases among the DSRNs was January 2018, but as at April last year, BD had not yet carried out default works for 98 (i.e. 74%) non-compliant DSRNs among those issued, of the reasons for the slippage, as well as the plans in place to expedite the works;

(5) given that BD took law enforcement actions against 106 large unauthorised signboards in 2017, and revised the target number of such signboards against which law enforcement actions were to be taken in 2018 to 170 and set time targets (i.e. requiring that removal orders issued be cleared and discharged within two and three years respectively from the conduct of LSOs), of BD's measures to ensure that the time targets can be met;

(6) of the number of write-off cases in each of the past four years due to BD's failure to recover the costs of default works from signboard owners, and the total amount involved;

(7) as the Audit Report recommended that BD should compile and analyse management information with a view to monitoring the operation and effectiveness of MWCS in relation to signboards, when BD will implement recommendation; and

(8) whether BD will recruit additional manpower to implement the recommendations of the Audit Report; if so, of the timetable of the recruitment exercise, as well as the number and duties of the additional staff?

Reply:

President,

The Government has all along attached great importance to signboard safety. At present, any signboards erected without obtaining the approval and consent of the Buildings Department (BD) or following the requirements under the Minor Works Control System (MWCS) are unauthorised building works (except for designated exempted works (DEW) (Note 1)). The BD may issue removal orders to signboard owners or persons concerned in accordance with section 24 of the Buildings Ordinance (Cap. 123) (BO). Regarding abandoned and dangerous signboards, BD may issue Dangerous Structure Removal Notices (DSRN) to the owners in accordance with section 105(1) of the Public Health and Municipal Services Ordinance (Cap. 132), requiring removal of the signboards concerned.

Considering that most existing signboards are in active use by business operators and that their existence carries considerable value for sustaining local commercial activities and contributing to Hong Kong's prosperity, the BD has implemented the Signboard Validation Scheme (SVS) since September 2, 2013, allowing the continued use of signboards that are relatively small in scale, pose less potential risk and are already erected before the date SVS came into effect that meet the prescribed technical specifications for minor works, on the condition that they have undergone safety inspection, strengthening (if necessary), and certification by prescribed building professionals and/or prescribed registered contractors. Such signboards are required to undergo safety inspection and certification every five years thereafter.

Based on a "risk-based" principle, the BD is adopting a multi-pronged approach to deal with unauthorised, dangerous and abandoned signboards. The department carries out surveys proactively, implements SVS on an ongoing basis, and carries out two large scale operations (LSO) as follows:

- (a) select target street sections to remove unauthorised, dangerous and abandoned signboards in a comprehensive manner (LSO on Target Streets). When carrying out such LSO, removal orders are issued against unauthorised signboards which have not been validated under SVS to urge their owners to join SVS as soon as possible. Removal orders or DSRNs are also issued against unauthorised signboards that are large in scale and are ineligible for validation to minimise the potential safety risk to the public; and
- (b) conduct LSO against large unauthorised signboards (Note 2) that pose a relatively higher risk to the public (LSO on Large Unauthorised Signboards).

Other than the LSOs, the BD will take immediate enforcement action against signboards constituting obvious hazard to life or property and give priority to enforce against unauthorised signboards under construction or are newly erected.

Chapter 4 of the Report No. 71 of the Director of Audit (the Audit Report) issued on November 28, 2018 concerns management of signboards by the BD. The Government accepts the recommendations made by the report on the overall management of signboards. The BD will take measures to promptly implement the recommendations as far as practicable.

In consultation with the BD, the Development Bureau provides a consolidated reply as follows:

- (1) The number of validated signboards under SVS in the past five years are tabulated below:

Year	Number of validated signboards
2014	32

2015	86
2016	96
2017	45
2018	30

The BD noted that since the implementation of MWCS (i.e. after December 31, 2010) until the implementation of SVS (i.e. on or before September 1, 2013), there were 94 cases of minor works associated with signboards on average per month. From September 2, 2013 to late 2018, the number of such cases had substantially increased to 455 cases on average per month, representing an increase of 384 per cent. This shows that quite a number of signboard owners would choose to remove the old signboards and re-erect a new compliant signboard in accordance with MWCS due to various reasons (e.g. their unauthorised signboards were erected after September 2, 2013 and hence are ineligible to join SVS).

