

**立法會**  
**Legislative Council**

LC Paper No. CB(3) 723/12-13

**Paper for the House Committee meeting  
of 28 June 2013**

**Questions scheduled for the  
Legislative Council meeting of 3 July 2013**

Questions by:

- |      |  |                                |
|------|--|--------------------------------|
| (1)  | Hon Starry LEE Wai-king                  | (Oral reply)                   |
| (2)  | Hon Vincent FANG Kang                    | (Oral reply)                   |
| (3)  | Dr Hon Elizabeth QUAT                    | (Oral reply)                   |
| (4)  | Hon Kenneth LEUNG                        | (Oral reply)                   |
| (5)  | Hon Frederick FUNG Kin-kee               | (Oral reply)                   |
| (6)  | Dr Hon CHIANG Lai-wan                    | (Oral reply) (New question)    |
|      | <i>(Replacing her previous question)</i> |                                |
| (7)  | Hon YIU Si-wing                          | (Written reply)                |
| (8)  | Hon Christopher CHEUNG Wah-fung          | (Written reply)                |
| (9)  | Hon WONG Kwok-kin                        | (Written reply)                |
| (10) | Hon Jeffrey LAM Kin-fung                 | (Written reply)                |
| (11) | Hon WONG Kwok-hing                       | (Written reply)                |
| (12) | Hon Alice MAK Mei-kuen                   | (Written reply)                |
| (13) | Hon Abraham SHEK Lai-him                 | (Written reply)                |
| (14) | Hon James TIEN Pei-chun                  | (Written reply) (New question) |
|      | <i>(Replacing his previous question)</i> |                                |
| (15) | Hon Alan LEONG Kah-kit                   | (Written reply)                |
| (16) | Hon CHAN Kin-por                         | (Written reply)                |
| (17) | Hon SIN Chung-kai                        | (Written reply)                |
| (18) | Hon Paul TSE Wai-chun                    | (Written reply) (New question) |
|      | <i>(Replacing his previous question)</i> |                                |
| (19) | Dr Hon LAM Tai-fai                       | (Written reply) (New question) |
|      | <i>(Replacing his previous question)</i> |                                |
| (20) | Hon CHEUNG Kwok-che                      | (Written reply)                |
| (21) | Hon Christopher CHUNG Shu-kun            | (Written reply)                |
| (22) | Hon LEUNG Kwok-hung                      | (Written reply)                |

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

Arrangements relating to the termination of  
employment contracts of foreign domestic helpers

(6) Dr Hon CHIANG Lai-wan (Oral reply)

In the first four months of this year, the Consumer Council received 122 complaints in relation to intermediaries for foreign domestic helpers (“FDHs”), which is a sharp increase of 60% from the 75 cases for the same period last year. The subject of the complaints included overcharging of fees, the services provided not meeting the descriptions of the intermediaries, and FDHs employing various tactics to make the employers terminate the employment contracts with them. Some employers have indicated that since the Philippine Government has, in recent years, prohibited the collection of placement fees by intermediaries in the Philippines from domestic helpers working overseas, such fees have been passed on to the employers in Hong Kong, some of them have therefore hired Indonesian domestic helpers instead. However, prior to their coming to Hong Kong, such helpers usually have to sign loan documents with the intermediaries in Indonesia and then repay the loans with their wages by instalments after arriving in Hong Kong. Some employers have suspected that, for the purpose of early settlement of loans, the newly employed FDHs have deliberately displayed bad attitude to make their employers terminate the employment contracts with them, so that they can get one month’s wages in lieu of notice and free passages to return to their places of domicile. However, they return to work in Hong Kong again after merely departing for Macao once, without actually returning to their places of domicile. In this connection, will the Government inform this Council:

- (a) given that the Government may allow a FDH to change employer without having to return to the place of domicile under some special circumstances such as the employer being unable to continue with the contract because of migration, death or financial difficulty, or there

is evidence that the FDH has been abused, of the following figures in the past three years: the number of such cases approved, the respective numbers of FDHs who had not completed the two-year contracts and had returned to their places of domicile as well as those who had returned to work in Hong Kong after departing for Macao, and the number of FDHs whose employment contracts had been prematurely terminated and the percentage of such number in the total number of FDHs;

