

**Fourth Report of the Hong Kong  
Special Administrative Region of the  
People's Republic of China  
under the International Covenant on  
Economic, Social and Cultural Rights**



## CONTENT

### **Fourth Report of the Hong Kong Special Administrative Region of the People's Republic of China under the International Covenant on Economic, Social and Cultural Rights**

	<u>Paragraph</u>
<b>Preamble</b>	1
<b>Article 1</b>	
<b>Progress and development of democracy</b>	1.1
<b>Article 2</b>	
<b>Progressive realisation of the rights recognised in the Covenant and the exercise of those rights without discrimination</b>	
Domestic applicability of the Covenant	2.1
Discrimination Law Review	2.5
Legislation against racial discrimination	2.7
Discrimination on the grounds of sexual orientation and gender identity	2.10
Eliminating age discrimination in employment	2.16
Protection for persons with disabilities	2.17
Non-refoulement claimants	2.19
Human rights institution	2.24
<b>Article 3</b>	
<b>Equal rights of men and women</b>	
CEDAW and Women's Commission	3.1
Legal protection from sex discrimination and sexual harassment	3.4
HKMC Annuity Plan	3.6
The "Small House Policy"	3.10
<b>Article 4</b>	
<b>Permissible limitation of Covenant rights</b>	4.1

<b>Article 5</b>	<b>Prohibition on destruction of any rights and freedoms recognised in the Covenant</b>	5.1
<b>Article 6</b>	<b>Choice of occupation and labour rights</b>	6.1
	Employment services	6.2
	Youth employment services	6.3
	Vocational training	6.5
	Protection of employees against unreasonable dismissal	6.8
	Importation of labour	6.9
	Right to work: concerns about discrimination	6.11
<b>Article 7</b>	<b>Right to enjoy just and favourable conditions of work</b>	
	Statutory Minimum Wage	7.1
	Employment protection: employees' rights and benefits	7.3
	Protection and support for foreign domestic helpers	7.4
	Employment protection for women	7.18
	Paternity leave	7.20
	Safe and healthy working conditions	7.21
	Prevention of accidents and diseases in the workplace: legal protections	7.22
<b>Article 8</b>	<b>Right to trade union membership</b>	
	Trade Unions Ordinance	8.1
	Legal protection against anti-union discrimination under the Employment Ordinance	8.2
	Number and membership of trade unions	8.3
	Promotion of effective communication, consultation and voluntary negotiation between employers and employees	8.4
	The right to strike	8.7

<b>Article 9</b>	<b>Right to social security</b>	
	An overview of the social security system in Hong Kong	9.1
	Protection of wage payment and statutory rights and benefits	9.7
	Employees' compensation	9.8
	Retirement benefits and protection	9.10
<b>Article 10</b>	<b>Protection of the family</b>	
	The family	10.1
	Family Council	10.4
	Commission on Children	10.5
	Welfare services for families	10.6
	Maternity protection	10.7
	New arrivals from the Mainland of China	10.11
	Single parent families and split families	10.12
	Domestic violence	10.18
	Protection of children and young persons	10.19
	Care and support for the elderly	10.20
<b>Article 11</b>	<b>Right to an adequate standard of living</b>	
	General economic conditions	11.1
	The right to continuous improvement of living condition	11.3
	The right to adequate food, water and adequate housing	11.10
<b>Article 12</b>	<b>The right to health</b>	
	Health and healthcare	12.1
	Combating drug abuse	12.13
	Tobacco control	12.14
	Reducing harmful use of alcohol	12.17
	Food safety	12.18
	Services for persons with disabilities	12.19
	Services for persons with mental health problems	12.23
	Environment and industrial hygiene	12.27
	Occupational health	12.28

<b>Article 13&amp;14</b>	<b>Right to education</b>	13.1
	Language policy	13.5
	Education for non-Chinese speaking students	13.6
	Education for students with special educational needs	13.13
	Education of prisons inmates	13.21
	Education for children with no right to remain in Hong Kong	13.23
	Education and qualifications assessment for new arrivals from the Mainland of China	13.24
	Education for people of different sexual orientation and gender identities	13.26
	Civic education, human rights education and education against discrimination	13.27
	Cultural identity and national values	13.31
	Public education on the Basic Law	13.32
<b>Article 15</b>	<b>Right to cultural life, scientific progress and its application</b>	15.1
	Policy on culture and arts	15.2
	Promotion of and access to cultural and arts activities	15.5
	Education and development of culture and arts	15.6
	Policy on heritage conservation	15.8
	Archives	15.9
	Broadcasting	15.11
	Promotion of science and technology	15.14
	Country parks and conservation areas	15.16

## **Annexes**

- 1A Constitutional development
- 2A Constitutional guarantee and legislative measures implementing the Covenant in the HKSAR
- 2B Equal Opportunities Commission
- 2C Discrimination Law Review - eight recommendations of priority
- 2D Race Discrimination Ordinance (Cap. 602)
- 2E Gender recognition
- 2F Protection for persons with disabilities
- 2G Comprehensive review of the strategy of handling non-refoulement claims
- 2H Non-refoulement claimants
- 3A Highlights of the work of Women's Commission
- 6A Employment, unemployment and underemployment statistics
- 6B Labour Department's new initiatives in the provision of employment services
- 6C Youth employment and training programme
- 6D Employees Retraining Board
- 6E Vocational Training Council
- 7A Statutory minimum wage
- 7B Employment protection: employees' rights and benefits
- 7C Compensation under the Pneumoconiosis and Mesothelioma Compensation Ordinance (Cap. 360)

## **Annexes**

- 7D Compensation under the Occupational Deafness Compensation Ordinance (Cap. 469)
- 8A The number and declared membership of employees' unions in the HKSAR
- 8B Promotion of effective communication, consultation and voluntary negotiation between employers and employees
- 9A The Comprehensive Social Security Assistance Scheme - the latest situation
- 9B Allowances under Social Security Allowance Scheme
- 9C Compensation under the Employees' Compensation Ordinance (Cap. 282)
- 10A Updated Position of Single Parent Families in Hong Kong
- 10B Family Council
- 10C Commission on Children
- 10D Welfare services for families
- 10E Support services for new arrivals from the Mainland of China
- 10F Enhanced Arrangements for OTP, TWP and Exit Endorsements
- 10G Prevention of domestic violence and provision of support to victims of domestic violence
- 10H Categories of child abuse cases in 2014-18
- 10I Care and support for the elderly
- 11A General economic conditions of Hong Kong
- 11B Poverty line and its analytical framework
- 11C Working Family Allowance Scheme



## **Annexes**

- 11D Works relating to food and water supply, and in increasing housing land supply
- 12A Territory-wide Electronic Health Record Sharing System, provision of public hospital services and dental care services
- 12B Development of traditional Chinese medicine
- 12C Anti-drug policy and measures
- 12D Local situation on alcohol related harm and existing interventions
- 12E Works relating to food safety
- 12F Provision of community support services and residential care services for persons with disabilities
- 12G Control of water pollution, waste management, control of air pollution, control of noise pollution and environmental education and related works
- 13A Educational attainment in Hong Kong
- 13B Kindergarten education, primary and secondary education, vocational and professional education and training, private schools, post-secondary education, adult education, Quality Education Fund and Qualifications Framework
- 13C Measures relating to Biliteracy and Trilingualism and Medium of Instruction
- 13D Key measures to support schools and non-Chinese speaking students in Chinese language learning
- 13E Latest development and measures on special education
- 13F Support measures for schools with SEN students
- 13G Education on cultural identity and national values

## **Annexes**

- 15A Cultural facilities and promotion and participation in culture and arts
- 15B Policy on heritage conservation, the Commissioner for Heritage's Office and the Antiquities Advisory Board
- 15C Promotion of science and technology

## List of abbreviations

Advisory Group	Advisory Group on Eliminating Discrimination against Sexual Minorities
AAB	Antiquities Advisory Board
ACAN	Action Committee Against Narcotics
ACWS	The Advisory Committee on Water Supplies
AD/HD	Attention Deficit / Hyperactivity Disorder
ApL(C)	Applied Learning Chinese
AQOs	Air Quality Objectives
ASBs	Advisory and Statutory Bodies
ASCP	The After School Care Programme
ASD	Autism spectrum disorders
AVP	Anti-violence Programme
BD	Buildings Department
BDF	Beat Drugs Fund
BIP	Batterer Intervention Programme
CBMP	Capacity Building Mileage Programme
CCC	Child Care Centre
CCDs	Comprehensive Child Development Service
CCF	Community Care Fund
CCPI	Composite Consumer Price Index
CE	The Chief Executive
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CFA	The Court of Final Appeal of Hong Kong
CFS	The Centre for Food Safety
CHO	Commissioner for Heritage's Office
CIBS	Community Involvement Broadcasting Service

## List of abbreviations

CIDTP	Cruel, inhuman or degrading treatment or punishment
CM	Chinese medicine
CMCTRs	Chinese Medicine Centres for Training and Research
CMH	Chinese Medicine Hospital
CMHPO	Chinese Medicine Hospital Project Office
CMM	Chinese Materia Medica
CODF	The Cantonese Opera Development Fund
CoE	Certificate of Entitlement
CoP	Commission on Poverty
CSD	Correctional Services Department
CSSA	Comprehensive Social Security Assistance
DA	Disability Allowance
DC	District Council
DCVs	Diesel commercial vehicles
DDO	Disability Discrimination Ordinance (Cap. 487)
DECCs	District elderly community centres
DEs/DCUs	Day Care Centres/Units for the Elderly
DH	Department of Health
DHC	District Health Centre
DIC	The Hong Kong Jockey Club Drug InfoCentre
DL(MA)B	Discrimination Legislation (Miscellaneous Amendments) Bill 2018
DLR	Discrimination Law Review
DM	The “Design Manual: Barrier Free Access 2008”
DSCs	District Support Centres for Persons with Disabilities
DSS	Direct Subsidy Scheme
EAs	Employment agencies

## List of abbreviations

EC (Annex 1A only)	The Election Committee
EC	Elderly Commission
EDB	Education Bureau
EffO	Efficiency Office
EHCCs	Enhanced Home and Community Care Services
eHRs	Electronic health records
eHRSS	Electronic Health Record Sharing System
EHS	Extended hours service
EMs	Ethnic minorities
EO	Employment Ordinance (Cap. 57)
EOC	Equal Opportunities Commission
EP	Educational psychologist
EPEM	Employment Programme for the Elderly and Middle-aged
EPSDV	Educational Programme on Stopping Domestic Violence
ERB	Employees Retraining Board
ESA	Employment Services Ambassador
ESPP	Elderly Service Programme Plan
ESS	Enhanced Support Service for Students with hearing impairment
ESTG	Enhanced Speech Therapy Grant
FASP	Financial Assistance Scheme for Post-secondary Students
FC	Functional Constituencies
FCPSUs	The Family and Child Protective Services Units
FCSC	Family Crisis Support Centre
FDF	Film Development Fund
FDHs	Foreign domestic helpers
FHB	Food and Health Bureau

## List of abbreviations

FSDO	Family Status Discrimination Ordinance (Cap. 527)
FSP	Fine suspended particulates
Funding Scheme	Funding Scheme for Women's Development
FWSS	Fee Waiving Subsidy Scheme
GC	Gini Coefficient
GCE	General Certificate of Education
GCMTI	Government Chinese Medicines Testing Institute
GCs	Geographical constituencies
GCSE	General Certificate of Secondary Education
GDP	Gross Domestic Product
GFP	Gender Focal Point
GM	Graduate Master/Mistress
GRS	Government Records Service
GSH	Green Form Subsidised Home Ownership Scheme
HA	Hospital Authority
HAB	Home Affairs Bureau
HAD	Home Affairs Department
HI	Hearing impairment
HI School	School for children with hearing impairment
HKADC	Hong Kong Arts Development Council
HKAPA	Hong Kong Academy for Performing Arts
HKBORO	Hong Kong Bill of Rights Ordinance (Cap. 383)
HKCAAVQ	The Hong Kong Council for Accreditation of Academic and Vocational Qualifications
HKCMMS	Hong Kong Chinese Materia Medica Standards
HKDSE	Hong Kong Diploma of Secondary Education Examination
HKMCA	HKMC Annuity Limited

## List of abbreviations

HKSAR	Hong Kong Special Administrative Region of the People's Republic of China
HOS	Home Ownership Scheme
I&T	Innovation and technology
ICCMWs	Integrated Community Centres for Mental Wellness
ICCPR	International Covenant on Civil and Political Rights
ICH	Intangible cultural heritage
ICWM	Integrated Chinese-Western Medicine
ID	Intellectual disability
IE	Integrated education
IFSCs	Integrated family service centres
IGCSE	International General Certificate of Secondary Education
IHCS(OC)	Integrated Home Care Services (Ordinary Cases)
IHIPs	Indemnity hospital insurance products
ImmD	Immigration Department
ISCs	Integrated services centres
ISS-HK	The International Social Service Hong Kong Branch
ITACs	Industry Training Advisory Committees
ITB	Innovation and Technology Bureau
ITC	Innovation and Technology Commission
ITF	Innovation and Technology Fund
IWG	Inter-departmental Working Group on Gender Recognition
JUPAS	Joint University Programmes Admission System
KG	Kindergarten
LAB	Labour Advisory Board
LCSD	Leisure and Cultural Services Department

## List of abbreviations

LD	Labour Department
Learning Framework	Chinese Language Curriculum Second Language Learning Framework
LegCo	The Legislative Council
LIFA	Low-income Working Family Allowance
LNRS	Low noise road surfacing
LR	Limited Registration
LRC	Law Reform Commission
LSG	Learning Support Grant
LT	Labour Tribunal
LTHS	Long Term Housing Strategy
LWB	Labour and Welfare Bureau
MAW	Minimum Allowable Wage
MHCCC	Mutual Help Child Care Centre
MI	Mental illness
MOI	Medium of Instruction
MSW	Municipal Solid Waste
MWC	Minimum Wage Commission
MWO	Minimum Wage Ordinance (Cap. 608)
NC	The Nominating Committee
NCD	Non-communicable Diseases
NCS	Non-Chinese speaking
NECs	Neighbourhood elderly centres
NGOs	Non-governmental organisations
NLS	Non-means-tested Loan Scheme
NO <sub>2</sub>	Nitrogen dioxide
NO <sub>x</sub>	Nitrogen oxides



## List of abbreviations

NPCSC	The Standing Committee of the National People's Congress
NSCCP	Neighbourhood Support Child Care Project
OAA	Old Age Allowance
OALA	Old Age Living Allowance
OGCIO	The Office of the Government Chief Information Officer
OPRS	On-site Pre-school Rehabilitation Services
OT	Occupational therapists
OTA	Occupational therapist assistants
OWP	One-Way Permit (i.e. Permits for Proceeding to Hong Kong and Macao)
PCC	Public Complaints Committee
pCm	Proprietary Chinese medicines
PCPD	The Privacy Commissioner for Personal Data
PE&P	Preventive education and publicity
PHFO	The Private Healthcare Facilities Ordinance (Cap. 633)
PHFs	Private healthcare facilities
Previous Concluding Observations	The Committee's Concluding Observations of May 2014
PRH	Public rental housing
PRS	Producer responsibility schemes
PSAs	Psychotropic substance abusers
QF	Qualifications Framework
QPME	Quality Powered Mechanical Equipment
R&D	Research and development
RAC	Rehabilitation Advisory Committee
RCHDs	Residential Care Home for Persons with Disabilities
RCHEs	Residential care homes for the elderly

## List of abbreviations

RDO	Race Discrimination Ordinance (Cap. 602)
RSP	Respirable suspended particulates
RTHK	Radio Television Hong Kong
RVD	Rating and Valuation Department
SBEPS	School-based Educational Psychology Service
SBST	School-based speech therapist
SBSTS	School-based Speech Therapy Services
Scheme-KGs	Kindergartens under Kindergarten Education Scheme
SDO	Sex Discrimination Ordinance (Cap. 480)
SEC	Standard Employment Contract
SEN	Special educational needs
SENCO	Special Educational Needs Coordinators
SH	Starter Homes
SIE Fund	Social Innovation and Entrepreneurship Development Fund
SLI	Speech and language impairment
SMW	Statutory Minimum Wage
SO <sub>2</sub>	Sulphur dioxide
SOPCs	Specialist outpatient clinics
SPSS	The Self-financing Post-secondary Scholarship Scheme
SSA	Social Security Allowance
SSFs	Subsidised sale flats
SSRC	Special Schools cum Resource Centres
SSSDP	Study Subsidy Scheme for Designated Professions/Sectors
STE	Support Teams for the Elderly
STSS	Student Travel Subsidy Scheme
SWD	Social Welfare Department

## List of abbreviations

T&R	Treatment and rehabilitation
TCAB	Torture Claims Appeal Board
The 8.31 Decision	The Decision on Issues Relating to the Selection of the Chief Executive of the HKSAR by Universal Suffrage and on the Method for Forming the Legislative Council of the HKSAR in the year 2016 on 31 August 2014
The Commission	Commission on Children
The Committee	The Committee on Economic, Social and Cultural Rights
The Covenant	The International Covenant on Economic, Social and Cultural Rights
The Government	The HKSAR Government
The Interpretation	The Interpretation by the NPCSC of Article 7 of Annex I and Article III of Annex II to the Basic Law of the HKSAR of the People's Republic of China
The previous report	The third report of the HKSAR under the Covenant
The Report	The fourth report of the Hong Kong Special Administrative Region of the People's Republic of China under the International Covenant on Economic, Social and Cultural Rights
TSFS	Tertiary Student Finance Scheme - Publicly-funded Programmes
TWP	Two-Way Permit (i.e. Exit-Entry Permit for Travelling to and from Hong Kong and Macao)
UA	“Universal Accessibility”
UGC	University Grants Committee
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UNESCO	United Nations Educational, Scientific and Cultural Organization
URA	Urban Renewal Authority
USM	Unified Screening Mechanism

## List of abbreviations

VHIS	Voluntary Health Insurance Scheme
VI	Visual impairment
VOC	Volatile organic compounds
VPET	Vocational and professional education and training
VTC	The Vocational Training Council
Waste Blueprint	The “Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022”
WEEE	Waste Electrical and Electronic Equipment
WELS	The Water Efficiency Labelling Scheme
WFA	Working Family Allowance
WHO	World Health Organisation
WKCD	West Kowloon Cultural District
WKCDA	West Kowloon Cultural District Authority
WoC	Women's Commission
WSA	Whole School Approach
WSD	Water Supplies Department
WSP	Water Safety Plan
YETP	The Youth Employment and Training Programme

# **Fourth Report of the Hong Kong Special Administrative Region of the People's Republic of China under the International Covenant on Economic, Social and Cultural Rights**

## **Preamble**

1. This is the fourth report of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR), under the International Covenant on Economic, Social and Cultural Rights (the Covenant) (the Report). It forms part of the third periodic report of China under the Covenant. It updates the Committee on Economic, Social and Cultural Rights (the Committee) on developments since the submission of the third report of the HKSAR (the previous report), which formed part of China's second report submitted in June 2010. It also responds to the Committee's Concluding Observations of May 2014 (previous Concluding Observations) which were adopted after the Committee had considered the previous report earlier that month.

2. In preparing the Report, the HKSAR Government (the Government) has, in accordance with established practice, invited the public to submit their views on the Government's implementation of the Covenant in respect of the topics covered in the report outline and suggest additional topics that ought to be included in the Report from 24 December 2018 to 4 February 2019.

3. The outline was discussed at the Panel on Constitutional Affairs of the Legislative Council (LegCo), and representatives of interested non-governmental organisations (NGOs) were invited to attend. We have carefully considered the views received in drafting the Report. Issues raised by commentators, together with the respective responses of the Government where applicable, have been incorporated in the relevant sections of the Report.



## **Article 1: Progress and development of democracy**

1.1 The HKSAR is established under the principle of “one country, two systems”. As stipulated in Articles 1 and 2 of the Basic Law, the HKSAR is an inalienable part of the People’s Republic of China and enjoys executive, legislative and independent judicial power, including that of final adjudication.

1.2 Since the establishment of the HKSAR, the Central Authorities have been upholding Hong Kong’s high degree of autonomy, supporting the Government to act according to law, and respecting Hong Kong’s judicial independence in accordance with the principle of “one country, two systems” and the Basic Law. Human rights and freedom are fully protected by the Basic Law, Hong Kong Bill of Rights Ordinance (Cap. 383) (HKBORO) and other laws. Judicial independence is guaranteed by the Basic Law. The courts of HKSAR exercise judicial power independently and free from interference. The Government spares no effort in preserving the rule of law and freedom, being Hong Kong’s two core values.

1.3 Hong Kong is the world's freest economy, a vibrant international financial and business centre, a thriving logistics and tourism hub, as well as one of the safest cities in the world. We are committed to building a caring and fair Hong Kong, with the Government investing heavily in education, medical services, welfare, infrastructure, poverty alleviation and helping the ethnic minorities (EMs). These remarkable achievements are underpinned by our core values and unique institutional strengths.

1.4 The executive authorities, the legislature and the judiciary of the HKSAR will continue to discharge their respective duties in accordance with the Basic Law.

1.5 We have continued our effort in taking forward Hong Kong’s constitutional development since our previous report and substantial progress has been made. For details, please refer to **Annex 1A**.

## **Article 2: Progressive realisation of the rights recognised in the Covenant and the exercise of those rights without discrimination**

### **Domestic applicability of the Covenant**

2.1 The Committee noted that the Covenant has not been incorporated in the legislation of the HKSAR and that its provisions are thus not directly applicable by courts and tribunals. The Committee recommended Hong Kong to take all appropriate measures to incorporate the provisions of the Covenant in domestic legislation and to guarantee their direct applicability by the domestic courts.

2.2 There is no single law – similar to the HKBORO which corresponds to the provisions of the International Covenant on Civil and Political Rights (ICCPR) as applied to Hong Kong – that directly incorporates the Covenant into Hong Kong’s domestic legislation. But we consider that it is neither necessary nor appropriate to incorporate all the provisions of the Covenant directly into the laws of Hong Kong.

2.3 Although both the rights recognised in the Covenant and those recognised in the ICCPR are fundamental human rights, they are different in nature. Many of the rights enunciated in the Covenant are given protection under the Basic Law (for example, Articles 27, 34, 36, 37, 137, 140, 144 and 145) as well as various legislative measures. Relevant examples are listed at **Annex 2A**.

2.4 We consider that a sectoral approach with specific measures to deal with different fields covered by the Covenant could more effectively protect Covenant rights than the mere reiteration in domestic law of the Covenant provisions.

### **Discrimination Law Review (DLR)**

2.5 The Equal Opportunities Commission (EOC) (see **Annex 2B**) is tasked with implementing the four anti-discrimination ordinances, namely, Sex Discrimination Ordinance (Cap. 480) (SDO), Disability Discrimination Ordinance (Cap. 487) (DDO), Family Status Discrimination Ordinance (Cap. 527) (FSDO) and Race Discrimination Ordinance (Cap. 602) (RDO). One of the EOC’s functions is to keep



under review the working of the four Ordinances and, either when required by the Chief Executive (CE) or as the EOC thinks it necessary, draw up and submit to the CE proposals for amending the Ordinances. In March 2016, the EOC made submissions on the DLR containing a total of 73 recommendations to the Government. 27 recommendations are considered by the EOC to be of higher priority. The HKSAR Government consulted the Panel on Constitutional Affairs on those recommendations that were considered to be capable of driving consensus among society in March 2017, and the Panel supports the Government to implement eight recommendations of priority (see **Annex 2C**).

2.6 The Government introduced the Discrimination Legislation (Miscellaneous Amendments) Bill 2018 (DL(MA)B) to the LegCo in late 2018 to take forward the eight recommendations. The Government is working with EOC to prepare for implementation of DL(MA)B.

### **Legislation against racial discrimination**

2.7 The RDO, which came into full operation in 2009, aims to protect the rights of individuals against discrimination, harassment and vilification on the ground of race. Please see **Annex 2D** for details.

2.8 As mentioned in paragraph 2.6 above, the Government has introduced DL(MA)B to take forward certain recommendations of priority. Among the eight recommendations to be implemented by DL(MA)B, six are related to RDO.

2.9 In paragraph 41 of the previous Concluding Observations, the Committee reiterated elimination of discriminatory practices against new arrivals from the Mainland of China. As a matter of fact, the RDO applies equally to all persons in Hong Kong, including new arrivals from the Mainland and protects them from racial discrimination. This group and the majority of permanent residents of Hong Kong are of the same ethnic origin. The differences among some in accent, dialect or personal habits do not distinguish them as a separate racial group. Various policy bureaux and departments have been providing services, such as education support, employment counselling, social welfare, housing etc., to facilitate their adaptation and early integration into the community.

## **Discrimination on the grounds of sexual orientation and gender identity**

2.10 In paragraph 41 of the previous Concluding Observations, the Committee urged the HKSAR to ensure that lesbians, gays, bisexuals and transgender persons are able to fully enjoy their economic, social and cultural rights without any discrimination. The Government is committed to promoting equal opportunities for people of different sexual orientations and transgender persons, with a view to fostering the culture and values of inclusiveness, mutual respect and non-discrimination.

2.11 In December 2015, the Advisory Group on Eliminating Discrimination against Sexual Minorities (Advisory Group), which comprised non-officials from the sexual minority community, academic field, business community and the LegCo, submitted a report to the Government, recommending strategies and measures in five areas, which included: (a) preparing training resources for personnel in specific fields having more direct interactions with sexual minorities, namely, medical and healthcare professionals; social workers; human resources professionals; and teachers to enhance their understanding and sensitivity towards sexual minorities; (b) drawing up a charter on non-discrimination for voluntary adoption by employers; providers of goods, facilities and services; landlords / agents in charge of disposal and management of premises; and schools; (c) enhancing public education and publicity to promote the message of non-discrimination against sexual minorities; (d) reviewing and reinforcing relevant support services; and (e) conducting a further study on the experience of legislative and non-legislative measures of other jurisdictions to map out the way forward.

2.12 The Government has been actively taking forward the Advisory Group's recommendations. The Government enhances public education and publicity to promote the message of "Eliminate Discrimination, Embrace Inclusion" for people of different sexual orientations and transgender persons, by broadcasting promotional video and audio on television and radio, in public transport network, various government premises, as well as on the internet and other media. In the past five years, we allocated over \$13 million (all monetary figures in this Report are in Hong Kong currency) for public education and publicity as well as over \$4.5 million to the Equal Opportunities (Sexual Orientation)

Funding Scheme to provide funding support for related community projects. We have been actively introducing the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation to employers. So far, over 300 organisations employing a total of more than 500 000 employees have adopted the Code.

2.13 Regarding the support for sexual minorities, a 24-hour hotline operated by a local charitable organisation and subsidised by the Government was launched in January 2018 to provide easily accessible support, counselling and referral services for sexual minorities. Over 2 400 calls have been received by the hotline since January 2018. We provided training resources for medical and healthcare professionals in December 2018 to enhance their knowledge of and sensitivity towards sexual minorities while training resources targeting social workers, human resources professionals and teachers will be rolled out in due course. We are also drawing up a charter on non-discrimination of sexual minorities covering various domains for voluntary adoption by service providers.

2.14 The society is deeply divided as to whether legislation should be introduced to prohibit discrimination on grounds of sexual orientation and gender identity. On the one hand, there are views that the Government should introduce legislation to safeguard equal opportunities for sexual minorities. On the other hand, there are strong views that the introduction of legislation will impact on traditional family values and freedom of religious belief. In view of the complex and highly controversial nature of this issue, the Government is conducting a further study on the experience of other jurisdictions in legislative and non-legislative measures to facilitate a more in-depth discussion in the community on whether legislation should be introduced.

2.15 Regarding the issue of gender recognition, please refer to **Annex 2E**.

### **Eliminating age discrimination in employment**

2.16 The Government encourages employers to “Count On Talent, Not Age In Employment” and use consistent selection criteria to assess the abilities of job seekers and employees. The Labour Department (LD)

has issued the Practical Guidelines for Employers on Eliminating Age Discrimination in Employment, setting forth the best practices for eliminating age discrimination in recruitment and workplace. To enhance public awareness and the importance of eliminating age discrimination in employment, the Government has been promoting equal employment through various measures, such as broadcasting announcements of public interest in the digital media and distributing the Practical Guidelines and leaflets to the public and employers.

### **Protection for persons with disabilities**

2.17 The Government has been launching various public education programmes and publicity campaigns with a view to raising public awareness of the rights and equal opportunities under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

2.18 Since 2012-13, the Labour and Welfare Bureau (LWB) has increased the annual budget of public education programme from \$12 million to \$13.5 million to organise territory-wide major publicity activities and to provide funding support for NGOs and District Councils to conduct diversified public education activities to promote the UNCRPD, including an inclusive society, youth's awareness and wider use of sign language. Measures taken by the Government on promotion of inclusion of persons with disabilities and employment support are set out at **Annex 2F**.

### **Non-refoulement claimants**

2.19 In paragraph 42 of the previous Concluding Observations, the Committee expressed concern on refugees and asylum seekers. It should be noted that Hong Kong is a small city with a dense population, a long coastline, a liberal visa regime, a large number of visitors, and is a transportation hub in the region. This makes Hong Kong particularly vulnerable to the adverse effect of illegal immigration. Therefore, the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol have never applied to Hong Kong, and illegal immigrants seeking non-refoulement protection in Hong Kong will not be treated as "asylum seekers" or "refugees". The Government maintains a

firm policy of not determining or recognising refugee status of anyone.

2.20 Since March 2014, the Government has screened non-refoulement claims pursuant to the Unified Screening Mechanism (USM): illegal immigrants and overstayers who are liable to be removed to their home countries may raise objection to the removal on the applicable grounds, including where they face a real risk of being tortured, ill-treated or persecuted on return.

2.21 In 2004 and 2012, the Court of Final Appeal (CFA) ruled that the handling of non-refoulement claims on such grounds as torture and cruel, inhuman or degrading treatment or punishment (CIDTP) must meet high standards of fairness. Procedures of USM observe such standards. Claimants have every reasonable opportunity and all necessary professional support throughout the assessment process, including publicly-funded legal assistance and interpretation / translation services provided by qualified persons, from the stage of completing a claim form to attending an interview for elaborating their claim before a case officer; and medical examination if the alleged physical or mental condition of the claimant is in dispute and is relevant to the claim. Thereafter, the Immigration Department (ImmD) will inform the claimants of its decision and detailed reasons in writing. Claimants aggrieved by ImmD's decision have a right to lodge an appeal, which would be considered by the statutory and independently operated Torture Claims Appeal Board (TCAB), members of which include former judges or magistrates and experts in the field from other jurisdictions.

2.22 The determination of whether a claim is to be substantiated depends entirely on the particular facts and merits of a case. If, based on the grounds and the facts submitted by the claimant and other relevant information available, there are substantial grounds for believing that the claimant would be in danger of being subjected to torture, an absolute and non-derogable right under the Hong Kong Bill of Rights being violated (e.g. being subjected to cruel, inhuman or degrading treatment or punishment, or arbitrary deprivation of life), or persecution, then ImmD or TCAB will accept the non-refoulement claim as substantiated. Otherwise, the claim will be rejected. If a non-refoulement claim is rejected, the claimant will be removed to his country of origin.

2.23 The Government commenced the comprehensive review of the strategy of handling non-refoulement claims in early 2016. Please refer to **Annex 2G** for details. Issues relating to permission to work in Hong Kong and Government's humanitarian assistance are set out in **Annex 2H**.

### **Human rights institution**

2.24 In paragraph 40 of the previous Concluding Observation, the Committee reiterated its recommendation to establish a human rights institution with a broad mandate, which was echoed by some local commentators.

2.25 Human rights in HKSAR are fully protected by the Basic Law, the HKBORO and other relevant legislation. These are buttressed by the rule of law and an independent judiciary. There is also an existing institutional framework of statutory organisations which helps promote and safeguard various rights, including the EOC, the Office of the Privacy Commissioner for Personal Data (PCPD), the Office of the Ombudsman, and the legal aid services. The Government's performance in promoting and safeguarding human rights is open to public scrutiny through regular reports to the United Nations and under the scrutiny of the LegCo, the media and various NGOs.

2.26 The Government considers that the existing mechanism has worked well and that there is no need to establish an additional human rights institution which would duplicate the functions and work of the existing mechanism.

### **Article 3: Equal rights of men and women**

#### **Convention on the Elimination of All Forms of Discrimination against Women and Women's Commission**

3.1 We have simultaneously prepared the fourth report of the HKSAR under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) at the time of finalising this Report. Our CEDAW report will form part of the People's Republic of China's report under that Convention.

3.2 Since the last report, Women's Commission (WoC) has stepped up efforts in promoting women's development, women's participation in public affairs and gender mainstreaming. In 2018, WoC has embarked on a re-organisation of its structure and examined the priority work areas to better focus its efforts and resources on areas that require attention. Highlights of WoC's work are set out in **Annex 3A**.

3.3 WoC receives Government funding to implement its programmes and secretarial support from LWB. LWB's actual expenditure in this respect increased by about 27.4% from \$24.8 million in 2011-12 to about \$31.6 million in 2017-18.

#### **Legal Protection from Sex Discrimination and Sexual Harassment**

3.4 In 2014, the Government extended the protection and territorial scope of the SDO to render unlawful any sexual harassment by customers against providers or prospective providers of goods, facilities or services. The prohibition of sexual harassment has also been expanded to cover harassment which occurs on a Hong Kong registered ship or aircraft even if it is outside the territory. The amendment affords protection to service providers in Hong Kong including approximately over 45 000 nurses, 12 000 flight attendants, 230 000 food and beverage workers and 260 000 retail workers.

3.5 The Government has introduced in 2018 the DL(MA)B to prohibit discrimination on the ground of breastfeeding and expanding the scope of protection from sexual harassment to persons in a common

workplace.

### **HKMC Annuity Plan**

3.6 The HKMC Annuity Plan is a long term insurance product. The insured can start receiving a lifetime guaranteed stream of fixed income immediately after paying a single premium. To be fair, there is a need to determine the monthly annuity payouts by reference to objective statistical data of life expectancy for different types of insureds.

3.7 Some commentators were concerned that the different investment returns for men and women based on their differences in life expectancy was inconsistent with gender equality. In general, the longer the life expectancy of the insured is, the lower the amount of the guaranteed monthly annuity payout will be. Men's life expectancy is lower than that of a female; hence the amount of the guaranteed monthly annuity payout to be paid to a male insured is higher than that of a female insured. Despite the difference in the annuity payout, the expected rate of return is the same for both male and female insured under the Plan considering the longer life expectancy of female. The above treatment is thus not unfair.

3.8 The level of monthly annuity payout was calculated by HKMC Annuity Limited (HKMCA) based on actuarial analysis using objective statistical data, including life expectancy data of male and female. The analysis was based solely on prudent commercial and risk management principles. Hence, the Plan was not structured to sex discrimination. The HKMCA will monitor Hong Kong's demographic trend including the change in female and male life expectancy, and make appropriate adjustments when necessary.

3.9 The SDO also provides that it is not in contravention of the ordinance if the treatment of a person in relation to insurance business involves the assessment of risk, where the treatment was effected by reference to data from a source on which it was reasonable to rely. As the Plan is an insurance product and the treatment of different monthly annuity payouts for men and women was based on reasonable commercial and risk management principles, the Plan is not in



contravention of the SDO.

### **The “Small House Policy”**

3.10            Given that the Small House Policy is currently the subject of a judicial review, the Government is not in a position to make any public comment on related issues. We will keep in view the development of the judicial review.

#### **Article 4: Permissible limitation of Covenant rights**

4.1 The position for Article 4 remains as reported in paragraph 4.1 of the previous report. The Government does not subject the rights provided under the Covenant to any limitations other than those provided for in law. Such limitations, where they exist, are compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a free society.

## **Article 5: Prohibition on destruction of any rights and freedoms recognised in the Covenant**

5.1 The position for Article 5 remains as reported in paragraph 5.1 of the previous report. That is, the Government imposes no restrictions upon and makes no derogations from any fundamental human rights on the pretext that such rights are not recognised, or are only partly recognised, by the Covenant.

## **Article 6: Choice of occupation and labour rights**

6.1 The relevant constitutional protections, statutes, and policies remain as explained in paragraphs 41 and 42 of the initial report. The updated employment statistics are set out at **Annex 6A**.

### **Employment services**

6.2 LD provides convenient and free employment services to all job seekers through its job centres, industry-based recruitment centres, Telephone Employment Service Centre, Interactive Employment Service website and its mobile application, Higher Education Employment Information e-Platform and vacancy search terminals. LD also encourages employers, through the provision of financial incentives, to engage job seekers with special needs and provide them with on-the-job training, or offer them work trials. Since the previous report, LD has implemented a number of new initiatives as set out at **Annex 6B**.

### **Youth employment services**

6.3 As a global phenomenon, unemployment rates of young people (particularly those with relatively low educational attainment and limited work experience) are consistently higher than that of adults. Hong Kong is no exception. To enhance the employability of young people, LD has administered the Youth Employment and Training Programme (YETP) to provide a full range of pre-employment and on-the-job training to young people aged between 15 to 24 with educational attainment at sub-degree level or below. An introduction of YETP and its enhancements are set out at **Annex 6C**. Since September 2009 till end of 2018, more than 77 000 young people had enrolled in YETP.

6.4 The two Youth Employment Resource Centres set up by LD provide one-stop service on employment and self-employment to young people aged between 15 and 29. The two centres serve over 70 000 youths each year.

## **Vocational training**

6.5 As set out in paragraph 6.11 of the previous report, Employees Retraining Board (ERB) retrains job-seeking or switching workers to acquire new skills and to seek re-employment. Since its inception in 1992 and by end-2018, ERB provided a total of about 2.6 million training places. For the past three years, the overall placement rate of trainees was about 83%. For details, please see **Annex 6D**.

6.6 As set out in paragraph 6.14 of the previous report, the Vocational Training Council (VTC) is a main provider of, and adviser to the Government on policies relating to vocational training. In 2017-18 school year, the 14 institutions offered about 19 900 full-time and part-time places. Please see **Annex 6E** for details.

6.7 The position in paragraph 6.15 of the previous report relating to apprenticeship remains valid. The VTC administers the Apprenticeship Scheme in accordance with the Apprenticeship Ordinance (Cap. 47) to regulate the training and employment of registered apprentices. As at the end of 2018, there were 5 208 registered apprentices under the scheme.

## **Protection of employees against unreasonable dismissal**

6.8 The position concerning the measures for protecting employees against unreasonable dismissal remains as explained in paragraph 6.16 of the previous report. To enhance protection for employees, the Government implemented the Employment (Amendment) (No. 2) Ordinance 2018 in October 2018 to empower the Labour Tribunal (LT) and the courts, in the case of an employee having been unreasonably and unlawfully dismissed, to make a compulsory order for reinstatement or re-engagement of the employee without having to first secure the agreement of the employer. Should the employer fail to reinstate or re-engage the employee as required by the order, the employer shall pay to the employee a further sum, amounting to three times the employee's average monthly wages and subject to a ceiling of \$72,500, on top of the existing monetary remedies payable to the employee as ordered by the LT.

The employer commits a criminal offence if he/she wilfully and without reasonable excuse fails to pay the further sum.

### **Importation of labour**

6.9 Hong Kong adopts a liberal immigration regime towards the admission of talent and professionals. Various talent admission schemes are in place to facilitate the admission of talent and professionals needed in the local labour market. In addition to the talent admission schemes mentioned in paragraph 6.18 of the previous report, the Admission Scheme for the Second Generation of Chinese Hong Kong Permanent Residents was launched in May 2015 to attract the second generation of Chinese Hong Kong permanent residents who have emigrated overseas to return. In June 2018, the Technology Talent Admission Scheme was introduced to provide a fast-track arrangement for eligible technology companies/institutes to admit technology talent to undertake research and development work in Hong Kong. Hong Kong admitted more than 60 000 persons under various talent admission schemes in 2017 and 2018 respectively.