While quite a number of signboard owners choose to remove and re-erect signboards under MWCS, the BD considers that the SVS is providing an alternative for owners of small signboards. In fact, the statistics shows that some owners of small signboards have applied through SVS for continual use of their existing signboards due to cost and business considerations.

(2) Since 2014, the BD has been carrying out LSO on Target Streets in target street sections in various districts in Hong Kong to issue removal orders against unauthorised signboards which had not been validated under SVS or were ineligible for validation, as well as DSRNs against abandoned or dangerous signboards.

The locations of the 20 target street sections covered by the LSO on Target Streets from 2015 to 2017 and the progress of enforcement actions (as at January 3, 2019) are listed in Annex.

The BD will continue to select target street sections within the territory for the LSO on Target Streets every year to remove unauthorised, abandoned or dangerous signboards.

(3) Since unauthorised signboards are in active use by business operators, upon receipt of the removal orders issued by the BD, the business operators generally need time to prepare and arrange for the removal and re-erection of signboards or to join SVS in compliance with the requirements under the B0. The BD will consider and handle the cases on its individual circumstances. The BD will continue to monitor the status of compliance of the removal orders issued under the 2017 LSO on Target Streets, request the concerned signboard owners to take timely follow-up actions, and will prosecute uncooperative owners to enhance the deterrent effect.

(4) As the BD has responded to the Audit Report, the BD has accorded priority in carrying out default works to deal with non-compliant DSRNs. By end 2018, all signboards involved in the 133 DSRNs issued under the 2017 LSO on Target Streets have been removed.

(5) The BD has issued a total of 173 removal orders according to the pre-set target in its 2018 LSO on Large Unauthorised Signboards. The BD's Progress Monitoring Committee will closely and systematically monitor the enforcement progress of these removal orders to ensure the enforcement actions will be completed within the time targets.

(6) The number of written-off cases in which the BD was unable to recover the costs of default works from signboard owners in the last four financial years with the respective sum of money involved are tabulated as follows:

Financial year	No. of written-off cases due to unsuccessful recovery of costs of default works from signboard owners	The sum of written off due to unsuccessful recovery of costs of default works from signboard owners (HK\$)
2014-15	0	0
2015-16	1	37,912.30
2016-17	0	0
2017-18	1	29,860.60

(7) The revamped Minor Works Management System (MWMS) is anticipated to launch in 2020 to compile more management information for monitoring the operation and effectiveness of MWCS (including the submissions for erection/alteration of signboards under MWCS). The following interim measures are being pursued pending the launch of the revamped MWMS:

(a) written instructions on handling cases of withdrawn submissions were issued;

(b) the existing MWMS to record audit cases with serious irregularities will be enhanced by early 2019;

(c) the standard record sheet of audit check result to improve the clarity of the audit records by differentiating cases requiring follow-up actions from rectified cases will be revised; and

(d) the database on Prescribed Building Professionals and Prescribed Registered Contractors served with warning letters under MWCS will be enhanced to identify repeated offenders.

(8) At present, BD's Signboard Control Unit (SCU) under the Minor Works and Signboard Control Section is responsible for identifying and taking enforcement actions against dangerous or unauthorised signboards, administering SVS, and checking minor works submissions relating to signboards. In late 2018, SCU has 42 professional and technical staff.

We will continue to closely monitor the safety hazards arising from signboards and keep in view the manpower available to handle the management of signboards. We will bid for additional manpower or resources in accordance with the existing mechanism to strengthen the management of signboards when necessary.