- (b) given that the authorities have stipulated that employers have to give FDHs free passages to return to their places of domicile upon termination of employment contracts, what measures the authorities have in place to ensure that the FDHs whose contracts have been terminated with free return passages provided actually return to their places of domicile; in cases where the FDHs return to work in Hong Kong again after departing for Macao once without actually returning to their places of domicile, whether the authorities will require the FDHs to refund their previous employers the passages for returning to their places of domicile; if not, whether the Government will consider revising the existing requirements to do justice to the employers; and
- (c) whether the authorities will consider introducing FDHs from other regions to increase the supply of FDHs and to alleviate the employers' pressure arising from the need to pay expensive intermediary charges; if they will, of the details; if not, the reasons for that?

## Demand and supply of commercial sites

(14) Hon James TIEN Pei-chun (Written reply)

Quite a number of members of the business and industrial sectors have relayed to me that the inadequate supply of commercial sites over the past few years has caused the prices and rent levels of commercial properties, such as offices of various grades, shops and hotels, to rise continuously due to the shortfall in supply, resulting in higher business operation costs and commodity prices. In this connection, will the Government inform this Council:

- (a) of the respective areas of commercial sites put up for sale/made available for application for sale and those sold by the Government, as well as the floor area for commercial uses involved, in each year since 2000 (with a tabulated breakdown by type of commercial use);
- (b) of the number of commercial sites to be put up for sale and the floor area for commercial uses involved in each year from 2013-2014 to 2017-2018, according to the Government's projection (with a tabulated breakdown by type of commercial uses);
- (c) whether it has studied the impact of the supply of commercial sites in the past decade on the prices and rent levels of various types of commercial properties; if it has, of the details; if not, the reasons for that;
- (d) whether it has assessed the demand for various types of commercial sites in the coming decade; if it has, of the details; if not, the reasons for that;
- (e) given that the Government plans to convert the current government office buildings and "Government, Institution or Community" sites in Central and Wanchai for commercial uses, develop a commercial district on the north of the Airport Island, and continue to take forward the

transformation of Kowloon East into a new core business district of Hong Kong, of the anticipated commencement and completion time of such projects respectively, as well as the floor area for commercial uses which will be provided (with a breakdown by type of commercial uses); and

- (f) as the Chief Executive has mentioned in the 2013 Policy Address that the “Government will address the shortage of commercial land supply in a holistic, innovative and decisive manner”, of the specific plans the authorities have in place to tackle the shortage of commercial sites, other than those initiatives mentioned in (e), as well as the objectives and timetables of such plans?

## Employment of foreign domestic helpers

(18) Hon Paul TSE Wai-chun (Written Reply)

Will the Government inform this Council:

- (a) of the respective numbers of foreign domestic helpers (“FDHs”) who requested, in the past three years, premature termination of their employment contracts with the employers within the first six months, first year, and contract period of their first employment contracts, after they started working in Hong Kong;
- (b) of the respective numbers of cases in the past three years in which FDHs filed claims with the Labour Tribunal (“LT”) against their Hong Kong employers for wages in arrears and compensations for unreasonable dismissal; among such cases, the respective numbers of those in which before the cases were processed and adjudicated by LT, the claims were withdrawn by the FDHs concerned and those in which the same plaintiffs filed claims again on the same or other grounds subsequently; whether it has found situations in which FDHs tried to obtain permission to stay in Hong Kong by filing claims with LT repeatedly; if it has, of the number of such cases and their details;
- (c) as some employers have pointed out that after the Philippine Government prohibited intermediaries in the country from charging Filipino domestic helpers placement fees, such fees have been passed on to Hong Kong employers, whether it has studied the amount of fees that Hong Kong employers have to pay as a result, and if Filipino domestic helpers treasure their jobs in Hong Kong less as they are not required to pay placement fees, and their work stability has thus been affected; if it has, of the details; and
- (d) as it has been reported in the press that among the first batch of Bengal domestic helpers who

came to work in Hong Kong in May this year, some of them had problems in communicating with their employers and had even been dismissed as a result, and that Indonesian and the Philippine Governments are considering stopping the export of domestic helpers from 2017 onward, whether the Government has reviewed and considered relaxing the current nationality restrictions on FDHs to allow the introduction of domestic helpers from Vietnam and other countries or the re-introduction of Nepalese domestic helpers; if it has, of the outcome; if not, the reasons for that?