6.10 As regards the Supplementary Labour Scheme, the position remains as mentioned in paragraph 6.19 of the previous report. As at 31 December 2018, about 5 300 imported workers were employed in Hong Kong under the Scheme.

### **Right to work: concerns about discrimination**

6.11 The position with respect to discrimination on the grounds of race, sexual orientation and age is addressed in paragraphs 2.7 to 2.16 of this Report in respect of Article 2.

## **Article 7: Right to enjoy just and favourable conditions of work**

### **Statutory Minimum Wage**

7.1 The Minimum Wage Ordinance (Cap. 608) (MWO) establishes a Statutory Minimum Wage (SMW) regime which provides a wage floor to forestall excessively low wages without unduly jeopardising Hong Kong's labour market flexibility, economic growth and competitiveness or causing significant loss in low-paid jobs.

7.2 The SMW rate has been increased three times from \$28 per hour in 2011 to \$34.5 in 2017. The CE in Council has adopted the recommendation of Minimum Wage Commission (MWC) to raise the SMW rate to \$37.5 per hour in October 2018. The revised SMW rate will come into force on 1 May 2019. Work relating to the review of SMW rate is set out at **Annex 7A**.

### **Employment protection: employees' rights and benefits**

7.3 The various statutory rights and benefits under the Employment Ordinance (Cap. 57) (EO) remains largely the same as explained in paragraphs 7.7 to 7.16 of the previous report. For continuous contract requirement under the EO, wage default offences and rehabilitation services, please see **Annex 7B**.

### **Protection and support for foreign domestic helpers**

7.4 The Committee expressed concern in its previous Concluding Observations on the working conditions of foreign domestic helpers (FDHs) and the legal protection offered to them. We emphasise that the Government attaches great importance to protecting the rights of FDHs. FDHs enjoy the same rights and protection as local workers under Hong Kong's labour laws regardless of their nationality or race. FDHs also enjoy additional rights and benefits.

7.5 Hong Kong's labour laws, including the two pieces of major legislation, the EO and the Employees' Compensation Ordinance (Cap. 282), are applicable to both local workers and FDHs. As such,

FDHs enjoy the same labour rights and protection as local workers, e.g. rest days, statutory holidays, paid annual leave, maternity protection, sickness allowance, severance payment, long service payment, etc.

7.6 Apart from statutory protection, FDHs in Hong Kong are protected by a Standard Employment Contract (SEC) prescribed by the Government. It is a mandatory contract for hiring FDHs. The SEC sets out the basic employment terms that employers must provide, including a wage level not lower than the prevailing rate of the Minimum Allowable Wage (MAW), provision of free accommodation, free food (or food allowance at a level not lower than the prevailing rate), free medical treatment and free passage to / from the places of origin. These benefits are not usually available to local workers.

7.7 The Committee expressed concern in the previous Concluding Observations that FDHs are excluded from the MWO. All live-in domestic workers, irrespective of their nationality and whether they are local or migrant workers, are exempted from the MWO. One of the major considerations for the exemption is that live-in domestic workers reside and work in the employer's home, which renders calculating and recording working hours practically impossible, while SMW is set on an hourly basis. Such exemption does not render FDHs, who are live-in domestic workers, less protected than non-live-in workers. This is because FDHs enjoy, on top of wages, in-kind benefits such as free accommodation, free food (or food allowance) and savings from transport. Thus, the exemption of FDHs from the MWO is fully justified.

7.8 The above said, the Government stipulates MAW which has been in place since the early 1970s and has been proven effective in giving wage protection to FDHs. Underpaying wages against MAW is an offence under the EO and the employer is liable to, upon conviction, a maximum fine of \$350,000 and imprisonment for three years. MAW is currently set at \$4,520 per month and subject to regular reviews.

7.9 Since the inception of MAW and until 2018, there have been 32 adjustments, among which all but two were upward adjustments. In reviewing MAW, the Government adheres to a long-established



mechanism and would take account of, *inter alia*, the general economic condition and employment situation in Hong Kong.

7.10 Furthermore, the Crimes Ordinance (Cap. 200) and the Offences against the Person Ordinance (Cap. 212) also apply to FDHs to protect them against violence. Eligible FDHs may apply for legal aid provided by the Government.

7.11 LD takes rigorous enforcement action and extensively publicising the statutory rights of employees (including FDHs) and the responsibilities of employers under the EO. If the employment rights of FDHs are infringed, they may approach LD for free consultation and conciliation services. LD rigorously enforces the EO to tackle against wage offences. Prosecution action will be taken where there is sufficient evidence of a breach. In 2018, LD secured a total of six convicted summonses against FDH employers for non-payment / underpayment of wages or illegal deduction of wages.

7.12 To strengthen regulation of employment agencies (EAs), including those providing FDH placement services, LD promulgated the Code of Practice for Employment Agencies in January 2017 for compliance by the industry. Furthermore, the Employment (Amendment) Ordinance 2018 which came into effect on 9 February 2018 has substantially raised the maximum penalties for EAs committing the offences of overcharging job seekers and unlicensed operation from a fine of \$50,000 to \$350,000 and imprisonment for three years, and extended the statutory time limit for prosecution of the said offences from six to 12 months. It has also widened the scope of the overcharging offence to include (in addition to the licensee) the management as well as persons employed by EAs, provided new grounds for the Commissioner for Labour to refuse to issue / renew or revoke EA licences, and provided a legal basis for the Code of Practice. Since the promulgation of the Code of Practice in January 2017 until end-2018, LD has issued 58 written warnings and served 2 128 verbal warnings to EAs for non-compliance with the Code of Practice, and revoked or refused to issue / renew the licences of 17 EAs. In the same period, 21 EAs were convicted under the EO for overcharging FDHs, unlicensed operation, etc.

7.13 To enhance transparency of the operation of the industry, LD publishes on its EA Portal ([www.eaa.labour.gov.hk](http://www.eaa.labour.gov.hk)) records of convictions of overcharging or unlicensed operation, revocation / refusal of renewal of licence, as well as written warnings issued to EAs. An online form is also available on the EA Portal for job seekers (including FDHs) and employers to make enquiries or complaints about EAs.

7.14 LD organises a host of publicity and promotional activities every year to raise the awareness of both FDHs and employers about their statutory and contractual rights and obligations. The activities include: collaborating with respective consulates-general on briefing sessions for newly arrived FDHs, staging information kiosks, screening publicity videos, distributing information packs and souvenirs to FDHs, and placing advertisements in local Filipino and Indonesian newspapers (nationals from the Philippines and Indonesia form more than 97% of the FDH population in Hong Kong). In 2018, LD published a new guide to FDH employers to explain to them their rights and obligations, and a newsletter to inform them of LD's services and support channels. LD also organised briefings for newly arrived FDHs and first-time employers to raise the awareness of their respective rights and obligations. LD also enhanced its online resources, including providing a new online form and a dedicated email account on the FDH Portal ([www.fdh.labour.gov.hk](http://www.fdh.labour.gov.hk)), and adding six FDH languages on the Portal, making 12 languages in total. A dedicated 24-hour hotline, with interpretation service provided in seven languages, has also been set up to provide one-stop support service to FDHs.

7.15 The “two-week rule” is necessary for maintaining effective immigration control. It helps to prevent frequent job-hopping and FDHs working illegally after premature termination of contracts. This does not preclude FDHs from working in Hong Kong again after returning to their places of origin. The cost of return flight is fully borne by the employer as stipulated under the SEC and flexibility is allowed. Where the employer is unable to continue with the contract due to external transfer, migration, death or financial reasons, or where there is evidence suggesting that the FDH has been abused or exploited, the ImmD may exercise discretion to permit the FDHs concerned to change employment

without having to first return to their places of origin.

7.16 The Committee recommended the Government to repeal the “live-in requirement” in the previous Concluding Observations. The “live-in requirement” is the cornerstone of the Government’s policy on importation of FDHs. As in many jurisdictions in the world, it has been the Government’s established policy that priority in employment should be given to the local workforce, and importation of workers should only be allowed where there is confirmed manpower shortage in a particular trade that cannot be filled by local workers. Based on this principle, FDHs have been imported since the early 1970s to meet the shortfall of local live-in domestic workers. Any change to the “live-in requirement” will go against the rationale for importing FDHs and the policy that local employees should enjoy priority in employment. As stipulated in the SEC, employers are required to provide their FDHs with suitable accommodation with reasonable privacy. Employers who fail to do so may have their applications for employing FDHs refused.

7.17 The Committee recommended the Government to provide effective mechanism for reporting abuse and monitoring the working conditions of FDHs in the previous Concluding Observations. The Government does not tolerate any abuse of FDHs, and encourages FDHs who suspect their rights being infringed to seek assistance as soon as possible so that relevant government departments can investigate and follow up. The paragraphs above have set out in detail the labour protection afforded to FDHs, enforcement actions, work on regulating EAs and support provided to FDHs by the Government. LD also proactively organises publicity activities to enhance FDHs’ awareness of channels for seeking assistance. Apart from the online enquiry / complaint forms on the dedicated FDH and EA Portals, FDHs may also visit any of the ten branch offices of LD’s Labour Relations Division or call LD’s 24-hour hotline to make enquiries and lodge complaints about matters related to their employment rights and benefits and EAs.

### **Employment protection for women**

7.18 The general legislative protection against discrimination in the employment field remains unchanged. In general, women and men

enjoy the same rights to participate in the labour force and in the jobs of their choices. These rights are protected and ensured by the SDO.

7.19 As mentioned in paragraph 7.39 of the previous report, EOC has drawn up two sets of Code of Practice on Employment to provide practical guidance in facilitating compliance with the SDO and FSDO by the public. The EOC is reviewing the Code of Practice on Employment issued under the SDO, including its content about the Equal Pay for Work of Equal Value principle, with an aim to draw on the experiences and relevant cases to strengthen the guidelines.

### **Paternity leave**

7.20 The Government implemented in January 2019 the Employment (Amendment) (No. 3) Ordinance 2018, which increased the statutory paternity leave under the EO from three days to five days. Male employees with child born on or after 18 January 2019 are entitled to five days' paternity leave and paternity leave pay for each confinement of their spouse / partner if they fulfil other requirements as stipulated in the law.

### **Safe and healthy working conditions**

7.21 LD administers the Occupational Safety and Health Ordinance (Cap. 509), the Factories and Industrial Undertakings Ordinance (Cap. 59) and their subsidiary regulations; and continue to safeguard the occupational safety and health of employees at work in all industries through inspection and enforcement, publicity and promotion, as well as education and training. LD will fine-tune its strategies from time to time with regard to the prevailing occupational risk profile.

### **Prevention of accidents and diseases in the workplace: legal protections**

7.22 In 2014, the Government amended the Factories and Industrial Undertakings (Asbestos) Regulation (Cap. 59AD) to tighten the control of using asbestos in industrial undertakings, including prohibition on carrying out work with asbestos in industrial undertakings, regulating

the removal or disposal of asbestos, and raising the penalties of several offences related to using asbestos or carrying out work with asbestos. A duty holder who contravenes the relevant regulation without reasonable excuse is liable to a maximum fine of \$200,000 and imprisonment for six months. The position on other issues remains as explained in paragraphs 7.46 to 7.49 of the previous report.

7.23 The Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360) and the Occupational Deafness (Compensation) Ordinance (Cap. 469) continue to provide compensation for persons suffering from pneumoconiosis and / or mesothelioma and occupational deafness respectively. Details are set out in **Annexes 7C and 7D**.

## **Article 8: Right to trade union membership**

### **Trade Unions Ordinance (Cap. 332)**

8.1 The position remains as explained in paragraphs 120 to 126 of the initial report.

### **Legal protection against anti-union discrimination under the Employment Ordinance (EO)**

8.2 The Committee recommended in its previous Concluding Observations the reinstatement of trade unionists dismissed for participating in trade-union activities. In addition to the criminal liability of employers for dismissing, penalising or discriminating against employees for exercising their rights to trade union membership and to take part in trade union activities as explained in paragraph 128 of the initial report, as mentioned in paragraph 6.8 above, employees' protection under the EO has been enhanced such that where an employee is dismissed unreasonably and unlawfully due to exercising union rights, the court or the LT may make an order for reinstatement or re-engagement without the need to secure the employer's agreement.

### **Number and membership of trade unions**

8.3 As at 31 December 2017, the number and declared membership of employees' unions in the HKSAR are set out at **Annex 8A**.

### **Promotion of effective communication, consultation and voluntary negotiation between employers and employees**

8.4 As regards the Committee's recommendation in its previous Concluding Observations on adopting legislation on collective bargaining, it is the firm belief of the Government that collective bargaining, if it is to be effective, should be voluntary. There is no consensus in the community on introducing compulsory collective bargaining by legislation. LegCo had vetoed calls for compulsory collective bargaining five times in the past.

8.5 Effective tripartite consultations are conducted in HKSAR through the Labour Advisory Board (LAB) which advises the Government on labour matters, with representatives of employers and employees, and the Government participating on an equal footing. The method of returning employee representatives to sit on LAB through election by all registered employee unions is transparent, well-tested and widely accepted by the labour sector. LD has been encouraging and promoting voluntary negotiation and effective communication between employers and employees or their respective organisations at both the industry and enterprise levels. Please see **Annex 8B** for details.

8.6 The Government's approach of promoting voluntary and direct negotiations between employers and employees or their respective organisations has proved to be effective. Voluntary negotiation between employers and employees, underpinned by the conciliation service provided by LD, has contributed to the harmonious labour relations. The average number of working days lost due to strike in the past 10 years was 0.56 day per 1,000 salaried employees and wage earners per year, which remains one of the lowest in the world.

### **The right to strike**

8.7 The position remains as explained in paragraphs 8.8 to 8.9 of the previous report.

## **Article 9 : Right to social security**

### **An overview of the social security system in Hong Kong**

9.1 The Government has put in place a non-contributory social security system, which comprises the Comprehensive Social Security Assistance (CSSA) Scheme and the Social Security Allowance (SSA) Scheme, to meet the basic and special needs of our citizens. Social security recipients may choose to receive either CSSA or any one type of payment under the SSA Scheme according to their needs. The social security payment rates and limits of relevant financial tests (if applicable) are adjusted annually to reflect price changes. Since 2010, the rates have been cumulatively adjusted upwards by about 35%.

9.2 The estimated recurrent expenditure on the CSSA and SSA Schemes is estimated to reach around \$52 billion, accounting for around 13% of the total recurrent spending of the Government. The amount has doubled as compared to the \$26 billion in 2009-10.

9.3 The CSSA Scheme aims to provide a safety net for those who cannot support themselves financially for various reasons (such as old age, disability, illness, unemployment, low earnings, etc.). Different groups of CSSA recipients receive standard payment at different rates, supplements (such as single parent supplement, community living supplement, transport supplement and residential care supplement, etc.) and special grants (such as rent allowance, medical and rehabilitation grants, etc.). Free public medical services are also provided for all CSSA recipients. The latest position is set out at **Annex 9A**.

9.4 In response to paragraph 45 of the previous Concluding Observations about the residence requirement of the CSSA Scheme, we wish to highlight that the Government has relaxed the relevant requirement pursuant to the ruling by the CFA in 2013<sup>1</sup>. In general terms, apart from satisfying all other prevailing eligibility criteria, a person who meets the one-year residence requirement, instead of the previous requirement of seven years, is eligible for CSSA. The

---

<sup>1</sup> See *Kong Yunming v Director of Social Welfare* (2013) 16 HKCFAR 950. The CFA ruled that the previous seven-year residence requirement for CSSA was unconstitutional.



requirement is to ensure that allowances are only granted to people who have a genuine and long-term connection with Hong Kong. It strikes a balance between the interests of various sectors of the community, having regard to the long-term sustainability of our social security system and the need for a rational basis on which our public resources are allocated. Nevertheless, in exceptional circumstances, CSSA may be granted at the discretion of the Director of Social Welfare to persons who do not satisfy the residence requirement. As in the past, persons under the age of 18 are also exempt from the residence requirement.

9.5 The CSSA Scheme also encourages able-bodied persons to engage in employment so as to achieve self-reliance. Further to the enhanced Support for Self-reliance Scheme mentioned in paragraphs 9.14 to 9.16 of the previous report, the Government launched the Integrated Employment Assistance Programme for Self-reliance in January 2013 to consolidate and enhance the various employment assistance services with a view to further promoting self-reliance and assisting able-bodied unemployed CSSA recipients to rejoin the work force.

9.6 The SSA Scheme provides different allowances to cater for the varying needs of recipients. For details, please see **Annex 9B**. In 2018-19, the estimated recurrent expenditure on SSA is about \$32 billion, which increased by around 300% as compared to the \$8 billion in 2009-10.

### **Protection of wage payment and statutory rights and benefits**

9.7 The position regarding protection of wage payment and statutory rights and benefits remains largely as explained in paragraphs 9.22 to 9.27 of the previous report. The Employment (Amendment) Ordinance 2010 was enacted in October 2010 to enhance wage protection for employees: an employer is liable to prosecution, and is subject to a maximum penalty of \$350,000 and imprisonment for three years, if he / she wilfully and without reasonable excuse fails to pay any sum awarded by the LT or Minor Employment Claims Adjudication Board comprising wages and entitlements underpinned by criminal sanctions under the EO.

## **Employees' compensation**

9.8 The general position remains as explained in paragraphs 9.28 to 9.31 of the previous report. The Government adjusts the levels of compensation under the Employees' Compensation Ordinance (Cap. 282) every two years where appropriate, according to the mechanism. The present levels of compensation are set out at **Annex 9C**.

9.9 Details relating to compensation for pneumoconiosis and mesothelioma, and occupational deafness are set out at **Annexes 7C and 7D**.

## **Retirement benefits and protection**

9.10 The HKSAR is adopting a multi-pillar retirement protection system comprising the publicly-funded social security system, privately managed mandatory occupation-based contributory system (including the Mandatory Provident Fund System), voluntary savings, and public services, family support and personal assets. The Government has been implementing measures to enhance the effectiveness of each pillar so that they can better complement one another in meeting the retirement needs of elderly persons. Following a six-month public consultation commenced in December 2015, the Government announced a series of improvement measures, which include enhancing Old Age Living Allowance (OALA) by relaxing the asset limits of Normal OALA and introducing Higher OALA, strengthening the healthcare for elderly persons by providing free public healthcare for Higher OALA recipients aged 75 or above and lowering the eligibility age for the Elderly Health Care Voucher, and launching the public annuity scheme to offer another option of financial arrangement for our senior citizens.

9.11 The Government will continue to take care of the different needs of elderly persons in the areas of social security, medical services, community care, financial management, etc., and implement various enhanced measures to provide more suitable and targeted protection for elderly persons after their retirement.

## **Article 10: Protection of the family**

### **The Family**

10.1 The position, including the definition of the term “family”, remains as explained in paragraphs 198 and 199 of the initial report.

10.2 The 2016 Hong Kong Population By-census indicates that the percentage of nuclear family households has decreased from 66.3% in 2011 (according to the 2011 Population Census) to 64.0% in 2016. The average number of persons in those families has decreased from 3.2 to 3.1 over the same period. The position of single parent families is set out at **Annex 10A**.

10.3 The legal definition of the child was discussed in Chapter II of Part II of the HKSAR’s second report under the Convention on the Rights of the Child.

### **Family Council**

10.4 The Government recognises that family is the cornerstone of social harmony and established the Family Council in December 2007 to provide a cross-sector and cross-bureau platform to examine family-related issues and to promote a culture of loving families in the community. The updated position of the Council is at **Annex 10B**. The assessment of family implications has become a mandatory requirement and integral part of the policy-making process within the Government since 1 April 2013. A checklist tool was also introduced in August 2018 to facilitate a more instrumental and thorough assessment of family implications by bureaux and departments.

### **Commission on Children**

10.5 The Government established the Commission on Children (the Commission) on 1 June 2018. Chaired by the Chief Secretary for Administration, with the Secretary for Labour and Welfare as the Vice-chairperson, the Commission drives and monitors bureaux/departments to take forward various policy initiatives related to

children's issues. For details, please see **Annex 10C**.

### **Welfare services for families**

10.6 The Government provides various welfare services for families including integrated family service centres, hotline services, child care services, etc. For details, please see **Annex 10D**.

### **Maternity protection**

10.7 The position of the EO on maternity protection remains largely as explained in paragraphs 10.22 to 10.27 of the previous report. As announced in the CE's 2018 Policy Address, the Government will extend the statutory maternity leave from the current 10 weeks to 14 weeks and fund the cost for the extra maternity leave pay. The target is to introduce a bill into the LegCo in late 2019.

10.8 The statutory protection against discrimination on the grounds of marital status and pregnancy under the SDO remains as explained in paragraph 10.28 of the previous report. The position relating to other applicable legal provisions remains as explained in paragraphs 10.29 to 10.31 of the previous report.

10.9 The position regarding pregnant prisoners largely remains as mentioned in paragraphs 242 to 245 of the initial report, i.e. pregnant prisoners receive special care on a 24-hour basis and arrangements are made for them to receive ante-natal care and consult obstetric doctors in hospital outside the prison at appropriate intervals or as required. There were 24 and 12 cases of pregnant prisoners giving birth in open wards in public hospitals in 2017 and 2018 respectively, while 68 and 57 children in 2017 and 2018 respectively were admitted into prison and to remain with their mothers during the normal period of lactation.

10.10 Statutory paternity leave was first introduced in February 2015 to the effect that eligible male employees were entitled to three days' paternity leave to be taken consecutively or separately for each confinement of their spouse/partner. The paternity leave shall carry pay at a daily rate of four-fifths of the average wages of the employee if other

requirements as stipulated in the law are fulfilled. As reported in paragraph 7.20 above, five days' paternity leave has come into effect from 18 January 2019. This will be conducive to a more supportive environment for forming and raising families and help facilitate male employees in sharing family responsibility.

### **New arrivals from the Mainland of China**

10.11 Between 1 July 1998 and 31 December 2018, nearly 980 000 people from the Mainland of China settled in Hong Kong. As mentioned in paragraph 10.37 of the previous report, the Government attaches much importance to the early integration of new arrivals into the local community. Like other local residents, new arrivals are entitled to welfare services, such as child care, community support, financial assistance, and so forth. They can access to comprehensive family services at the Integrated Family Services Centres (IFSCs) over the territory. With the funding support from the Social Welfare Department (SWD), the International Social Service Hong Kong Branch (ISS-HK) operates the Cross-boundary and Inter-country Social Service, which helps individuals and families handle and solve problems arising from geographical separation. The Home Affairs Department (HAD) also provides support to facilitate their integration into the community. Details of the support services are set out at **Annex 10E**.

### **Single parent families and split families**

10.12 As explained in paragraphs 10.38 of the previous report, single parent and split families in Hong Kong can have access to comprehensive family services in one-stop at the 65 IFSCs and two Integrated Service Centres (ISCs) in Hong Kong. Besides, the Family Support Network Teams continue to serve needy persons (including single parent families and split families) by identifying them for early intervention. The Government provides appropriate support to single parent families and split families as those mentioned in paragraph 10.39 of the previous report.

10.13 To enhance the support for the divorced / divorcing / separated families, the SWD will set up five specialised co-parenting

support centres to be operated by NGOs for five clusters over the territory from 2019-20 onwards to provide one stop co-parenting support services for divorced/separated parents and their children, including co-parenting counselling and parenting coordination service, structured parenting groups or programmes, child-focused counselling, groups or programmes, as well as children contact service.

10.14 In paragraph 47 of its previous Concluding Observations, the Committee expressed concerns on the issue of reunion of families that are separated between the Mainland and the HKSAR. Our position, including the legislative provisions for the entitlement of right of abode and the Certificate of Entitlement (CoE) Scheme, was set out in paragraphs 10.10 to 10.14 of the second report. In dealing with the issues relating to right of abode, we have paid full regard to all pertinent factors. Article 22(4) of the Basic Law stipulates that for entry into the HKSAR, people from other parts of China must apply for approval. Mainland residents who wish to settle in Hong Kong for family reunion must apply for the One-Way Permit (OWP) (i.e. Permit for Proceeding to Hong Kong and Macao) from the relevant Mainland authorities. The OWP scheme is a family reunion scheme which ensures that the eligible Mainland residents will come to Hong Kong for settlement in an orderly manner within the constraint of the social and economic infrastructure in Hong Kong.

10.15 The position remains as explained in paragraph 10.42 of the previous report. The Mainland authorities have since May 1997 applied the “Points System” which has been refined from time to time to assess and determine the eligibility of applicants and the order in which they may settle in Hong Kong according to objective criteria. Mainland residents may, depending on their purposes of visiting Hong Kong, such as visiting relatives or visits, apply for Two-Way Permit (TWP) (i.e. Exit-Entry Permit for Travelling to and from Hong Kong and Macao) and relevant exit endorsement from the Mainland authorities.

10.16 The application, approval and issue of OWP, TWP and exit endorsements are within the remit of the Mainland authorities. However, the Government continues to convey to the Mainland authorities the views of various sectors in Hong Kong, and the Mainland

authorities have from time to time adjusted and refined the arrangements for OWP, TWP and relevant exit endorsements. Please refer to **Annex 10F** for the examples.

10.17 From the establishment of the HKSAR on 1 July 1997 to 31 December 2018, over 1 030 000 Mainland residents (including CoE holders) have settled in Hong Kong under the OWP scheme.

### **Domestic violence**

10.18 The Government has accorded high priority to the prevention of domestic violence and provision of support to victims of domestic violence. The multi-disciplinary approach, structure, services and prevention strategies on domestic violence remain largely the same as reported in paragraphs 10.46 to 10.49 of the previous report. Further developments and enhancements since the previous report are set out at **Annex 10G**.

### **Protection of children and young persons**

10.19 Child abuse is one of the common forms of domestic violence. The Government firmly believes that every child has a right to protection against harm and abuse. Protecting children from abuse is premised on close collaboration amongst multi-disciplinary professionals. To safeguard the best interests of children and to protect those children suspected or found to be abused, the SWD has drawn up, in collaboration with relevant departments, NGOs and professionals, and issued the “Procedural Guide for Handling Child Abuse Cases (Revised 2015)” for reference by concerned personnel (e.g. police officers, social workers, medical and school personnel) in carrying out the necessary initial assessments, investigations, multi-disciplinary case conferences and follow up welfare plans when encountering suspected cases of child abuse. The Procedural Guide is now being reviewed and is expected to be completed by end 2019. The statistics on child abuse cases recorded in the Child Protection Registry, a computerised record system under the SWD, are set out at **Annex 10H**.

## Care and support for the elderly

10.20 The role of the Elderly Commission (EC) remains the same as explained in paragraphs 299 to 301 of the initial report. It now has 17 non-official members. Recently, the Commission has focused on monitoring the implementation of the Elderly Service Programme Plan (ESPP) and advising on the means to further enhance ageing-in-place.

### Elderly Services Programme Plan

10.21 To enhance long-term planning for elderly services, the Government tasked the EC to formulate the ESPP. The ESPP was subsequently completed and submitted to the HKSAR Government in 2017. The ESPP proposed four strategic directions and 20 recommendations on the future development of elderly services. The Government accepted and has started to implement the recommendations. For example, the Government stipulated in December 2018 the population-based planning ratios in the Hong Kong Planning Standards and Guidelines in respect of subsidised residential care services and community care services, district elderly community centres (DECCs) and neighbourhood elderly centres (NECs). This facilitates early reservation of suitable sites for provision of elderly services and facilities by government departments in planning new residential development projects.

10.22 The latest situation on the provision of services for elderly persons living in the community, residential care services, supporting services for vulnerable elderly persons and carers as well as review of residential care home legislation are set out at **Annex 10I**.

10.23 The social security schemes available to elderly persons, including the Normal OALA and Higher OALA introduced in 2013 and 2018 respectively, are elaborated under Article 9 above. In 2018-19, the total social security expenditure on elderly persons aged 65 or above is estimated to be \$45 billion. It is noteworthy that the social security take-up rate of elderly population aged 65 or above has reached 72% in 2018, and further increased to 87% for those aged 70 or above.



## **Article 11: Right to an adequate standard of living**

### **General economic conditions**

11.1 Hong Kong's general economic conditions since the previous report is set out at **Annex 11A**. Sustaining economic growth is the key to elevating the overall standard of living. Hong Kong's free market allows everyone the opportunity for upward mobility through putting in talent and hard work. Hence, we consider that the most effective means of raising economic growth and thereby reducing income disparity is to invest in human capital, thereby raising the capability and productivity of the workforce, as well as to invest heavily in education, training and retraining to help workers cope with the ongoing structural changes. The efforts will also be continued in attracting investment and creating job opportunities by improving our business environment.

11.2 The Government will keep monitoring the changes in income distribution and continue with efforts to enable different strata of society to share the fruits of social and economic developments. The Government pays particular attention to the well-being of grassroots families, the elderly in need and the disadvantaged, and will continue to implement appropriate policies and measures to assist them, as well as engage in tripartite co-operation with the community and the business sector to build a caring and inclusive society in Hong Kong.

### **The right to continuous improvement of living condition**

11.3 The Government attaches great importance to the poverty issue and poverty alleviation work. The policy direction is to encourage and support people capable of working to achieve self-reliance through employment, while striving to put in place a reasonable and sustainable social welfare system for rendering appropriate assistance to the needy.

### **Commission on Poverty**

11.4 The Government reinstated the Commission on Poverty (CoP) in December 2012. Chaired by the Chief Secretary for Administration, CoP comprises four Directors of Bureaux and a number of non-official members from different sectors, including the political, business, social welfare and education sectors. CoP deliberates on

various policies and measures to alleviate poverty, and takes forward the work of the Community Care Fund (CCF) and the Social Innovation and Entrepreneurship Development Fund (SIE Fund) under its purview to plug gaps in the existing system and address poverty and social exclusion through innovative solutions, with a view to preventing and alleviating poverty. In addition, the CE chairs the annual CoP Summit to exchange views, together with government officials, directly with stakeholders and members of the public on poverty issues and strategies for alleviating poverty.

### Poverty line and its analytical framework

11.5 One of the priority tasks of the first-term CoP was to set a well-recognised poverty line for Hong Kong. The aim is to provide an objective quantitative analysis for the Government to monitor and understand the poverty situation, formulate poverty alleviation policies and assess policy effectiveness in an ongoing manner. It also provides a common basis for the discussion of poverty situation in the community. Details are set out at **Annex 11B**.

### Poverty alleviation efforts

11.6 In the previous Concluding Observations, the Committee recommended that the HKSAR should formulate and implement effective policies to reduce poverty. At the first CoP Summit held in September 2013, the Government indicated that policies and measures would be put in place to provide targeted assistance for needy groups as revealed by the poverty line. For example, the poverty line analysis has revealed that low-income working families, mostly with children at school, are at higher risk of poverty and deserve priority attention. In view of that, the Government launched in 2016 the Low-income Working Family Allowance (LIFA) Scheme (renamed as Working Family Allowance (WFA) Scheme on 1 April 2018 with the implementation of a series of enhancements) to encourage members of these families to stay in active employment and ease intergenerational poverty (see **Annex 11C**). Furthermore, the poverty line analysis also has a particular focus on the poverty situation of the elderly, and has helped the Government further identify the poor elderly persons with financial needs. In this connection, the enhanced OALA was introduced in 2018 to provide additional support for them.

11.7 CoP has also actively promoted CCF and SIE Fund under its purview to support disadvantaged groups including children, the elderly, persons with disabilities, patients, new arrivals and EMs. Since its establishment in 2011, CCF has launched 47 assistance programmes covering areas like healthcare, education, welfare, home affairs and housing for those outside the social safety net or the coverage of the Government's short-term relief measures. So far, the number of cases benefited under these programmes has reached approximately 1.64 million. SIE Fund has played the role of a facilitator by connecting our community with different sectors, including businesses, NGOs and academics, to address poverty and social exclusion through innovative solutions. To date, SIE Fund has funded 166 innovative, capacity building and research projects through the intermediaries, covering various service areas and benefitting more than 100 000 disadvantaged persons.

11.8 CoP is also mindful of the support needed by the underprivileged in other livelihood areas. For instance, CoP implemented the "Future Stars - Upward Mobility Scholarship" scheme and the "Life Buddies" Mentoring Scheme in 2014 and 2015 respectively to help grassroots students set their own life goals and encourage them to maintain positive values, with a view to enhancing their upward social mobility.

11.9 Since the reinstatement of CoP in 2012, the Government has committed more and more resources to livelihood and welfare. The recurrent expenditure on social welfare reached \$65.8 billion in 2017-18, a substantial increase of 54% as compared with the figure in 2012-13. According to the latest Hong Kong Poverty Situation Report 2017, the poverty rate was reduced by 5.4 percentage points after the Government's recurrent cash policy intervention in 2017, lifting 367 900 persons out of poverty. This has clearly demonstrated the effectiveness of the Government's poverty alleviation measures.

### **The right to adequate food, water and adequate housing**

11.10 The work of the Government in food and water supply, and in increasing housing land supply are set out at **Annex 11D**.

11.11 In response to paragraph 49 of the previous Concluding Observations, we wish to highlight that the Government is determined to rectify the housing problem currently faced by the public with the greatest effort, and provide adequate and affordable housing to enable Hong Kong people to have comfortable homes and improve their living environment. For details, please refer to paragraphs 15-17 of **Annex 11D**.

## **Article 12: The right to health**

### **Health and healthcare**

12.1 The position at the constitutional level is as explained in paragraph 412 of the initial report.

12.2 In paragraph 50 of the previous Concluding Observations, the Committee recommended adopting measures to provide the public health sector with a sufficient number of doctors and medical personnel. The Hospital Authority (HA) has implemented the following measures -

- (a) **Recruitment of Local Graduates:** Resident Trainee posts will be increased to recruit all qualified local medical graduates;
- (b) **Recruiting Non-locally trained Doctors under Limited Registration (LR):** HA has started to recruit non-local doctors with LR since 2011/12. Alongside the enhanced contract term of up to three years offered by HA since 2017, recruitment of more non-local doctors through the LR scheme is expected;
- (c) **Special Retired and Rehire Scheme:** Starting from 2015/16, to rehire suitable serving doctors upon their retirement or completion of contract at/beyond their normal retirement age with an aim to help alleviate manpower issues and to retain suitable expertise for training and knowledge transfer;
- (d) **Employment of Part-time doctors:** HA has continued to recruit part-time doctors so as to allow greater flexibility in recruitment strategies;
- (e) **Special Honorarium Scheme:** This scheme will continue to be implemented as appropriate to address short-term manpower constraint issues;

- (f) **Enhancement of Promotion Prospects:** A centrally coordinated additional promotion mechanism has been launched since 2011/12 for promotion to Associate Consultants after serving HA for five years or more after obtaining fellowship;
- (g) **Better Training Opportunities:** HA has provided more training programmes, overseas training, as well as simulation training programmes to support professional development; and
- (h) **Flexible Working Environment:** HA is considering to introduce more flexible options in work arrangements to cater the needs of staff while retaining experienced hands.

### Regulation of health care institutions

12.3 The Office for Regulation of Private Healthcare Facilities of the Department of Health (DH) registers private hospitals, nursing homes and maternity homes and monitors their services with respect to accommodation, manpower and equipment. The framework for the regulation and monitoring of private health care services are implemented and regularly reviewed by the DH.

12.4 The Private Healthcare Facilities Ordinance (Cap. 633) (PHFO) was enacted in 2018. It will provide for a new premises-based regulatory regime for four types of private healthcare facilities (PHFs), namely hospitals, day procedure centres, clinics and health services establishments. In addition to the requirements stipulated in PHFO, PHFs will be subject to regulatory standards commensurate with the risk of the services they provide. PHFO will be implemented in phases based on the risk level of various types of PHFs. Applications for licences for private hospitals under the new regime will commence in mid-2019, and those for day procedure centres are anticipated to commence in 2020. Applications for licences and letters of exemption for clinics are anticipated to commence in 2021 at the earliest.

## Voluntary Health Insurance Scheme (VHIS)

12.5 As the public expressed reservations about mandatory measures for healthcare financing, the Government proposed to implement a voluntary scheme to enhance the accessibility to and quality of hospital insurance. From December 2014 to April 2015, the Government conducted a Public Consultation on the VHIS. As revealed by the consultation outcomes in 2017, there was broad support for the concept and policy objectives of the VHIS in general.

12.6 The VHIS seeks to improve the quality of hospital insurance and offers consumers a more comprehensive choice of quality insurance products. By improving the accessibility, quality and transparency of indemnity hospital insurance products (IHIPs), consumers will have more confidence and certainty in purchasing insurance coverage for use of private healthcare services when needed, thereby alleviating the long-term financing pressure on the public healthcare system.

12.7 VHIS has been fully implemented starting from 1 April 2019. Compared with many existing IHIPs, Certified Plans under the VHIS are more attractive in a number of ways, such as guaranteed renewal until the insured reaches the age of 100, premium adjustment not being based on changes in the health condition of that individual insured, no lifetime benefit limit, and coverage extended to include unknown pre-existing conditions and ambulatory procedures including endoscopy. As an added incentive, for taxpayers who purchase Certified Plans for themselves and/or their specified relatives, the premiums paid on or after 1 April 2019 will be eligible for tax deduction.

## Enhancing primary care

12.8 Enhancing primary healthcare is among the policy priorities of the Food and Health Bureau (FHB). FHB has established the Steering Committee on Primary Healthcare Development in November 2017 to develop a blueprint for the sustainable development of primary healthcare services for Hong Kong. FHB will also set up a pilot District Health Centre (DHC) in Kwai Tsing District in Q3 2019; and

based on pilot experience, will set up DHCs in 18 districts progressively. The objectives of establishing DHCs are to raise public awareness on personal health management, enhance disease prevention, and strengthen medical and rehabilitation services in the community, thereby reducing unwarranted use of hospital services.

12.9 Implementation of a series of pilot projects has also been started to enhance the support for chronic disease patients in both the public and private sectors in local communities. In 2016, a \$10 billion public-private-partnership fund was set up under HA so that HA can use the investment return to continue funding the existing pilot projects and develop new projects as appropriate. The safety net of our public healthcare services will be strengthened so as to give better protection for patients requiring costly drugs and treatment.

#### Territory-wide Electronic Health Record Sharing System

12.10 The territory-wide Electronic Health Record Sharing System (eHRSS) was launched in March 2016, with a view to promoting public-private collaboration, facilitating continuity of patient care and enhancing the quality and cost-effectiveness of healthcare. Please see **Annex 12A** for details.

#### Provision of public hospital and dental care services

12.11 The latest situation with respect to provision of public hospital services and dental care services are also set out at **Annex 12A**.

#### Traditional Chinese medicine

12.12 The Government has put a lot of efforts in the development of Chinese medicine. Please see **Annex 12B** for details.

#### **Combating drug abuse**

12.13 As mentioned in paragraph 12.119 of the previous report, our anti-drug policy and measures have been underpinned by a five-pronged approach, comprising preventive education and publicity, treatment and rehabilitation, legislation and law enforcement, external



cooperation and research. The fight against drugs is a long-term haul requiring continuous concerted efforts under this approach to respond to the latest drug trends. The general drug situation, anti-drug policy and measures are set out in **Annex 12C**.

## **Tobacco control**

12.14 The Government's tobacco control policy seeks to safeguard public health by discouraging smoking, containing the proliferation of tobacco use and minimising the impact of passive smoking on the public. It is the Government's policy to implement tobacco control measures consistent with worldwide consensus, the local community's wishes as well as the World Health Organisation's (WHO) Framework Convention on Tobacco Control. The multipronged approach, comprising legislation and enforcement, taxation, publicity and education, as well as smoking cessation services has gradually reduced the smoking prevalence from 23.3% in 1982 to 10% in 2017.