Note 1: Examples of such type of DEW include erection of a wall signboard fixed to the external wall of a building with display area of not more than 1 square metre, not comprising any display system consisting of light emitting diodes, projecting not more than 150 mm from the wall, and with a distance of not more than 3 m from the ground.

Note 2: Large unauthorised signboards covered signboards falling within the following criteria:

- (a) Wall signboards with a display area exceeding 20 sq m;
- (b) Projecting signboards with a display area exceeding 10 sq m, projecting more than 4.2 m from the external wall or more than one traffic lane or the location of which may cause obstruction to vehicular traffic; and
- (c) Shopfront signboards of a volume exceeding 8 cubic metres or the projection exceeding 1 m.

LCQ6: Combating money laundering and terrorist financing activities

Following is a question by the Hon Holden Chow and a reply by the Secretary for Financial Services and the Treasury, Mr James Lau, in the Legislative Council today (January 9):

Question:

The Government has stated that it has all along been striving to combat money laundering and terrorist financing activities in accordance with relevant international standards, in order to maintain Hong Kong's status as an international financial centre. In this connection, will the Government inform this Council:

(1) of the number of reports about suspicious transactions involving money laundering or terrorist financing activities received by the Joint Financial Intelligence Unit, and the number of such cases it referred to other units for investigation, as well as the respective numbers of relevant prosecutions and convictions, in each of the past five years;

(2) whether it has assessed the aggregate value of property relating to money laundering and terrorist financing activities carried out in Hong Kong, as well as the aggregate value of such property confiscated, in each of the past five years; of the measures put in place to ensure that all such property can be confiscated; and

(3) given the diversified means for money laundering and terrorist financing, how the Government will step up its training for the law enforcement officers to enhance their ability to combat such activities?

Reply:

President,

As an international financial centre with a highly externally-oriented economy, Hong Kong is not immune from the threats of money laundering (ML) and terrorist financing (TF). We should stay vigilant against those threats.

Hong Kong is committed to combating ML and TF together with the international community. Hong Kong has become a member of the Financial Action Task Force (FATF) since 1991. Over the years, we have put in place a robust anti-money laundering and counter-financing of terrorism (AML/CFT) regime having regard to international standards set by the FATF. To stay ahead of the curve, we put the AML/CFT regime under continuous review to ensure that it can live up to challenges posed by the fast-changing financial market and security landscapes.

Over the past few years, the Government has adopted various measures to strengthen the AML/CFT regime so as to ensure that our system is keeping with international standards. To identify and assess ML/TF threats facing Hong Kong, we have conducted a territory-wide risk assessment to examine the ML/TF threats and vulnerabilities confronting financial businesses, designated non-financial businesses and professions, and the city as a whole. The risk assessment report was published in April 2018 and will be updated from time to time. Informed by the risk assessment, over the past year, we have taken forward various enhancement measures. These include updating the legal and regulatory framework, reinforcing the adoption of a risk-based approach in preventive and supervisory measures, stepping up efforts to restrain and confiscate crime proceeds, and strengthening international co-operation. In respect of updating the legal framework, to mitigate the identified risks, the Government implemented four new ordinances last year, including (i) the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) (Amendment) Ordinance 2018, (ii) the Companies (Amendment) Ordinance 2018, (iii) the United Nations (Anti-Terrorism Measures) (Amendment) Ordinance 2018 and (iv) the Cross-boundary Movement of Physical Currency and Bearer Negotiable Instruments Ordinance.

On the questions raised by Hon Chow, my response is as follows:

(1) It is stipulated in the Organised and Serious Crimes Ordinance (OSCO), the Drug Trafficking (Recovery of Proceeds) Ordinance (DTRPO) and the United Nations (Anti-Terrorism Measures) Ordinance that any person who knows or suspects that any property represents proceeds of an indictable offence or drug trafficking, or is terrorist property, must report his/her knowledge or suspicion to the Joint Financial Intelligence Unit (JFIU) as soon as is reasonable or practicable. From 2013 to 2017, the JFIU received more than 280,000 suspicious transaction reports (STRs). About 44,000 of them were referred to other law enforcement agencies (LEAs) or regulatory authorities for follow-up, whereas the remaining 238,000 STRs were archived due to the lack of sufficient grounds for further action. During the same period, 828

persons were prosecuted for ML offences and 620 persons were convicted.