## Measures to address the overheated property market

(19) Dr Hon LAM Tai-fai (Written Reply)

The Government has launched a series of tax measures, including the Special Stamp Duty (“SSD”), the Buyer’s Stamp Duty (“BSD”) and the doubling of the ad valorem stamp duty rates (“the double AVD”) on grounds of according priority to Hong Kong Permanent Residents (“HKPRs”) to meet their home ownership needs and cooling down the overheated property market, etc. However, some members of the public have pointed out that these measures have resulted in a shrinking turnover in the property market as well as affected the turnover and employment rates of the related industries. In this connection, will the Government inform this Council:

- (a) whether there are data proving that the aforesaid measures have effectively assisted HKPRs in purchasing their homes; if there are, of the details; if not, the reasons for that;
- (b) whether it has studied if the proportion of the cases of first-time home purchases by HKPRs to the total number of transactions has increased since the launch of the aforesaid measures; if the outcome of the study shows that the proportion has decreased instead of increasing, whether it reflects that the aforesaid measures have failed to assist HKPRs in purchasing homes with priority;
- (c) of the Government’s estimated tax revenues generated from SSD, BSD and the double AVD respectively in the next three years;
- (d) given that the Federal Reserve of the United States is preparing a plan for withdrawal of the quantitative easing monetary policy, including the consideration of a gradual decrease in Treasury bond purchases in the coming few months, whether the authorities will assess afresh and consider drawing up a timetable to withdraw the aforesaid measures in the light of

the recent global economic situation; if they will, of the details; if not, the reasons for that;

- (e) given that the residential and non-residential property transactions have shrunk since the launch of the aforesaid measures, whether the Government has assessed the blows and impact of the situation on the related industries (e.g. property agency, interior decoration, furniture and cleansing industries, etc.); if it has, of the details, if not, the reasons for that; of the latest unemployment rates and under-employment rates in these related industries;
- (f) given that the Chairman of the Subsidized Housing Committee under the Hong Kong Housing Authority said last month that if a drop by 20% in the property prices could not be achieved, the Government should decisively launch further measures, whether the Government has formulated new measures to cool down the property market further; if it has, of the details, including the target rate of decrease in property prices; whether it has drawn up any indicators for launching these further measures; if it has not, of the reasons for that;
- (g) whether the Government had set any effectiveness indicators when the aforesaid measures were launched; if it had, of the details; if not, the reasons for that;
- (h) whether the Government had, when launching the aforesaid measures, formulated any plans to withdraw these measures to deal with the impact brought by a sudden downturn of the property market; if it had, of the details; if not, the reasons for that;
- (i) given that this Council is still scrutinizing the bills introduced by the authorities on implementing the aforesaid measures, whether the Government has prepared contingency plans in the event that the bills concerned are not

passed by the Legislative Council; if it has, of the details; if not, the reasons for that;

- (j) under what circumstances the Government will consider exempting companies which are wholly owned by HKPRs from paying BSD for acquisition of residential properties; and
- (k) given that in a number of recent transaction cases, the per-square-foot prices of some Home Ownership Scheme (“HOS”) flats have peaked time and again, while the atmosphere of the HOS Secondary Market has also been exuberant and the prices have repeatedly reached record highs, whether the Government has assessed if the measures which allow eligible White Form HOS applicants to purchase HOS flats with premium not paid in the HOS Secondary Market are contrary to the aforesaid measures for cooling down the overheated property market?