12.15 In 2018, the Government has amended the law to enlarge pictorial health warnings from at least 50% to 85% of the two largest surfaces of cigarette packet, increase the number of forms of such health warning from six to 12, and incorporate details of the integrated smoking cessation hotline operated by the DH in the health warning. The smoking ban has also been extended to cover 11 bus interchange facilities.

12.16 The Government considers smoking cessation an integral and indispensable part of its tobacco control policy to complement other tobacco control measures. The integrated smoking cessation hotline (Quitline: 1833 183) provides general professional counselling and information on smoking cessation, and arranges referrals to various smoking cessation services in Hong Kong. Local NGOs also provide free smoking cessation services, covering a comprehensive range of activities and services including community-based smoking cessation services offering counselling and pharmacotherapy, acupuncture, outreach service to workplaces, services for youth, EMs and new immigrants, education for the public, training for healthcare professionals and conducting research projects.

## **Reducing harmful use of alcohol**

12.17 The Government has amended the Dutiable Commodities Ordinance (Cap. 109) and the Dutiable Commodities (Liquor) Regulations (Cap. 109B) to prohibit the sale and supply of intoxicating liquor to minors in the course of business, regardless of whether payment is involved. The ban has come into operation on 30 November 2018. Enforcement officers of the Tobacco and Alcohol Control Office conduct inspections and carry out enforcement actions upon receipt of intelligence or complaints. For local situation on alcohol related harm and existing interventions, please see **Annex 12D**.

## **Food safety**

12.18 The Government ensures food safety through a multi-pronged approach. Our work includes formulating effective food-safety legislation and updating food standards; devising comprehensive food surveillance strategy through incorporating the concept of “from farm to table”; maintaining close communication with regulatory authorities of major food exporting economies and relevant international authorities; and enhancing communication with food traders and consumers. Work relating to food safety is set out at **Annex 12E**.

## **Services for persons with disabilities**

### Pre-school rehabilitation services

12.19 Recognising the importance of “early identification, immediate intervention” for children with special needs, we have introduced an innovative service model to overcome the constraints in the supply of conventional premises-based rehabilitation services. With funding of \$422 million, we launched a pilot scheme on On-site Pre-school Rehabilitation Services (OPRS) under which rehabilitation services are provided “on site” in November 2015. Multi-disciplinary service teams<sup>2</sup> provide rehabilitation services for children with special

---

<sup>2</sup> These multi-disciplinary service teams comprise occupational therapists, physiotherapists, speech therapists, clinical/educational psychologists, social workers, and special child care workers.

needs at the kindergartens they are studying as well as provide consultation and assistance for teachers/child care workers, and support for parents. With the pilot scheme achieving notable preliminary results, the CE announced in the 2017 Policy Address to regularise the pilot scheme in October 2018 and earmarked an annual recurrent expenditure of \$460 million and will increase the number of service places from about 3 000 under the pilot scheme to 7 000 in two years. Besides, the Government plans to enhance the professional and support services provided under the OPRS upon its regularisation, including strengthening the establishment of speech therapists and social workers and setting up mobile training centres. In parallel, the SWD has planned to increase additional conventional service places in the next five years. With this breakthrough in service delivery, we seek to achieve the objective of allowing all children with special needs to receive rehabilitation service during the golden time of treatment at their early childhood.

#### Community support services and residential care services

12.20 The Government fully recognises the right of persons with disabilities to live independently and to participate in the community and is committed to providing support to persons with disabilities to facilitate their continued living in the community. For those persons with disabilities who cannot live independently and those who cannot be adequately taken care of by their families, we strive to provide them with residential care services. For details of community support services and residential care services, please see **Annex 12F**.

12.21 Further to paragraph 12.152 of the previous report, the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) was fully implemented on 10 June 2013. The Ordinance regulates Residential Care Home for Persons with Disabilities (RCHDs) through a licensing scheme and the Code of Practice<sup>3</sup> promulgated under this ordinance. The SWD set up a dedicated Licensing and Regulation Branch in 2017 to strengthen the monitoring of residential care homes and centres licensed or registered by the SWD and enhance their service quality, including strengthening inspection strategy and inspection back-up, enhancing support for rectification works in respect of RCHDs,

---

<sup>3</sup> The Code sets out requirements in respect of accommodation, fire safety and care services, etc.

strengthening district support network, formulating care-related guidelines, enhancing the quality and skills of home operators/managers/staff, stepping up law enforcement and increasing transparency.

12.22 In response to the calls for further strengthening the monitoring of RCHDs and enhancing their services, the SWD set up a working group in June 2017, comprising key stakeholders (including service users and carers), to review relevant ordinance and Code of Practice. The review covers the requirement on space per resident, staffing requirement, registration and qualification requirements for specified staff in RCHDs and training of RCHD staff, etc. The SWD plans to complete the review within two years. On the basis of the Working Group's recommendations, the Government will consider the need to amend relevant ordinance and Code of Practice.

### **Services for persons with mental health problems**

12.23 In paragraph 50 of the previous Concluding Observations, the Committee recommended adopting a national mental health policy aimed at making mental health services available and accessible, in particular by adopting legislation that is in line with international standards and by training skilled personnel. The Committee also recommends that Hong Kong, China, develop community-based mental health-care services.

12.24 The Government adopts an integrated and multi-disciplinary approach, including promotion, prevention, early identification, as well as timely intervention and treatment, and rehabilitation for persons in need. The policy direction is to encourage community support and ambulatory services, coupled with necessary and essential institutionalised services, so as to build a mental-health friendly society in Hong Kong, facilitating re-integration of persons with mental health needs into the community. In the past decade, the Government has been strengthening the manpower and resources allocated to mental health services. The expenditure on mental health increased from \$3.6 billion in 2008-09 to \$5.5 billion 2018-19, representing an increase of over 50%

12.25 To ensure that the mental health regime can rise up to the challenges of a growing and ageing population, the Government embarked on a review of the mental health policy and services through the setting up of a Review Committee on Mental Health in May 2013. The Review was completed with the publication of the Mental Health Review Report<sup>4</sup> in April 2017. The Review Report put forward a total of 40 recommendations for the enhancement of the overall mental health services in Hong Kong in 20 areas. One of the key recommendations was to set up a standing advisory committee on mental health to serve as a platform to follow up on the implementation of the Review Report. The Advisory Committee on Mental Health, comprising professionals from the healthcare, social service and education sectors, representatives from patient and carer advocacy groups, and lay persons with interest in mental health, was set up in December 2017 to advise the Government on mental health policies, including the establishment of more integral and comprehensive approaches to tackle multi-faceted mental health issues.

12.26 Since the 2010-11 financial year, HA has rolled out the Case Management Programme for patients with severe mental illness. Under the Programme, case managers (including psychiatric nurses, occupational therapists and registered social workers, etc.) work closely with other service providers in providing intensive, continuous and personalised support for patients with severe mental illness. HA is now working to improve the case manager to patient ratio with a view to providing more appropriate services.

## **Environment and industrial hygiene**

12.27 The Government is committed to building a sustainable and healthy living environment. Details relating to control of water pollution, waste management, control of air pollution, control of noise pollution and environmental education and related works are set out at **Annex 12G**.

---

<sup>4</sup> The link to the Mental Health Review Report - [https://www.fhb.gov.hk/en/press\\_and\\_publications/otherinfo/180500\\_mhr/mhr\\_background.html](https://www.fhb.gov.hk/en/press_and_publications/otherinfo/180500_mhr/mhr_background.html)

## **Occupational health**

12.28           The Occupational Health Service of LD continues to maintain and improve employees' occupational health through inspection and enforcement, publicity and education, as well as clinical occupational health service. We fine-tune the occupational health strategies from time to time with regard to the prevailing occupational health profile.

## **Article 13 and 14: Right to education**

13.1 The constitutional position remains as reported in paragraph 497 of the initial report. Education remains among the Government's highest priorities. Indicators of educational attainment are at **Annex 13A**. Education also continues to receive the highest allocations in the annual budget. For 2018-19, the total expenditure amounted to \$113.7 billion and the corresponding figure was \$61.7 billion in 2009-10.

13.2 The position relating to kindergarten education, primary and secondary education, vocational and professional education and training, private schools, post-secondary education, adult education, Quality Education Fund and Qualifications Framework are set out at **Annex 13B**.

13.3 In its previous Concluding Observations, the Committee has expressed concern over education of school-aged children of migrants, non-refoulement claimants and EMs, as well as Chinese language learning for non-Chinese speaking (NCS) students.

13.4 Under the prevailing policy, non-local children can enter public sector primary and secondary schools if the ImmD raises no objection to their education in HKSAR. The Education Bureau (EDB) will, depending on case details (e.g. age, educational background, etc. of the children concerned), arrange eligible children to attend public sector primary or secondary schools or Initiation Programme for newly arrived children (including children of migrants and non-refoulement claimants). The EDB will continue to offer various support services to assist newly arrived children to integrate into local education system and overcome learning barriers.

### **Language policy**

13.5 As mentioned in paragraph 517 of the initial report, our language policy is that students should be literate in both Chinese and English and be able to speak fluent Cantonese, Putonghua and English. The policy of "biliteracy and trilingualism" is persistently essential in Hong Kong. To enhance "biliteracy and trilingualism", we have introduced a number of measures including the fine-tuning of the

Medium of Instruction (MOI) arrangements. For details, please refer to **Annex 13C**.

### **Education for non-Chinese speaking students**

13.6 In paragraph 51 of the previous Concluding Observations, the Committee has shown concern over whether EM children have free access to compulsory education on an equal basis with other children. In paragraph 52, the Committee recommends that the Government take measures to eliminate de facto discrimination against NCS students<sup>5</sup>, including by resource reallocation to promote their access to education in mainstream schools, and by implementation of legislation and policies on bilingual education at all levels of education to provide high-quality education in Chinese as a second language.

13.7 The Government is committed to encouraging and supporting the early integration of NCS students (notably EM students) into the community, including facilitating their adaptation to the local education system and mastery of the Chinese language. All eligible children, irrespective of their races or places of birth, enjoy equal opportunities for admission to Primary One and Secondary One of public sector schools under the respective school places allocation systems, which are fair and transparent with priority consideration given to parents' preference.

13.8 EDB has issued circulars and guidelines to schools which set out the direction for taking care of NCS students. Schools should ensure that their admission requirements are fair, just and open, and in compliance with the laws of Hong Kong (including the RDO). All educational establishments have the responsibility to use their best endeavours in supporting the learning and teaching of all their students irrespective of races, in accommodating ethnic diversity in schools, in respecting cultural and religious differences and in communicating with parents.

---

<sup>5</sup> For the planning of educational support measures, students whose spoken language at home is not Chinese are broadly categorised as NCS students.



13.9 Learning through the two official languages of Hong Kong (i.e. English and Chinese) is necessary in order to ensure that EM students could integrate into the wider community and be able to maximise their learning alongside other students. EDB attaches great importance to the promotion of the “biliteracy and trilingualism” policy (i.e. to enable students to be literate in written Chinese and English and to speak fluent Cantonese, Putonghua and English), through the provision of school-based professional support services, professional development programmes for teachers, as well as learning and teaching materials to schools. In respect of promotion of local and regional languages, six other language subjects under the Senior Secondary Curriculum are offered at present, including French, German, Hindi, Japanese, Spanish and Urdu. Students may take the subjects according to their own interests, abilities and needs.

13.10 The policy of the Government is to encourage parents of NCS students to arrange for their children to study in schools with an immersed Chinese language environment as early as possible. As mastery of the Chinese language is conducive to NCS students’ integration into the community and gives them wider career opportunities in the future, EDB has implemented a series of measures since 2014 to enhance support for schools and NCS students including development of “Chinese Language Curriculum Second Language Learning Framework” (“Learning Framework”), creating an inclusive learning environment in schools, support for NCS students studying in kindergartens, etc. (see **Annex 13D**).

13.11 With the implementation of the above-mentioned enhanced support measures, the number of primary and secondary schools admitting NCS students has gradually increased from about 590 in the 2013/14 school year to about 620 in the 2017/18 school year, which covers about two-thirds of the schools in the territory. Among them, the number of schools admitting 10 or more NCS students and hence provided with the above-mentioned additional funding has increased by about 30% in four years, and the number of schools admitting less than 10 NCS students and provided with the additional funding has also substantially increased from 58 in the 2014/15 school year to 213 in the 2017/18 school year. This shows that the new support mode and

measures have widened the school choices of parents of NCS students. Due to various reasons including their location in districts where relatively more NCS people reside, parents' tendency to arrange for their younger children to study in the same school with their older siblings, and some parents' preference for schools with rich experience in taking care of NCS students, some schools may still have relatively more NCS students compared with schools in other districts.

13.12 The “Learning Framework” and relevant support measures have been implemented since the 2014/15 school year. It takes teachers' effort and time to take root in schools. Besides the curriculum, effective language learning is also based on multiple factors. For example, learning and teaching in schools, learning motivation of NCS students, study skills, time invested in learning Chinese, and parents' cooperation and expectation, etc., are important factors. EDB will continue reviewing the “Learning Framework” and the implementation of other support measures.

### **Education for students with special educational needs**

13.13 The Government is committed to providing quality education services for all students, including students with special educational needs (SEN) so that they have equal opportunities to develop their potentials. At present, specific learning difficulties, intellectual disability (ID), autism spectrum disorders (ASD), attention deficit / hyperactivity disorder, physical disability, visual impairment (VI), hearing impairment (HI), speech and language impairment (SLI), as well as mental illness are classified by the EDB as types of SEN.

13.14 The EDB adopts a dual-track mode in implementing special education. The EDB will, subject to the assessment and recommendations of specialists and parents' consent, refer students with more severe or multiple disabilities to special schools for intensive support. Other students with SEN will attend ordinary schools. Same as other students, students with SEN enjoy 12 years of free education, including 6 years of primary, 3 years of junior secondary and 3 years of senior secondary schooling, under the same curriculum framework.

13.15 In the 2018/19 school year, there are 60 aided special schools in Hong Kong, 57 of which operate primary, junior and senior secondary classes; one school for social development operates primary classes only and another one up to Secondary Three; as well as a school for children with VI operates up to Secondary Three (after then their students will attend ordinary schools for senior secondary schooling).

13.16 The EDB has been providing resources and support for special schools. The relatively smaller class size of special schools facilitates more individualized support to cater for students' diversity. Based on the types of disabilities of students, specialists including speech therapists, physiotherapists, occupational therapists, occupational therapist assistants, educational psychologists, school nurses, school social workers, braille staff as well as those in the boarding section including wardens, assistant wardens, houseparents, programme workers and nurses, are provided for special schools to cater for the diverse needs of their students. Moreover, the EDB has been actively improving the premises and facilities of special schools through various viable means, including conversion/addition, re-provisioning or in-situ redevelopment, to provide a better learning environment to students. Please refer to **Annex 13E** for the latest development and measures on special education.

13.17 The EDB has all along been implementing integrated education (IE) in accordance with five basic principles, namely early identification, early intervention, Whole School Approach (WSA), home-school co-operation and cross-sector collaboration. The EDB provides public sector ordinary schools with additional resources, professional support and teacher training to help schools cater for students with SEN. Schools are required to adopt the WSA for aligning policies, culture and practices, and deploy school resources flexibly to cater for the students with SEN through the 3-Tier Intervention Model<sup>6</sup>, and promote an inclusive school culture.

---

<sup>6</sup> Tier-1 support refers to early identification and catering for all students with diverse learning and adjustment needs, including those with mild or transient learning or adjustment difficulties through quality teaching in regular classrooms; tier-2 support refers to additional support/“add on” intervention, such as small group tutoring, pull-out remedial programmes for students with persistent learning or adjustment difficulties; tier-3 support refers to intensive individualised support for students with persistent and severe learning or adjustment difficulties under which schools are required to draw up an individual education plan for each of these students.

13.18 With a view to further supporting schools to cater for students with SEN, the Government has implemented various measures in recent years. Details are set out at **Annex 13F**.

13.19 Higher education institutions are committed to offering equal opportunities to all applicants. The admission decisions of institutions are based on the holistic assessment of the merit of the applicants. Applicants with disabilities would not be discriminated against. Applicants who fail to meet some of the entrance requirements (e.g. languages) but demonstrate outstanding performance in other aspects (including interviews) will be considered on a case-by-case basis. Such admission decision is within the institutions' autonomy.

13.20 To maximise opportunities for students with disabilities for higher education, the University Grants Committee (UGC)-funded universities have introduced a sub-system under the Joint University Programmes Admission System (JUPAS) for the admission of students with disabilities to bachelor degree programmes. The sub-system establishes contact between applicants with disabilities and the UGC-funded universities and enables the applicants to establish at an early date what assistance and facilities are available to them at the universities of their choice. A number of post-secondary institutions have put in place special arrangements and support services having regard to the disability and field of study of individual student. With various support measures for students with SEN in place, the number of students with SEN, including those with disabilities, who were pursuing full-time locally-accredited sub-degree and undergraduate programmes has increased from 628 in 2012/13 to 1 565 in 2017/18.

### **Education of prison inmates**

13.21 The position is largely the same as explained in paragraphs 555 and 556 of the initial report. In gist, the Correctional Services Department (CSD) employs qualified teachers and instructors to provide general education and vocational training for inmates aged under 21. For adult inmates who wish to pursue studies after work, CSD will provide academic advice to them, as well as help them enroll in suitable

courses and apply for subsidies.

13.22 Financial subsidy is provided to persons under CSD's custody who wish to pursue education. In order to provide more incentive to inmates, various subsidy schemes have been set up with donations from members of the public and various organisations since 2009 in addition to the Prisoners' Education Trust Fund. In 2017-18, 1 397 applicants (in terms of number of applications made) were granted financial assistance, totaling around \$1,890,000, for enrolling in distance learning courses and taking part in public examinations.

### **Education for children with no right to remain in Hong Kong**

13.23 Children with no right to remain in the HKSAR are subject to removal, so the question of their schooling in the HKSAR does not normally arise. For those school-aged children who are unlikely to be removed in short term, consideration may be given on a case-by-case basis to allow them to receive education. The EDB may offer placement assistance to these children to study in public sector schools after the Director of Immigration has given no comment on their education in the HKSAR having regard to factors like age, educational background, etc. of children concerned. Their right to education is adequately protected under the existing mechanism.

### **Education and qualifications assessment for new arrivals from the Mainland of China**

13.24 Support services mentioned in previous reports are maintained to help newly arrived children integrate into local community and overcome learning barriers. The support services include Initiation Programme and Induction Programme. As for those newly arrived children who choose to study in public sector schools directly, schools can also flexibly make use of the School-based Support Scheme Grant to organise school-based support programmes such as arranging tutorial classes, organising orientation programmes and guidance activities. We will continue to monitor the support measures to ensure smooth integration of these children into the local education system.

13.25 Some commentators considered that there should be a qualification recognition mechanism for academic or professional qualifications obtained from the Mainland. Under the Hong Kong Council for Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 1150), Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ) provides qualifications assessment services by offering a professional opinion on whether the totality of the educational qualifications of the individual (i.e. the integrated learning outcomes of the highest and terminal qualification) meets the standard of a particular qualification obtained in Hong Kong. Individuals possessing qualifications awarded by granting body/bodies operated outside Hong Kong (including the Mainland and overseas) may apply for qualifications assessment. Individual employers, organisations, or educational institutions have their own discretion on whether the qualification of any particular individual would be considered or accepted for employment, registration or study purpose.

### **Education for people of different sexual orientation and gender identities**

13.26 As mentioned in paragraph 13.86 of the previous report, through the provision of learning experiences via the school curriculum and learning activities, positive values including respect for others, non-discrimination and acceptance are developed in students. They will be nurtured to be tolerant and respect individual differences, including sexual orientation and gender identity. Moreover, the existing primary and secondary school curriculum include topics related to understanding the body and self-protection. It also emphasises the cultivation of positive values and attitudes (say, being friendly and respect for others) and building harmonious interpersonal relationship. The EDB also encourages schools to enhance sex education, as well as to organise sex-related preventive and developmental guidance activities to teach students how to protect their bodies, say no when they feel offended and seek help when necessary. It will continue to enhance its support to schools by producing learning and teaching resources and organise related professional development programmes for teachers to help them acquire the pedagogical knowledge and skills for implementing sex education.

## **Civic education, human rights education and education against discrimination**

13.27 Children irrespective of sex, religions and ethnicities have the right to receiving free quality education in Hong Kong. Learning elements related to civic education, human rights education and education against discrimination are included in the school curriculum of various subjects, as well as values education. One of the curriculum aims of those subjects is to help students appreciate and respect diversity in cultures and views in a pluralistic society. The process of learning and teaching places emphasis on developing positive values such as sense of responsibility, respect of rule of law, participation, democracy, justice, plurality, mutual support and betterment of humankind.

13.28 The EDB has been providing support to schools, including developing learning and teaching resources and organising professional development programmes. Diverse authentic life-wide learning experiences, such as uniformed group activities, volunteer services etc., are also provided by schools to deepen their students' understanding of the concepts and values relating to civic education, human rights education and education against discrimination.

13.29 The EDB adopts a “zero tolerance” policy on school bullying where any bullying act, no matter in whatever forms (including verbal, physical and cyber-bullying) or on whatever grounds (including sexual orientation and gender identities), is unacceptable. The EDB requires all schools to take the matter seriously and implement proactive measures to raise the awareness of anti-bullying among students and staff, and handle bullying incidents in schools in an appropriate manner with a view to ensuring the safety of students at schools and striving to create a harmonious school environment. The EDB has been providing support for schools, including provision of teaching materials and organization of activities for prevention and handling of bullying incidents, with a view to facilitating schools' work against bullying and discrimination.

13.30 The EOC has also delivered over 400 training sessions on anti-discrimination ordinances and related issues every year for civil

servants, human resource practitioners, senior management in organizations, community workers in NGOs, managerial and general staff in private companies from different industries, hospitals; staff and students from tertiary institutions and secondary schools.

### **Cultural identity and national values**

13.31 It is an established education policy of Hong Kong to develop students' national identity, which is stated as one of the curriculum goals. Please see **Annex 13G** for details.

### **Public education on the Basic Law**

13.32 The position is as explained in paragraph 13.103 of the previous report.



## **Article 15: Right to cultural life, scientific progress and its application**

15.1 The constitutional and legal position in relation to the rights under Article 15 remains as explained in paragraph 581 of the initial report.

### **Policy on culture and arts**

15.2 As explained in paragraphs 582 of the initial report, the Government's policy on culture and arts is to create an environment that is conducive to artistic expression and creation and that encourages public participation in cultural activities.

15.3 Since the previous report, the Government has been working on improving existing initiatives and introducing new ones to provide further support to the local arts and cultural sector, such as implementing new funding schemes, and increasing the resources for the Hong Kong Arts Development Council (HKADC). In 2018-19, the Government's estimated expenditure on culture and the arts is over \$4.8 billion (excluding estimated expenditure on capital works). The resources were mainly deployed for the provision of venue support for arts activities, funding support to arts groups, arts education and promotion, as well as relevant administrative costs.

15.4 Apart from cultural facilities operated by the Government directly, the Government has also established a statutory body, the West Kowloon Cultural District Authority, to implement the West Kowloon Cultural District (WKCD) project. The project is an important cultural infrastructure investment of Hong Kong. WKCD is being developed into a world-class integrated arts and cultural district comprising local, traditional as well as international and modern elements. It aims to promote the development of arts and culture, meet the growing cultural needs of the public and strengthen Hong Kong's position as an international arts and cultural metropolis.

## **Promotion of and access to cultural and arts activities**

15.5 The Government is committed to promoting culture and arts, and encouraging members of the community (including children, youth and persons with disabilities) to participate in cultural and arts activities. The latest position of cultural facilities, and promotion of and participation in culture and arts activities are set out at **Annex 15A**.

## **Education and development of culture and arts**

15.6 Both the Hong Kong Academy for Performing Arts (HKAPA) and the Hong Kong Arts Centre continue to further the development and education of various form of arts. The HKAPA is the only publicly-funded tertiary institution dedicated to the training, education and research in the performing arts and related technical arts in Hong Kong. It has now produced over 9 000 graduates since its establishment in 1984. The Hong Kong Arts School, set up by the independent Hong Kong Arts Centre, runs many award-bearing programmes in arts education.

15.7 The EDB has been advocating the learning of culture and arts in schools. The position is as explained in paragraphs 15.32 to 15.35 of the previous report.

## **Policy on heritage conservation**

15.8 The Government seeks to protect, conserve and revitalise as appropriate historical and heritage sites and buildings for the benefit and enjoyment of present and future generations. In April 2008, the Development Bureau set up the Commissioner for Heritage's Office (CHO) to take forward various initiatives for heritage conservation. Furthermore, the Antiquities Advisory Board (AAB) advises the Government on matters relating to antiquities and monuments. The work of CHO and AAB are set out at **Annex 15B**.

## **Archives**

15.9 In paragraph 15.45 of the previous report, we explained the

initiatives taken by the Government Records Service (GRS) in promoting the appreciation and use of archival records and managing archival records. Currently, GRS preserves more than 1.5 million archival records. To make our archival holdings more accessible to users, more than 85 000 archival records have been digitised to produce 2 million digital images. To further enhance the promotion of public awareness and appreciation of archival heritage, GRS has organised 8 exhibitions, 530 sessions of thematic film shows and 287 seminars and group visits for more than 20 000 participants since the issue of the previous report. In particular, GRS has developed an “Educational Resources Portal” and dozens of online educational aids, to promote the wider use of archival records. GRS has institutionalised the appeal channel since 2015. Members of the public may appeal to the Director of Administration against GRS’ decision and lodge a complaint with The Ombudsman if they are concerned about any maladministration in the handling of their access requests. Since 2015, GRS has processed a total of 256 access requests and over 99.2 percent of such requests had been acceded to. Only 2 requests had been rejected in full with reasons fully explained to the requestors. To date, no appeals have been received. In 2018, a new online catalogue for GRS’ archival holdings known as “@PRO” came into operation. “@PRO” provides the users with a brand new and more efficient as well as user-friendly interface to facilitate them to search for and access the archival records that they need.

15.10 In 2013, the Law Reform Commission (LRC) set up an Archives Law Sub-committee to study the subject of archives law for the purpose of considering whether reform is needed and, if so, to make such recommendations for reform as appropriate. In December 2018, the Sub-committee released the consultation paper. While Hong Kong does not have an archives law at present, the Sub-committee agrees that the current administrative regime governing records and archives management in Hong Kong has covered the essential elements of archives law in other jurisdictions and largely follows international best practices. That said, the Sub-committee’s provisional view is that it sees a case for the introduction of an archives law to further strengthen the management, protection and preservation of public records and archives in Hong Kong. The Government holds a positive view towards the enactment of an archives law. If LRC recommends the enactment of an

archives law following the public consultation, the Government will follow up as appropriate.

## **Broadcasting**

15.11 Hong Kong has a vibrant broadcasting sector. Hong Kong audience have access to over 800 local and overseas television channels in various languages through free-to-air terrestrial and satellite reception or pay television services. Three domestic free television programme service (free TV) licensees are required to broadcast news, documentary, current affairs, arts and culture programmes and programmes for children, young persons and senior citizens. As the public service broadcaster, Radio Television Hong Kong (RTHK) presents a variety of programmes to serve a broad spectrum of audiences and cater to the needs of minority interest groups.

15.12 As for sound broadcasting, 13 local radio channels operated by RTHK and two licensed broadcasters are serving Hong Kong listeners. The radio channels broadcast news and weather reports, current affairs, arts and culture programmes and programmes for children, young persons and senior citizens.

15.13 Further to paragraphs 15.47 to 15.49 of the previous report, the Government promulgated in 2010 the Charter of RTHK, which defines RTHK's role as a public service broadcaster, sets out its public purposes and mission, and stipulates that RTHK is editorially independent. The RTHK Board of Advisors was formed in 2010 comprising lay community members to advise the Director of Broadcasting on all matters pertaining to editorial principles, programming standards and quality of RTHK programming, and to receive reports on complaints, public opinion surveys and performance evaluation of RTHK. In 2012, RTHK launched the Community Involvement Broadcasting Service (CIBS), inviting the community and EMs to participate in the production of radio programmes. Participants can seek funding support from the Community Involvement Broadcasting Fund to produce the programmes. As of the end of 2018, there have been over 4 100 hours of CIBS programmes.

## **Promotion of science and technology**

15.14 Since the previous report, the HKSAR Government has stepped up efforts considerably to promote innovation and technology development in Hong Kong. Please see **Annex 15C** for details.

### Protection of intellectual property rights

15.15 The overall position remains as explained in paragraphs 613 to 617 of the initial report. HKSAR is committed to providing robust protection of intellectual property rights by way of comprehensive legislation, rigorous enforcement action, sustained public education, and close cooperation with rights owners and other law enforcement agencies. In the latest Global Competitiveness Report released in October 2018 by the World Economic Forum, Hong Kong was ranked ninth out of 140 economies in intellectual property protection. In relation to the promotion of science and technology, HKSAR has in place a patent regime to provide effective protection for scientific inventions, and is also pressing ahead with the establishment of an “original grant patent” system to support efforts to develop Hong Kong into a regional innovation and technology hub.

## **Country parks and conservation areas**

15.16 After the submission of the previous report, we have designated five more special areas and incorporated six country park enclaves into their respective country parks. Apart from establishing protected areas to maintain biodiversity in Hong Kong, the Hong Kong Geopark was accepted as a member of the Global Geoparks Network in September 2011 and was renamed Hong Kong UNESCO Global Geopark in November 2015. We have also established sistering relationship with eight UNESCO Global Geoparks around the world, which provide an important overseas network for the promotion, management and sustainable development of the geopark.

15.17 A dedicated Countryside Conservation Office was established in July 2018 to co-ordinate conservation projects and promote sustainable development of remote countryside in Hong Kong.



**Constitutional Development**

1. The number of seats in the LegCo returned by geographical constituencies (GCs) through direct elections has increased from 20 in the first term (1998-2000) to 24 in the second term (2000-2004), and to 30 in the third term (2004-2008) as prescribed in Annex II to the Basic Law of the HKSAR. In 2010, after rounds of public consultation, the HKSAR Government put forth a package of proposals for amending the methods for selecting the CE and for forming the LegCo in 2012. For the method for selecting the CE, it was proposed that:

- (a) the number of members of the Election Committee (EC) in 2012 be increased from 800 to 1 200;
- (b) three quarters of the 100 new seats (i.e. 75 seats) in the fourth sector of the EC (i.e. the political sector) be allocated to elected District Council (DC) members; together with the existing 42 seats, the DC subsector would have a total of 117 seats, which would be returned through election from among elected DC members; and
- (c) the nomination threshold be maintained at the ratio of one-eighth of the total membership of the EC (i.e. the number of subscribers required shall be not less than 150), so as to allow sufficient competition and ensure that candidates have sufficient support.

As regards the method for forming the LegCo, it was proposed that:

- (a) the number of seats in the LegCo in 2012 be increased from 60 to 70;
- (b) the number of seats to be returned by geographical constituencies (GCs) through direct elections and that by functional constituencies (FCs) be increased from 30 to 35 respectively; and

- (c) candidates for the five new FC seats to be nominated among elected DC members and elected by all registered electors on a one-person-one-vote basis, who previously did not have a right to vote in the traditional FCs (the electorate base would be about 3.2 million, being the total 3.43 million registered electors less 230 000 registered electors for the existing FCs), i.e. each elector would have two votes, one vote for the GC and one vote for the FC.

2. The motions put forth by the Government concerning the draft amendments to the methods for the selection of the CE and for the formation of the LegCo in 2012 were passed by a two-thirds majority of all Members of the LegCo on 24 and 25 June 2010. The draft amendments were given consent by the CE on 29 June 2010 and approved and recorded by the Standing Committee of the National People's Congress (NPCSC) respectively on 28 August 2010. The Government introduced into the LegCo two Bills in December 2010 for implementing the proposed arrangements regarding the methods for selecting the CE and for forming the LegCo in 2012. The Bills were passed by the LegCo in March 2011. The revised methods for selecting the CE and for forming the LegCo were formally implemented in the 2012 CE Election and 2012 LegCo Election.

#### Universal Suffrage for the selection of CE and the method for forming the LegCo in 2016

3. Article 45 of the Basic Law provides that “[t]he method for selecting the Chief Executive shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures”. Article 68 of the Basic Law provides that “[t]he method for forming the Legislative Council shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the Legislative Council



by universal suffrage”. According to Annexes I and II to the Basic Law, any amendments to the methods for selecting the CE and for forming the LegCo as provided in those Annexes must be made with the endorsement of a two-thirds majority of all Members of the LegCo and the consent of the CE, and reported to the NPCSC for approval or for the record. 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), the CE shall make a report to the NPCSC as regards whether there is a need to make an amendment, and the NPCSC shall, in accordance with the provisions of Articles 45 and 68 of the Basic Law, make a determination in the light of the actual situation of the HKSAR and in accordance with the principle of gradual and orderly progress.

4. To attain the ultimate aim of selecting the CE and the election of all Members of the LegCo by universal suffrage as prescribed in Articles 45 and 68 of the Basic Law, the Government announced in October 2013 the establishment of the Task Force on Constitutional Development, which was headed by the Chief Secretary for Administration, to take charge of the public consultation on the methods for selecting the CE in 2017 and for forming the LegCo in 2016. The Government subsequently launched a public consultation to collect views from various sectors of the community on major issues and related questions on the two electoral methods.

5. After an extensive five-month public consultation with over 120 000 written submissions received, the Government published the Report on the Public Consultation on the Methods for Selecting the Chief Executive in 2017 and for Forming the LegCo in 2016 on 15 July 2014. On the same day, in accordance with the Interpretation, the CE submitted his report to the NPCSC to invite the NPCSC to make a determination on whether there was a need to amend the methods for selecting the CE and for forming the LegCo. In the light of the results of the public consultation, the CE had come to the view that the community of Hong Kong generally hoped that universal suffrage for the CE election could be implemented in 2017, so that over five million eligible electors in Hong Kong could elect the next CE through “one person, one vote” in 2017,

thereby taking an important step forward in the constitutional development of Hong Kong, and that there was no need to amend Annex II to the Basic Law regarding the method for forming the LegCo in 2016.

6. Having considered the report submitted by the CE and having extensively listened to views and opinions from different sectors of the Hong Kong community, the NPCSC adopted the Decision on Issues Relating to the Selection of the Chief Executive of the HKSAR by Universal Suffrage and on the Method for Forming the Legislative Council of the HKSAR in the year 2016 on 31 August 2014 (the 8.31 Decision). The 8.31 Decision was made in accordance with the Basic Law and the NPCSC's 2004 Interpretation, and pursuant to the specific role of the Central Authorities in the constitutional development of the HKSAR. The 8.31 Decision provided that starting from 2017, the selection of the CE may be implemented by the method of universal suffrage. It has also set out a clear framework for the specific method for selecting the CE by universal suffrage. As for the method for forming the LegCo in 2016, there was no need to amend the existing method and voting procedures for the LegCo as prescribed in Annex II to the Basic Law.

7. On the basis of the Basic Law and the 8.31 Decision, the Government published on 7 January 2015 the Consultation Document on the Method for Selecting the Chief Executive by Universal Suffrage and launched a two-month public consultation on the method for selecting the CE by universal suffrage. Subsequently, the HKSAR Government published the Consultation Report and Proposals on the Method for Selecting the Chief Executive by Universal Suffrage on 22 April 2015, collating and consolidating the views received, and putting forward a package of proposals which were constitutionally in order, lawful, reasonable and rational. Highlights of the package of proposals put forth by the HKSAR Government included the following:

- (a) the Nominating Committee (NC) shall comprise of 1 200 members, the composition of which shall follow the 38 subsectors in the four major sectors of the existing EC; the existing method for returning members of the 38 subsectors and electorate base for individual subsectors should remain unchanged;

- (b) the nominating procedures shall be divided into two stages, namely the stage of “members recommendation” and the stage of “committee nomination”. A person who can obtain recommendation jointly by 120 NC members in their individual capacities can become a person seeking nomination for the CE election; each NC member may recommend only one person; each person seeking nomination shall obtain no more than 240 recommendations;
- (c) at the stage of “committee nomination”, the NC shall nominate two to three CE candidates through voting by secret ballot. Each NC member may support two to all persons seeking nomination. The two to three persons seeking nomination who can obtain endorsement of more than half of all the members of the NC and with the highest number of members’ endorsement will become the candidates; and
- (d) at the stage of electing the CE by universal suffrage, all eligible electors of Hong Kong will elect the CE-elect from the two to three candidates nominated by the NC using the “first-past-the post” system.

8. Despite the outcomes of public opinion polls conducted by different organisations which suggested that there were more members of the public supporting rather than opposing the proposals put forward by the Government, the proposals failed to obtain the endorsement by a two-thirds majority of all Members of the LegCo as prescribed in Annex I to the Basic Law at the LegCo meeting on 18 June 2015. Therefore, according to the 8.31 Decision, the method for selecting the fourth-term CE in 2012 was adopted to select the fifth-term CE in 2017, i.e., elected by a 1 200-member EC.

9. The Government fully understands the aspirations of the community for universal suffrage, and will continue to work towards creating a favourable atmosphere for constitutional development.