(2) Under Section 14 of the OSCO, where proceedings have been instituted against the defendant for a specified offence, the prosecution can make an application to the Court of First Instance for restraint of the realisable property (assets and funds) of the defendant so as to prohibit any persons from dealing with the property. Upon conviction, the Court of First Instance may assess the value of proceeds gained from relevant offences by the defendant according to Section 9 of the OSCO and make a confiscation order against the defendant to recover the relevant monies pursuant to Section 8 of the OSCO. The DTRDP also has similar provisions pertaining to drug trafficking offences. From 2013 to 2017, proceeds confiscated under confiscation orders amounted to over \$1.6 billion.

LEAs will continue to strengthen ML and TF risk assessment so as to understand the latest typologies, step up investigation and prosecution of ML/TF activities through exchange of financial intelligence and inter-agency co-operation, and foster closer co-operation with overseas institutions, with a view to combating ML syndicates and recovering proceeds dissipated from Hong Kong.

(3) LEAs are committed to building the investigative capability and related knowledge of investigators of all ranks (including officers of the JFIU) through regular training. LEAs also maintain close co-operation with each other and overseas enforcement agencies and financial institutions in an effort to jointly combat ML offences. Apart from providing regular financial investigative training to investigators, LEAs also send officers to attend conferences convened by international organisations on an ongoing basis, so as to enhance their understanding of the latest international security landscape and facilitate exchanges with overseas enforcement agencies on investigative experience and knowledge.

Thank you, President.

LCQ10: Nuisance caused by wild pigs

Following is a question by the Hon Mrs Regina Ip and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (January 9):

Question:

In recent years, the number of complaints received by the Agriculture, Fisheries and Conservation Department (AFCD) about appearance of wild pigs or their causing nuisance has been on the rise, namely from 294 cases in 2013 to 738 cases in 2017, and the number of cases on Hong Kong Island rose from 98

to 324 in the same period, representing the highest rate of increase among all districts. Moreover, it has been reported that the AFCD received 111 reports on appearance of wild pigs or their causing nuisance in the Southern District alone between January and July last year. Such figures reflect that the area of movement of wild pigs has expanded to the urban areas, posing serious threats to the personal safety of members of the public. In this connection, will the Government inform this Council:

(1) of the respective numbers of (i) complaints about appearance of wild pigs or their causing nuisance and (ii) reports on wild pigs damaging public property and injuring people, which were received by the AFCD last year, with a breakdown by District Council (DC) district;

(2) whether it knows the respective current numbers of wild pigs in various DC districts in Hong Kong; if not, whether it will make estimations;

(3) as the Government indicated last year that the AFCD "is conducting a comprehensive review of the current strategies and measures for the management of wild pigs [and therefore] the hunting operations by the [wild pig] hunting teams have been suspended since 2017", and a two-year Pilot Study on the Contraception and Relocation of Wild Pigs (Pilot Study) was launched in October of the same year, of the time when the review will be completed, and the number of wild pigs injected with contraceptive vaccines to date; the effectiveness of the Pilot Study; if the Pilot Study is ineffective, whether it will let the wild pig hunting teams resume their hunting operations; and

(4) of the number of cases in the past five years in which members of the public were prosecuted for feeding wild pigs; whether it will enhance the liaison work with the property management companies, owners' corporations and residents in the vicinity of the locations where wild pigs have appeared before, and provide them with guidance on how to guard against attacks by wild pigs?

Reply:

President,

The Government is very concerned about the nuisance and potential hazards to the public caused by wild pigs. We are reviewing our existing measures and strategies for the management of wild pigs and will submit a discussion paper to the Panel on Environmental Affairs of the Legislative Council in due course.

In consultation with the Agriculture, Fisheries and Conservation Department (AFCD), our reply to the question raised by the Hon Mrs Regina Ip is as follows:

(1) The AFCD received 679 reports on wild pig sighting or nuisance from January to October 2018, of which five of them involved injury to members of the public. The AFCD does not have records of public facilities damaged by

wild pigs. The number of reports on wild pig sighting or nuisance and injury with break down by district is tabulated as follows:

District	Number of reports on wild pig sighting or nuisance / number of reports on injury (note)
Central and Western	70 (1)
Wan Chai	69
Eastern	42
Southern	173 (1)
Yau Tsim Mong	0
Sham Shui Po	2
Kowloon City	7
Wong Tai Sin	9 (1)
Kwun Tong	8
Kwai Tsing	8
Tsuen Wan	36
Tuen Mun	38
Yuen Long	10
North	26
Tai Po	40 (2)
Sha Tin	50
Sai Kung	86
Islands	5

Note: Figures in brackets denote the number of reports on injury.

(2) Wild pigs used to be more abundant in the countryside of the New Territories. However, according to the AFCD's surveys, wild pigs are now commonly sighted in various districts of Hong Kong. Since wild pigs are generally solitary or live in small groups, secretive in nature, widely distributed and have very extensive home range, the AFCD does not have the number of wild pigs in Hong Kong. Technically speaking, there is no reliable approach to estimate the number of wild pigs in Hong Kong.

(3) To address the nuisance of wild pigs, the AFCD adopts a multipronged approach, namely managing wild pig nuisance and monitoring wild pig population, reducing food attraction, strengthening public education to remind the public not to feed wild animals (including wild pigs) with a view to relieving wild pigs' nuisance to the public, and the AFCD will evaluate the effectiveness of the measures from time to time.

In order to alleviate more effectively the potential nuisance caused by wild pigs in residential areas, the AFCD is conducting a comprehensive review on the measures and strategies for the management of wild pigs. Considering different opinions from society, as well as the oppositions from some

concern groups on animal interests, the AFCD has suspended hunting operations arranged by the civilian hunting teams since 2017 until the completion of the review on management measures and strategies.

After the suspension of hunting operations, the AFCD has introduced the Pilot Capture and Contraception/Relocation Programme (Pilot CCRP) to handle the immediate nuisance of wild pigs at residential areas. The AFCD will provide contraceptive treatment and/or relocate the wild pigs captured. Since the launch of the Pilot CCRP, an average of three wild pigs were captured in each operation, which is more efficient than the hunting operation (on average less than one wild pig captured per operation). In addition, the trial of treating wild pigs causing nuisance with contraceptive vaccine and sterilisation surgery is the first of its kind in the world. The aim of the trial is to evaluate the effectiveness of the contraceptive vaccine and the feasibility of arranging sterilisation surgery for wild pigs in the field. The trial contraceptive/sterilisation programme was officially launched in February 2018. As at December 2018, the AFCD rendered contraceptive/sterilisation treatments to 54 wild pigs. The AFCD expects to complete the evaluation by the end of 2019.

(4) Under the Wild Animals Protection Ordinance (Cap. 170), feeding of wild animals (including wild pigs) in feeding ban areas, such as Kam Shan, Lion Rock and Shing Mun Country Parks, part of Tai Mo Shan Country Park, Tai Po Kau Nature Reserve, area of Caldecott Road and Piper's Hill section of Tai Po Road, will be liable to prosecution and a maximum fine of \$10,000. The AFCD conducts regular patrols at the feeding ban areas. There were three successful cases of prosecution against feeding of wild pigs in the feeding ban areas over the past five years.