**Constitutional guarantee and legislative measures  
Implementing the Covenant in the HKSAR**

**ARTICLE 2**

**Progressive realisation of the rights recognised in the Covenant and the exercise of those rights without discrimination**

- Constitutional guarantee – Article 39 of the Basic Law
- Legislative measures – Rules of the High Court (Cap. 4, Subsidiary Legislation A)
- Employment Ordinance (Cap. 57)
  - Mental Health Ordinance (Cap. 136)
  - Crimes Ordinance (Cap. 200)
  - Criminal Procedure Ordinance (Cap. 221)
  - Hong Kong Bill of Rights Ordinance (HKBORO) (Cap. 383)
  - Sex Discrimination Ordinance (Cap. 480)
  - Disability Discrimination Ordinance (Cap. 487)
  - Family Status Discrimination Ordinance (Cap. 527)
  - Race Discrimination Ordinance (Cap. 602)

**ARTICLE 3**

**Equality rights of men and women**

- Constitutional guarantee – Article 25 of the Basic Law
- HKBORO (Cap. 383), Articles 1 and 22
- Legislative measures – Sex Discrimination Ordinance (Cap. 480)

## **ARTICLE 6**

### **Choice of occupation and labour rights**

- Constitutional guarantee – Articles 33 and 147 of the Basic Law
- Legislative measures – Apprenticeship Ordinance (Cap. 47)
- Employment of Children Regulations (Cap. 57 Subsidiary Legislation B) under the Employment Ordinance (Cap. 57)
  - Immigration Ordinance (Cap. 115)
  - Employees Retraining Ordinance (Cap. 423)
  - Sex Discrimination Ordinance (Cap. 480)
  - Disability Discrimination Ordinance (Cap. 487)
  - Family Status Discrimination Ordinance (Cap. 527)
  - Construction Workers Registration Ordinance (Cap. 583)
  - Race Discrimination Ordinance (Cap. 602)

## **ARTICLE 7**

### **Right to enjoy just and favourable conditions of work**

- Legislative measures – Labour Tribunal Ordinance (Cap. 25)
- Boilers and Pressure Vessels Ordinance (Cap. 56)
  - Employment Ordinance (Cap. 57)
  - Employment of Young Persons (Industry) Regulations (Cap. 57 Subsidiary Legislation C) under Employment Ordinance (Cap. 57)
  - Factories and Industrial Undertakings Ordinance (Cap. 59) and its subsidiary legislation
  - Crimes Ordinance (Cap. 200)
  - Offences against the Person Ordinance (Cap. 212)
  - Employees' Compensation Ordinance (Cap. 282)

- Mining Ordinance (Cap. 285)
- Dangerous Goods Ordinance (Cap. 295)
- Radiation Ordinance (Cap. 303)
- Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360)
- Protection of Wages on Insolvency Ordinance (Cap. 380)
- Minor Employment Claims Adjudication Board Ordinance (Cap. 453)
- Occupational Deafness (Compensation) Ordinance (Cap. 469)
- Builders' Lifts and Tower Working Platforms (Safety) Ordinance (Cap. 470)
- Sex Discrimination Ordinance (Cap. 480)
- Disability Discrimination Ordinance (Cap. 487)
- Occupational Safety and Health Ordinance (Cap. 509) and its subsidiary legislation
- Family Status Discrimination Ordinance (Cap. 527)
- Race Discrimination Ordinance (Cap. 602)
- Minimum Wage Ordinance (Cap. 608)

## **ARTICLE 8**

### **Right to trade union membership**

- |                          |  |
|--------------------------|--|
| Constitutional guarantee | - Article 27 of the Basic Law  |
| Legislative measures     | <ul style="list-style-type: none"> <li>- Labour Relations Ordinance (Cap. 55)</li> <li>- Employment Ordinance (Cap. 57)</li> <li>- Trade Unions Ordinance (Cap. 332)</li> <li>- HKBORO (Cap. 383), Article 18</li> </ul> |

## **ARTICLE 9**

### **Right to social security**

- Constitutional guarantee – Articles 36 and 145 of the Basic Law
- Legislative measures – Employment Ordinance (Cap. 57)
- Pensions Ordinance (Cap. 89)
  - Pension Benefits Ordinance (Cap. 99)
  - Employees’ Compensation Ordinance (Cap. 282)
  - Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360)
  - Employees Compensation Assistance Ordinance (Cap. 365)
  - Occupational Retirement Schemes Ordinance (Cap. 426)
  - Occupational Deafness (Compensation) Ordinance (Cap. 469)
  - Mandatory Provident Fund Schemes Ordinance (Cap. 485)

## **ARTICLE 10**

- Constitutional guarantee – Article 37 of the Basic Law

### **Protection of Family**

- Legislative measures – Employment Ordinance (Cap. 57)
- Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189)
  - Adoption Ordinance (Cap. 290)
  - HKBORO (Cap. 383), Article 19(1)
  - Residential Care Homes (Elderly Persons) Ordinance (Cap. 459)
  - Family Status Discrimination Ordinance (Cap. 527)



- Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613)

### **Right in Respect of Marriage**

- Legislative measures
- Marriage Reform Ordinance (Cap. 178)
  - Marriage Ordinance (Cap. 181)
  - HKBORO (Cap. 383), Articles 19(2), (3) and (4)
  - Age of Majority (Related Provisions) Ordinance (Cap. 410)

### **Maternity Protection**

- Legislative measures
- Employment Ordinance (Cap. 57), Part III
  - Sex Discrimination Ordinance (Cap. 480)

### **Protection of Children and Young Persons**

- Legislative measures
- Guardianship of Minors Ordinance (Cap. 13)
  - Separation and Maintenance Orders Ordinance (Cap. 16)
  - Apprenticeship Ordinance (Cap. 47)
  - Employment of Children Regulations (Cap. 57 Subsidiary Legislation B), and Employment of Young Persons (Industry) Regulations (Cap. 57 Subsidiary Legislation C) under Employment Ordinance (Cap. 57)
  - Employment of Young Persons and Children at Sea Ordinance (Cap. 58)
  - Dutiable Commodities (Liquor) Regulations (Cap 109 Subsidiary Legislation B) under Dutiable Commodities Ordinance (Cap. 109)
  - Matrimonial Causes Ordinance (Cap. 179)
  - Matrimonial Proceedings and Property Ordinance (Cap. 192)

- Protection of Children and Juveniles Ordinance (Cap. 213)
- Child Care Services Ordinance (Cap. 243)
- HKBORO (Cap. 383), Article 20
- Age of Majority (Related Provisions) Ordinance (Cap. 410)
- Child Abduction and Custody Ordinance (Cap. 512)
- Prevention of Child Pornography Ordinance (Cap. 579)

## **ARTICLE 11**

### **Right to Adequate Food**

- Legislative measures
- Public Health and Municipal Services Ordinance (Cap. 132)
  - Reserved Commodities Ordinance (Cap. 296)
  - Food Safety Ordinance (Cap. 612)

### **Right to Water**

- Legislative measures
- Waterworks Ordinance (Cap. 102)
  - Water Pollution Control Ordinance (Cap. 358)

### **Right to Adequate Housing**

- Legislative measures
- Landlord and Tenant (Consolidation) Ordinance (Cap. 7)
  - New Territories Ordinance (Cap. 97)
  - Rating Ordinance (Cap. 116)
  - Stamp Duty Ordinance (Cap. 117)
  - Lands Resumption Ordinance (Cap. 124)
  - Town Planning Ordinance (Cap. 131)
  - Housing Ordinance (Cap. 283)
  - Bedspace Apartments Ordinance (Cap. 447)

- New Territories Land (Exemption) Ordinance (Cap. 452)
- Estate Agents Ordinance (Cap. 511)
- Urban Renewal Authority Ordinance (Cap. 563)
- Residential Properties (First-hand Sales) Ordinance (Cap. 621)
- Property Management Services Ordinance (Cap. 626)

### **Right to Continuous Improvement of Living Condition**

- Legislative measures
- Public Health and Municipal Services Ordinance (Cap. 132)
  - Residential Care Homes (Elderly Persons) Ordinance (Cap. 459)
  - Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613)

## **ARTICLE 12**

### **Right to Health**

- Constitutional guarantee
- Article 138 of the Basic Law
- Legislative measures
- Mental Health Ordinance (Cap. 136)
  - Smoking (Public Health) Ordinance (Cap. 371)
  - Occupational Safety and Health Ordinance (Cap. 509)
  - Electronic Health Record Sharing System Ordinance (Cap. 625)

### **Environment, Hygiene and Protection**

- Legislative measures
- Town Planning Ordinance (Cap. 131)
  - Public Health and Municipal Services Ordinance (Cap. 132)
  - Air Pollution Control Ordinance (Cap. 311) and its

### Subsidiary Legislations

- Waste Disposal Ordinance (Cap. 354) and its Subsidiary Legislations
- Water Pollution Control Ordinance (Cap. 358)
- Smoking (Public Health) Ordinance (Cap. 371)
- Road Traffic Ordinance (Cap. 374)
- Noise Control Ordinance (Cap. 400) and its Subsidiary Legislations
- Ozone Layer Protection Ordinance (Cap. 403)
- Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413)
- Merchant Shipping (Liability and Compensation for Oil Pollution) Ordinance (Cap. 414)
- Sewage Services Ordinance (Cap. 463), Sewage Services (Sewage Charge) Regulation (Cap. 463 Subsidiary Legislation A) and Sewage Services (Trade Effluent Surcharge) Regulation (Cap. 463 Subsidiary Legislation B)
- Dumping at Sea Ordinance (Cap. 466)
- Environmental Impact Assessment Ordinance (Cap. 499)
- Hazardous Chemicals Control Ordinance (Cap. 595)
- Product Eco-responsibility Ordinance (Cap. 603)
- Bunker Oil Pollution (Liability and Compensation) Ordinance (Cap. 605)
- Buildings Energy Efficiency Ordinance (Cap. 610)
- Motor Vehicle Idling (Fixed Penalty) Ordinance (Cap. 611)
- Food Safety Ordinance (Cap. 612)

### **Industrial Hygiene and Prevention of Occupational Diseases**

- Legislative measures – Factories and Industrial Undertakings (Notification of Occupational Diseases) Regulations (Cap 59)

Subsidiary Legislation E) under Factories and Industrial Undertakings Ordinance (Cap. 59)

### **Control of Epidemics**

Legislative measures – Prevention and Control of Disease Ordinance (Cap. 599)

### **Medical Service and Attention to All**

Legislative measures – Hospital Authority Ordinance (Cap. 113)

- Dentists Registration Ordinance (Cap. 156)
- Medical Registration Ordinance (Cap. 161)
- Midwives Registration Ordinance (Cap. 162)
- Nurses Registration Ordinance (Cap. 164)
- Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap. 165)
- Medical Clinics Ordinance (Cap. 343)
- Supplementary Medical Professions Ordinance (Cap. 359)
- Chinese Medicine Ordinance (Cap. 549)
- Private Healthcare Facilities Ordinance (Cap. 633)

### **Reducing harmful use of alcohol**

Legislative measures – Dutiable Commodities Ordinance (Cap. 109), Dutiable Commodities (Liquor) Regulations (Cap 109 Subsidiary Legislation B)

## **ARTICLES 13 and 14**

### **Right to Education**

Constitutional guarantee – Articles 136, 137 and 144 of the Basic Law

Legislative measures – Education Ordinance (Cap. 279)

- HKBORO (Cap. 383), Article 15(4)
- Post Secondary Colleges Ordinance (Cap. 320)
- Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 592)
- Hong Kong Council for Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 1150)

## **ARTICLE 15**

### **Right to cultural life, scientific progress and its application**

- Constitutional guarantee
- Articles 27, 34, 139, 140 and 144 of the Basic Law

### **Right to Take Part in Cultural Life**

- Legislative measures
- Antiquities and Monuments Ordinance (Cap. 53)
  - Hong Kong Arts Centre Ordinance (Cap. 304)
  - HKBORO (Cap. 383), Article 16
  - Lord Wilson Heritage Trust Ordinance (Cap. 425)
  - Hong Kong Arts Development Council Ordinance (Cap. 472)
  - West Kowloon Cultural District Authority Ordinance (Cap. 601)
  - The Hong Kong Academy for Performing Arts Ordinance (Cap. 1135)

### **Right to Enjoy Benefits of Scientific Progress and its Application**

- Legislative measures
- HKBORO (Cap. 383), Articles 3 and 16
  - Personal Data (Privacy) Ordinance (Cap. 486)

## **Protection of Interests of Authors**

- Legislative measures
- Trade Descriptions Ordinance (Cap. 362)
  - Layout-design (Topography) of Integrated Circuits Ordinance (Cap. 445)
  - Patents Ordinance (Cap. 514)
  - Registered Designs Ordinance (Cap. 522)
  - Copyright Ordinance (Cap. 528)
  - Prevention of Copyright Piracy Ordinance (Cap. 544)
  - Trade Marks Ordinance (Cap. 559)





**Equal Opportunities Commission**

1. The EOC is an independent statutory body established under the SDO. Its functions include working towards the elimination of discrimination, promoting equality of opportunity and harmony, working towards the elimination of harassment and vilification, handling complaints, assisting persons aggrieved by discrimination by way of conciliation and other assistance, and issuing and revising codes of practice under the four existing anti-discrimination ordinances in the areas of sex, disability, family status and race.

2. Over the years, the HKSAR Government has continued to strengthen the mandate of the EOC. In 2014, the HKSAR Government took forward the Statute Law (Miscellaneous Provisions) Ordinance 2014 to, among others,

- (a) provide protection to members and staff of the EOC from personal liability when acting in good faith in the performance or purported performance of any of the EOC's functions under the DDO and the FSDO to align with the protection provided in the SDO and the RDO; and
- (b) enable EOC to issue enforcement notices in relation to discriminatory practices under the DDO.



**Discrimination Law Review**  
**Eight recommendations of priority**

- (a) To introduce express provisions in the SDO prohibiting direct and indirect discrimination on the grounds of breastfeeding , and to include expression of milk in the definition of breastfeeding;
- (b) to amend the RDO provisions prohibiting direct discrimination and harassment by replacing references to “near relative” with references to the more widely defined “associate”;
- (c) to amend the RDO to include protection from direct and indirect racial discrimination and racial harassment by imputation that a person is of a particular race or racial group;
- (d) to amend relevant provisions of the SDO, RDO and DDO to provide protection from sexual, racial and disability harassment to persons working in a common workplace;
- (e) to amend relevant provisions of RDO and DDO to provide protection from racial and disability harassment of service providers by service users;
- (f) to amend relevant provisions of the RDO and DDO to provide protection from racial and disability harassment between service providers and service users, where such harassment take place outside Hong Kong, but on Hong Kong registered aircraft and ships;
- (g) to amend the SDO and DDO to protect members and applicants for membership of a club from sexual and disability harassment by the management of the club; and
- (h) to repeal relevany provisions of the SDO, FSDO and RDO which disallow the award of damages if the respondent in an indirect discrimination case can prove that the requirement or condition was not applied with intention to discriminate.



**Race Discrimination Ordinance (Cap. 602) (RDO)**

1. The RDO, which came into full operation in 2009, aims to protect the rights of individuals against discrimination, harassment and vilification on the ground of race. Under the RDO, “race” in relation to a person, means the race, colour, descent, national or ethnic origin of the person.

2. The RDO renders unlawful both direct and indirect racial discrimination in prescribed areas of activity, including education, employment and the provision of goods, services, facilities and premises. It incorporates the internationally accepted principle of proportionality in determining whether there is indirect discrimination. It also makes racial harassment (i.e. engaging in unwelcome conduct in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated by that conduct) unlawful in the specified fields. The RDO also prohibits other unlawful acts relating to racial discrimination, including discriminatory practices and advertisements, aiding, instructing or procuring others to discriminate, as well as vilification.

3. The RDO does not impose an obligation to take affirmative actions. However, special measures designed to meet the special needs of persons of a particular racial group are specifically permitted under the law.



## Gender recognition

1. In the case of *W v Registrar of Marriages* [2013] 3 HKLRD 90, a post-operative male-to-female transsexual person who had undergone full sex reassignment surgery challenged the Registrar of Marriages' decision not to recognise her as "a woman" under the Marriage Ordinance (Cap. 181) and the Matrimonial Causes Ordinance (Cap. 179), thus preventing her from marrying her male partner. The CFA held that this impaired the very essence of her right to marry guaranteed by Article 37 of the Basic Law and Article 19(2) of the Hong Kong Bill of Rights. The CFA remarked that the HKSAR Government should consider how to address problems facing transsexual persons in all areas of law by drawing reference to overseas practice.

2. To follow up on the CFA's judgment, the HKSAR Government set up the Inter-departmental Working Group on Gender Recognition (IWG) in January 2014 to consider legislation and incidental administrative measures that may be required to protect the rights of transsexual persons in Hong Kong in all legal contexts, and to make recommendations for reform as appropriate.

3. The scope of the IWG's study includes both recognition and post-recognition issues. Recognition issues concern whether a legal gender recognition scheme should be established in Hong Kong, the criteria for determining whether a person is eligible for gender recognition, and the procedure for gender recognition. Post-recognition issues concern the impact of gender recognition on existing laws and practice in the event that a gender recognition scheme is to be established in Hong Kong.

4. In June 2017, the IWG issued a consultation paper to seek the views of the public on issues concerning legal gender recognition. The consultation period ended on 31 December 2017. During the consultation period, the IWG received about 18 800 submissions, with views expressed from a wide range of different perspectives. The IWG is in the process of analysing the responses and deliberating various

options in light of such responses. Upon completion of the first part of the study on gender recognition, the IWG will report on the results of the public consultation and the proposed way forward.



## **Protection for persons with disabilities**

### Promotion of inclusion of persons with disabilities

1. In 2018-19, the Government launched territory-wide publicity activities to support the World Mental Health Day and the International Day of Persons with Disabilities. Furthermore, the Civil Services Bureau issued to bureaux and departments practical guidelines on the policy on employment of persons with disabilities and tips on how to work with staff with disabilities; organise seminars and workshops on the principles of the UNCRPD, inclusive workplace, universal accessibility to government services, etc.

2. The LWB, in collaboration with various departments, NGOs and the media, has been organising annually the 'Mental Health Month' since 1995. During the event, a series of publicity campaigns are launched to enhance public awareness of mental health, promote public acceptance of persons with mental illness and encourage social inclusion of persons recovering from mental illness.

3. On the promotion of sign language, the Rehabilitation Advisory Committee (RAC) under the LWB has set up a working group to advise the Government on ways to promote sign language. The working group comprises members of RAC, persons with hearing impairment, sign language interpreters and representatives from NGOs of the rehabilitation sector and the education sector. Representatives of relevant bureaux and departments would attend meetings for discussion as and when necessary. The Government has implemented a number of measures in recent years to promote wider use of sign language:

- (a) Sign language courses have been included as part of the language courses under the Continuing Education Fund since September 2015. Those enrolled in these courses may apply for for partial reimbursement of the course fees;

- (b) With the support of the Government, two local welfare organisations issued a List of Sign Language Interpreters in Hong Kong in June 2016 to provide information on experienced sign language interpreters, including their experience and qualifications, for the public's reference;
- (c) The Radio Television Hong Kong launched in April 2016 a live current affairs and information programme with sign language interpretation; and
- (d) A major domestic free television programme service licensee has provided sign language interpretation and subtitles for a daily news programme broadcast on a free TV channel since July 2018.

#### Employment support for persons with disabilities

4. We have introduced employment support measures for persons with disabilities in recent years as follows:

##### *Direct support for persons with disabilities*

- (a) Vocational training is provided to equip persons with disabilities with the necessary skills to find jobs in the open market;
- (b) Job seekers with disabilities are provided with employment counselling, job matching and referral services as well as post-placement follow-up service, to assist them in finding suitable jobs in the open market;
- (c) Psychological and emotional counselling service are provided to needy job seekers with disabilities to help them concentrate on job search and settle in their new jobs;

*Incentives for employers to employ persons with disabilities*

- (d) Job attachment allowance and job trial wage subsidy are provided;
- (e) In 2013, a two-month work adaptation period was introduced to the Work Orientation and Placement Scheme which is an employment assistance scheme to encourage employers to provide more support to job seekers with disabilities to adapt to their new jobs. Under the scheme, an employer who hires a job seeker with disabilities is granted a maximum monthly allowance of \$5,500 during the work adaptation period. If the employer continues to employ the employee after the work adaptation period, the employer is granted a maximum monthly allowance of \$4,000 in the ensuing six months of employment. With effect from September 2018, the scheme has been further enhanced to extend the work adaptation period to three months, with the maximum monthly allowance during the work adaptation period and the ensuing six months increased to \$7,000 and \$5,000 respectively;
- (f) Employers of persons with disabilities are provided with a subsidy up to \$20,000 in respect of each employee with disabilities for procurement of assistive devices and/or workplace modifications or \$40,000 for procurement of a single assistive device and its essential accessories; and

*Creation of job opportunities through social enterprises*

- (g) The Social Welfare Department (SWD) administers a fund of \$250 million to provide the NGOs with a maximum grant of \$3 million for each application to set up social enterprises, which are required to employ not less than half of their total number of employees on the pay-roll persons with disabilities.

## Employment of persons with disabilities in the civil service

5. The Government endeavours to ensure that persons with disabilities, like other applicants, enjoy equal opportunities in applying for government jobs by putting in place appropriate measures to facilitate their participation in the recruitment process. Besides, applicants who have declared their disabilities found suitable for appointment may be given an appropriate degree of preference over other applicants whose suitability for appointment is considered comparable to that of the former. We will continue to enhance civil servants' understanding of our policy and facilitating measures on employing persons with disabilities.

6. As at 31 March 2018, 2 942 civil servants have declared their disabilities to the Government, accounting for about 1.7% of the strength of the civil service. We have enhanced the transparency of civil service recruitment by publishing the success rates of candidates with disabilities in applying for civil service posts as well as those of the other candidates in 2018.

7. In addition, the CSB has launched an internship scheme for students with disabilities since 2016 with a view to strengthening their competitiveness before they enter the work force. The number of internship places in 2018 has been doubled from an average of 50 per year to 100 per year.

## Access to Premises

8. The Government strives to create a barrier-free local community / living environment for persons with disabilities to facilitate their free access to buildings.

9. In 2014, the Buildings Department (BD) set up a Technical Committee with participation of persons with different disabilities to collect views of stakeholders on the "Design Manual: Barrier Free Access 2008" (DM), which sets out both mandatory and recommended design requirements for barrier-free access and facilities. The Technical Committee has discussed over 50 proposals to improve the DM. Altogether more than 30 amendments to the DM have been promulgated

in recent years, including an increase in the number of wheelchair spaces from six to 36 in an auditorium with 1 200 seats.

### Improvements of barrier-free facilities in Government premises

10. The Government continues to make every efforts in improving the barrier-free access of Government buildings. A major retrofitting programme was conducted from 2011 to 2014 to upgrade the barrier-free facilities for about 3 500 Government premises/facilities. The programme covers government venues with frequent public interface.

11. Individual Government departments and public bodies continue to carry out improvement works to provide barrier free facilities in venues under their management. For example, the Highways Department launched in 2012 the “Universal Accessibility” (UA) policy to expand the on-going programme to retrofit barrier-free access facilities, including the installation of lifts, at public walkways and further expanded the UA Programme in 2016 to cover not only public walkways, but also other walkways provided that certain criteria are met. Under the UA Programme, the Highways Department is pressing ahead with the implementation of a total of 250 projects. As at end March 2018, 78 projects were completed and 112 were under construction, with the remaining 60 being dealt with at different stages of investigation and design. The expenditure on the retrofitting projects is about \$3.26 billion. The Leisure and Cultural Services Department (LCSD) provides persons with disabilities with barrier-free access to cultural and recreational venues. These barrier free access facilities include designated seats/spaces, stair lifts and ramps for wheelchair patrons, tactile guide path, braille signs, speaking message for passenger lift users with visual impairment, induction loop system for persons with hearing impairment, etc.



**Comprehensive review of the strategy  
of handling non-refoulement claims**

1. The Government commenced operating the USM in March 2014. The number of non-refoulement claims has increased significantly from an average of 1 032 claims per year in the three years prior to 2014 to 4 634 in 2014 (4.5 times) and 5 053 in 2015 (almost 5 times). Over 11 000 claims were pending screening by ImmD as at early 2016. Against this background, the Government commenced the comprehensive review of the strategy of handling non-refoulement claims in early 2016, focusing on the following four areas – (a) preventing potential claimants from arriving Hong Kong; (b) expediting the commencement of screening procedures for pending claims, shortening the screening time per claim, and expediting the handling of appeals; (c) expediting repatriation of rejected claimants; and (d) studying detention measures and stepping up enforcement against unlawful employment and other criminal offences.

2. Various measures being or already implemented so far have shown effective results. The number of new non-refoulement claims received in 2018 has dropped significantly by almost 80% as compared with the peak in 2015. The number of decisions made by the TCAB in 2018 has also increased by 6 times as compared with 2016. As at the end of 2018, there were only 546 outstanding non-refoulement claims pending screening by ImmD, representing a drop of 95% from the peak in early 2016. There remains about 6 500 appeals pending handling, and it is expected that the backlog will be cleared by TCAB in two to three years.

3. As part of the comprehensive review, the Government will also put forward proposals on amendment to the Immigration Ordinance (Cap.115) with a view to expediting the screening procedures and providing for related matters, such as specifying the screening procedures, tightening the timeframe, prohibiting delay tactics and strengthening ImmD's detention, removal and enforcement power. Our target is to introduce the Amendment Bill into the LegCo in the first half of 2019.





**Non-refoulement claimants**

Permission to work in Hong Kong

1. Regardless of the outcome of non-refoulement claims, ImmD will not permit the claimants to settle in Hong Kong. The immigration status of the claimants will remain unchanged. In 2014, the CFA upheld in its ruling that non-refoulement claimants, even if their claims are substantiated, have no constitutional right or any other legal right to work in Hong Kong. That said, substantiated claimants may submit their applications to ImmD for taking up employment. ImmD will consider such application on an exceptional basis.

Humanitarian assistance

2. Since 2006, the Government has commissioned a NGO to offer humanitarian assistance (including food, accommodation, utilities expenses, transportation allowance as well as other basic necessities) to non-refoulement claimants to prevent them from becoming destitute during their presence in Hong Kong, whilst avoiding any magnet effect which may have serious implications on the sustainability of the assistance programme and on our immigration control. Through an open and fair tendering process, the SWD has commissioned the International Social Service Hong Kong Branch (ISS-HK) to provide such humanitarian assistance. ISS-HK will assess claimants' eligibility for the types and level of assistance based on their individual needs, health condition and availability of resources, etc.

3. Separately, the Government provides free basic education for eligible children between the ages of six and fifteen. Children of school age must have the right of abode in Hong Kong or hold valid documents issued by ImmD before they can be educated in Hong Kong. In relation to non-refoulement claimants who are school-age children and wish to study in Hong Kong, if the removal would not be effected in the short term and ImmD has no comment on the application for admission of these children for schooling, the Education Bureau (EDB) will arrange for them

to enter suitable schools after considering their area of residence and the level of study. In 2017, EDB sought comments from ImmD on 193 cases. Among them were a total of 189 cases (98%) where eligible school-aged children of non-refoulement claimants were granted school placements in Hong Kong.

## Highlights of the work of Women's Commission (WoC)

### Funding Scheme for Women's Development (Funding Scheme)

1. To encourage the community in organising programmes and activities conducive to women's development, WoC has launched the Funding Scheme since 2012 and invites women's groups and NGOs providing women's services to submit applications under the Funding Scheme.

2. Some commentators and WoC suggested that the Government should provide more funding to the Funding Scheme so that more projects organised by women's groups and NGOs could be funded. In response, starting from 2018-19, the Government's annual allocation to WoC for its allocation under the Funding Scheme has been doubled from \$2 million to \$4 million.

### Women's participation in public affairs

3. The Government continues to enhance and promote women's participation in the Government's advisory and statutory bodies (ASBs) as a way of engaging more women in the policy and decision-making structure, which is an important step towards the empowerment of women. On WoC's recommendations, the Government announced in its Policy Address 2015 to raise the benchmark of appointing female members to Government ASBs from 30% to 35% to further demonstrate the Government's commitment in this respect. As at June 2018, the women's participation rate of Government's ASBs with Government-appointed non-official members was 33%.

### Gender mainstreaming

4. The Government attaches great importance to gender mainstreaming. In the Policy Address 2015, the Government accepted WoC's recommendation that, starting from 2015-16, all bureaux and departments were required to refer to the Gender Mainstreaming

Checklist developed by WoC and apply gender mainstreaming in the process of formulating major government policies and initiatives.

5. To complement the gender mainstreaming initiatives within the Government, WoC assisted the Government in establishing a network of Gender Focal Point (GFP) in 2003. A directorate officer is appointed by each bureau and department to serve as the contact / resource person to assist in raising awareness and understanding of gender related issues, and promote gender mainstreaming initiatives in their respective areas. Considerable progress has been made in expanding the GFP network from the Government to District Councils, NGOs in welfare sector and listed companies.

#### Capacity Building Mileage Programme (CBMP)

6. WoC has continued to run the CBMP, which is a large-scale, tailor-made learning programme with a focus on women. By January 2019, the CBMP has recorded a cumulative enrolment of over 103 000.

#### Public education

7. WoC regularly launches public education and publicity programmes to reduce gender prejudice and stereotyping, such as the International Women's Day, the production of television programmes, large scale Conferences entitled "Bringing Together Women's Wisdom for a Better Future" and "Unleashing Women's Potential for All-Round Development" in 2012 and 2017 respectively. Each of the two Conferences attracted over 500 participants from Hong Kong, the Mainland and overseas.

## Employment, unemployment and underemployment statistics

### Employment

Period	4 <sup>th</sup> quarter 1987	4 <sup>th</sup> quarter 1992	4 <sup>th</sup> quarter 1997	4 <sup>th</sup> quarter 2002*	4 <sup>th</sup> quarter 2009 <sup>^</sup>	4 <sup>th</sup> quarter 2018 <sup>@</sup>
Labour force	2 782 900	2 817 100	3 296 900	3 492 000	3 632 200	3 978 000
Employed persons	2 735 200	2 760 600	3 221 300	3 241 400	3 460 800	3 872 600
Male	1 716 500	1 750 900	1 925 400	1 792 900	1 821 500	1 937 500
Female	1 018 700	1 009 700	1 295 900	1 448 500	1 639 300	1 935 000
Persons aged below 20	127 500	103 800	84 700	53 500	39 600	31 100
Persons aged 60 or over	172 200	157 100	124 200	114 100	161 200	397 000

### Unemployment

Period	4 <sup>th</sup> quarter 1987	4 <sup>th</sup> quarter 1992	4 <sup>th</sup> quarter 1997	4 <sup>th</sup> quarter 2002*	4 <sup>th</sup> quarter 2009 <sup>^</sup>	4 <sup>th</sup> quarter 2018 <sup>@</sup>
Number of unemployed	47 700	56 500	75 600	250 600	171 400	105 400
Male	29 900	35 000	46 100	159 500	104 800	62 200
Female	17 700	21 500	29 600	91 200	66 600	43 200
Persons aged below 20	8 400	8 000	9 900	22 200	9 800	3 000
Persons aged 60 or over	2 700	1 500	2 300	4 900	4 200	7 600
Seasonally adjusted unemployment rate <sup>#</sup>	1.7%	2.4%	2.2%	7.4%	5.0%	2.8%

## Underemployment

Period	4 <sup>th</sup> quarter 1987	4 <sup>th</sup> quarter 1992	4 <sup>th</sup> quarter 1997	4 <sup>th</sup> quarter 2002*	4 <sup>th</sup> quarter 2009 <sup>^</sup>	4 <sup>th</sup> quarter 2018 <sup>@</sup>
Number of underemployed	28 400	56 600	42 500	107 800	83 300	44 500
Male	19 200	45 500	32 500	74 000	59 200	32 800
Female	9 200	11 100	10 100	33 900	24 100	11 700
Persons aged below 20	1 200	900	2 300	3 900	1 700	‡
Persons aged 60 or over	2 200	3 700	2 100	3 400	3 600	5 600
Underemployment rate	1.0%	2.0%	1.3%	3.1%	2.3%	1.1%

Notes: \* Figures of 4<sup>th</sup> quarter 2002 have been revised to take into account the results of the 2006 Population By-census which provided a benchmark for revising the population figures compiled since the 2001 Population Census.

<sup>^</sup> Figures of 4<sup>th</sup> quarter 2009 have been revised to take into account the results of the 2011 Population Census which provided a benchmark for revising the population figures compiled since the 2006 Population By-census.

‡ Figures are compiled based on a small number of observations and are not released owing to very large sampling errors.

<sup>#</sup> Starting from May 2008, the seasonally adjusted unemployment rate is compiled by the previous X-12 ARIMA method to replace the X-11 ARIMA method.

<sup>@</sup> Provisional figures.

**Labour Department's New Initiatives  
in the Provision of Employment services**

Further to the previous report, LD has implemented a number of new initiatives in the provision of employment services, including –

- (a) a dedicated recruitment centre for the retail industry was set up in June 2010 to offer employers and job seekers in the industry tailor-made job-matching service and on-the-spot interview arrangement to bridge their recruitment and employment needs efficiently and as early as possible;
- (b) the Work Orientation and Placement Scheme, which encourages employers to employ persons with disabilities and provide them with on-the-job coaching and support through the provision of an allowance, was further strengthened by raising the financial incentives to employers twice in June 2013 and September 2018, in order to promote the employment of persons with disabilities;
- (c) since September 2014, LD has implemented the Employment Services Ambassador (ESA) Programme for EMs under which young trainees who can communicate in EM languages are employed as ESAs to help EM job seekers use the services and facilities provided at job centres, industry-based recruitment centres and job fairs while undergoing on-the-job training. The programme helps LD better serve EM job seekers and enriches EM trainees' own working experience and resume, thereby benefiting their job search in the open market. To strengthen the training for the trainees, LD has, since September 2018, extended the on-the-job training period for these ESAs who are engaged under the programme from six months to one year;
- (d) to strengthen employment services provided to job seekers living in remote areas, LD set up one new job centre in October 2014, bringing the total number of job centres in the territory to 13;

- (e) the post-placement follow-up service for job seekers with disabilities was enhanced in September 2015 by extending the service period from three months to six months;
- (f) in the face of the problem of manpower shortage and aging of skilled workers in the construction industry, LD set up a dedicated recruitment centre for the construction industry in January 2016 to facilitate employers of the industry to recruit workers and local construction workers to find jobs, bringing the total number of industry-based recruitment centres in the territory to three;
- (g) a two-year Pilot Scheme was launched in September 2016 to provide professional psychological and emotional counselling service to job seekers with disabilities in need of this service. LD regularised the counselling service in September 2018 in view of the favourable response to the Pilot Scheme;
- (h) to strengthen employment support for job seekers with higher education, including Hong Kong students educated in tertiary institutions outside Hong Kong, the second generation of Hong Kong emigrants and persons from overseas with higher academic/professional qualifications who are interested in working in Hong Kong, LD launched a Higher Education Employment Information e-Platform in December 2016 to enhance their understanding of the Hong Kong labour market and facilitate them to search and apply for suitable job openings through the e-platform;
- (i) since May 2017, LD has engaged Employment Assistants proficient in EM languages at two selected job centres on a pilot basis to strengthen employment support for EM job seekers and help LD reach out to the EM community;
- (j) to encourage employers to hire the elderly and provide on-the-job training for them, LD has enhanced and renamed the Employment Programme for the Middle-aged as the Employment Programme for the Elderly and Middle-aged (EPEM) in September 2018. Under EPEM, employers are offered a higher rate of on-the-job training allowance (up to \$4,000 per month) for a longer period of six to 12



months if they engage elderly job seekers aged 60 or above who have left the workforce or are unemployed. LD has also extended the Programme to cover part-time posts since September 2015 to cater for the needs of some elderly persons who are more interested in part-time employment.

- (k) LD actively promotes the work abilities of EMs among employers and constantly reminds the employers to consider the genuine occupational qualifications of the posts when specifying the language requirements. LD also organises experience sharing sessions for employers to help them better understand EM cultures and acquire the skills to communicate with EMs; and
- (l) LD has set up a dedicated webpage for EM job seekers, featuring job vacancies welcoming EM job seekers and having no or little Chinese language requirements. Among the vacancies in the private sector recorded by LD in 2017 and 2018, there were over 60 000 vacancies which had no or little Chinese language requirement each year.



## Youth Employment and Training Programme (YETP)

1. LD has administered the YETP since September 2009 to provide a full range of pre-employment and on-the-job training to young people aged between 15 to 24 with educational attainment at sub-degree level or below. There is no ceiling on enrolment and all eligible young people will be flexibly admitted.

2. There are diverse elements within YETP to cater for the needs of youths with different backgrounds. For example, there are special training projects tailor-made for new arrivals from the Mainland, EMs, juvenile delinquents, youths with learning difficulties, as well as youths receiving out-reaching services and those who are chronically ill. These special projects include personalised career counselling, case management service and pre-employment training courses tailor-made for the aforementioned groups. The pre-employment training courses cover job search and interpersonal skills, team building, computer application and job-specific skills for a wide spectrum of trades and industries.

3. Further to the previous report, LD has enhanced YETP with a view to increasing the attractiveness of the Programme. These enhancements included –

- (a) increasing the workplace attachment allowance payable to trainees twice in June 2013 and September 2017; and increasing the training allowance twice in September 2013 and September 2017 so as to encourage more trainees to participate in workplace attachment training as well as pre-employment training;
- (b) raising the on-the-job training allowance payable to employers twice in June 2013 and September 2018 so as to encourage employers to hire young people and to provide them with quality on-the-job training; and

- (c) expanding the scope of YETP in September 2018 to cover part-time on-the-job training posts so as to meet the needs of some young people.

## Employees Retraining Board

1. ERB's service targets are local residents aged 15 or above with education attainment at sub-degree level or below, irrespective of gender. ERB is also committed to serving specific target groups, including new arrivals, EMs, women, youths and mature persons. The relevant services are set out below –

- (a) New arrivals are eligible to enroll in the courses for general training and dedicated courses offered by ERB. In 2018-19, ERB provided seven dedicated training courses for new arrivals, including one placement-tied and six non-placement-tied courses. As of end-2018, about 256 000 new arrivals completed training courses offered by ERB;
- (b) ERB offers courses in English for EMs. Special support is provided, including allocation of resources for employing interpreters to facilitate learning and job search of EMs. In 2018-19, ERB provided 11 full-time placement-tied courses and 30 half-day or evening non-placement-tied courses dedicated to EMs. These courses covered vocational training, IT applications, job search skills, workplace languages, including Cantonese, Putonghua, Chinese (reading and writing) and English. EM trainees who have completed the dedicated placement-tied courses are provided with 6-month placement follow-up service. ERB also subsidises its training bodies to develop supplementary training materials and enhance the learning support to EMs. Meetings with the “Focus Group on Training for EMs” are convened to identify training and employment needs of EMs, and to set out strategies for promoting ERB courses and services to them;
- (c) In considering the specific needs of female trainees with family commitments, ERB provides flexible arrangements

and services, such as the “Modular Certificates Accumulation”, “First-Hire-Then-Train” and “Tailor-made courses for Part-timers” schemes for trainees to enroll in courses according to their own time schedules. Free job matching and referral services are also provided for graduates of related courses to enhance their employment opportunities;

- (d) ERB has developed a variety of full-time placement-tied courses catering for the diverse interests of young people and rendering training and placement follow-up services to them, including the Youth Training Programme which targets at non-engaged youths aged 15 to 24; and
- (e) ERB also offers training courses and services geared towards the employment needs of mature persons (generally referred to those aged 50 or above) in order to help them enter the job market.

### Vocational Training Council

1. The member institutions of the VTC which provide the vocational training programmes include the Hotel and Tourism Institute, the Chinese Culinary Institute, the International Culinary Institute, the Maritime Services Training Institute and 10 Pro-Act Training and Development Centres. In 2017-18 school year, the 14 institutions offered about 19 900 full-time and part-time places. Enrolment statistics for the 2017-18 school year by mode and level of study are as follows –

#### Vocational training: enrolments in the 2017-18 school year

(a) By mode of study

	<b>Full-time</b>	<b>Part-time day</b>	<b>Part-time evening</b>	<b>Total</b>
IVE, HKDI, SBI <sup>1</sup> and Youth College	37 594	6 115	6 449	50 158
• <i>Male</i>	23 951	5 816	5 965	35 732
• <i>Female</i>	13 643	299	484	14 426
HTI, CCI, ICI, MSTI <sup>2</sup> and Pro-Act Centres (including 10 Training and Development Centres) <sup>Note</sup>	5 396	10 758	3 738	19 892
<b>Total</b>	<b>42 990</b>	<b>16 873</b>	<b>10 187</b>	<b>70 050</b>

Note: HTI, CCI, ICI, MSTI and Pro-Act Centres do not keep statistics by gender.

<sup>1</sup> IVE, HKDI and SBI refer to the Institute of Vocational Education (IVE), the Hong Kong Design Institute (HKDI) and the School of Business and Information Systems (SBI) respectively.

<sup>2</sup> HTI, CCI, ICI and MSTI refer to the Hotel and Tourism Institute (HTI), the Chinese Culinary Institute (CCI), the International Culinary Institute (ICI) and the Maritime Services Training Institute (MSTI) respectively.

(b) By level of study

(1) IVE, HKDI, SBI and Youth College

Level	Full-time			Part-time day			Part-time evening			Total
	Female	Male	Subtotal	Female	Male	Subtotal	Female	Male	Subtotal	
Higher Technician	9 377	15 169	24 546	148	1 478	1 626	455	4 144	4 599	30 771
Technician	4 266	8 782	13 048	133	2 049	2 182	23	805	828	16 058
Craft	-	-	-	18	2 289	2 307	6	1 016	1 022	3 329
<b>Total</b>	<b>13 643</b>	<b>23 951</b>	<b>37 594</b>	<b>299</b>	<b>5 816</b>	<b>6 115</b>	<b>484</b>	<b>5 965</b>	<b>6 449</b>	<b>50 158</b>

(2) HTI, CCI, ICI, MSTI and Pro-Act Centres (including 10 Training and Development Centres) <sup>Note</sup>

Level	Full-time	Part-time Day	Part-time Evening	Total
Higher Technician	365	-	-	365
Technologist	204	39	-	243
Supervisory	27	1 627	7	1 661
Technician	2 248	1 424	218	3 890
Craftsman	1 532	3 716	3 185	8 433
Operative	970	3 181	54	4 205
Others (e.g. Induction Classes)	50	771	274	1 095

Note: HTI, CCI, ICI, MSTI and Pro-Act Centres do not keep statistics by gender.