If wild pigs are frequently spotted scavenging for food from feeders in the vicinity of residential areas outside the feeding ban areas, the AFCD will put up banners or posters at suitable places in these areas to remind the public not to feed wild animals. Wherever possible, the AFCD will also set up infra-red automatic cameras to monitor the feeding activities and appearance of wild pigs. The information so collected will be referred to relevant departments, which could issue \$1,500 fixed penalty notices to persons who violate the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570) and follow-up on the environmental hygiene problems caused by such feeding. The AFCD will continue to offer advice to members of the public who may be potentially affected, property management offices, owners' corporations and District Councilors on the handling and prevention of nuisance caused by wild pigs.

Besides, wild animals will mistake feeding as a stable food supply and will be attracted to urban or residential areas in the vicinity. To tackle the issue of feeding, the AFCD is conducting a series of publicity and education programmes, including promotion on TV, radio and public transports, organising fun days, roving exhibitions, public lectures and visits, etc. to publicise the negative consequences of feeding wild animals. The AFCD has also recently launched and broadcasted Announcements in the Public Interest together with a series of micro-movies titled "Don't Feed Wild Animals and

Feral Pigeons" at social media platforms and public areas, to inform the public about the negative consequences of feeding wild animals. Furthermore, the AFCD has commissioned a contractor to conduct a pilot education programme in the feeding ban area designated under the Wild Animals Protection Ordinance since November last year. The contractor staff will not only share information about wild animals with the public, but also advise them not to feed wild animals (including monkeys and wild pigs).

LCQ1: Methods for selecting the Chief Executive in 2022 and for forming the Legislative Council in 2020

Following is a question by the Hon James To and a reply by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, in the Legislative Council today (January 9):

Question:

The General Secretary of the Central Committee of the Communist Party of China (CPC) pointed out in a report delivered at the 19th CPC National Congress that well-ordered steps must be taken to advance democracy in Hong Kong SAR. Besides, Articles 45 and 68 of the Basic Law stipulate that the ultimate aim of selecting the Chief Executive (CE) and electing all the members of the Legislative Council (LegCo) by universal suffrage (dual universal suffrage) shall be achieved in the light of the actual situation in Hong Kong SAR and in accordance with the principle of gradual and orderly progress. In December 2013, which was 33 months away from the general election for the Sixth LegCo, the Government launched public consultations on the methods for selecting CE in 2017 and for forming LegCo in 2016. Given that the general election for the Seventh LegCo is only 20 months away from now, will the Government inform this Council:

(1) whether it will consider afresh launching expeditiously public consultations on the methods for selecting CE in 2022 and for forming LegCo in 2020, as well as commencing the "Five-step Process"; if so, whether it has assessed if there is sufficient time for the relevant work to be taken; if it will not, whether it has assessed if this will run counter to the spirit of the aforesaid remarks and to the ultimate aim of dual universal suffrage being achieved in Hong Kong SAR as stipulated in the Basic Law; and

(2) whether CE, during her duty visit to Beijing on the 17th of last month, discussed with leaders of the Central Authorities issues relating to constitutional reform of Hong Kong SAR; if so, of the details; if not, the reasons for that?

Reply:

President,

Article 45 of the Basic Law stipulates that the method for selecting the Chief Executive (CE) of the Hong Kong Special Administrative Region (HKSAR) shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress, and that the ultimate aim is the selection of the CE by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures. Article 68 of the Basic Law stipulates that the method for forming the Legislative Council (LegCo) shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress, and that the ultimate aim is the election of all the members of the LegCo by universal suffrage. According to the "Interpretation by the Standing Committee of the National People's Congress of Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China" (the Interpretation) adopted by the Standing Committee of the National People's Congress (NPCSC) on April 6, 2004, a "Five-step Process" must be followed if there is a need to amend the methods prescribed in the Annexes to the Basic Law for selecting the CE and forming the LegCo. The five steps are: the CE to make a report to the NPCSC on whether any amendment is necessary; the NPCSC to make a determination on whether to make any amendment based on Articles 45 and 68 of the Basic Law in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress; the amendment to be passed by a two-thirds majority of all LegCo members; the CE to grant his/her consent; and a report to be made to the NPCSC for approval or for the record.

Since the establishment of the HKSAR, the methods for selecting the CE and for forming the LegCo have been developing towards the ultimate aim of universal suffrage in a gradual and orderly manner and in light of the actual situation of the HKSAR as stipulated in the Basic Law. The method for selecting of CE has evolved from the nomination and election by a Selection Committee with 400 members for the first-term CE to the present Election Committee of 1,200 members. As for LegCo, the number of members has been increased from 60 for the first-term LegCo to 70 today, and the number of seats returned from direct Geographical Constituencies election has been increased from 20 in 1998 to 35 now. Moreover, the five new Functional Constituency (FC) seats created in 2012 return members through election on the basis of one-person-one-vote by some 3.2 million registered voters who previously did not have a vote in the traditional FC.

My reply to the question raised by the Hon James To is as follows:

(1) Universal suffrage of "one person, one vote" for selecting the CE and electing all LegCo members is enshrined as an ultimate aim in the Basic Law. With this aim in mind, the HKSAR Government of the previous term conducted two rounds of extensive and systematic public consultations spanning seven months in total before putting forward a universal suffrage package for selecting the CE which is constitutionally in order, lawful,

reasonable and rational, and on June 2, 2015 moved at the LegCo a motion to amend Annex I to the Basic Law concerning the method for the selection of the CE. Unfortunately, the motion was voted down at the LegCo meeting on June 18, 2015 as it did not obtain support from a two-thirds majority of all members of the LegCo. According to the "Decision of the Standing Committee of the National People's Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016" (the Decision) adopted by the NPCSC on August 31, 2014, if the specific method of universal suffrage for selecting the CE is not adopted in accordance with legal procedures, the method used for selecting the CE for the preceding term shall continue to apply. Hence, the method used for selecting the Fourth Term CE in 2012 continued to apply to the selection of the Fifth Term CE in 2017, which means that the CE continued to be elected by a 1200-member Election Committee.

According to clause 2 of the Interpretation, the methods for selecting the CE and forming the LegCo may be amended or remain unamended. For any amendment to be implemented in the methods for selecting the CE and forming the LegCo, tripartite consensus among LegCo members, the CE and the NPCSC is required. The HKSAR Government fully understands the aspirations of the community for universal suffrage. Regrettably, universal suffrage of "one person, one vote" was unable to be secured despite 20 months of efforts by the previous term of Government. Rashly starting discussions on political reform will lead to social conflicts, or may even lead to some people resorting to extreme actions, thus seriously affecting the economic and social development of Hong Kong. Rather than acting rashly, it is imperative for the HKSAR Government to prudently consider all related factors, size up the situation, seek consensus, and do the best to work towards creating a favourable atmosphere to take forward political reform.

On the method for forming the LegCo, it is also stipulated in the Decision that "after the election of the CE by universal suffrage, the election of all the members of the LegCo of the HKSAR may be implemented by the method of universal suffrage. At an appropriate time prior to the election of the LegCo by universal suffrage, the CE elected by universal suffrage shall submit a report to the NPCSC in accordance with the relevant provisions of the Hong Kong Basic Law and the Interpretation as regards the issue of amending the method for forming the LegCo. A determination thereon shall be made by the NPCSC." In other words, we shall first implement the selection of the CE by universal suffrage before the CE selected by universal suffrage and the HKSAR Government under his/her leadership can take forward the method for electing all LegCo members by universal suffrage. Considering the huge controversies it would likely arouse, the HKSAR Government will not propose major amendments to the method for forming the LegCo in 2020. In respect of updating election-related laws and enhancing electoral arrangements, however, the HKSAR Government will continue to propose necessary legislative amendments in the local legislation context and consult the LegCo Panel on Constitutional Affairs.

(2) The details of the discussions between CE and leaders of the Central

Authorities during her duty visit are normally not disclosed.

Thank you, President.