## Statutory Minimum Wage

1. The SMW rate initially set at \$28 per hour in May 2011, was increased to \$30 in May 2013, \$32.5 in May 2015, and \$34.5 in May 2017. Established under the MWO, the MWC, comprising representatives of the labour sector, the business sector, the academia and the HKSAR Government, submitted a recommendation report to the CE in Council in October 2018 after completing a new round of review on the SMW rate. The CE in Council has adopted the recommendation of MWC to raise the SMW rate to \$37.5 per hour. Subject to the approval of the LegCo, the revised SMW rate will come into force on 1 May 2019.

2. In reviewing the SMW rate, MWC has adopted an evidence-based approach in examining the data obtained from various surveys to gauge the socio-economic and employment conditions in the HKSAR, including, among other things, the rate and trend of inflation. MWC has also assessed the impact of the proposed SMW rate, and considered other relevant factors that could not be fully quantified and the views of the community.

3. The implementation of the SMW regime has been smooth, and the employment earnings of low-income workers have shown discernible improvement. In October to December 2018, the average monthly employment earnings of full-time employees<sup>1</sup> in the lowest decile group rose by a cumulative 59.4% (or 23.3% in real terms after discounting inflation) as compared with the quarter before the introduction of SMW. The positive income prospects, coupled with a largely stable labour market, have helped attract more people, especially older women, to enter or re-enter the labour market. As the HKSAR does not have a long history of implementing SMW and the existing arrangement of reviewing the SMW rate at least once in every two years has been operating generally well, it is appropriate to maintain this review arrangement at the current stage.

---

<sup>1</sup> Excluding government employees and live-in domestic workers to whom SMW does not apply.



**Employment protection: employees' rights and benefits**

1. As explained in paragraph 7.9 of the previous report, the Government reviewed the continuous contract requirement<sup>1</sup> under the EO and put forth different possible approaches of improvement for the consideration of the LAB, a representative tripartite consultative body advising the Government on labour matters. After rounds of in-depth deliberations in 2013 and 2014, LAB could not reach a consensus owing to the complexity of the issue and the divergent views of different stakeholders. The Government plans to conduct a new round of statistical survey to capture the latest characteristics and employment patterns of employees engaged under employment contracts with short duration and/or working hours and would revisit this issue at LAB at an opportune time.

2. With LD's strengthened enforcement action and extensive publicity of the statutory rights of employees and responsibilities of employers, and heavy penalty (including custodial sentence) imposed by the court on employers convicted of wage default offences, the number of cases on suspected wage defaults received by LD dropped from 393 in 2009 to 288 in 2018, denoting a decrease of 26.7%. The number of convicted summonses on wage default offences fell by 61.0% from 1 314 in 2009 to 513 in 2018.

3. LD recognises that rehabilitation services are very important to facilitate the recovery and early return to work of employees injured at work. LD is actively looking into a feasible way forward to strengthen rehabilitation services. Preliminary ideas include pairing an independent case manager with participating injured employee to follow up on the case, coordinating communication amongst stakeholders (including medical professionals, injured employees, insurance companies and employers) to assist the injured workers to return to work. Engaging the private sector in the provision of medical and rehabilitation services is also being considered. The purpose is to provide timely and highly-coordinated treatment and rehabilitation services for injured employees.

---

<sup>1</sup> According to the EO, an employee who has been employed continuously by the same employer for four weeks or more, with at least 18 hours worked in each week, is regarded as being employed under a continuous contract.



**Compensation under the  
Pneumoconiosis and Mesothelioma Compensation Ordinance  
(Cap. 360)**

As mentioned in the previous report, the then Pneumoconiosis (Compensation) Ordinance (Cap. 360) has been extended to cover persons suffering from cancerous mesothelioma and re-titled as the present Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360). In accordance with established mechanism, the Government adjusts the amounts of various compensation items every one or two years where appropriate. Benefits and amount of compensation provided by the Ordinance are set out below –

- (a) **Incapacity:** For total (100%) incapacity, a monthly payment of \$30,610 is payable until the death of the patient with pneumoconiosis and/or mesothelioma. For partial (less than 100%) incapacity, the monthly payment is a corresponding part of the compensation for total incapacity in proportion to the degree of incapacity;
- (b) **Incapacity prior to the date of diagnosis:** A lump sum is payable, calculated according to the average monthly earnings, the degree of incapacity and the number of months (not exceeding 24) between the earliest date of diagnosis of the disease and the date of diagnosis of incapacity arising from pneumoconiosis and/or mesothelioma;
- (c) **Pain, suffering and loss of amenities:** A monthly payment of \$5,110 is payable to the patients until death irrespective of the degree of pain, suffering and loss of amenities;
- (d) **Care and attention:** Patients who cannot perform the essential actions of life without the care and attention of another person may claim compensation for care and attention at the rate of \$5,210 per month;
- (e) **Medical expenses:** Eligible patients can claim reimbursement of medical expenses incurred for the treatment of pneumoconiosis and/or

mesothelioma, subject to a maximum daily rate of \$300 (for in-patient or out-patient treatment) or \$370 (for in-patient and out-patient treatment received on the same day);

- (f) **Medical appliances expenses:** Eligible patients can claim the cost of using or purchasing specified medical appliances, such as wheelchairs, oxygen concentrators and oxygen cylinders;
- (g) **Death:** Family members of a deceased patient who dies as a result of pneumoconiosis and/or mesothelioma may claim compensation for death. Amounts are calculated according to the age at which the deceased die. They are subject to reduction by the aggregate amount of compensation for incapacity and pain, suffering and loss of amenities (i.e. items (a) and (c) above) received by the deceased before death. The minimum amount payable is \$121,230;
- (h) **Bereavement:** Where the patients die – whether from pneumoconiosis, mesothelioma or any other cause – without receiving any compensation before their death, their families are eligible to claim compensation of \$121,230; and
- (i) **Funeral expenses:** Any person (including a family member of the deceased) can claim reimbursement – to a maximum of \$83,700 – of the expenses he/she has incurred for the funeral of a patient who has died as a result of pneumoconiosis and/or mesothelioma.

**Compensation under the  
Occupational Deafness Compensation Ordinance (Cap. 469)**

Under the established mechanism, the Government adjusts the levels of compensation under the Occupational Deafness (Compensation) Ordinance (Cap. 469) every two years where appropriate. The present levels of compensation under the Ordinance are set out as follows -

- (a) **Compensation for permanent incapacity:** The amount of compensation payable is calculated with reference to the age, the monthly earnings (subject to a maximum of \$28,360) and the degree of permanent incapacity of the claimant. The minimum and maximum sums for calculating compensation for permanent incapacity are \$464,360 and \$2,722,560 respectively; and
  
- (b) **Financial assistance for expenses on hearing assistive devices:** Any person who has at any time been entitled to compensation for permanent incapacity under the Occupational Deafness (Compensation) Ordinance may apply to the Occupational Deafness Compensation Board for the direct payment or reimbursement of expenses reasonably incurred in the acquisition, fitting, repair or maintenance of hearing assistive devices. The financing limit for first-time applications for hearing assistive devices is \$16,470, whereas the aggregate financing limit is \$57,110 per applicant.





**The Number and Declared Membership of  
Employees' Unions in the HKSAR**

<b>Economic sector</b>	<b>2017</b>	
	<b>No. of unions</b>	<b>Declared membership</b>
Agriculture, forestry and fishing	1	7
Manufacturing	77	58 859
Electricity and gas supply; water supply; sewerage, waste management and remediation activities	5	3 172
Construction	41	84 195
Import/export, wholesale and retail Trades	34	51 751
Transportation, storage, postal and courier services	119	176 223
Accommodation and food service activities	26	23 736
Information and communications	20	6 490
Financial and insurance activities	6	9 625
Real estate activities	9	7 774
Professional, scientific and technical activities	9	5 180
Administrative and support service activities	38	54 792
Public administration	200	218 136
Education	75	117 791
Human health and social work activities	95	69 376
Arts, entertainment and recreation	35	7 113

<b>Economic sector</b>	<b>2017</b>	
	<b>No. of unions</b>	<b>Declared membership</b>
Other service activities	32	7 026
Work activities within domestic households	14	2 964
<b>Total</b>	<b>836</b>	<b>904 210</b>
Union participation rate in terms of salaried employees and wage earners		25.02%

**Promotion of effective communication, consultation and voluntary negotiation between employers and employees**

1. As elaborated in paragraph 8.5 of the previous report, at the industry level, LD continues to encourage voluntary negotiations between employers and employees through nine industry-based tripartite committees comprising representatives of employee unions, employers and LD. These tripartite committees meet regularly to discuss industry-specific issues of mutual concern in an informal manner, thereby encouraging free exchange of views and forging partnership between employers' and employees' representatives towards workplace cooperation. Matters deliberated included good human resource management, family-friendly employment practices, and latest labour relations scenes and employment situations in respective industries, etc. Apart from promoting industry-specific good human resource management practices through meetings and experience sharing, a variety of industry-specific reference guides on employment issues have also been produced so as to encourage cooperation by employers and employees in implementing good human resource management practices.

2. At the enterprise level, employers are encouraged to adopt good human resource management practices, maintain effective communication with their employees and consult their employees on employment matters. LD has organised experience-sharing and briefing sessions regularly to promote good human resource management practices and effective employer-employee communication with a view to fostering an environment conducive to voluntary and direct negotiation for on-going promotion of consultative mechanism on a voluntary basis. For instance, seminars have been staged to promote effective communication and constructive interaction between employers and employees and their respective organisations. Newspaper supplements have also been published to showcase exemplary examples of various organisations on the adoption of effective employer-employee communication. These cases have been compiled into a casebook for extensive distribution to

promote establishment of suitable mode of employer-employee communication.

3. LD will continue to organise various promotional activities to encourage employers as well as human resources practitioners to adopt good human resource management practices and to maintain effective communication with their employees or employee organisations at the enterprise level. LD will also continue to reach out to employer and employee organisations to help foster an environment and atmosphere conducive to voluntary and direct negotiation between employers and employees as well as enhancing understanding of the merits of negotiation held on a voluntary basis.

**The Comprehensive Social Security Assistance (CSSA) Scheme  
The Latest Situation**

1. As at the end of December 2018, about 230 000 households (involving 320 000 persons) were receiving assistance under the CSSA Scheme. In 2018-19, the estimated recurrent expenditure on CSSA is about \$20 billion. The average monthly CSSA payments are higher than the expenditure of non-CSSA households in the lowest 25% expenditure group in all household categories. For instance, the CSSA payments averaged \$6,394 a month for singletons and \$15,182 for families of four.

2. It is noteworthy that the overall number of CSSA cases has dropped to a record low since 2000. In particular, the numbers of unemployment and low income cases are at their lowest since 1996 and 1997 respectively. Both registered an 80% decrease as compared with their respective historic peaks. The trend, on the one hand, might be attributed to the recent economic condition of Hong Kong and the continuously low unemployment rate. On the other hand, it reflects the spirit of self-reliance among Hong Kong people. Meanwhile, we note that the number of CSSA elderly cases is also decreasing as opposed to the rapidly ageing population of Hong Kong. A drop of around 6% was registered over the past five years. Apart from overall economic factors, it may be related to a number of recently introduced or enhanced elderly cash assistance measures which enable elderly persons to apply for different allowances and schemes (other than CSSA) according to their personal circumstances.



## **Allowances under Social Security Allowance (SSA) Scheme**

1. The non-means-tested Old Age Allowance (OAA) and Disability Allowance (DA), both introduced in 1973, are to meet the special needs of elderly persons aged 70 or above and persons with severe disabilities respectively. As at the end of December 2018, about 250 000 persons and 150 000 persons were receiving OAA (currently at a monthly rate of \$1,385) and DA (currently at a monthly rate of \$1,770 for Normal DA and \$3,540 for Higher DA) respectively.

2. Since 2013, the Government has launched a number of new programmes under the SSA Scheme to address the special needs of our senior citizens. In 2013, the Government introduced the Normal Old Age Living Allowance (OALA) to supplement the living expenses of elderly people aged 65 or above who are in need of financial support. In 2018, the Higher OALA was introduced to provide a higher allowance for those with more financial needs. In this connection, the Higher OALA has become the social security programme with the highest number of elderly recipients aged 65 or above. As at the end of December 2018, around 480 000 elderly persons were receiving the Higher OALA (currently at a monthly rate of \$3,585); coupled with about 60 000 Normal OALA (currently at a monthly rate of \$2,675) recipients, the OALA programme covered some 540 000 elderly persons aged 65 or above (or 45% of our elderly population).

3. Elderly persons naturally wish to live in a familiar environment and maintain close connection with family and friends. Many of them choose to stay in Hong Kong. However, some elderly persons may choose to reside in the Mainland after retirement. We respect the wish of those who make such a choice and provide them with financial support. To this end, the HKSAR Government introduced the Guangdong Scheme and Fujian Scheme in 2013 and 2018 respectively to facilitate elderly persons who choose to reside in these two provinces (being the places of origin of most Hong Kong residents) to continue to receive OAA without having to come back to Hong Kong. In 2018, we announced the extension of this portable arrangement to OALA, which is

expected to be implemented in early 2020 at the earliest. Together with the CSSA Scheme which has been made portable since 1997, all the major elderly financial assistance programmes would become portable to Guangdong and Fujian.



**Compensation under the  
Employees' Compensation Ordinance (Cap. 282)**

- (a) **Compensation for temporary incapacity:** During the period of temporary incapacity, the employer shall pay the injured employee periodical payments at the rate of four-fifths of the difference between the employee's monthly earnings at the time of the accident and his/her monthly earnings during the period of temporary incapacity. The amount of minimum monthly earnings for calculating periodical payments is \$4,090;
- (b) **Compensation for permanent incapacity and death:** The amount of compensation for permanent incapacity and death varies with the age, the monthly earnings (subject to a maximum of \$28,360 and the degree of permanent incapacity, as appropriate, of the injured employee or deceased employee at the time of the accident. The respective maxima and minima for permanent total incapacity and death are as follows –

Age Group	Level of Compensation					
	Permanent Total Incapacity			Death		
	Amount	Maximum	Minimum	Amount	Maximum	Minimum
Under 40	96 months' earnings	\$2.72 million	\$0.46 million	84 months' earnings	\$2.38 million	\$0.41 million
40 to under 56	72 months' earnings	\$2.04 million	\$0.46 million	60 months' earnings	\$1.70 million	\$0.41 million
56 or above	48 months' earnings	\$1.36 million	\$0.46 million	36 months' earnings	\$1.02 million	\$0.41 million

- (c) **Surcharge on late payment of compensation:** If an employer fails without reasonable excuse to pay to his/her employee the amount of compensation within 21 days after the issue of the Certificate of Compensation Assessment or the Certificate of Review of Compensation Assessment, the employer is liable to pay to the employee a surcharge of \$660 or 5% of the amount of compensation then remaining unpaid, whichever is the greater. The employer is liable to pay a further surcharge of \$1,330 or 10% of the aggregate amount of compensation then remaining unpaid, whichever is the greater, if he/she still fails to pay upon the expiry of three months after the expiry of the payment period;
- (d) **Compensation for employees requiring attention:** Additional compensation not exceeding \$556,700 shall be payable to the injured employee who suffers from permanent incapacity and is unable to perform the essential actions of life without the attention of another person;
- (e) **Medical expenses:** The maximum daily rate of reimbursable medical expenses for in-patient or out-patient treatment is \$300, and the maximum daily rate for in-patient and out-patient treatment received on the same day is \$370;
- (f) **Cost of prosthesis or surgical appliances:** The maximum amount of the cost of supplying and fitting a prosthesis or surgical appliance is \$40,010, and the maximum amount of the cost of the repair and renewal of such an item during a period of 10 years is \$121,230; and
- (g) **Funeral expenses:** If an employee dies as a result of an accident arising out of and in the course of employment (or for a prescribed occupational disease under the Ordinance), the employer is liable to reimburse funeral expenses to the person who has paid such expenses. The maximum reimbursable amount of funeral expenses is \$83,700.

**Updated Position of Single Parent Families in Hong Kong**

1. The latest statistics on the number of single parent families in Hong Kong are tabulated as below -

<b>Year</b>	<b>Single mothers</b>	<b>Single fathers</b>	<b>Total</b>
2016*	56 545 (77.0%)	16 883 (23.0%)	73 428 (100%)
2011**	64 040 (78.4%)	17 665 (21.6%)	81 705 (100%)
2006*	60 675 (79.4%)	15 748 (20.6%)	76 423 (100%)
2001**	47 215 (76.9%)	14 216 (23.1%)	61 431 (100%)

\* By-Census

\*\* Population Census

2. The labour force participation rate of single parents increased from 63% in 2011 to 71% in 2016. On the other hand, the number of matrimonial causes (including joint application) increased from 18 172 in 2006 to 22 543 in 2011, and then slightly decreased to 21 954 in 2016.



## **Family Council**

1. Reconstituted under a non-official Chairman with effect from 1 April 2013, the Council comprises 15 non-official members from different background as well as three ex-officio members (i.e. Chairpersons of the Elderly Commission and Women’s Commission, and Vice-Chairperson of the Youth Development Commission) and four Government representatives (i.e. Secretary for Education, Secretary for Home Affairs, Secretary for Labour and Welfare, and Head of the Policy Innovation and Co-ordination Office).

2. The Family Council has identified the following as the family core values and as the key elements to a healthy and happy family life – Love and Care; Respect and Responsibility; and Communication and Harmony. It has been collaborating with various stakeholders to organise programmes and activities to promote the family core values in the community. Besides, the Council’s website “Happy Family Info Hub” serves as a platform for disseminating information, publicising the work and activities of the Family Council, as well as providing links to a wide array of family-related information.

3. The Family Council also advocates the adoption of family perspectives in the policy making process, and conducts researches and surveys to foster a better understanding of issues relating to families.



**Commission on Children**

1. The Government established the Commission on Children (the Commission) on 1 June 2018. Chaired by the Chief Secretary for Administration, with the Secretary for Labour and Welfare as the Vice-chairperson, the Commission is an on-going, action-oriented, responsive and high-level advisory body that provides overall steer, sets policy directions, strategies and priorities, and translates them into the Government policy agenda for implementation, so as to drive and monitor bureaux/departments to take forward various policy initiatives related to children's issues. Its membership comprises Government officials and experts/stakeholders from different sectors of the community, including education, healthcare, academia, child concern groups, legal, arts and sports, community service, public relation/media, parents, non-Chinese speaking/EMs and children/youths.

2. The target groups of the Commission cover children aged below 18, with a focus on children aged 14 or below. The Commission's initial plan focuses on priority issues related to children, including children with special education needs, EM children, children's health, children at risk, a mechanism for dealing with absentee students, children participation, etc. The Commission has planned to kick start and oversee two important studies on developing a central databank on children and children-related indices respectively. It will also develop and manage a new funding scheme for child concern groups and NGOs, etc. to enable them to undertake promotional and public educational projects on children-related issues. Furthermore, it plans to launch a territory-wide publicity campaign, through tripartite collaboration among the community, business sector and the Government, with a view to increasing the awareness and understanding of the community of the need to safeguard children's rights and promote children's interest.





**Welfare services for families**

Integrated family service centres (IFSCs)

1. Before 2004, the first point of call for families which need help and support was the family services centre. In 2004, noting that the new service model of integrated family service could meet service demands more effectively, the SWD started to consolidate all family services centres and other family service units to form IFSCs by phases. The integrated family service model is considered an effective service delivery model which can provide services to users in a holistic, convenient and easily accessible way.

2. As at 31 December 2018, there was an extensive network of 65 IFSCs in Hong Kong providing a continuum of preventive, supportive and remedial family services, including family life education, parent-child activities, enquiry service, outreach service, mutual support groups, counselling and referral service, for children or families in need. Manpower resources provided to the IFSCs have increased considerably after the restructuring, with the total number of frontline social workers rising from 896 in 2004-05 to 1 123 in 2018-19, while the number of centre-in-charges/supervisors has increased from 62 to 98, and the total number of frontline social workers and centre-in-charges/supervisors has increased by 27%.

Hotline services

3. As mentioned in paragraph 10.13 of the previous report, the SWD operated hotline service to facilitate access to welfare services. The SWD enhanced its hotline service in October 2008 through commissioning a NGO to operate the hotline and an outreaching service team after the SWD's office hours, such that the hotline can be operated on a 24-hour basis and after-office-hours outreaching service can be provided for needy cases. The enhancement facilitates early identification and hence prevention of family problems.

4. Since the global financial tsunami may affect some people's emotions and family relationships, the SWD allocated additional resources in October 2008 to two NGOs subsidising them to set up the Financial Crisis Emotional Support Hotline. The hotlines are manned by registered social workers on a 24-hour basis. Social workers also provide face-to-face counselling services to individuals seeking assistance, and organise support groups with a view to strengthening their skills in coping with stress and assisting them in facing their problems in a positive way. Where necessary, cases will be referred to the appropriate welfare services for follow-up. Besides, the SWD commissioned an NGO to operate the Hotline and Support Services for Sexual Minorities in January 2018, aiming at providing sexual minorities an easy and convenient way for seeking timely support and counselling for enhancing their life coping skills/handling their life stress. The services provided by social workers include a 24-hour basis hotline, groups and programmes.

#### Child Care Services

5. To assist parents who cannot take care of their young children temporarily because of work or other reasons, the Government subsidises NGOs to provide a variety of child care services to meet the different needs of the parents and their children, including Child Care Centre (CCC) Service, Occasional Child Care Service, Extended Hours Service (EHS), Neighbourhood Support Child Care Project (NSCCP) and Mutual Help Child Care Centre (MHCCC) (mentioned in paragraph 10.15 of the previous report). Since the previous report, the Government has further enhanced/re-engineered some of the above child care services to better meet the service demands. Key measures are as follows:

- (a) **Enhancement of child care services:** To further meet the service needs of families, the Government has been enhancing child care services. For instance, in view of the implementation of free quality kindergarten (KG) education policy by the Education Bureau in the 2017/18 school year, the SWD has provided additional resources since September 2017 for enhancing day/residential child care and pre-school rehabilitation services.

- (b) **Extended Hours Service:** In order to support women in fulfilling work and family commitments, the Government enhanced the services of Extended Hours Service in 2015-16 by introducing two more flexible operating hour modes, i.e. 5-hour and 6-hour modes on top of the three original hour modes of 10-hour, 12-hour and 17-hour in a week so as to enhance the flexibility of the service. Meanwhile, the Government has also increased by phases the number of extended hours service places at aided standalone CCCs and KG-cum-CCCs in districts with high demand from 1 230 to 2 260 since 2015-16, so that more pre-school children in need can continue to receive extended hours of service in the same service units being attended by them, with a view to alleviating the pressure on their working parents.
- (c) **Neighbourhood Support Child Care Project:** The three-year pilot NSCCP was completed in September 2011. As the service was proved to be a desirable model of flexible child care service, NSCCP was regularised in October 2011 and the service was extended to 18 districts to benefit more families in need. NSCCP was enhanced in October 2014 by uplifting the upper age limit of children receiving the service from under 6 to under 9 and increasing the number of places for home-based child care services.
- (d) **Mutual Help Child Care Centres:** The MHCCC service is run by social welfare agencies, church bodies and women's associations. Since January 2008, we have subsidised the MHCCCs to strengthen their operation in the evenings, at weekends and on holidays.
- (e) **Day Small Group Home Service and Day Foster Care Service:** In light of the high demand for residential child care service places and the implementation of the NSCCP which provides similar day child care services, the day small group home service and day foster care service were re-engineered and ceased operation since 2010 and 2012 respectively and the relevant resources were deployed to

provide additional residential child care places to cater for the service demand.

6. A series of initiatives are announced in the CE's 2018 Policy Address to strengthen the services focusing on children's development and to enhance child care services to integrate care and development. These initiatives include formulating planning ratio for the provision of CCC places; enhancing the existing manning ratios for qualified child care workers serving in day and residential CCCs; increasing the level of subsidy for day CCC service; enhancing the service quality of the NSCCP by strengthening the training for home-based child carers and raising their incentive payments; and re-engineering in phases the existing MHCCCs into after-school care programme for pre-school children so as to further meet the child care needs in the community. The 2019-20 Budget also announced the addition of about 400 aided standalone CCC places in five districts in phases from 2019-20.

7. Apart from the above, the various kinds of residential child care services (foster care, small group homes, residential CCCs, children's homes and boys'/girls' homes/hostels) continue to operate. The number of foster care places, which was 970 in 2009-10 as reported in the previous report, has increased to 1 130 by end of 2018-19. Furthermore, the number of small group homes has increased from 108 in 2009-10 to 112 by end of 2018-19. There was a total of 3 839 residential child care places as at December 2018, compared with 3 532 as at December 2009 as reported in the previous report. As promulgated in the CE's 2018 Policy Agenda, the Government will set up four small group homes in 2020-21 on top of the continued increase in the number of residential child care places in phases so as to enhance support and protection for children and families in need.

8. The updated figures relating to our family and child care services in paragraph 10.17 of the previous report are provided as follows:

	<b>Provision in 1997-98</b>	<b>Provision in 2002-03</b>	<b>Provision in 2009-10</b>	<b>Provision in 2018-19</b>
Aided Child Care Centre attached to Kindergarten (formerly known as Government and Aided Day Nursery) places	25 941 places	29 314 places	See Note (1)	6 071 places
Aided Standalone Child Care Centre (formerly known as Aided Day Crèche) places	1 479 places	1 113 places		747 places
Occasional Child Care units/Service	230 units (690 places)	243 units (729 places)	217 units (494 places) See Note (2)	221 units (446 Places)
Extended Hours Child Care units/Extended Hours Service	5 units (70 places)	115 units (1 610 places)	105 units (1 230 places) See Note (2)	164 units (2 260 places) See Note (3)
Neighbourhood Support Child Care Project	/	/	474 places	at least 954 places See Note (4)
Mutual Help Child Care Centre	/	/	314 places	261places
Family aide workers	52 workers	44 workers	44 workers	59 workers

Notes:

- (1) Following the harmonisation of pre-primary services in 2005, Government and aided day nurseries and aided day crèche were converted to standalone CCCs and KG-cum-CCCs. In 2009-10, aided standalone CCCs and aided/non-aided KG-cum-CCCs provided 690 and 80 517 places respectively.
- (2) The numbers of occasional child care and extended hours child care service places have reduced over the past few years due to the declining service demand. The average utilisation of the two services during the period from April to December 2009 was only 49% and 74% respectively. To meet the demand of parents for flexible and occasional child care services, the SWD has introduced a number of new child care services which are flexible in both operation mode and hours over the past few years.

- (3) The number of EHS places at aided standalone CCCs and KG-cum-CCC has increased by phases in districts with high demand since 2015-16.
- (4) The operators have the flexibility to increase the number of places provided by child carers on top of the minimum requirement set by the SWD to meet the actual service demand.

	<b>Provision in 1997-98</b>	<b>Provision in 2002-03</b>	<b>Provision in 2009-10</b>	<b>Provision in 2018-19</b>
Family caseworker	706	744	1 017	1 123 (social workers in IFSCs)
Family and child protective workers	29	105	168	170
Clinical psychologists	59	69	78	80
School social workers	286	466	484	559 (social workers in secondary schools)
Medical social workers	372	361	386	463
Foster care places	600	670	970	1 130
No. of small group homes	113	119	108	112

### After School Care Programme

9. The After School Care Programme (ASCP) operated by NGOs provides care services for children aged six to 12 whose parents are unable to take care of them outside school hours owing to work, job-search or other reasons. Through the Fee Waiving Subsidy Scheme (FWSS) for ASCP, the SWD provides assistance to needy families by waiving or reducing the fees of after-school care services. As at December 2018, there were 156 ASCP centres providing a total of 5 594 service places and 1 723.5 full fee-waiving places. To further support parents working longer/irregular hours and/or during weekends, the services have been enhanced since December 2014 with extension to weekday evenings, Saturdays, Sundays and school holidays with additional fee-waiving places

under the Enhanced ASCP by a number of NGOs operating ASCP. Currently, there are 35 ASCP centres operating the enhanced services providing additional 468 full fee-waiving places.

10. To strengthen the support for needy families, the Government launched a three-year Pilot Scheme in October 2017 to relax the household income limit of the FWSS for low-income families and increased fee-waiving subsidy places. The number of full fee-waiving places is increased by 2 000 in total and it is expected to benefit about 3 000 children. Currently, there are 137 ASCP centres joining the Pilot Scheme.

11. For early identification of and providing assistance to pre-school children and their families with welfare needs, the CE's 2018 Policy Address announced the launching of a three-year pilot scheme in the 2018/19 school year to provide social work services in phases for about 150 000 pre-school children and their families in more than 700 subsidised/aided CCCs, KGs and KG-cum-CCCs in Hong Kong.

### Comprehensive Child Development Service

12. The Government launched the Comprehensive Child Development Service (CCDS) for children. The CCDS aims to identify and meet, at an early stage, the various health and social needs of children aged five or below and their families. Through inter-sectoral collaboration among the Department of Health (DH), the Hospital Authority (HA), the EDB, the SWD and NGOs at district level, comprehensive and timely support is provided to children and families in need. The CCDS uses Maternal and Child Health Centres under the DH and other service units (including hospitals under the HA, the IFSCs, ISCs and pre-primary education institutions) as platforms to identify at-risk pregnant women, mothers with postnatal depression, families with psychosocial needs as well as pre-primary children with health, developmental and behavioural problems. Children and families in need are referred to appropriate service units for follow-up.





**Support Services for New Arrivals from the Mainland of China**

1. The International Social Service Hong Kong Branch (ISS-HK) continues to operate the Cross-boundary and Inter-country Social Service, which helps individuals and families handle and solve problems arising from geographical separation. Its service users include new arrival families. Services provided include intake enquiries, counselling, emergency assistance, groups and activities, volunteer training and referral to other service units, etc. The SWD has also linked up its Departmental Hotline with the New Arrival Connect Hotline operated by the ISS-HK since June 2009. The New Arrival Connect Hotline provides support by way of providing information, guidance, regular concern calls, etc. to those who have arrived in Hong Kong for less than six months. Since July 2010, the SWD has provided the ISS-HK with additional recurrent funding to operate a service team at the Lo Wu Control Point (a control point at the boundary between the HKSAR and the Mainland). Services provided include provision of information about social services in Hong Kong and referrals to appropriate service units for follow-up so as to facilitate early identification and prevention of family problems.

2. The HAD provides support services for new arrivals from the Mainland to facilitate their integration into the community. Since 2011, the HAD implemented the District-based Integration Programmes to help new arrivals better understand the districts they are living in and the Expectation Management Programmes to help those applying for one-way permits in the Mainland better understand the situation in Hong Kong. An Ambassador Scheme was introduced in 2012 to reach out to the disadvantaged new arrivals and make referrals to the relevant government departments to follow up where necessary. Besides, the HAD updates the “Service Handbook for New Arrivals” on a regular basis to provide new arrivals with information on the services provided by government departments.

3. In addition, the Government provides a series of public services for the new arrivals from the Mainland of China to facilitate their integration into the local community. Such public services include

employment services, vocational training, welfare services, public housing, public healthcare services and educational support. The aim is to reduce adjustment problems and to encourage self-reliance. NGOs operate complementary projects, funded from sources such as the Hong Kong Jockey Club Charities Trust and the Community Chest of Hong Kong. These initiatives include community education, employment programmes and volunteer services.

## Enhanced Arrangements for OTP, TWP and Exit Endorsements

1. The Government continues to convey to the Mainland authorities the views of various sectors in Hong Kong, and the Mainland authorities have from time to time adjusted and refined the arrangements for OWP, TWP and relevant exit endorsements. For example, the Mainland authorities in 2009 shortened the waiting time of applications by separated spouses from five years to four years; and starting from 25 December 2009 have issued “one-year multiple exit endorsement for visiting relatives” to eligible Mainland residents holding TWP, which enables them to stay in Hong Kong for 90 days on each entry. After the HKSAR Government had actively reflected the views of Hong Kong people and discussed with the Mainland authorities, the Central People’s Government agreed that, starting from 1 April 2011, eligible Mainland “overage children”<sup>1</sup> of Hong Kong residents may apply for OWP to come to Hong Kong to reunite with their natural parents. As at end November 2017, 46 711 overage children have entered Hong Kong for reunion with their natural parents on strength of OWPs.

2. In addition, the ImmD of the HKSAR has been referring to the Mainland authorities individual cases with special family difficulty. The Mainland authorities have exercised discretion and issued OWP or “one-year multiple exit endorsement for visiting relatives” to some of these applicants.

---

<sup>1</sup> Before 1 November 2001, under the rules of the Mainland authorities, eligible Mainland children of Hong Kong residents aged below 14 may apply for OWP to come to Hong Kong for settlement. However, approval would not be granted to those who attained the age of 14 while awaiting approval by the Mainland authorities. The term “overage children” refers to those persons who (a) were below the age of 14 when their natural fathers or mothers, before 1 November 2001, obtained their Hong Kong identity card; and (b) turned 14 while awaiting approval and hence lost their approval status.



**Prevention of Domestic Violence  
and Provision of Support to Victims of Domestic Violence**

- (a) The Family and Child Protective Services Units (FCPSUs) of the SWD are specialised units handling the majority of the child abuse and spouse/cohabitant battering cases. They provide the needy with integrated services including outreaching, crisis intervention, casework and group work services, as well as statutory protection of children. Other support services such as financial assistance, legal aid, psychological assessment and treatment, housing assistance, and child care services, etc. are also arranged in collaboration with relevant Government bureaux / departments and NGOs as appropriate. The number of FCPSUs has increased to 11 units in 2010, and the number of social workers serving in FCPSUs has also increased to 170 in 2018. The manpower of social workers in FCPSUs will be further enhanced in 2019-20;
  
- (b) The SWD has implemented the Victim Support Programme for Victims of Family Violence since June 2010. The programme is funded by the Government and run by an NGO to enhance support services to victims of domestic violence, particularly those undergoing the judicial process. Under the programme, victims will be provided with information on the legal proceedings and community resources (such as legal aid service, accommodation and childcare support, etc.). They will also be provided with emotional support and companionship as appropriate when going through the judicial process. It is expected that through assistance from the programme, the victims will be empowered and supported to resume normal life as soon as possible;
  
- (c) Since 2016-17, the SWD has also provided additional places in refuge centres and Family Crisis Support Centre (FCSC) by phases, as well as additional manpower for refuge centres and Multi-purpose

Crisis Intervention and Support Centre (namely, CEASE Crisis Centre) to strengthen child care support service for the residents and children temporarily staying at these centres. Currently, there are 5 refuge centres providing a total number of 268 places for the victims of domestic violence, in addition to 50 places and 80 places provided by FCSC and CEASE Crisis Centre respectively; and

- (d) Apart from supporting the victims, the SWD also provides support services to abusers of domestic violence. In addition to “Batterer Intervention Programme” (BIP) and Anti-violence Programme (AVP), which were both implemented in 2008, the SWD launched a new service initiative, called “Educational Programme on Stopping Domestic Violence” (EPSDV), in October 2013. It aims at helping abusers, who are not mandated by the Court to attend AVP or not ready to participate in BIP which is of a longer duration, to change their violent attitude and behaviour. Starting from October 2018, EPSDV was renamed to “Support Programme for Enhancing Peaceable Relationship” and extends the support to children who have witnessed or been exposed to domestic violence and victims of domestic violence.

**Categories of child abuse cases in 2014-18**

<b>Types of abuse</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Physical abuse	413	424	378	374	493
Neglect	122	139	182	229	237
Sexual abuse	285	273	294	315	297
Psychological abuse	6	7	10	5	11
Multiple abuse	30	31	28	24	26
<b>Total</b>	<b>856</b>	<b>874</b>	<b>892</b>	<b>947</b>	<b>1064</b>





## Care and Support for the elderly

### Services for elderly persons living in the community

#### *Community support and care services for the elderly*

1. The Government's elderly care policy is "ageing in place as the core, institutional care as back-up". The Government has all along been supporting elderly persons to age in place through various community support and care services. Regarding community support services, as at end-December 2018, there were 210 subvented elderly centres in Hong Kong, providing support services for elderly persons and their carers at the district level. These services include arranging social and recreational activities, provision of information, counseling and referral, assistance in processing of applications for long-term care services, emotional support, meal service and carer training, etc. The elderly centres also provide outreaching service to hidden and needy elderly persons, so as to encourage and assist them in establishing a social life, as well as to provide them with referral and support services when necessary.

2. The Government also provides a range of subsidised centre-based and home-based community care services to elderly persons with long-term care needs, including the Integrated Home Care Services (Ordinary Cases) (IHCS(OC)), as well as the Integrated Home Care Services (Frail Cases) and the Enhanced Home and Community Care Services (EHCCS) for frail elderly persons who have been confirmed as moderately or severely impaired under the Standardised Care Need Assessment Mechanism for Elderly Services. The services provided under the Integrated Home Care Services and EHCCS include personal care, nursing care, meal delivery, rehabilitation services and escort service, etc. As at end-December 2018, there were 76 Day Care Centres/Units for the Elderly (DEs/DCUs) and 94 home care services teams providing services to frail elderly persons in Hong Kong.

3. The Government is implementing a number of pilot schemes to meet the different needs of elderly persons living in the community and to offer them choices. Pilot schemes launched in recent

years include –

- (a) **Pilot Scheme on Community Care Service Voucher for the Elderly:** The Government launched the Pilot Scheme in September 2013. Adopting the “money-following-the-user” funding mode, eligible elderly persons may choose community care services that suit their individual needs with the use of community care service vouchers. The Second Phase of the Pilot Scheme with more flexibility was launched in October 2016, providing a total of 7 000 community care service vouchers by 2019-20 to support ageing in place for elderly persons with moderate or severe impairment.
- (b) **Pilot Scheme on Home Care and Support for Elderly Persons with Mild Impairment:** The Pilot Scheme was launched in December 2017 to provide further assessments for elderly persons waitlisting for IHCS(OC) throughout the territory and offer additional service quota for those elderly persons assessed to be of mild impairment. It is estimated that the Pilot Scheme could provide about 4 000 service places within three years.
- (c) **Pilot Scheme on Support for Elderly Persons Discharged from Public Hospitals after Treatment:** The Pilot Scheme was launched in February 2018. Through a “medical-social collaboration” model, the Pilot Scheme provides elderly persons discharged from public hospitals and in need of transitional care and support with transitional residential care and/or community care and support services. It aims at enabling them to continue ageing-in-place in a familiar community after receiving the necessary services during the transitional period, thereby preventing their premature long-term institutionalisation in residential care homes for the elderly (RCHEs). It is estimated that the Pilot Scheme could provide support for at least 3 200 elderly persons in total within three years.

4. Regarding health care services, the Community Geriatric Assessment Teams of the HA visit residential care home for the elderly to provide assessment and treatment services to the elders residing in the homes. They also provide training to carers of the homes to help them provide more appropriate care to the elders.

*Active ageing*

5. As mentioned in paragraph 10.101 of the previous report, the Government has been promoting active ageing. We encourage elderly persons to pursue lifelong learning, engage in community activities and enjoy healthy living so as to lead an enriched life. Major initiatives include –

- (a) **Elder Academy Scheme:** The Elder Academy Scheme was launched in 2007 to encourage the setting up of EAs in primary schools, secondary schools and post-secondary institutions through the collaboration of school sponsoring bodies and organisations providing elderly services, so as to enable elderly persons to pursue life-long learning. The Government has allocated \$60 million to the Elder Academy Development Foundation to ensure the sustainable development of the Scheme. About 140 Elder Academies have since been set up. These Elder Academies altogether provide more than 10 000 learning places each year.
- (b) **Opportunities for the Elderly Project:** The Government launched the “Opportunities for the Elderly Project” since 1998-99 through subsidising various social service agents, district organisations and educational institutes to carry out a wide range of programmes for elderly persons to unleash their potentials and cultivate a sense of self-worthiness. Since the launching of the Scheme, over \$70 million subsidy has been granted for nearly 5 500 programmes with more than three million participants.
- (c) **Age-friendly communities:** Having regard to the diverse characteristics and needs of the 18 districts in Hong Kong, the Government encourages each district to implement age-

friendly community projects at the district level to build an accessible and inclusive environment to cater for the varying needs of elderly persons. A total of 17 districts have obtained the World Health Organization's "age-friendly community" accreditation.

### Residential care services for the elderly

6. As at the end of 2018, there were over 27 000 subsidised residential care places for the elderly<sup>1</sup>. There were also about 37 000 places in private RCHEs (excluding over 7 900 subsidised places being bought by the Government), and over 5 000 self-financing places in homes for the aged, care and attention homes and contract homes.

7. As mentioned in paragraphs 10.105 to 10.107 of the previous report, we continue to push forward the consolidation of various levels of long-term care provided by different institutions and the conversion of subsidised places in RCHEs, with a view to providing more efficient residential care services for the elderly in need. At present, most of the subvented and contract RCHEs provide a continuum of care services, such as medical and nursing care, thus enabling elderly persons to avoid changing services when their health deteriorates.

8. We have also implemented a host of measures to strengthen the monitoring of RCHEs and enhance their service quality. Since 2001, we have adopted open tendering to select operators of subsidised RCHEs. Contracts are awarded with a greater emphasis on quality rather than price. Operators are rigorously monitored to ensure that they comply with the terms of their contracts and the agreed performance standards.

9. We have continued to promulgate the Enhanced Bought Place Scheme in private RCHEs, with a view to increasing the provision of subsidised places and encouraging private RCHEs to upgrade their standard of service. A major characteristic of the Scheme is that once a private RCHE has participated, the same enhanced standards will apply to the entire home (including the non-subsidised places), thus making it an

---

<sup>1</sup> Comprising about 100 places in homes for the aged providing basic care, 23 300 care and attention places providing personal and limited nursing care, and 4 000 nursing home places providing a higher level of nursing care.

effective means of enhancing the service quality of private RCHEs.

10. Furthermore, the SWD is providing visiting medical practitioner services for residents of all RCHEs in the territory to proactively respond to seasonal influenza and episodic illnesses, thus promoting their health conditions and reducing their reliability on the public medical system. In 2019, SWD also launched by phases a five-year scheme to provide full subsidies for home managers, health workers and care workers of all RCHEs in the territory to enroll in Qualifications Framework-based training courses. SWD plans to launch another five-year scheme in the year to provide full subsidies for all private RCHEs to join accreditation schemes.

11. Besides, the Government has also been providing additional choices for elderly persons through various pilot schemes in recent years, including –

- (a) **Pilot Residential Care Services Scheme in Guangdong:** The Government launched the Pilot Residential Care Services Scheme in Guangdong in June 2014 to provide an option for the eligible elderly persons in Hong Kong to voluntarily choose to live in two RCHEs operated by two Hong Kong NGOs in Shenzhen and Zhaoqing respectively. While the Government has earmarked a provision of 400 places under the Pilot Scheme, the actual number of places purchased would depend on the number of participants in the Pilot Scheme. The Government has completed a review of the Pilot Scheme, which has on the whole been running smoothly since its implementation. Elderly residents were generally satisfied with the living environment of and services provided by the two homes, and they were willing to stay in the Mainland. The Government announced in January 2017 that the Pilot Scheme will be extended for three years and will continue to review its implementation for formulating future directions.
- (b) **Pilot Scheme on Residential Care Service Voucher for the Elderly:** The Pilot Scheme adopts the “money-

following-the-user” approach with a view to offering elderly persons in need of residential care service an additional choice by allowing them to choose the residential care services provided by eligible RCHEs under the Scheme according to their needs, and providing an incentive for RCHEs to improve their services. The Pilot Scheme is implemented in three phases, with a total of 3 000 Residential Care Service Vouchers to be issued to eligible elderly persons in batches within a period of three years from 2017 to 2019.

- (c) **Pilot Scheme on Multi-disciplinary Outreaching Support Teams for the Elderly:** The Government launched by phases a four-year Pilot Scheme in February 2019 for setting up district-based multi-disciplinary teams comprising social workers, physiotherapists, occupational therapists and speech therapists to provide outreach service for residents of private RCHEs to meet their social and rehabilitation needs. Apart from residents of private RCHEs, the speech therapy service under the Pilot Scheme also supports contract RCHEs (including the Day Care Units attached to contract RCHEs) as well as self-financing RCHEs and self-financing Nursing Homes by providing speech therapy service to residents with swallowing difficulties and speech impairment.

#### Supporting elderly persons with dementia and their carers

12. Age-related illnesses such as dementia are expected to become more common with an increasing life expectancy. The Government has adopted a multi-disciplinary and cross-sectoral approach in the provision of holistic care services to elderly persons with dementia and in supporting their carers.

13. In February 2017, the Government launched a two-year pilot scheme, namely the Dementia Community Support Scheme, to provide cross-sectoral and multi-disciplinary support services for elderly persons with mild or moderate dementia and their carers in the community

under a “medical-social collaboration” model. In view of its effectiveness, the Scheme has been regularised from February 2019 onwards and will be extended to all 41 DECCs in the territory. It is estimated that services will be provided to over 2 000 elderly persons with dementia each year.

14. In addition, the Government implemented a series of new measures in 2018-19 to strengthen dementia care and support at the community level, which include allocating additional resources to DECCs, NECs, DEs/DCUs and home care services teams to strengthen dementia care and related staff training. In September 2018, the three-year territory-wide Dementia Friendly Community Campaign was launched to enhance public understanding of dementia and encourage members of society to support and care about demented persons and their carers, so as to build a dementia friendly community.

#### Supporting vulnerable elderly persons

##### *Measures against abuse of the elderly*

15. The Government provides a wide range of preventive, supportive and specialised services to support victims of domestic violence and families in need, including victims of elder abuse. These services include community education, crisis intervention, hotline counselling, financial and accommodation assistance as well as referral of the victims to emergency residential care, refuge centres and respite services. Services for the prevention and tackling of elder abuse cases are provided through DECCs, NECs, Support Teams for the Elderly (STE), Integrated Family Service Centres, Integrated Services Centres, Family and Child Protective Services Units, Clinical Psychology Units, Family Support Networking Teams, Refuge Centres for Women, Family Crisis Support Centre, Multi-purpose Crisis Intervention and Support Centre, etc.

16. The Government will continue to raise public awareness about preventing abuse of elderly persons through publicity and public education, and adopt various prevention and intervention measures to provide appropriate support for those with needs. SWD has published leaflets on “Protecting Elderly Persons Against Abuse” to enhance the

awareness of elderly persons and other members of the public about the problem of elder abuse, prevent elder abuse incidents, and encourage abused elderly persons, their family members and friends to seek early assistance to remedy the situation. The leaflets are available in Chinese, English and various EM languages to enable wider dissemination of the message of preventing elder abuse. District-based service units also organise public education activities on preventing abuse of elderly persons to enhance their and their families' awareness of the issue, thereby encouraging those in need to seek early assistance.

17. In addition, SWD regularly organises different training programmes for management and frontline staff of service units for the elderly persons to enhance their understanding about abuse of elderly persons, knowledge and skills on handling suspected cases and capabilities in risk assessment, violence prevention, post-trauma counselling, etc. In the past two years, SWD organised about 30 relevant training programmes targeting staff members of service units under SWD and NGOs, and those of HA and private RCHEs, with a total of more than 3 500 participants.

#### *Other supporting measures for vulnerable elderly persons*

18. All the subvented elderly centres are currently providing outreach service for hidden and vulnerable elderly persons and their carers in the community. In the course of service provision, the social workers of each elderly centre will seek to understand the support network of the elderly persons and their families (e.g. whether the elderly persons are living with their family, or whether there is sufficient support from relatives or neighbours), so as to provide them with suitable services. Besides, the STE attached to the DECCs promote community services and identify elderly persons and carers in need of services (such as elderly singletons or families of elderly doubletons, disabled or aged carers) through various outreach services and community networks. The STE also identify the hidden or needy elderly persons and carers through networking with district organisations, mutual aids committees and management companies, etc.

#### Supporting carers of elderly persons

19. Carers play an important role in supporting elderly persons



to age in place. At present, the Government provides a series of support services for carers of elderly persons through 210 subvented elderly centres, 94 home care services teams and 76 DEs/DCUs throughout the territory. These services include provision of information, training and counselling, assistance in forming mutual aid groups, and demonstration and loan of rehabilitation equipment, etc. To relieve carers' stress and allow them to take a short break or attend to personal affairs when necessary, the Government also provides residential and day respite services through RCHEs and DEs/DCUs. The Government will continue to provide additional designated respite service places in newly established elderly service facilities. Under the Pilot Scheme on Community Care Service Voucher for the Elderly, elderly persons may also use the monthly CCSV values to purchase residential respite services if necessary.

20. To ensure that needy carers of elderly persons receive appropriate support, the Government allocated additional resources to all subvented elderly centres and home care services teams in the territory in 2018-19 to enhance outreaching services for supporting needy carers living in the community who are looking after frail elderly persons, including carers with disabilities or aged carers. The additional resources will enable elderly centres and home care services teams to make use of various outreach services and community networks to identify needy carers in the community more effectively, for example by liaising with different neighbourhoods and mobilising members of the community. Necessary support services, such as occasional elder-sitting, will also be provided to relieve their pressure.

21. Apart from providing various support services for carers of elderly persons, the Government also launched the Pilot Scheme on Living Allowance for Carers of Elderly Persons from Low Income Families in June 2014 with a view to providing carers of elderly persons from low income families with a living allowance to help supplement their living expenses so that elderly persons with long-term care needs can, with the help of their carers, receive more proper care and remain living in the familiar community. Phase II and Phase III of the Pilot Scheme were launched in October 2016 and October 2018 respectively, each for a period of two years. A total of 6 000 quota of beneficiaries is provided under the three phases of the Pilot Scheme.

22. In addition, since FDHs are playing a major role in caring for the elderly persons in a number of families in Hong Kong, the Government has implemented an 18-month Pilot Scheme on Training for FDHs on Elderly Care since March 2018 to strengthen the skills of FDHs in taking care of frail elderly persons, so as to enhance the elderly persons' quality of life in the community and support ageing in place for them. A total of 300 free training places are provided under the Pilot Scheme. Apart from covering common elderly care skills, the training also includes electives on caring for elderly persons with dementia and stroke. In view of the positive response from FDHs and their employers to the Pilot Scheme, the Government will extend the Pilot Scheme to more districts in 2019, providing around 800 training places in total.

### Legislation

23. The Government has set up a working group in June 2017 to comprehensively review the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459), Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) and the relevant Codes of Practice. The working group comprises representatives from nine sectors, including LegCo members, NGOs and the private sector operating RCHEs and residential care homes for persons with disabilities, members of the EC and Rehabilitation Advisory Committee, academics, independent members, service users/carers, as well as representatives from the Hong Kong Council of Social Service and the LWB. The working group has looked into key areas pertaining to the requirements for licensees and home managers, staffing requirements, registration of health workers, offences and penalties, minimum floor area per resident, classification of homes, etc. The working group is expected to put up legislative and other recommendations to LWB for consideration by mid-2019.

## General Economic Conditions of Hong Kong

1. The Hong Kong economy recovered quickly from the global financial crisis and registered growth of 6.8% and 4.8% in real terms in 2010 and 2011 respectively. Subsequently, due to the European sovereign debt crisis and protracted sluggishness of the global economy, the Hong Kong economy grew only moderately from 2012 to 2016, at an average annual rate of 2.4%. Riding on the synchronised global economic upswing, the Hong Kong economy picked up to grow notably by 3.8% in 2017.

2. In the first half of 2018, the Hong Kong economy still registered strong growth amid the favourable global economic environment. Yet, alongside moderating global economic growth and increasing external uncertainties, particularly those stemming from the US-Mainland trade conflict and US interest rate hikes, Hong Kong's economic growth decelerated visibly in the second half of 2018. For 2018 as a whole, the Hong Kong economy grew by 3.0%, faster than the trend growth of 2.8% over the past ten years for the second year. Hong Kong's per capita GDP stood at \$381,870 in 2018.

3. The headline inflation rate in Hong Kong as measured by the change in Composite Consumer Price Index, after going up from 2.4% in 2010 to 5.3% in 2011, drifted lower subsequently and reached 1.5% in 2017. The fall reflected the reduced external price pressure stemming from the decline in global inflation and retreat of international commodity prices from their peaks. Meanwhile domestic cost pressures were also contained. In 2018, the headline inflation rate rebounded to 2.4% as the economy attained above-trend growth for the second consecutive year.

4. As the Hong Kong economy recovered quickly from the global financial crisis, the labour market improved visibly starting from the second half of 2009, with the seasonally adjusted unemployment rate declining progressively to below 3.5% in the second half of 2011. Although the Hong Kong economy only grew moderately between 2012 and 2016, the labour market had remained resilient and stayed largely in a

state of full employment. The labour market tightened further on the back of improved economic performance in 2017 and thereafter. The seasonally adjusted unemployment rate reached 2.8% in the fourth quarter of 2018, the lowest level in more than 20 years, in spite of slower economic growth in the second half of 2018.

5. As regards labour earnings, wages and earnings registered notable improvement between 2010 and 2018, thanks to the sturdy labour demand and also the implementation of SMW in May 2011 (with three subsequent upratings of SMW rate in 2013, 2015 and 2017). Nominal wage rose by 50% cumulatively from December 2009 to December 2018, translating into a real increase of 10% after discounting inflation.

6. On economic outlook, global economic growth is likely to decelerate in 2019, with various uncertainties. The rise of trade protectionism is a key threat. While the US-Mainland trade talks have reportedly entered the final stage, there are still uncertainties about whether and when the two sides could reach a final agreement. The various external uncertainties, including the outlook of the US monetary policy, could give rise to larger volatility in the global financial markets. Other developments such as Brexit, geopolitical tensions and domestic politics in some advanced economies also warrant close attention. Considering that global economic growth is likely to decelerate, but assuming that the US-Mainland trade tensions would not escalate or might even ease somewhat, the Hong Kong economy is forecast to grow by 2-3% in 2019. As for inflation, as the recent moderation in fresh-letting residential rentals could have a mitigating effect, and external price pressures should remain in check, the headline inflation rate is forecast at 2.5% in 2019.

### Income Distribution

7. As labour market conditions were largely resilient throughout most of the time between 2006 and 2016 and the economy sustained solid growth after the global financial crisis, and helped by the implementation of Statutory Minimum Wage in 2011 as well as increased government expenditure on existing and new social benefits (e.g. the launch of OALA in 2013), domestic household income (excluding FDHs) mostly recorded visible growth during the period, with the median monthly household

income increasing significantly by 45.6% (up by 6.4% in real terms after discounting inflation).

8. The Gini Coefficient (GC) serves as the most common indicator of income disparity, with a higher value generally representing a wider income disparity. The latest GC based on original household income was 0.539 in 2016, slightly higher than the 0.537 in 2011 and the 0.533 in 2006. The rising GC in Hong Kong, as likewise observed in some advanced cities and economies, was related to economic restructuring towards a high value-added and knowledge-based economy amid globalisation. Besides, the increase in retiree households amid accelerating population ageing and the trend towards smaller families have also lifted the measured income disparity.

9. In making international comparisons of the GC, it should be borne in mind that Hong Kong is a financial and business services hub serving the Mainland and the East Asian region, and is a city economy with a strong agglomeration of service-oriented activities. Those activities are highly developed and well diversified, employing people with multifarious experience and skills. As such, income disparity in Hong Kong tends to be greater than that in economies with a preponderance of manufacturing and agricultural activities.

10. It is worth noting that after taking into account the redistributive effects of taxation and in-kind social benefits (including education, housing and medical), the GC based on post-tax post-social transfer household income decreased from 0.475 in 2006 and 2011 to 0.473 in 2016, in contrast to the rise in the GC based on original household income. This reflects that the provision of social benefits through taxation has helped reduce income disparity by redistributing income, and the redistributive effect has been more pronounced in the recent decade. Combining the effects of the Government's income redistribution and after adjustment for household size, the GC based on per capita post-tax post-social transfer household income also saw improvement, down from 0.427 in 2006 to 0.420 in 2016.



## Poverty line and its analytical framework

1. CoP adopts the concept of “relative poverty” and sets the poverty line at 50% of the median monthly household income before taxation and social welfare transfers. The first official poverty line was announced, alongside the publication of the Hong Kong Poverty Situation Report 2012, at the CoP Summit in September 2013. Since then, the Government updates the poverty line on the basis of the income of all households in the territory and publishes the Hong Kong Poverty Situation Report<sup>1</sup> annually for ongoing monitoring of the poverty situation in Hong Kong.

2. The main analytical framework of the poverty line mainly analyses the changes in various poverty indicators (including the size of the poor population, poverty rate and poverty gap) before and after intervention of the Government’s recurrent cash policies, so that the effectiveness of different poverty alleviation measures can be quantified, evaluated and compared. Supplementary analyses are also incorporated into poverty situation reports to assess the effectiveness of non-recurrent cash benefits and means-tested in-kind benefits (including mainly public rental housing) for additional reference.

3. Just as any framework of data analysis, the poverty line has its limitations. As the poverty line takes household income as the sole indicator for measuring poverty without considering assets and liabilities, some “asset-rich, income-poor” persons (such as retired elderly persons who have a considerable amount of savings) may be classified as poor, and the poverty situation will be overstated as a result. On the other hand, the poverty line is not a poverty alleviation line. It should not be taken directly as the eligibility criteria of any poverty alleviation initiatives lest resources be directed mainly to households below the poverty line in lieu of being used for preventing these households above the poverty line from falling below it.

---

<sup>1</sup> Poverty statistics by characteristic from 2009 to 2017 are set out in the **Appendix**.

Table 1: Poverty indicators 2009-2017 (compared with the poverty indicators before policy intervention)

	2009	2010	2011	2012	2013	2014	2015	2016	2017									
<b>(A) Before policy intervention</b>																		
I. Poor households ('000)	541.1	535.5	530.3	540.6	554.9	555.2	569.8	582.2	594.0									
II. Poor population ('000)	1 348.4	1 322.0	1 295.0	1 312.3	1 336.2	1 324.8	1 345.0	1 352.5	1 376.6									
III. Poverty rate (%)	20.6	20.1	19.6	19.6	19.9	19.6	19.7	19.9	20.1									
IV. Poverty gap																		
Annual total gap (HK\$Mn)	25,424.4	25,943.0	26,891.7	28,798.4	30,640.4	32,785.4	35,544.7	38,510.3	41,457.5									
Monthly average gap (HK\$)	3,900	4,000	4,200	4,400	4,600	4,900	5,200	5,500	5,800									
<b>(B) After policy intervention (recurrent cash)</b>																		
I. Poor households ('000)	406.3	405.3	398.8	403.0	384.8	382.6	392.4	412.4	419.8									
II. Poor population ('000)	1 043.4	1 030.6	1 005.4	1 017.8	972.2	962.1	971.4	995.8	1 008.8									
III. Poverty rate (%)	16.0	15.7	15.2	15.2	14.5	14.3	14.3	14.7	14.7									
IV. Poverty gap																		
Annual total gap (HK\$Mn)	12,790.0	12,829.8	13,701.2	14,807.6	15,019.6	15,819.8	18,152.1	19,937.0	20,576.2									
Monthly average gap (HK\$)	2,600	2,600	2,900	3,100	3,300	3,400	3,900	4,000	4,100									
	<b>Compared with the poverty indicators before policy intervention</b>																	
	Change	% change	Change	% change	Change	% change	Change	% change	Change	% change	Change	% change	Change	% change	Change	% change	Change	% change
I. Poor households ('000)	-134.8	-24.9	-130.2	-24.3	-131.5	-24.8	-137.6	-25.5	-170.1	-30.7	-172.6	-31.1	-177.4	-31.1	-169.8	-29.2	-174.2	-29.3
II. Poor population ('000)	-305.0	-22.6	-291.4	-22.0	-289.6	-22.4	-294.5	-22.4	-364.0	-27.2	-362.7	-27.4	-373.5	-27.8	-356.6	-26.4	-367.9	-26.7
III. Poverty rate (%)	-4.6	-	-4.4	-	-4.4	-	-4.4	-	-5.4	-	-5.3	-	-5.4	-	-5.2	-	-5.4	-
IV. Poverty gap																		
Annual total gap (HK\$Mn)	-12,634.4	-49.7	-13,113.2	-50.5	-13,190.5	-49.1	-13,990.8	-48.6	-15,620.9	-51.0	-16,965.6	-51.7	-17,392.6	-48.9	-18,573.3	-48.2	-20,881.3	-50.4
Monthly average gap (HK\$)	-1,300	-33.0	-1,400	-34.7	-1,400	-32.3	-1,400	-31.0	-1,300	-29.3	-1,500	-30.0	-1,300	-25.8	-1,500	-26.9	-1,700	-29.8

Notes:

(-) Not applicable.

Except poverty rate, changes of all statistics are derived from unrounded figures.

All percentage changes are calculated using unrounded figures.

Source:

Consolidated data obtained from the General Household Survey and administrative records of social transfers, Census and Statistics Department.



**Table 2: Poor population by selected household group\* and by gender, 2009-2017**

Before policy intervention	No. of persons ('000)								
	2009	2010	2011	2012	2013	2014	2015	2016	2017
<b>Overall</b>	1 348.4	1 322.0	1 295.0	1 312.3	1 336.2	1 324.8	1 345.0	1 352.5	1 376.6
<b>I. Household size</b>									
1-person	133.6	137.7	141.6	146.6	146.9	152.6	161.7	174.7	175.8
2-person	344.6	340.1	342.5	341.6	367.3	370.8	381.9	381.9	398.8
3-person	347.5	334.9	309.0	332.0	342.6	322.0	324.2	330.2	333.2
4-person	343.4	330.7	324.2	324.9	322.9	320.2	312.7	306.8	313.3
5-person	118.4	123.0	121.4	114.8	108.5	108.3	115.6	108.5	113.4
6-person+	60.8	55.6	56.2	52.3	47.9	50.8	48.9	50.3	42.2
<b>II. Social characteristics</b>									
CSSA households	471.3	471.8	456.1	416.3	397.1	377.8	364.4	342.1	332.1
Elderly households	225.4	238.9	239.2	248.0	268.9	280.7	299.1	315.4	319.7
Single-parent households	116.5	114.9	106.7	106.7	97.3	98.0	97.9	94.4	101.0
New-arrival households	133.2	108.9	115.4	119.7	103.4	95.0	86.4	79.5	85.4
Households with children	670.7	630.3	612.3	613.9	587.3	575.1	567.0	547.8	559.8
Youth households	3.7	3.5	4.1	4.8	3.9	3.8	4.2	4.3	5.8
<b>III. Economic characteristics</b>									
Economically active households	829.4	778.5	752.6	763.4	788.8	759.2	755.2	734.6	759.3
Working households	725.2	694.3	685.7	702.1	729.1	705.5	704.7	680.8	706.4
Unemployed households	104.2	84.3	66.9	61.3	59.7	53.6	50.5	53.8	52.9
Economically inactive households	519.0	543.4	542.4	548.9	547.4	565.6	589.8	617.9	617.3
<b>IV. Housing characteristics</b>									
Public rental housing	727.3	725.4	704.2	723.6	708.2	697.8	702.0	668.4	688.4
Tenants in private housing	111.9	100.9	95.7	103.7	116.8	116.6	126.3	135.0	136.1
Owner-occupiers	479.3	467.6	463.2	451.9	474.5	471.3	482.9	510.0	509.8
- with mortgages or loans	95.5	64.0	64.9	60.1	66.2	58.2	56.4	63.6	59.6
- without mortgages and loans	383.8	403.6	398.3	391.8	408.4	413.0	426.5	446.4	450.2
<b>V. Age of household head</b>									
Household head aged between 18 and 64	919.0	876.4	859.4	860.9	839.9	806.9	804.8	804.2	793.5
Household head aged 65 and above	426.7	442.5	432.7	448.9	495.0	516.6	538.4	547.2	577.8
<b>VI. Gender</b>									
Male	641.6	620.8	607.9	613.9	623.2	619.4	622.2	624.1	632.4
Female	706.7	701.2	687.1	698.5	713.0	705.4	722.8	728.4	744.3

Notes:

All percentage changes are calculated using unrounded figures.

(\*) Please refer to **Table 4** for definitions of respective households

Source:

Consolidated data obtained from the General Household Survey and administrative records of social transfers, Census and Statistics Department.

**Table 3: Poor population by selected household group\*, and by gender, 2009-2017**

After policy intervention (recurrent cash)	No. of persons ('000)								
	2009	2010	2011	2012	2013	2014	2015	2016	2017
<b>Overall</b>	1 043.4	1 030.6	1 005.4	1 017.8	972.2	962.1	971.4	995.8	1 008.8
<b>I. Household size</b>									
1-person	75.8	79.0	82.4	84.2	71.3	69.5	76.7	89.4	91.2
2-person	291.8	291.1	291.4	282.9	289.5	302.3	309.2	318.6	328.8
3-person	282.3	277.2	244.1	265.2	266.0	253.2	251.6	269.4	261.1
4-person	266.5	261.4	263.7	264.1	242.0	228.3	231.9	226.8	248.0
5-person	85.3	87.1	86.4	86.5	74.5	74.8	73.6	63.3	59.1
6-person+	41.7	34.8	37.3	35.0	28.8	33.9	28.5	28.3	20.7
<b>II. Social characteristics</b>									
CSSA households	239.0	240.4	238.9	235.6	205.8	173.6	167.5	152.9	156.7
Elderly households	168.8	180.6	182.2	186.9	180.2	182.4	196.1	218.6	219.6
Single-parent households	81.9	83.7	78.3	81.0	74.0	72.1	74.0	68.9	71.1
New-arrival households	125.0	103.4	110.1	110.8	94.2	83.9	73.0	65.5	71.3
Households with children	521.7	498.2	487.2	500.5	455.3	438.1	433.5	407.6	420.3
Youth households	3.2	3.1	3.6	3.8	3.1	2.6	2.7	3.6	3.9
<b>III. Economic characteristics</b>									
Economically active households	634.2	600.6	568.8	584.3	564.0	536.8	520.6	522.5	527.6
Working households	543.3	527.5	509.4	537.5	517.1	491.7	477.4	475.2	480.8
Unemployed households	90.9	73.1	59.4	46.8	46.9	45.1	43.2	47.3	46.8
Economically inactive households	409.2	430.0	436.6	433.5	408.2	425.3	450.8	473.3	481.2
<b>IV. Housing characteristics</b>									
Public rental housing	510.0	510.3	495.7	518.9	460.3	438.2	436.3	414.7	424.7
Tenants in private housing	59.7	56.4	54.6	55.4	71.8	78.8	86.4	87.2	92.0
Owner-occupiers	445.6	437.4	425.7	412.9	407.5	409.8	418.4	457.4	453.7
- with mortgages or loans	90.0	64.0	62.4	56.9	58.3	52.5	50.4	58.6	55.7
- without mortgages and loans	355.7	373.4	363.3	356.0	349.2	357.3	368.0	398.8	398.0
<b>V. Age of household head</b>									
Household head aged between 18 and 64	710.1	689.5	668.9	674.1	635.2	608.9	607.4	610.4	606.3
Household head aged 65 and above	331.2	338.3	334.3	342.0	335.8	352.1	362.7	384.7	397.7
<b>VI. Gender</b>									
Male	495.8	485.9	473.4	476.0	451.5	449.1	444.7	456.0	463.3
Female	547.5	544.7	532.0	541.9	520.7	513.1	526.7	539.9	545.5

Notes:

(-) There may be slight discrepancies between the sums of individual items and the totals due to rounding.

All percentage changes are calculated using unrounded figures.

(\*) Please refer to **Table 4** for definitions of respective households

Source:

Consolidated data obtained from the General Household Survey and administrative records of social transfers, Census and Statistics Department.

**Table 4: Definition of various households by characteristics**

<b>I. By Social characteristics</b>	<b>Definition</b>
CSSA households	Domestic households that receive Comprehensive Social Security Assistance
Elderly households	Domestic households with all members aged 65 and above
Single-parent households	Domestic households with at least one widowed, divorced, separated or never married member living with child(ren) aged below 18
New-arrival households	Domestic households with at least one member who is One-way Permit Holder and has resided in Hong Kong for less than seven years
Households with children	Domestic households with at least one member aged below 18
Youth households	Domestic households with all members aged 18 to 29
<b>II. By Economic characteristics</b>	
Economically active households	Domestic households with at least one member who is economically active, excluding foreign domestic helpers
Working households	Domestic households with at least one employed member, excluding foreign domestic helpers
Unemployed households	Domestic households with all economically active members being unemployed
Economically inactive households	Domestic households with all members being economically inactive
<b>III. By Housing characteristics</b>	
Public rental housing	Domestic households residing in public rental housing
Tenants in private housing	Domestic households renting and residing in private permanent housing or temporary housing
Owner-occupiers	Domestic households which own the subsidised sale flat, private permanent housing, or temporary housing that they occupy



## **Working Family Allowance Scheme**

1. Further to para. 54.7 of the HKSAR Government's response to the list of issues raised by the Committee in relation to the previous report, the Government introduced the LIFA Scheme in May 2016. The Scheme is designed based on specific findings from the poverty line framework, which aims to provide financial support for low-income working households who were not receiving CSSA. The amount of subsidies under the Scheme was linked to household income and working hours to encourage self-reliance. It also included a Child Allowance to focus on supporting eligible households with children and youths to ease intergenerational poverty.

2. In order to strengthen the Scheme's functions in alleviating and preventing poverty, the Government conducted a comprehensive review on LIFA in 2017, and launched the WFA Scheme in April 2018 to implement a series of enhancements to LIFA. These measure include relaxing the income requirements and increasing the rates of allowances. As at the end of December 2018, there were about 51 000 households who had submitted WFA applications, which included about 22 000 households who had not applied for LIFA before. Among these households, about 45 000 households have had their allowances approved, thereby benefitting more than 151 000 persons (including more than 63 000 children or youth), with the amount of subsidies disbursed valued at more than \$790 million for the first nine-month period. It is believed that the new arrangements of the WFA Scheme would benefit more low-income working households.



**Works relating to food and water supply,  
and in increasing housing land supply**

**Supply of food**

1. The Government strives to maintain a stable and diversified food supply through an open, fair, efficient and competitive food market and trade, thus enabling people of Hong Kong to have access to food according to their needs, preferences and economic means.
2. To achieve this policy objective, we endeavour to increase food diversity while maintaining food safety, enhance market efficiency and improve market transparency.
3. Being an open market economy with limited primary production, over 90% of food in Hong Kong is imported. Adhering to the principle of free trade in food import, foods from all over the world, as long as they are fit for human consumption and meet our food safety standards, can be imported and distributed in Hong Kong.
4. To enhance market transparency in trading in food products, the Government closely monitors the supply of major fresh food items. Supply information and wholesale prices of the fresh food items such as pigs, cattle, poultry, fish, vegetables and eggs are updated and made available to the public through the Government website on a daily basis.
5. The Government will continue to work closely with our major food exporting economies to ensure a stable, good quality and safe food supply in Hong Kong.

**The right to water**

Adequate and affordable access to water

6. The position remains as reported in paragraphs 11.31 to 11.32 of the previous report, Hong Kong enjoys one of the safest and most

reliable water supply systems in the world. Continuous potable water is delivered to each and every household round-the-clock throughout the year. Besides, adequate waterworks installations are in place to store, treat and distribute fresh water to the consumers, including 17 impounding reservoirs, 21 water treatment works, 172 fresh water service reservoirs, 153 fresh water pumping stations and about 6 900 km of fresh water mains.

7. The Government is subsidising the domestic water supply to the citizens. The average household water and sewage charges only comes to about 0.3% of the average total monthly spending which is relatively low.

8. The work of the HKSAR Government to ensure the water is clean and safe, to promote conservation of water and protection of water resources are set out at **Appendix 1**.

## **The right to adequate housing**

### Increasing Housing Land Supply

9. Finding adequate land to provide quality and affordable homes for our growing population tops the policy agenda of the Government. Our determination to identify and produce land and build a land reserve would never waver in face of short-term changes in economic environment or fluctuations in property prices.

10. In the short-to-medium term, the most immediate and effective way to augment housing land supply is to make more optimal use of the developed areas in the existing urban areas and new towns, as well as nearby land in the vicinity of existing infrastructure, through changing land use and increasing development intensity where planning terms permit. The major short-to-medium-term initiatives can provide an aggregate of over 380 000 private and public housing units, including some 310 000 housing units (with over 70% being public housing) made available by rezoning of over 210 sites for housing purpose.

11. In the medium-to-long term, we are taking forward expeditiously a number of major land supply projects, including but not



limited to New Development Areas, extension of new town and potential railway property developments. These long-term projects, which altogether could provide over 230 000 housing units, will be our foci in improving people's living space and environment, among other needs in meeting future population growth and sustaining economic development. Notwithstanding the above efforts, we are still falling short of meeting the estimated housing demand.

12. In a bid to engage the community to identify possible options to close the gap, the CE established the Task Force on Land Supply in September 2017. Led by 22 non-official members coming from different professions, the Task Force launched a five-month public engagement exercise last year to invite all sectors of society to offer their views on 18 land supply options identified by the Task Force and other land supply-related issues.

13. After studying all public opinions received during the public engagement exercise and detailed analysis, the Task Force submitted a report to the Government, entitled "Striving for Multi-pronged Land Supply", in December 2018 to tender recommendations on land supply strategy and land supply options that are worthy of priority studies and implementation. Accepting the report in full, the Government announced in February 2019 a refined land supply strategy with clear action plans on how to take forward various land creation initiatives, including redeveloping brownfield sites or agricultural lots in the New Territories; near-shore reclamation; more New Development Area development; and utilising underground space and cavern development.

14. Among the land supply options to be taken forward by the Government, the Lantau Tomorrow Vision announced in the Policy Address 2018 is a timely response to the urge of society in increasing land supply. "Lantau Tomorrow" is a vision spanning two to three decades, including plan to construct artificial islands of about 1 000 hectares in the Central Waters to effectively increase land supply, opening up living and economic spaces. In terms of housing units, the artificial islands can build 150 000 to 260 000 units, 70 per cent of which will be public housing (105 000 to 182 000 units), providing homes for 400 000 to 700 000 people. The HKSAR Government will strive to secure funding from the LegCo as

soon as possible, with a view to commencing the relevant studies. Our target is to commence reclamation works in 2025 for population intake to start in 2032.

15. The Government announced the Long Term Housing Strategy (LTHS) in December 2014, and adopts a “supply-led” and “flexible” strategy to gradually avert the housing supply-demand imbalance. The three major strategic directions established under LTHS are –

- (a) to provide more public rental housing (PRH) units and ensure the rational use of existing resources;
- (b) to provide more subsidised sale flats (SSFs), expand the forms of subsidised home ownership and facilitate market circulation of existing stock; and
- (c) to stabilise the residential property market through steady land supply and appropriate demand-side management measures, and promote good sales and tenancy practices for private residential properties.

16. According to the housing demand projections announced in December 2018, the total housing supply target for the ten-year period from 2019/20 to 2028/29 is 450 000 units. The Government has revised the public/private split of new housing supply from 60:40 to 70:30. Therefore, the public and private housing supply targets for the above ten-year period are 315 000 units and 135 000 units respectively.

17. The CE’s 2017 Policy Address suggested a housing policy with four elements. First, housing is not a simple commodity; while maintaining respect for a free market economy, the Government has an indispensable role to play in this area. Second, the Government will focus on home-ownership, and strive to build a housing ladder to rekindle the hope of families in different income brackets to become home-owners. Third, the Government will focus on supply and increase the supply of housing units based on LTHS. Fourth, when new supply is not yet available, the Government will optimise existing housing resources to help families awaiting PRH and residents in poor living conditions. Increasing

supply of public housing and rekindling hopes of families in different income brackets for home ownership are important components of the housing policy. The related measures are set out at **Appendix 2**.

### **Work of conservation of water and protection of water resources**

#### Quality of water

1. All sources of raw water including Dongjiang water imported from Guangdong Province of China and water from local impounding reservoirs undergo appropriate and rigorous treatment to ensure that the treated water is clean, safe and wholesome before it is supplied to consumers. The quality of treated water supply in Hong Kong complies fully with the Hong Kong Drinking Water Standards. The Water Supplies Department (WSD) has put in place a Drinking Water Quality Management System which incorporates a Water Safety Plan (WSP) based on preventive risk management and multiple-barrier approach in accordance with the World Health Organization's Guidelines for Drinking-water Quality to provide a comprehensive management framework to assure the quality of water from source, through water treatment to consumer taps for safe drinking. The WSD has also developed guidelines and templates for WSP for Buildings to facilitate building owners and property management agents implementing WSPs to enhance water safety in buildings. \_

2. In addition, water quality throughout the entire water treatment, supply and distribution system is systematically monitored through a comprehensive monitoring programme by means of physical, chemical, bacteriological, biological and radiological examinations of water samples taken at catchment, intakes, receiving point of Dongjiang water at Muk Wu Pumping Station, impounding reservoirs, water treatment works, service reservoirs, water distribution systems and consumers' taps to assure the water safety in Hong Kong.

3. The Government has set up two committees to advise the Government in respect of drinking water safety and water supplies respectively. The Drinking Water Safety Advisory Committee was set up in January 2018 with members comprising academics and experts of related fields to give advice to the Government on various water safety issues. The Advisory Committee on Water Supplies (ACWS) (formerly

known as the Advisory Committee on Quality of Water Supplies) with members from the academic and professional sector, District Councils, green advocates, and related bureaux/departments of the Government, was set up in April 2000 to advise the Government on matters relating to water supplies, including water resources, network management, regulation and control of inside services, and water conservation and other operational matters. Among those, the Dongjiang water quality monitoring data received at the Muk Wu Raw Water Pumping Station in Hong Kong are scrutinised and endorsed by the ACWS for publication on the WSD's website for public reference at six-monthly intervals.

### Conservation of water

4. The WSD has been taking forward a host of measures over the years to promote water conservation in the community, including launching education programmes and setting up a permanent water resources education centre to sow the seeds of water conservation in schools and children, collaborating with high water-consuming sectors (such as catering and hotel) to implement best practice guidelines for greater water efficiency, installing flow controllers in the taps and showers of public rental housing estates and distributing flow controllers for free, retrofitting water using devices in suitable government venues and schools with water-efficient ones, and implementing an Automatic Meter Reading system to provide consumers with timely water consumption data.

5 The Water Efficiency Labelling Scheme (WELS) is one of the key Government initiatives on water conservation. The aim is to inform consumers of the level of consumption and the efficiency of plumbing fixtures and appliances, thereby promoting a culture of conservation awareness among purchasers. The WSD is planning to mandate WELS via legislative amendments to further promote and maximize water conservation. At the same time, the WSD also leads by example to retrofit plumbing fixtures with water saving devices in Government buildings and schools.

### Protection of water resources

6 Catchment areas for collecting local rainfall are precious

resource and are protected from pollution through close monitoring and controlling of development activities within the water gathering grounds. Legislation which outlaws pollution to the waterworks (Waterworks Ordinance (Cap. 102)) and controls pollution to the waters of Hong Kong (Water Pollution Control Ordinance (Cap. 358)) is also in place to protect water resources in Hong Kong.

## Measures of increasing housing supply

### Increasing Public Housing Supply

1. According to the forecasts as at December 2018, the estimated total public housing production of the Hong Kong Housing Authority and Hong Kong Housing Society in the five-year period from 2018/19 to 2022/23 is about 100 400 units, comprising about 74 200 PRH/Green Form Subsidised Home Ownership Scheme (GSH) units and about 26 300 other SSFs. Comparing the above estimated total public housing production for the five-year period starting from 2018/19 with that of the previous four five-year periods, there has been a steady increase (see table below):

<b>Five-Year Period</b>	<b>Total Production</b>
2014/15 to 2018/19	80 400
2015/16 to 2019/20	91 200
2016/17 to 2020/21	94 100
2017/18 to 2021/22	99 700
2018/19 to 2022/23	100 400

2. The Government will continue striving to increase the public housing production and complete more public housing units in good time.

### Public Rental Housing

3. PRH is the first rung on the housing ladder, and is a long-established safety net for low-income families. Both the Government and Housing Authority remain committed to providing PRH to low-income families who cannot afford private rental accommodation. As at end-December 2018, there were about 770 300 households living in Housing Authority's PRH.

4. As at end-December 2018, there were about 150 200 family and elderly one-person applications for PRH. Their average waiting time was 5.5 years, which exceeded Housing Authority's target of providing the first flat offer to family and elderly one-person applicants at around three years on average. Besides, there were also about 117 400 non-elderly one-person applications under the Quota and Points System. Increasing PRH supply is the fundamental solution to reducing the waiting time for PRH. The Government and Housing Authority will continue their efforts in increasing PRH supply to gradually absorb the accumulated demand for PRH.

5. In addition to new PRH supply, LTHS also underlines the importance of the rational use of existing PRH resources. From time to time, Housing Authority reviews relevant policies and adopts appropriate measures to accord priority to allocating PRH resources to those with more pressing housing needs. Also, Housing Authority has been adopting a three-pronged approach to deter abusive use of PRH, namely, stepping-up inspection, investigating suspected tenancy abuse cases, and launching publicity and educational programmes.

#### Subsidised home ownership

6. For some low to middle-income families, SSFs serve as their first step for home ownership. Currently, subsidised home ownership includes the Home Ownership Scheme (HOS), GSH, and the Starter Homes (SH) Pilot Scheme, etc.

#### *Home Ownership Scheme*

7. In response to the home ownership aspirations of low- to middle-income families, the Government announced the resumption of HOS in 2011. Since 2014, Housing Authority has put up around 14 700 new HOS/GSH flats for pre-sale.

#### *Green Form Subsidised Home Ownership Scheme*

8. To enrich the housing ladder, GSH was regularised in January 2018, providing an alternative avenue for Green Formers (mainly PRH



households and PRH applicants who have passed the detailed eligibility vetting) to achieve home ownership. GSH, on the one hand, addresses better-off Green Formers' home ownership aspirations at an earlier stage; on the other hand, it also vacates more PRH units to those with more pressing needs. The first regularised GSH project, involving some 2 500 flats, was launched in December 2018.

### *Starter Homes Pilot Project*

9. The Government also introduced the concept of SH in the CE's 2017 Policy Address. SH aims to help higher-income families which are not eligible for HOS and yet cannot afford private housing to meet their home ownership aspirations in the face of hiking property prices. The Government announced in June 2018 to test out the SH concept earlier by inviting the Urban Renewal Authority (URA) to assign its redevelopment project at Ma Tau Wai Road as a SH pilot project, which can provide 450 SH units with flat sizes between 24m<sup>2</sup> (261ft<sup>2</sup>) and 47m<sup>2</sup> (507ft<sup>2</sup>). URA announced the selling prices and sales arrangement of the project in end-December 2018. The discount rate applicable to the project is 38%.

### *Revising the pricing mechanism for HOS*

10. The CE announced the revision of the pricing mechanism for HOS flats in June 2018. The new mechanism was adopted in the price setting for the Sale of HOS Flats 2018 and the average selling price of flats was revised from 70% to 52% of the then assessed market values. The pricing of the GSH and SH pilot project will also be priced in accordance with the new HOS pricing mechanism<sup>1</sup>. Together with the arrangement for buyers to obtain mortgage loans of up to 90% or even higher loan-to-value ratio, target families of various housing projects will be provided with more affordable choices.

---

<sup>1</sup> According to the new pricing policy, we will determine the discount for other SSF projects with reference to the discount from the assessed market value of the preceding HOS sale exercise. The discount for SH projects will be 10% to 20% lower than that for HOS, while the discount for GSH will be 10 % higher.

## Healthy private residential property market

11. The Government has all along adopted a two-pronged approach to maintain the healthy development of the private residential property market. To address the demand-supply imbalance at source in the long run, the Government has strived to increase the housing land supply through short, medium and long-term means under the “supply-led” strategy. At the same time, the Government has opportunely introduced demand-side management measures to minimise various adverse consequences that may arise from an overheated market.

### *Increasing supply*

12. Through sustained efforts of the Government, private housing supply has been increasing steadily. Based on the preliminary assessment of private residential developments known to have started or to be started on disposed sites as at end-2017, the private sector will, on average, produce about 20 800 private residential units annually in the five-year period from 2018 to 2022, representing an increase of about 50% over the yearly average (13 500 units) of the past five years. The Government will continue rolling out housing land to ensure sufficient and stable land supply in the long term, in order to respond to the home ownership aspirations of different social strata.

### *Introducing “Special Rates” on vacant first-hand private residential units*

13. The Government will amend the Rating Ordinance (Cap. 116) to introduce “Special Rates” on vacant first-hand private residential units. The amendment will require developers of first-hand private residential units with the Occupation Permit issued for 12 months or more to furnish annual returns to the Government on the status of the units. Units that have not been rented out for more than six months during the past 12 months will be considered as vacant and subject to “Special Rates”. “Special Rates” will be collected by the Rating and Valuation Department (RVD) annually at two times (i.e. 200%) the rateable value of the units concerned. The Government plans to introduce an Amendment Bill into the LegCo during the 2018/19 legislative session. “Special Rates” will take effect after gazettal of the Amendment Ordinance following passage

of the Amendment Bill in the Legislative Council.

*Demand-side management measures*

14. In view of the overheated property market in recent years owing to severe housing demand-supply imbalance and the ultra-low interest rates environment with abundant liquidity, the Government has introduced several rounds of demand-side management measures since 2010, including the Special Stamp Duty, Buyer's Stamp Duty, Doubled Ad Valorem Stamp Duty, and New Residential Stamp Duty, so as to combat short-term speculative activities, curb external demand and reduce investment demand. Although property prices have subsided in recent months, they are still out of line with economic fundamentals. It is necessary for the Government to maintain the various demand-side management measures to ensure the healthy development of the property market.

*Landlord and Tenant (Consolidation) Ordinance (Cap. 7)*

15. The Landlord and Tenant (Consolidation) Ordinance was amended to lift rent control and security of tenure in 1998 and 2004 respectively. Landlords and tenants can negotiate and set the terms and conditions of the tenancy agreement, so as to enjoy greater flexibility in entering into an agreement that better meets their needs. The Government is of the view that introducing tenancy control in any form amid the current tight housing supply will be counterproductive, and not in the interest of the grassroots tenants or the general public. The Government does not have any current plan to review the Landlord and Tenant (Consolidation) Ordinance.

16. RVD provides free advisory and mediation services on tenancy matters to citizens in need. Landlords and tenants may also refer to the two pamphlets, namely, "Notes on Signing a Tenancy Agreement" and "A Guide to Tenancy", published by the Estate Agents Authority, to better understand the various points to note when entering into tenancy agreements, the terms that should be included in tenancy agreements, and the rights and obligations of landlords and tenants before and after signing the tenancy agreement, etc.

*Measures to assist persons living in sub-divided units*

17. The Government has adopted various measures to alleviate the housing difficulties of low-income households (including households living in sub-divided units). For those who have imminent and long-term housing needs but have no other feasible means to solve their housing problems, they can approach the SWD for relevant welfare services or assistance. SWD will assess each case and recommend eligible cases to the Housing Department for early allocation of PRH units under “Compassionate Rehousing”. Also, eligible PRH applicants may join the “Express Flat Allocation Scheme” for early allocation.

18. Various government departments have been providing appropriate assistance to low-income households in areas such as housing, social welfare, and community support. For example, the CSSA Scheme provides a safety net for those who are unable to support themselves financially to meet their basic needs. Under the CSSA Scheme, recipients (including tenants of PRH and private residential units) are entitled to a rental allowance for covering their accommodation expenses. Other recurrent cash schemes such as the WFA Scheme and the “Work Incentive Transport Subsidy Scheme” also provide additional support to low-income households.

**Territory-wide Electronic Health Record Sharing System,  
Provision of Public Hospital Services  
and Dental Care Services**

Territory-wide Electronic Health Record Sharing System

1. The Government-led, territory-wide Electronic Health Record Sharing System (eHRSS) was launched in March 2016, with a view to promoting public-private collaboration, facilitating continuity of patient care and enhancing the quality and cost-effectiveness of healthcare. The eHRSS enables healthcare providers, with patients' informed and express consent and on a "need-to-know" basis, to access and share patients' electronic health records (eHRs) on a common and secured platform. Participation and use by patients and healthcare providers are free and voluntary. The Electronic Health Record Sharing System Ordinance (Cap. 625) came into force in December 2015 to provide the legal framework for registration and use, sharing of eHRs and protection of system security, data integrity and patient privacy. The eHRSS has been operating smoothly. As at mid-February 2019, close to 980 000 members of the public had join the eHRSS, accounting for around 13% of Hong Kong's population.

2. In July 2017, the Government embarked on Stage Two Development of eHRSS. Major areas of work include broadening the sharable scope by including radiological images and Chinese Medicine information, as well as developing sharing restriction features for enhancing patients' choice and privacy protection and a Patient Portal as Hong Kong's multi-functional public health e-portal. Stage Two Development is expected to complete in phases by 2022.

Provision of public hospital services

3. Public hospital and related healthcare services in Hong Kong are mainly provided by the HA. At present, the HA manages 43 public hospitals and institutions, 49 specialist outpatient clinics and 73 general outpatient clinics. The provision of the services is organised into

seven clusters.

#### *Spending on public hospitals*

4. The Government's allocation to the HA has been increasing in recent years. The overall recurrent subvention to the HA in 2017-18 revised estimate amounts to \$55.5 billion, representing an increase of 5.5% over the 2016-17 actual (\$52.6 billion). The Government has also decided to increase the recurrent funding for HA on a triennium basis starting from 2018-19 having regard to population growth and demographic changes. The additional recurrent subvention has been deployed for launching new initiatives and enhancing existing services to meet the rising demand for hospital services and improve the quality of patient care.

#### *Inpatient services*

5. The HA provides, inter alia, inpatient services to Hong Kong citizens with illnesses. As at 31 March 2018, the HA provides a total of 28 355 hospital beds, including 22 027 general beds, 2 041 infirmary beds, 3 607 beds for the mentally ill and 680 beds for the mentally handicapped. Compared with the total number of hospital beds as at 31 March 2009 as reported in paragraph 12.30 of the previous report, the number of beds had increased by 1 238. In 2017-18, the number of inpatient and day inpatient discharges and deaths in public hospitals was around 1.82 million. About \$40.0 billion were spent on the provision of such services in the hospitals of the HA in that year.

#### *Accident and emergency services*

6. As at 31 March 2018, 18 public hospitals provide accident and emergency services to deliver services to patients requiring urgent medical attention and provide medical support in major disasters and incidents. About \$3.1 billion were spent on the provision of such services in 2017-18. In 2017-18, the number of attendances at the accident and emergency departments of public hospitals was around 2.19 million. Patients attending the accident and emergency departments are classified into five categories according to their clinical conditions: Critical (Category 1), Emergency (Category 2), Urgent (Category 3), Semi-urgent

(Category 4), and Non-urgent (Category 5). This aims to enable patients with more urgent needs to be promptly attended to. In 2017-18, all patients in Category I were provided with immediate treatment and over 95% of patients in Category II were provided with treatment within 15 minutes.

### *Specialist outpatient services*

7. The HA has specialist outpatient clinics (SOPCs) in various clusters to provide specialist services. The services provided at these clinics include assessment of patients' symptoms, diagnosis, treatment and follow-up treatment. About \$12.6 billion were spent in 2017-18 for providing such services (including allied health outpatient of about \$1.1 billion).

8. In 2017-18, the number of attendances at the SOPCs of the HA was 7.72 million. HA has implemented a triage system for new SOPC referrals to ensure patients with urgent conditions requiring early intervention are treated with priority. Under the current triage system, referrals of new patients are usually first screened by a nurse and then by a specialist doctor of the relevant specialty for classification into Priority 1 (urgent), Priority 2 (semi-urgent) and routine (stable) categories. HA's targets are to maintain the median waiting time for cases in Priority 1 and 2 categories within two weeks and eight weeks respectively. HA has all along been able to keep the median waiting time of Priority 1 and Priority 2 cases within this pledge.

9. HA has implemented a series of measures to manage SOPC waiting time, which include enhancing public primary care service and public-private partnership; strengthening manpower; implementing SOPC annual plan programmes, reducing the disparity in waiting time at SOPCs in different clusters, optimising appointment scheduling practices of SOPCs etc. Information of the SOPC waiting time for eight major specialties is available on the HA's website since January 2015. This information allows patients to learn the SOPC waiting time situation, thereby facilitating them to make informed decisions when considering whether to pursue cross-cluster treatment. While patients may book medical appointments at SOPCs of their choices, the HA will take due account of individual patients' clinical condition and nature of service

required in arranging cross-cluster appointment for SOPC services. In addition, the HA launched a mobile application “BookHA” in March 2016 to provide the public with an alternative and more convenient means for SOPC new case booking of major specialties.

#### *Allied health services*

10. The allied health service personnel of the HA, including clinical psychologists, physiotherapists and occupational therapists, provide rehabilitation and extended care services to patients to optimise their treatment outcome and facilitate their re-integration into the community. In 2017-18, the number of allied health outpatient attendances was around 2.75 million. On the other hand, medical laboratory technologists, diagnostic radiographers, medical physicists and medical scientific officers also assist doctors in carrying out medical diagnosis and monitoring treatment outcomes.

#### *Ambulatory and community care*

11. In the light of the international trend of focusing more on the development of ambulatory and community care services, the HA has stepped up the development of ambulatory and community care services. This is to reduce the reliance of the public on inpatient services and facilitate the rehabilitation of discharged patients in the community. The HA will also continue to enhance the training for healthcare staff to improve ambulatory and community health care. In 2017-18, the expenditure of the HA on community health services was \$1.6 billion, which included a total of 877 600 home visits as well as 1 186 800 outreach attendances to elderly people and patients with mental health problems.

#### *Medical charges and fee waiver*

12. Fees for public hospital services in Hong Kong are set at a level affordable by the general public. The Government has put in place a medical fee waiver mechanism to provide assistance to needy groups. Recipients of the waiver include low-income patients, chronically ill patients and elderly patients with financial difficulties. People receiving assistance under the CSSA are waived from the payment of public medical charges. The waiver was extended to the older recipients of Old Age



Living Allowance and with more financial needs in July 2017 and then to the Higher Old Age Living Allowance recipients aged 75 or above starting from 1 June 2018.

### *Subsidy of drugs*

13. We note the recommendation raised by the Committee and other commentators to revise the current subsidised drug list to meet the needs of the chronically-ill and the mentally ill.

14. The drug policy of the HA is to implement the Drug Formulary to ensure equitable access to cost-effective drugs of proven safety and efficacy through standardisation of the drug policy and drug utilisation in all HA hospitals and clinics. At present, there are about 1 300 drugs in the Formulary. Patients who meet the relevant clinical conditions will be prescribed with appropriate drug treatment by doctors and a vast majority of the drugs will be provided by the HA at standard fees and charges. Some special drugs will be provided for patients' use at their own expense in situation where their clinical conditions are suitable but beyond the HA Drug Formulary indications or at patients' choice.

15. In accordance with established mechanism, the HA regularly appraises new drugs and reviews the list of drugs in the Formulary through its expert committees (including the Drug Advisory Committee and the Drug Management Committee) which comprise doctors, clinical pharmacologists and pharmacists. Changes will be made to the Formulary as appropriate to the circumstances. The review process follows an evidence-based approach, having regard to the safety, efficacy and cost-effectiveness of drugs and taking into account other relevant considerations, including international recommendations and practices, advance in technology, disease state, patient compliance, quality of life, actual experience in the use of drugs as well as views of professionals and patient groups. From 2009-10 to 2017-18, the Government have provided additional recurrent funding of \$910 million in total to HA to expand the coverage of the Formulary. The clinical application of over 40 special drug classes/therapeutic groups, including those for chronic diseases and mental illness, has been widened and over 20 drugs have been introduced as standard fees and charges items during the aforementioned period. There are mechanisms in place to provide safety net for

expensive drug treatment through designated funds that address the needs of patients with uncommon disorders and those suffering from cancer diseases.

### *Handling of medical complaints*

16. The HA has in place a two-tier complaint system for handling of complaints in relation to medical services. All first-time complaints about hospital services will be handled and responded by the hospital directly. If the complainant is not satisfied with the handling/outcome of his/her complaint, he/she can file an appeal with the Public Complaints Committee (PCC) of the HA. The PCC comprises members from different sectors of the community and is responsible for considering and deciding on all appeal cases. Members of the PCC are not HA employees and the PCC has no direct line function with any hospital or operational departments/service units. This enables the PCC to handle all complaints fairly and impartially as an independent body. The HA has also implemented various initiatives to continuously improve the efficiency and effectiveness of its complaints management system, e.g. launching patient experience surveys to engage patients and proactively collect patient feedback, establishing fast-track mechanism on handling of repeated appeals with a view to expediting and streamlining the processing of such cases.

### Dental care services

17. Curative dental services are mainly provided by the private sector and NGOs. The Government provides emergency dental treatments for the public and specialist oral care services to hospital in-patients and persons with special oral health care needs, dental care for prisoners/inmates in correctional institutions, and basic dental treatment for primary school children through the School Dental Care Service. In recent years, the Government has also implemented a series of initiatives to provide dental care support to elders and patients with special needs -

- (a) **Outreach Dental Care Program:** In 2011, the Government launched a three-year pilot project to provide free basic dental care (covering oral examination, scaling and polishing and emergency dental treatments) for elders

at residential care homes and day care centres through subventing outreach dental teams set up by NGOs. The pilot project was converted into a regular programme (entitled “Outreach Dental Care Programme for the Elderly”) in October 2014 and implemented by the DH with expanded scope of dental treatments to cover fillings, extractions and dentures, etc. and expanded pool of beneficiaries including elders residing in similar facilities (e.g. Nursing Homes for the elderly registered under the DH).

- (b) **Community Care Fund Elderly Dental Assistance Programme:** The Elderly Dental Assistance Programme with funding provided under the CCF was launched in September 2012 for provision of free removable dentures and related dental services (covering X-ray examination, scaling and polishing, fillings and extractions) to low-income elders who are users of the home care service or home help service schemes subvented by the SWD. The Programme was expanded in phases in September 2015, October 2016, July 2017 and February 2019 to cover elders who are OALA recipients aged 65 or above currently. As at end February 2019, a total of 530 private dentists and 65 NGO dental clinics participate in the Programme.
- (c) **“Heathy Teeth Collaboration”:** Since 16 July 2018, DH launched a three-year programme (the Programme), namely “Heathy Teeth Collaboration”, in collaboration with NGOs to provide dental care service for adult persons with intellectual disability (ID) who are recipients of CSSA, the DA or the HA’s medical fee waiver. Government subsidy of about \$54 million is provided for the Programme. It is estimated that 5 000 quotas would be available for eligible persons under the Programme. As at end of January 2019, about 1 300 adults with ID have registered under the Programme. Among them, about 1 200 have received first consultation.

18. In 2017-18, over 349 000 children - about 96.5 % of the primary school population - participated in the School Dental Care Service. This represents an increase by 2.2 % in participation rate compared to 2008-09. The Government also strives to raise public awareness of oral health and help them develop good oral health habits through publicity and education. Since 2003, the DH has been launching an annual Love Teeth Campaign to strengthen its efforts on oral health promotion to the community.

## **Development of Traditional Chinese Medicine**

1. Hong Kong has established a statutory framework to regulate Chinese medicine practice, and the use, trading and manufacture of Chinese medicine through the enactment of the Chinese Medicine Ordinance (Cap. 549) and the setting up of the statutory Chinese Medicine Council of Hong Kong. The Chinese Medicine Council of Hong Kong is supported by the Chinese Medicine Practitioners Board and the Chinese Medicines Board, which regulate the practice of Chinese medicine practitioners and the use, trading and manufacture of Chinese medicines respectively.

2. The Chief Executive announced in the 2018 Policy Address that the Government will incorporate Chinese medicine into the healthcare system in Hong Kong, formulate a holistic Chinese medicine policy and allocate additional resources to subsidise defined Chinese medicine services, including actively planning for the development of the Chinese Medicine Hospital (CMH) to provide a combination of government-subsidised in-patient and out-patient services in the CMH; transforming the 18 Chinese Medicine Centres for Training and Research (CMCTRs) with enhanced services to provide government-subsidised out-patient services at the district level; and continuing to provide government-subsidised in-patient services with Integrated Chinese-Western Medicine (ICWM) treatment in defined public hospitals. The latest situation of traditional Chinese medicine is set out in the ensuing paragraphs.

### Regulation of Chinese medicine practitioners

3. The Chinese Medicine Ordinance stipulates a regulatory system for Chinese medicine practitioners. The system involves registration, examination and discipline, which protects the rights and health of patients, ensures the professional standards and conduct of Chinese medicine practitioners, and hence establishes the statutory professional status of Chinese medicine practitioners in Hong Kong. Under the system, only those who have passed the Licensing Examination are eligible to become registered Chinese medicine practitioners. To ensure

registered Chinese medicine practitioners keep abreast of updated professional knowledge, the registration system also requires that registered Chinese medicine practitioners must satisfy the requirement for continuing education under the Chinese Medicine Ordinance before their practising certificates would be renewed. The Chinese Medicine Practitioners Board has also compiled the Code of Practice for Chinese Medicine Practitioners with a view to ascertaining the standard of professional practice and ethics of Chinese medicine practitioners. As at end of December 2018, there were about 7 400 registered Chinese medicine practitioners in Hong Kong.

#### Regulation of Chinese medicine

4. Hong Kong has established a regulatory system for Chinese medicines. The regulatory system for Chinese medicines encompasses four aspects including licensing of Chinese medicines traders, registration of proprietary Chinese medicines (pCm), import and export control on Chinese medicines, and a monitoring system for the safety of Chinese medicines.

5. For licensing of Chinese medicines traders, retailers and wholesalers selling Chinese herbal medicines, as well as manufacturers and wholesalers of pCm must apply for licences. The Chinese Medicines Board has drawn up practising guidelines for each category of Chinese medicines traders. All licensed Chinese medicines traders must comply with relevant legislation and practising guidelines. The Chinese Medicines Board has the authority to take disciplinary action against any Chinese medicines traders who have been convicted of an offence of relevant legislation and violate the practising guidelines. As at end of December 2018, there were a total of about 7 170 Chinese medicines traders licences issued by the Chinese Medicines Board.

6. To enhance the quality management of pCm manufacturing industry in Hong Kong, the Chinese Medicine Ordinance stipulates that a pCm manufacturer who follows good practices in the manufacture and quality control of pCm may apply to the Chinese Medicines Board for a Certificate for Manufacturer (Good Manufacturing Practice in respect of pCm) (GMP Certificate in pCm). As at end of December 2018, the Chinese Medicines Board has issued 19 GMP Certificates in pCm.

7. According to the Chinese Medicine Ordinance, all proprietary Chinese medicines must first be registered before they can be sold or manufactured in Hong Kong. The relevant sections in the Ordinance were commenced on 3 December 2010. As at end of December 2018, the Chinese Medicines Board has received about 18 170 applications for registration as proprietary Chinese medicines, among which about 9 450 applications were rejected due to various reasons including failing to submit the required documents/reports, withdrawal of application by the applicants or the product concerned did not fulfil the definition of pCm under the Chinese Medicine Ordinance.

8. From January 2008, applications for import or export of 36 Chinese herbal medicines and proprietary Chinese medicines under the Chinese Medicine Ordinance should be made to the DH. Any person importing or exporting the aforesaid Chinese medicines without a license may commit an offence under the Import and Export Ordinance (Cap. 60).

9. In order to safeguard public health, the DH maintains surveillance on the safety and quality of Chinese herbal medicines and proprietary Chinese medicines on sale in the market. Healthcare personnel should report cases of adverse effects caused by medicines and the DH will investigate into such incidents and bring in appropriate preventive and control public health measures accordingly.

10. The DH has launched the Hong Kong Chinese Materia Medica Standards (HKCMMS) project since 2002, with the purpose of developing reference standards for commonly used Chinese Materia Medica (CMM) in Hong Kong to ensure safety and quality. As at end of December 2018, a total of 299 CMM standards were developed and published in 9 volumes of HKCMMS.

#### Structured training in Chinese medicine

11. Three universities provide Chinese medicine outpatient services, as well as full-time undergraduate courses and post-graduate degree courses on Chinese medicine.

## Chinese medicine outpatient services

12. To promote the development of “evidence-based” Chinese medicine and provide training placements for graduates of local undergraduate programmes in Chinese medicine, a CMCTR has been set up in each of the 18 districts. These CMCTRs operate under a tripartite collaboration model involving the HA, NGOs and local universities offering undergraduate programmes in Chinese medicine (i.e. the Hong Kong Baptist University, the Chinese University of Hong Kong and the University of Hong Kong). The NGOs are responsible for the running and day-to-day operation of the CMCTRs. Since Chinese medicine has been recognised as an integral part of the healthcare system in Hong Kong, the 18 CMCTRs will be transformed into Chinese medicine clinics at district level to provide subsidised out-patient Chinese medicine services in addition to their original functions as teaching and research centres.

## Development of the Chinese Medicine Hospital

13. The Government has decided to reserve a site in Tseung Kwan O to set up a CMH as announced in 2014 Policy Address. In this regard, the Chief Executive announced in the 2017 Policy Address that the Government decided to finance the construction of the CMH and identify by way of tender a suitable non-profit-making organisation to take forward and operate the CMH. The CMH will provide quality Chinese medicine (CM) services with about 400 beds. It will provide pure CM services and ICWM services with CM playing a predominant role for the residents of Hong Kong. The scope of service will include in-patient, day-patient, out-patient and community services, covering primary, secondary and tertiary care with a view to promoting the development of specialised services. Apart from providing in-patient and out-patient services to the public, the CMH should also support the teaching, clinical training and scientific research of the higher education institutions in Hong Kong, and help strengthen and enhance the quality of the professional training of Chinese medicine practitioners and the scientific research of Chinese medicine in Hong Kong.

14. The Chinese Medicine Hospital Project Office (CMHPO) was established under the Health branch of FHB in May 2018, which is dedicated to steer and take forward the planning, tendering and



construction of the CMH. The tendering process of selecting operator is planned to be carried out in the second half of 2019 while the preparatory work is currently undertaken by CMHPO. It is estimated that the construction work of CMH will be completed by the end of 2024 with phase in operation.

#### ICWM in-patient services

15. The HA has been providing in-patient services with ICWM treatment for four selected disease areas (namely stroke, low back pain, shoulder and neck pain, and cancer palliative care) in its seven public hospitals since 2014, with the aim of gathering experience relating to the operation of ICWM and CM in-patient services. The Government will increase funding to reduce the additional daily fee for ICWM services from \$200 to \$120, in order to encourage more patients to participate. We are exploring with the HA on further development and expansion of the services in terms of disease areas and the scope of services. These services will also cater for the need of the future CMH by nurturing professionals with experience in providing CM in-patient and clinical services.

#### Government Chinese Medicines Testing Institute

16. In the 2015 Policy Address, the Government announced the planning and development of a Government Chinese Medicines Testing Institute (GCMTI) to be managed by the DH. The testing centre, now named as the GCMTI will specialise in the testing of, and scientific research on, Chinese medicines with a view to setting internationally recognised reference standards for the safety, quality and testing methods of Chinese medicines. The GCMTI has been set up with reduced scope and operation at a temporary site in the Hong Kong Science Park and has commenced operation in phases from March 2017. As endorsed by an advisory committee and task forces, the GCMTI has embarked on six projects to (1) identify easily confused species of Chinese Materia Medica in Hong Kong by macroscopic and microscopic characteristics; (2) collect specimens of commonly used Chinese Materia Medica under Chinese medicines herbarium; (3) build a digitalised Chinese medicines herbarium; (4) analyze chemical markers of Chinese Materia Medica in medicinal oil for external use; (5) establish reference DNA sequence library for

identification of Chinese Materia Medica – Phase 1 and (6) analyze Deer Antler Velvet (鹿茸) by DNA method as a complementary approach. The Government is now actively pursuing a permanent site for the operation of the GCMTI.

## Anti-drug Policy and Measures

### General Drug Situation

1. The number of reported drug abusers showed a declining trend from 2009 to 2018, with the total number dropping by 53%, from 13 990 to 6 611, and that of reported young drug abusers aged under 21 dropping by 86%, from 3 388 to 471. The number of newly reported cases decreased by 63%, from 4 460 to 1 662.

### Type of Drugs Abused

2. In the period, the total number of reported psychotropic substance abusers (PSAs) was consistently higher than that of narcotics analgesics abusers. Moreover, among the newly reported cases, the number of PSAs had been significantly higher than that of narcotics analgesics abusers.

3. In 2018, almost all narcotics analgesics abusers abused heroin. Methamphetamine (commonly known as “Ice”) was the most popular psychotropic substance abused, followed by cocaine, triazolam/midazolam/zopiclone, ketamine and cannabis. For young drug abusers aged under 21, the most popular psychotropic substance abused was cocaine, followed by cannabis and “Ice”.

### Latest Issues of Concern

4. Despite the declining trend of drug abuse, the latest drug scene has revealed several major issues warranting attention, including –

- (a) **relatively high proportion of newly reported abusers being young adults** – the proportion of newly reported drug abusers being young adults (aged 21-35) has remained at a relatively high level, at 48% in 2018;

- (b) **prevalence of psychotropic substance abuse, with increased cannabis and cocaine abuse** – while “Ice” is the most popular type of psychotropic substance abused, the number of reported “Ice” abusers decreased (by 39% from the peak of 2 495 in 2016 to 1 518 in 2018). Meanwhile, the number of cannabis and cocaine abusers has been on the increase (by 17% from 402 in 2017 to 472 in 2018 for cannabis abusers, and by 10% from 871 in 2017 to 962 in 2018 for cocaine abusers); and
- (c) **hidden drug abuse** – half of the newly reported abusers had a drug history of at least 4.7 years in 2018, and most drug abusers (58%) take drugs at home or friend’s home only.

### Anti-drug Efforts

5. As mentioned in paragraph 12.119 of the previous report, our anti-drug policy and measures have been underpinned by a five-pronged approach, comprising preventive education and publicity (PE&P), treatment and rehabilitation (T&R), legislation and law enforcement, external cooperation and research. The fight against drugs is a long-term haul requiring continuous concerted efforts under this approach to respond to the latest drug trends.

### Preventive Education and Publicity

6. PE&P aims at enhancing the community’s awareness of the latest drug problem and the assistance available. In recent years, we have focused on increasing the public’s knowledge of the harms of abusing prevalent drugs, promoting early identification of hidden drug abusers, and encouraging early help-seeking. For the youth and young adults in particular, we have sustained anti-drug promotion leveraging on different electronic platforms such as popular websites, mobile applications and social media. We have also collaborated with different organisations to launch suitable programmes at venues frequented by young people. A 24-hour helpline and instant messaging service have been in operation since 2012 and 2014 respectively to provide instant help.

7. The Hong Kong Jockey Club Drug InfoCentre (DIC) continues its role as a hub for anti-drug PE&P and professional exchange. We have continued to roll out different programmes for individual target groups, including exhibitions, activities and sharing sessions promoting healthy lifestyles among young people; visits and talks for students, parents and anti-drug partners, etc. By end 2018, 507 000 visitors visited DIC since its opening in 2004. Having operated for more than a decade, DIC will be revamped, with its hardware and exhibits to be updated.

8. For schools, as mentioned in paragraphs 12.126-12.128 of the last report, provision of suitable anti-drug training for teachers, school management personnel and students has been maintained. Resources are available for secondary schools to join the Healthy School Programme with a Drug Testing Component (launched from the 2011-12 school year following a successful trial scheme in the 2009-10 and 2010-11 school years as mentioned in paragraph 12.137 of the previous report) as a school-based preventive education initiative aimed at helping students develop a healthy lifestyle and positive life attitudes, enhancing their resolve to refuse drugs and fostering a drug-free culture on campus.

### Treatment and Rehabilitation

9. We continue to adopt a multi-modality approach to cater for the different T&R needs of drug abusers, as explained in paragraphs 294 to 298 of the initial report and paragraphs 12.131 to 12.136 of the previous report. T&R services include compulsory treatment programmes operated in drug addiction treatment centres by the Correctional Services Department, voluntary residential programmes implemented in drug treatment and rehabilitation centres by NGOs, voluntary outpatient methadone treatment programme administered by the DH, substance abuse clinics of the HA, and community-based counselling centres for PSAs and centres for drug counselling run by NGOs.

10. Since 1997, we have worked with stakeholders in the anti-drug sector in formulating three-year plans setting out the priorities and strategies for T&R services as a reference for service providers to review and develop their plans and programmes in light of the latest drug scene. In March 2018, we issued the Three-year Plan on Drug Treatment and

Rehabilitation Services in Hong Kong for 2018-2020, as drawn up on the basis of the views and ideas of anti-drug service providers and stakeholders. The Plan sets out the strategic T&R directions responding to four major areas, namely people with “Ice” abuse problems; hidden drug abuse; a substantial percentage of drug abusers being young adults aged between 21 and 35; and specific groups with drug abuse problems, including drug abusers of EMs and sexual minorities, and pregnant drug abusers/drug abusing mothers. It facilitates anti-drug service providers to review and develop their plans and programmes in the three-year period.

11. We have continued to allocate additional resources, spearhead and implement relevant initiatives since the previous report. Additional recurrent funding of about \$50 million per year has been provided since 2011-12 to increase the manpower of school social workers by 20% for carrying out focused anti-drug work and strengthening related counselling services. The pilot scheme of enhanced probation service for convicted young drug offenders (as mentioned in paragraph 12.134 of the previous report) has been rendered as a long-term service from 2016-17. Additional resources have been made available for community-based counselling centres to provide onsite medical support services.

12. In relation to drug testing at community level as mentioned in paragraph 12.137 of the previous report, the Action Committee Against Narcotics (ACAN) as the Government’s anti-drug advisory body launched a public consultation exercise on the RESCUE Drug Testing Scheme in September 2013 to January 2014. Diverse views were received. Publicising the consultation conclusion in July 2014, ACAN recommended that the Government should continue to engage stakeholders, professional bodies and the public in discussion; explore ways to address their concerns; and develop a follow-up mechanism which could effectively balance giving a chance to drug abusers while providing counselling and treatment, for a second-stage public consultation. We will maintain dialogue with relevant sectors and stakeholders.

13. For the pilot hair drug testing service as mentioned in paragraph 12.139 of the previous report, the relevant technology was transferred to the industry in 2011. In addition, a local university, with funding support from the Government’s Beat Drugs Fund, developed a hair

drug testing platform for community use and obtained relevant accreditation for the testing method in 2014.

### Legislation, Law Enforcement and External Cooperation

14. As reported in paragraphs 12.120 to 12.124 of the previous report, we have continued to review the legislation on dangerous drugs regularly and take vigorous enforcement actions. We monitor overseas and local drug trends as well as relevant international regulatory requirements, and introduce appropriate legislative amendments to bring new drugs under control. Our law enforcement agencies target drug supply at source through stemming the illegal import of dangerous drugs, strengthening the patrol of black spots, and adopting measures to combat drug trafficking. They also carry out liaison and intelligence exchange with regional and international counterparts, and conduct joint operations as appropriate.

15. Hong Kong participates in meetings of relevant international organisations such as the United Nations Commission on Narcotic Drugs, as a member of China's delegation.

### Research

16. Drug-related researches, co-ordinated by the Research Advisory Group as mentioned in paragraph 12.129 of the previous report, support an evidence-based approach in the formulation of anti-drug policies. We have continued to encourage interested parties to conduct drug-related studies covering a wide range of research topics such as drug harms, characteristics of drug abusers, effectiveness of T&R models, relapse and its prevention, reasons for hidden drug abuse, etc.

### Beat Drugs Fund (BDF)

17. Further to paragraph 12.130 of the previous report, the Government injected \$3 billion into BDF in 2010 to support sustained anti-drug efforts of various organisations in the community. Since 2010, BDF has funded over 780 projects with a total grant of about \$1.1 billion.





## **Local Situation on Alcohol Related Harm and Existing Interventions**

1. Reducing alcohol-related harm is one of the priority areas for action under the framework in the document “Promoting Health in Hong Kong: A Strategic Framework for Prevention and Control of Non-communicable Diseases (NCD)”<sup>1</sup>. To step up anti-alcohol efforts, the Hong Kong Government launched “Towards 2025: Strategy and Action Plan to Prevent and Control Non-communicable Diseases in Hong Kong” in May 2018 which includes Target 2: At least 10% relative reduction in the prevalence of binge drinking and harmful use of alcohol among adults and in the prevalence of drinking among youth, by 2025. The Government will continue working in close partnership with the healthcare professionals and community groups to reduce alcohol-related harm.

### Local situation on alcohol related harm

2. The DH has been regularly monitoring the pattern of alcohol use. In Hong Kong, the estimated total alcohol consumption per capita increased from 2.57 litres in 2004 to 2.87 litres in 2017. Among people aged 15 and above, Population Health Surveys conducted by the DH also found a marked increase in the prevalence of drinking from 33.3% in 2003-04 to 61.4% in 2014-15.

3. In 2017, there were 2 525 hospital admissions in public and private hospitals where the principal diagnosis on discharge was related to alcohol use. Mental and behavioural disorders due to use of alcohol accounted for the majority (75.2%) of these admissions. Alcoholic liver disease was the other major reason (24.8 %) for admission. In addition, there were 58 alcohol-related registered deaths in 2017.

---

<sup>1</sup> To strengthen our efforts in the prevention and control of non-communicable diseases, the DH launched the framework in October 2008. The Framework was developed with reference to the WHO’s guiding principles in disease prevention and health promotion, and in consultation with relevant stakeholders. A Steering Committee on Prevention and Control of NCD, led by the Secretary for Food and Health, was established to deliberate on and to oversee the overall roadmap and strategy for preventing and controlling NCD in Hong Kong. In this Framework, alcohol abuse is one of the priority areas for action.

## Existing interventions to reduce harmful use of alcohol

4. In Hong Kong, restrictions and regulations are in place to control the harmful use of alcohol and its effects. It is illegal for a person to drive or attempt to drive a motor vehicle, or be in possession of a motor vehicle, on any road with the proportion of alcohol in his breath, blood or urine exceeding the prescribed limit. Random breath test has been in place since 9 February 2009 and uniformed police officers can require a person who is driving or attempting to drive a vehicle on a road to perform an alcohol breath test without the need for reasonable suspicion. To protect young people from alcohol-related harm, the new legislation to prohibit sale and supply of alcohol to minors in the course of business was commenced on 30 November 2018. Under the law, intoxicating liquor must not be sold or supplied to minors under 18 years old in the course of business via face-to-face or remote distribution, as well as the sale of alcoholic beverages in vending machines. Intoxicating liquor is defined as alcohol that has more than 1.2 per cent ethyl alcohol by volume and is fit for or intended as a beverage. The maximum fine for non-compliance is \$50,000 on summary conviction.

5. Public awareness on the alcohol-related harm is enhanced through public education. The DH provides the public with health information in forms of printed materials, 24-hour education hotline, website and electronic publications to educate the public about prevention of harmful use of alcohol. To step up educational efforts to combat underage drinking, the DH launched a territory-wide campaign entitled "Young and Alcohol Free" in late 2016, working with youth and parent groups, schools, healthcare professionals and relevant government bureaux/departments. In late 2017, the DH also launched a public educational drive entitled "Alcohol Fails" campaign, targeting the general public and working with healthcare professionals to provide up-to-date evidence on alcohol-related harm; raise public awareness of the importance of making informed choices about drinking; and enhance personal skills to recognise and slash at-risk drinking patterns. The Transport Department, Road Safety Council, and the Police have produced announcements in the public interest about drink driving prevention which are broadcasted on TV and radio. Related slogans are displayed on banners and advertisement boards to remind the public not to drive if they drink. NGOs also provide

health education materials and a helpline for the public.

6. Treatment, counselling and rehabilitation services are provided by hospitals, alcohol problems clinics, and NGOs including Alcoholics Anonymous for people with alcohol abuse problems.



## **Works Relating to Food Safety**

1. The Government is committed to ensuring food safety through a multi-pronged approach. Our work includes formulating effective food-safety legislation and updating food standards; devising comprehensive food surveillance strategy through incorporating the concept of “from farm to table”; maintaining close communication with regulatory authorities of major food exporting economies and relevant international authorities; and enhancing communication with food traders and consumers.

2. The Centre for Food Safety (CFS) under the Food and Environmental Hygiene Department is the food safety regulator. The CFS adopts the risk analysis framework comprising risk assessment, risk management and risk communication promulgated by international food safety authorities in regulating food safety. High risk food is subject to import requirements such as health certificates. It works closely with the local trade, relevant authorities of our major food exporting economies, and international organisations related to food safety.

3. The CFS implements a territory-wide food surveillance programme, which is a key component of our efforts to protect food safety at the downstream of the food supply chain. Under the programme, the CFS takes about 65 000 samples of food annually at import, wholesale and retail levels for chemical, microbiological and radiological testing. It adopts a risk-based principle in determining the types of samples to be collected, the sampling frequency, the sample size, and the types of laboratory analysis to be conducted. The overall satisfaction rate of these tests maintained at 99.8% in recent years.

4. The legal framework of our food safety control is laid down in the Public Health and Municipal Services Ordinance (Cap. 132) and its subsidiary legislation. We review and update our food safety standards as appropriate taking into account international standards and development. We have in place a food-tracing mechanism backed up by the Food Safety Ordinance (Cap. 612) that enables the CFS to trace food sources effectively

and take prompt actions when dealing with food incidents. There is a registration system for food importers and food distributors, and a requirement for food traders to maintain proper transaction records to enhance food traceability.

5. We will continue to closely monitor the international trend and practice in safeguarding food safety, and timely update the relevant local food safety regulatory arrangements and practices where necessary.

**Provision of community support services and residential care services  
for Persons with Disabilities**

1. We have been striving to enhance both the quantity and quality of rehabilitation services/ facilities through the following major measures:

- (a) increasing the number of residential care and community support service places continuously: As at end 2018, the SWD is planning 36 development projects to provide more rehabilitation service places. It is estimated that by 2026, there will be an addition of about 6 900 rehabilitation service places, including 2 600 residential care service places, 2 300 day training and vocational rehabilitation service places, and 2 000 pre-school rehabilitation service places;
- (b) with a provision of over \$200 million, launching a five-year scheme to provide full subsidies for home managers, health workers and care workers of all Residential Care Home for Persons with Disabilities (RCHDs) to enrol in Qualifications Framework-based training courses and a four-year scheme to set up district-based professional teams to provide outreach services for residents in private RCHDs;
- (c) with an annual provision of about \$57 million, providing visiting medical and speech therapy services for residents of RCHDs, and providing additional health workers in all Supported Hostels; and
- (d) establishing the \$1 billion “Innovation and Technology Fund for Application in Elderly and Rehabilitation Care” in December 2018 to improve the quality of life of persons with disabilities at rehabilitation service units (and elderly at elderly service units) and to reduce the pressure of care staff and carers, through subsidising procurement, rental or try out innovative technology products. It is estimated that about

540 residential care homes for persons with disabilities and elderly persons as well as over 720 service units providing subsidised community care and support services will benefit.

We also launched a special scheme in 2013 to encourage social welfare organisations to better use their land through in-situ expansion or redevelopment to provide additional facilities for persons with disabilities and the elderly, with government funding support.

2. In parallel, the SWD has been continuously enhancing community support services in recent years:

- (a) allocating additional resources continuously to the District Support Centres for Persons with Disabilities (DSCs)<sup>1</sup> to enhance the support for persons with disabilities and provide them with more suitable services in terms of additional social workers and day care service places. It was announced in the 2018 Policy Address that five additional DSCs will be set up;
- (b) introducing two home care service schemes, namely the Home Care Service for Persons with Disabilities and the Integrated Support Service for Persons with Severe Physical Disabilities, to provide a package of home-based services including occupational therapy/physiotherapy, nursing care, personal care and carer support services to enable persons with severe disabilities to continue to live in the community and relieve the pressure of their carers. It was announced in the 2018 Policy Address that new resources will be allocated to provide home-based care services for about an additional 1 800 persons with disabilities living in the community and to enhance transport support for the services; and
- (c) to enhance social support for ex-mentally ill persons and facilitate their re-integration into the community, the SWD

---

<sup>1</sup> There are currently 16 DSCs throughout the territory, providing district-based one-stop support for persons with disabilities, their families and carers.



has set up 24 Integrated Community Centres for Mental Wellness (ICCMWs) operated by NGOs across the territory. It was announced in the 2018 Policy Address that the HKSAR Government will expand the service targets of ICCMWs to secondary school students with mental health needs to strengthen professional support for them.

3. The SWD regularised in 2018 a pilot scheme which aims to enhance the living, social and employable skills of youths with autism and provide their carers with support services and set up three Support Centres for Persons with Autism in 2018-19. It was announced in the 2018 Policy Address that the number of Support Centres for Persons with Autism will further be increased to five. In addition, the SWD will enhance the services for persons with hearing impairment, persons with visual impairment and ex-mentally ill persons through the creation of clinical psychologists and an increase in social workers and/or other supporting staff in 28 community support services units. The total annual recurrent expenditure for the above initiatives is over \$50 million. It is estimated that over 4 000 of these persons with disabilities and their families or carers will benefit.

4. Some parents have expressed the concern that although they have the financial means to meet the long-term living expenses of their children with special needs, they are still worried about the care for their children after their death, as their children lack the ability to take care of themselves. These parents wish the Government to provide trust services to manage their assets earmarked for paying their children's living expenses. The Chief Executive announced in the 2017 Policy Address that the HKSAR Government decided to take the lead in setting up a Special Needs Trust, with the Director of Social Welfare Incorporated acting as the trustee to provide trust services for managing the assets of deceased parents. Regular disbursements will be made to the carers of their children in accordance with the parents' wishes. The Special Needs Trust Office was established in end December 2018.

5. Parents/Relatives Resource Centres subvented by the SWD help parents and carers learn how to take care of family members/persons with disabilities or development issues, exchange experience and seek

mutual support. In 2015, the SWD increased the number of social workers in these centres. The SWD will increase the number of centres from the current six to 19 by phases from March 2019 over 12 months.

6. In 2016, we earmarked a total of \$126 million for the SWD to launch a pilot scheme to provide eligible carers of persons with disabilities each with an annual living allowance of \$24,000 to supplement their living expenses, so that persons with disabilities can receive proper care and remain living in the community. In October 2018, the annual living allowance has been increased to \$28,800. So far, a total of 1 859 families have benefitted from the scheme.

7. To foster the spirit of self-help and mutual assistance among persons with disabilities and their families/carers, the SWD implemented a financial support scheme since 2001 to provide funding for self-help organisations for persons with disabilities. The SWD has increased the annual funding from October 2018 onwards from about \$15 million to about \$21 million.

**Control of water pollution, waste management, control of air pollution, control of noise pollution and environmental education and related works**

Establishment of the Sustainable Development Division

1. The position of the Sustainability Development Unit and sustainability assessment system remains as explained in paragraph 12.167 of the previous report.

Control of water pollution

*Harbour Area Treatment Scheme*

2. Following the completion of Stage 1 of the Harbour Area Treatment Scheme in 2001, implementation of the remaining stage was divided into two phases. We completed the construction of the sewage conveyance system of Stage 2A in December 2015 for transferring all remaining sewage generated around the harbour to Stonecutters Island for centralised treatment and resulted in immediate and significant improvement to the water quality. We have also reviewed the timing to proceed with Stage 2B to upgrade the sewage treatment facilities at Stonecutters Island in the light of the observed achievement. The review concluded that the next step should focus on improving the nearshore water quality by intercepting and preventing the polluted water from entering the harbour through the storm water drainage system. The construction of the first batch of dry weather flow interceptors along some of the most problematic shorelines as well as the rehabilitation of ageing sewers in the hinterland areas are now under way and expected to be completed by 2022.

*Water quality at beaches and marine waters*

3. The position of water quality of beaches remains as explained in paragraph 12.169 of the previous report. For the last nine years, Hong Kong beach water quality has been able to fully comply with the bacteriological Water Quality Objective, and suitable for swimming.

The overall compliance rate of Water Quality Objectives of Hong Kong waters and that of the Harbour both staying above 80%. The mean E coli level in the Harbour has dropped to a level that is considered suitable for secondary contact recreation activities, although this parameter is not a stipulated Water Quality Objective for Victoria Harbour.

### Waste Management

4. The Government attaches great importance to waste management and is taking multiple and concurrent actions to achieve our waste reduction goals. In May 2013, we published the “Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022” (Waste Blueprint), which analysed the challenges and opportunities of waste management in Hong Kong, and mapped out a comprehensive strategy, targets, policies and action plans for waste management in the decade to follow with a view to tackling the waste crisis in Hong Kong. We are working in full steam to implement the Waste Blueprint. Sitting at the centre of our overall waste reduction strategy, Municipal Solid Waste (MSW) charging will provide the necessary financial incentives to drive behavioural and cultural changes, and to encourage members of the public to proactively practise waste reduction at source and clean recycling. The Government introduced the Amendment Bill on MSW charging into the LegCo in November 2018. To complement the implementation of MSW charging, the Government will also provide additional recurrent resources to strengthen our work on waste reduction and recycling. The amount of this additional provision would be commensurate with the estimated gross revenue to be generated from MSW charging so as to achieve the effect of “dedicated-fund-for-dedicated-use”.

5. We are also in the course of introducing various producer responsibility schemes (PRS) to further promote resource recovery and the circular economy. The plastic shopping bag charging scheme was fully implemented in 2015. In 2018, we implemented the PRS on Waste Electrical and Electronic Equipment (WEEE), providing a convenient recycling channel for the proper collection of used equipment requiring disposal. The WEEE treatment and recycling facility, WEEE·PARK, developed by the Government to underpin the PRS, began operation in October 2017. As at end 2018, the WEEE·PARK had cumulatively

processed over 11 700 tonnes of WEEE, ensuring that the locally generated WEEE that would have been otherwise exported for disposal or sent to the landfills is properly recycled.

6. In parallel, we are implementing a PRS on glass beverage containers and have appointed glass management contractors to provide collection and treatment services for waste glass containers. The glass management contractors have taken over the previous voluntary programmes and further expanded their recycling networks. Overall, following the commencement of GMC services, the total amount of waste glass containers collected in 2018 increased by about 45 per cent when compared with 2017.

7. In addition, the Government commenced a consultancy study in October 2017 on how to implement a PRS targeting plastic beverage and personal care product containers. Taking into account the recommendations of the consultant, the Government has decided to press ahead with the introduction of a PRS targeting first at plastic beverage containers, which accounts for 60% of the overall waste plastic containers disposed of in Hong Kong.

8. In view of the potential impact of disposable plastic tableware on Hong Kong and even the worldwide marine environment and ecology, we will study the feasibility, scope and mechanism of controlling or banning disposable plastic tableware. Meanwhile, the Government is taking the lead in banning plastic straws and poly-foam food containers in premises mainly serving government staff, and working with the food and beverage industry to promote using less disposable plastic tableware.

### Control of air pollution

9. The Government is determined and working closely with the community to improve air quality. The Government published “A Clean Air Plan for Hong Kong” in March 2013 setting out various policies and measures to improve air quality. The Government has been implementing a wide range of measures covering land and sea transport, power plants and non-road mobile machinery as outlined in the Clean Air Plan.

10. To improve roadside air quality, the Government has implemented a host of motor vehicle emission control programmes and measures to reduce emissions from major local emission sources. Please refer to **Appendix** for details.

11. With the implementation of comprehensive air quality improvement measures, improvements in the pollution concentrations have been observed. The ambient concentrations of respirable suspended particulates (RSP), fine suspended particulates (FSP), nitrogen dioxide (NO<sub>2</sub>) and sulphur dioxide (SO<sub>2</sub>) dropped by 30%, 35%, 28% and 54% respectively in 2018 as compared with 2013. At the roadside, the levels of RSP, FSP, NO<sub>2</sub> and SO<sub>2</sub> have been reduced by 32%, 32%, 32% and 36% respectively during the same period.

12. At the same time, we have been collaborating with the Guangdong Provincial Government to improve the air quality in the Pearl River Delta Region since 1990s. A regional air quality monitoring network currently comprising 23 air quality monitoring stations has been set up since 2005. We have conducted regular technical exchanges and workshops on air pollution forecasting technology. We have also carried out joint studies with the Guangdong counterparts on the formation of ozone with a view to providing scientific support to formulate control policy for combating regional smog problem. Both governments have also set emission reduction targets for four major air pollutants, namely SO<sub>2</sub>, nitrogen oxides (NO<sub>x</sub>), RSP and VOC for 2010, 2015 and 2020. The two governments are also conducting a joint study for setting emission reduction targets for the four major air pollutants and FSP beyond 2020.

13. The Government has committed to review the Air Quality Objectives (AQOs) at least once in every five years. The prevailing AQOs, which took effect in January 2014, are benchmarked against a combination of interim and ultimate air quality targets in the World Health Organisation Air Quality Guidelines. We have embarked on a review in mid-2016 and completed the review by end 2018. We shall consult the public on the review findings with a view to deciding whether and how to update the AQOs.

14. With the continued efforts to implement air quality improvement measures, we are confident that the air quality in Hong Kong will improve further in the next few years.

#### Control of noise pollution

15. Apart from continuing the works under the retrofitting noise barrier programme as mentioned in paragraph 12.179 of the previous report, we have been conducting trials of different low noise road surfacing (LNRS) materials including porous, thin surfacing and rubberized asphalts on local roads in Hong Kong. We will further the trial application of LNRS with a view to affirming their applicability under local conditions to address noise impacts from existing roads.

16. We have been working with the building industry to develop innovative designs of windows and balconies which can effectively reduce noise from entering housing units while allowing natural ventilation. Such designs have been incorporated into many housing developments and we will continue to introduce and promote them to the building sector.

17. To minimise construction noise impacts, we launched a “Quality Powered Mechanical Equipment” (QPME) system in 2005 to encourage the construction industry to use quieter equipment to carry out construction works. As of end-December 2018, over 7 000 equipment items have been approved as QPME. We will continue to look for quieter equipment and promote their use to the construction industry.

#### Environmental education

18. The “Environment and Conservation Fund” continues its educational work and sponsors community organisations, schools and green groups to organise activities to promote environmental protection, as described in paragraph 12.79 of the previous report. We injected \$5 billion in 2013 to attract more applications for innovative and worthwhile projects. The Environmental Campaign Committee continues the work described in paragraph 490 of the initial report.

## Environmental Impact Assessment

19. The position is as explained in paragraph 491 of the initial report.



**Motor Vehicle Emission Control Programmes and Measures to Reduce Emissions from Major Local Emission Sources**

1. The Government has implemented a host of motor vehicle emission control programmes. Key measures include:

- (a) tightened the statutory vehicle emission standards for newly registered vehicles to Euro VI from July 2017 in phases. We are planning to tighten the statutory emission standards for newly registered motor cycles, light buses with design weight of more than 3.5 tonnes and buses with design weight of not more than 9 tonnes;
- (b) tightened the statutory motor vehicle diesel and unleaded petrol specifications to Euro V level and implemented a statutory specification for motor vehicle biodiesel from 1 July 2010;
- (c) launched an incentive-cum-regulatory scheme in 2014 to progressively phase out some 82 000 pre-Euro IV diesel commercial vehicles (DCVs) by end 2019 and set aside \$11.4 billion of ex-gratia payment to assist the affected DCV owners. Similar to the current phasing out programme, we are planning to progressively phase out about 40 000 Euro IV DCVs;
- (d) limited the service life of DCVs newly registered on or after 1 February 2014 to 15 years;
- (e) set up a \$300 million Pilot Green Transport Fund in 2011 to support the testing of green innovative transport technologies applicable to the public transport sector and goods vehicle operators, such as electric and hybrid commercial vehicles, fuel saving devices and air pollutant removal devices for commercial vehicles and ferries. We are now reviewing the scope of the Fund with a view to

further facilitating the transport sector's wider use of green innovative transport technologies;

- (f) subsidised some 17 000 liquefied petroleum gas and petrol taxis and light buses to replace their worn-out catalytic converters and oxygen sensors from 2013 to 2014 and deployed portable remote sensing equipment at roadsides to identify petrol and liquefied petroleum gas vehicles with excessive emissions from September 2014;
- (g) completed retrofitting some 1 000 Euro II and Euro III diesel franchised buses with selective catalytic reduction devices by end of 2017 to upgrade their emission performance to Euro IV or above level. We are planning to conduct a trial to retrofit about 60 Euro IV and Euro V double-deck diesel franchised buses of the dominant bus models with enhanced selective catalytic reduction systems to upgrade their nitrogen oxides emission performance to the Euro VI level;
- (h) subsidized the franchised bus companies to procure six hybrid buses and 36 electric buses for trial runs under local conditions;
- (i) promoting and facilitating the installation of electric vehicle charging facilities in private and public premises. Over 2 000 public chargers for electric vehicles have been set up in Hong Kong by end of 2018; and
- (j) introduced legislative control to prohibit the idling of motor vehicles in April 2010.

2. In addition to the above vehicle emission control measures, the Government has implemented the following measures to reduce emissions from major local emission sources:

- (a) electricity generation is one of the major local sources of air pollution. We have banned all new coal-fired power plants

since 1997. We have stipulated emission caps for power plants since 2008 by issuing Technical Memorandums and progressively tightened the caps. So far, seven Technical Memorandums have been issued covering the period from 2010 to 2022 and beyond. The HKSAR Government signed a Memorandum of Understanding on energy co-operation with the National Energy Administration of the Central People's Government in 2008 to ensure a continuous supply of natural gas to Hong Kong in the next two decades. In September 2009, CLP Power Hong Kong Limited, the major electricity provider in Hong Kong, extended the contract for importing nuclear electricity from the Mainland of China for another term of 20 years from May 2014. This provides an assurance of continued supply of clean electricity to Hong Kong at reasonable and affordable prices. As part of our efforts to reduce emissions from the electricity generation sector, we announced in 2015 the Hong Kong fuel mix plan for 2020, i.e. increase the percentage of natural gas generation to around 50% and reduce the proportion of coal to around 25%;

- (b) to reduce emissions from marine sector, we have capped the sulphur content of locally supplied marine light diesel to 0.05% since April 2014. We have mandated ocean-going vessels to switch to low sulphur marine fuel (sulphur content not exceeding 0.5%) while berthing at Hong Kong since July 2015 and shall extend the control to requiring vessels within Hong Kong waters to use low sulphur fuel starting from January 2019. In addition, we are also collaborating with the Mainland authorities to jointly implement the coastal emission control areas in Mainland waters;
- (c) non-road mobile machinery supplied to local use are required to comply with statutory emission standards since June 2015;

- (d) we have also mandated all industrial and commercial processes to use ultra low sulphur diesel (with sulphur content not exceeding 0.005%). We have also imposed statutory limits on the volatile organic compounds (VOC) content of selected products (such as paints and printing inks) by phases since 2007 and banned the imports of products containing hydrochlorofluorocarbons (such as refrigeration and air-conditioning systems) in phases from January 2010. At the same time, we are running a programme to assist Hong Kong-owned factories in the Pearl River Delta Region to adopt cleaner production technologies and processes; and
- (e) promoting energy conservation and energy efficiency also forms a major prong of our overall strategy. To enhance building energy efficiency, the Buildings Energy Efficiency Ordinance (Cap. 610) was enacted in 2012. The statutory Building Energy Code, which stipulate the energy efficiency levels for central building services installations, have been updated twice since then with a cumulative 18% improvement to the energy efficiency standards for new buildings and major retrofitting works for existing buildings. We are also implementing a district cooling system in the Kai Tak Development by phases to provide energy-efficient air-conditioning services and are studying the provision of DCS in new development areas to foster low-carbon development. Furthermore, we have put in place both voluntary and mandatory Energy Efficiency Labelling Schemes for energy-consuming products to facilitate the public in choosing energy-efficient appliances. We will include more electrical appliances in the Mandatory Energy Efficiency Labelling Scheme in phases in light of latest technologies, market availability and developments of energy standards in other economies.

## Annex 13A

### Educational attainment in Hong Kong

	No schooling/ kindergarten		Primary		Secondary or above		Total	
	(1)		(2)					
Year	Number	(%)	Number	(%)	Number	(%)	Number	(%)
1981	1 101 279	22	1 831 133	37	2 054 148	41	4 986 560	100
1986	1 085 636	20	1 760 779	33	2 549 582	47	5 395 997	100
1991	985 582	18	1 623 046	29	2 913 653	53	5 522 281	100
1996	910 116	15	1 638 975	26	3 668 465	59	6 217 556	100
2001	845 831	13	1 671 836	25	4 190 722	62	6 708 389	100
2006	719 521	11	1 531 340	22	4 613 485	67	6 864 346	100
2011	714 470	10	1 358 104	19	4 999 002	71	7 071 576	100
2016	725 969	10	1 278 025	17	5 332 591	73	7 336 585	100

Note:

- (1) Persons who have not received primary education.
- (2) Including persons who have not completed primary education.

Sources: 1981, 1991, 2001 and 2011 Population Census, and 1986, 1996, 2006 and 2016 Population By-Census.



**Kindergarten education, primary and secondary education,  
vocational and professional education and training,  
private schools, post-secondary education, adult education,  
Quality Education Fund and Qualifications Framework**

Kindergarten education

1. Although kindergarten education is not compulsory, parents generally enroll their children to kindergartens. In the 2017/18 school year, the percentage of children aged three to five attending kindergartens was about 100%. While maintaining the established diversity and vibrancy of kindergartens, the Government is committed to providing quality kindergarten education for all school-aged children. Starting from the 2017/18 school year, the new kindergarten education scheme has been implemented to provide direct subsidies to kindergartens joining the Scheme. The policy objectives are to provide good quality and highly affordable kindergarten education, and enhance the accessibility of students to different modes of services that suit their specific needs. In tandem, we enhance the quality of kindergarten education through various means. In the 2017/18 school year, about 97% of the eligible kindergartens (i.e. local non-profit-making kindergartens) joined the Scheme, among which over 90% of the half-day kindergartens were free. As regards the whole-day kindergartens, under the co-payment basis between the Government and parents, parents should pay school fees. Notwithstanding this, the overall school fees are at a low level as additional subsidy is provided by the Government. Needy families may apply for fee remission through the “Kindergarten and Child Care Centre Fee Remission Scheme”. In addition, the Government provides an additional grant to these families to defray school-related expenses incurred such as books, stationery, school uniforms, etc.

2. The new Scheme has replaced the “Pre-primary Education Voucher Scheme” set out in paragraph 13.3 of the previous report.

## Primary and secondary education

3. The Government has been implementing nine-year free and universal basic education (six years of primary education and three years of junior secondary education) through public sector primary and secondary schools since 1978. In accordance with the Education Ordinance (Cap. 279), parents have the legal responsibility to ensure that their children aged between 6 and 15 attend school regularly. To uphold children's right to education, the EDB requires schools to report cases of students' non-attendance. The EDB will intervene timely and offer appropriate assistance in order to help non-attendance students resume schooling as soon as possible. To demonstrate the Government's commitment to the nurturing of our next generation and to better prepare students to cope with the increasingly complex and diverse society in Hong Kong, free education has been extended to 12 years to cover senior secondary education provided by public sector secondary schools starting from the 2008/09 school year which provides them with essential learning experiences for whole-person development in the domains of ethics, intellect, physical development, social skills and aesthetics so as to develop individual potential.

4. The design of the Hong Kong school curriculum is broad and balanced to cater for students' diverse abilities, interests and needs. The curriculum framework provided is open and flexible to suit school contexts and needs in order to nurture students' lifelong and self-directed learning capabilities, as well as to foster their whole-person development. We attach great importance to learner diversity. Under the principle of "one curriculum framework for all", students with special educational needs are provided with broad and balanced learning experiences on a par with other students to help them develop their potential to the full. Premised on the belief that all children have multiple intelligences that can be fully developed when given appropriate learning opportunities, gifted education in Hong Kong adopts an inclusive approach. The gifted education provision has operated under a Three-tier Implementation Model promulgated since 2000. This model facilitates the implementation of gifted education with classroom-based learning in school (Level 1), supplemented by school-based pull-out enrichment and extension programmes (Level 2), as well as off-school support services (Level 3).



Moreover, starting from the 2014/15 school year, we have implemented the “Chinese Language Curriculum Second Language Learning Framework” (“Learning Framework”) to help non-Chinese speaking students overcome the difficulties in learning Chinese as a second language and lay a solid foundation to facilitate their bridging over to mainstream Chinese Language classes as early as possible.

5. As Hong Kong develops into a knowledge-based economy, the senior secondary curriculum under the New Academic Structure has been implemented since the 2009/10 school year. A new public assessment, namely the Hong Kong Diploma of Secondary Education Examination, has been in place since 2012 to replace the previous two public examinations taken by Secondary 5 and Secondary 7 students respectively. Under the New Academic Structure, a broad and balanced senior secondary curriculum has been introduced to cater for students’ diverse interests, needs and abilities. Students study four core subjects (Chinese Language, English Language, Mathematics and Liberal Studies) and two or three elective subjects (up to a maximum of four) from Key Learning Areas, Applied Learning and Other Languages. In addition, all students are entitled to Other Learning Experiences for enhancing their whole-person development and widening the horizons.

6. Currently, whole-day school places provided by public sector and Direct Subsidy Scheme primary schools are sufficient to accommodate all school children, allowing them to enjoy quality whole-day primary schooling. The Government has, where circumstances permit, implemented small class teaching in public sector primary schools by phases, starting from Primary 1 since the 2009/10 school year, and progressively extended it to higher levels up to Primary 6 on a yearly basis. The objective is to improve the quality of learning and teaching in a small class setting. Schools implementing small class teaching are allocated 25 students per class under the Primary One Admission System while the remaining schools are allocated 30 students per class. The percentage of schools implementing small class teaching has increased from about 65% in the 2009/10 school year to about 75% as at the 2018/19 school year. The Government has, in accordance with the findings of a study on small class teaching, organized relevant professional development programmes in order to support teachers for the implementation of small class teaching

in public sector primary schools.

7. All eligible children, irrespective of their races or places of birth, enjoy equal opportunities for admission to public sector schools. The Government is committed to encouraging and supporting the early integration of NCS students (notably EM students) into the community, including facilitating their adaptation to the local education system and mastery of the Chinese language. The Government has also implemented a series of measures to step up the support provided for schools and NCS students with a view to facilitating NCS students' learning of Chinese.

### Vocational and Professional Education and Training

8. As explained in paragraph 13.43 of the previous report, the VTC is the main provider of - and adviser to the Government on policies relating to - vocational and professional education and training (VPET). The VTC offers a broad spectrum of pre-employment programme which provides diversified and flexible pathways for students with varied backgrounds, abilities and interests in VPET.

9. VPET programmes at Post-Secondary 6 level including Degree, Higher Diploma, Diploma of Foundation Studies, Diploma of Vocational Education, Diploma Yi Jin as well as trade-specific Diploma and Certificate programmes are offered to graduates of HKDSE through VTC's member institutions, namely Technological and Higher Education Institute of Hong Kong, Hong Kong Institute of Vocational Education, Hong Kong Design Institute, Youth College, Hotel and Tourism Institute, Chinese Culinary Institute, International Culinary Institute and Maritime Services Training Institute. Starting from 2018/19 academic year, students who have completed Post-Secondary 3 will be able to join the newly launched Vocational Baccalaureate Programmes offered by Youth College (International) in addition to the existing provision of Diploma of Vocational Education or Certificate programmes at Post-Secondary 3 level offered by Youth College, Hotel and Tourism Institute, Chinese Culinary Institute, International Culinary Institute, and Maritime Services Training Institute. The VTC strives to equip NCS students with vocational and professional skills that help them integrate into the community, secure employment, and boost their personal confidence. In 2017/18 academic

year, about 20 dedicated full-time and part-time VPET programmes including diploma courses in business, design, and hotel and tourism for secondary school leavers, Applied Learning courses for senior secondary students, short courses on basic vocational Chinese as well as preparatory courses for trade tests and skills training for in-service personnel were provided to around 700 NCS students to cater for their training needs.

10. In the 2012/13 academic year, with the implementation of the new academic structure, the EDB introduced the DYJ Programme in place of the former Project Yi Jin Programme. The DYJ programme is intended to offer a second chance for learners who do not do well in their mainstream studies at school by providing an alternative route to achieve qualification which is deemed comparable to the attainment of Level 2 standard in five subjects including Chinese Language and English Language in the Hong Kong Diploma of Secondary Education (HKDSE) Examination. One of its objectives is to equip students with an array of generic skills and general knowledge including basic language skills, information technology skills, mathematical reasoning skills and interpersonal skills for work and further study.

#### Private schools

11. Private schools must be registered under the Education Ordinance (Cap. 279), which is the statutory framework for all schools in Hong Kong. These schools operate on an entirely self-financed and market-driven basis, providing for parents an alternative choice to public sector schools. Private schools enjoy flexibility in deciding on their own curriculum, student admission policy and charges. As for the Private Independent School Scheme introduced in 1999, nine such schools have been in operation as at the 2018/19 school year. Under the Scheme, the Government provides land grants at nominal premium and/or capital grants for the construction of school premises, but these Private Independent Schools do not receive any recurrent subsidies from the Government.

#### Post-secondary education

12. The position is as explained in paragraph 13.26 of the previous report. In the 2017/18 academic year, about 73% of the

secondary school leavers enjoyed access to post-secondary education compared with the previously reported 42% in 2003.

13. There are currently 21 degree-awarding institutions in Hong Kong. Nine are publicly-funded (including the Hong Kong Academy for Performing Arts and eight universities funded by the UGC). The remaining 12 institutions are self-financing, three of which possess university title.

14. The position regarding admission policy is essentially as described in paragraph 13.34 of the second report. All prospective students who can meet the minimum entrance requirements have equal opportunity to be considered for admission. The same principle of merit-based admission applies to both women and men. Of all the UGC-funded programmes, 53.4% of the students were female in the 2017/18 academic year.

15. Since the 2012/13 academic year, the number of the UGC-funded first-year first-degree places has increased to 15 000 per academic year. Moreover, starting from the 2015/16 academic year, the intake of senior year undergraduate places in UGC-funded universities has progressively increased by a total of 1 000 places, so that 5 000 meritorious sub-degree graduates would be able to articulate to subsidised undergraduate programmes each year by the 2018/19 academic year. Altogether, the UGC-funded universities provided about 73 200 undergraduate degree places, 7 400 postgraduate degree places and 3 400 sub-degree places (in full-time-equivalent terms) in 2017/18 academic year.

16. The self-financing sector has been going through healthy development in recent years and is playing an increasingly important role in the provision of higher education in Hong Kong. The self-financing sector currently provides around 9 000 undergraduate intake places and around 10 000 top-up degree intake places each year.

17. The tertiary participation rate (i.e. at degree level) among the 18 to 22 age cohort has increased from around 18% in 1997/98 to around 48% in 2017/18.

18. As set out in paragraph 13.32 of the previous report, our policy remains that no qualified student is denied access to tertiary education because of a lack of means. In the 2017/18 academic year, we provided financial assistance of around \$3.80 billion to students pursuing post-secondary and continuing education. Around 68 300 students or 39% of the post-secondary student population received financial assistance in the 2017/18 academic year. We will continue to implement the various financial assistance schemes as set out previously. The details are at **Appendix**.

19. The tuition fees for degree and higher programmes at the UGC-funded universities continue to be frozen since the 1997/98 academic year. They therefore remain at the levels explained in paragraph 531 of the initial report.

20. Some commentators considered that the application criterion of the student financial assistance provided by the Government is too mean and the coverage of the assistance too narrow. In 2017/18, the Student Finance Office under the Working Family and Student Financial Assistance Agency disbursed around \$4 billion of means-tested student financial assistance for students from pre-primary to post-secondary levels and about \$1.56 billion of non-means-tested loans for students pursuing post-secondary and continuing education. We consider the existing means test of the Student Finance Office adequate in providing suitable assistance to the needy students for pursuing their studies.

### Adult education

21. The position is as explained in paragraph 13.35 of the previous report. In the 2017/18 school year, there were 1 178 adult learners enrolled in evening secondary courses under the Scheme.

22. The position is as explained in paragraph 13.36 of the previous report. In the 2018/19 academic year, the University offered more than 160 distance-learning programmes to around 9 000 students at different levels; and around 80 programmes from sub-degrees to postgraduate degrees to more than 10 000 full-time students. The Li Ka Shing Institute of Professional and Continuing Education of the University

also offered 165 short courses and professional courses for more than 3 200 students in the same academic year.

23. Under the Adult Education Subvention Scheme, the Government provides subvention to eligible non-government organisations for operating basic informal education courses for adults aged 15 or above who did not have the chance to receive formal education. In 2017/18 academic year, 21 575 participants enrolled in courses subvented under the scheme.

#### Quality Education Fund

24. The position is as explained in paragraph 13.37 of the previous report. Since its establishment in January 1998 to end 2018, the Fund has approved around \$4.6 billion for over 10 000 projects.

#### Qualifications Framework (QF)

25. The position is as explained in paragraphs 13.38 to 13.39 of the previous report. The Government has been assisting various industries in setting up Industry Training Advisory Committees (ITACs), which comprise the major stakeholders from the industries concerned. So far, 22 ITACs have been set up, covering industries with over 50% of the workforce in Hong Kong. Recognising the importance of the QF in maintaining a quality workforce, the Government set up the QF Fund in 2014 to provide a steady source of income to support the sustainable development and implementation of the QF. A total of \$2.2 billion has been injected into the QF Fund so far.

**Financial Assistance Schemes  
for students pursuing higher education**

- (a) Tertiary Student Finance Scheme - Publicly-funded Programmes (TSFS) (formerly known as Local Student Finance Scheme)

TSFS provides means-tested grants and/or low-interest loans to needy full-time tertiary students pursuing publicly-funded programmes in publicly-funded tertiary institutions. The scheme provides grants to cover tuition fees, academic expenses and compulsory student union fees, and loans to meet living expenses. In the 2017/18 academic year, a total of about \$885 million in grants and \$192 million in low-interest loans were provided to over 21 700 needy students (or about 21% of the student population concerned).

- (b) Financial Assistance Scheme for Post-secondary Students (FASP)

FASP provides means-tested grants and/or low-interest loans to needy full-time students pursuing locally-accredited self-financing post-secondary programmes. The scheme provides grants to cover tuition fees and academic expenses, and loans to meet living expenses. In the 2017/18 academic year, a total of about \$877 million in grants and \$168 million in low-interest loans were provided to around 18 000 needy students (or about 25% of the student population concerned).

- (c) Non-means-tested Loan Scheme (NLS)

NLS was introduced in the 1998/99 academic year primarily to provide an additional channel of finance to full-time tertiary students of publicly-funded programmes who were covered by the then Local Student Finance Scheme (now TSFS) to complement that the means-tested scheme of assistance. It operates on a no-gain-no-loss and full-cost-recovery basis and provides loans to meet tuition fees. We have subsequently expanded the scope of NLS to provide a loan facility for persons pursuing full-time self-financing locally-

accredited post-secondary education (persons who are covered by FASP), as well as persons pursuing continuing and professional education and training in Hong Kong registered schools, registered and exempted non-local course providers, and recognised training bodies. In the 2017/18 academic year, some 31 000 students received non-means-tested loans totalling about \$1.56 billion, including around 12 000 full-time students covered by TSFS, about 13 000 full-time students covered by FASP, and around 6 000 part-time students pursuing professional training and continuing education.

(d) Student Travel Subsidy Scheme (STSS)

Needy students who are in full-time study up to the first degree level may apply for travel subsidy under the STSS. Depending on the result of their means test, eligible students will receive a full rate or half rate subsidy. In the 2017/18 academic year, over 176 000 students, including about 33 600 students at the post-secondary level, received assistance totalling about \$470.7 million.

(e) Scholarship schemes

To further develop Hong Kong into a regional education hub, the Government established the \$1 billion HKSAR Government Scholarship Fund in March 2008 to provide government scholarships to outstanding local and non-local students. With further injection in subsequent years, more scholarships/awards have been introduced under the Fund to encourage students to pursue excellence in academic and non-academic fields and to commend outstanding students with special educational needs. In the 2017/18 academic year, scholarship grants amounting \$90 million were awarded to over 4 500 students at sub-degree or above level.

In addition, the Hong Kong Scholarship for Excellence Scheme was launched in 2014 to support outstanding local students to pursue studies in world renowned universities outside Hong Kong. Up to 100 scholarship offers would be made per cohort.



In the self-financing sector, the Self-financing Post-secondary Scholarship Scheme (SPSS) has been set up under the Self-financing Post-secondary Education Fund since the 2011/12 academic year to provide scholarships and awards to outstanding students pursuing full-time locally accredited self-financing sub-degree or undergraduate (including top-up degree) programmes. In the 2017/18 academic year, scholarships and awards amounting to \$83 million were granted to over 5 100 students under the SPSS.

(f) Other subsidy schemes

The Government has also provided subsidies to students pursuing self-financing post-secondary studies. In order to nurture talents to meet Hong Kong's social and economic needs, the Study Subsidy Scheme for Designated Professions/Sectors (SSSDP) has been launched on a pilot basis from the 2015/16 academic year to subsidise about 1 000 students per cohort to pursue designated full-time locally accredited self-financing undergraduate programmes in selected disciplines. SSSDP has been regularised from the 2018/19 academic year with an increased number of subsidised places from about 1 000 per cohort to about 3 000 per cohort. SSSDP will be expanded from the 2019/20 academic year to subsidise about 2 000 students per cohort to pursue designated full-time locally accredited self-financing sub-degree programmes in selected disciplines. Besides, the Non-means-Tested Subsidy Scheme for Self-financing Undergraduate Studies has been launched from the 2017/18 academic year to provide a non-means-tested annual subsidy to eligible students pursuing full-time locally accredited local and non-local self-financing undergraduate (including top-up degree) programmes in Hong Kong offered by eligible institutions (save for those already benefitted under the SSSDP).



**Measures relating to Biliteracy and Trilingualism  
and Medium of Instruction**

1. HKSAR Government's measures to enhance "biliteracy and trilingualism" include:

- (a) conducting ongoing curriculum reviews and updating the Chinese Language Education and English Language Education Key Learning Area Curriculum Guides to provide schools with suggestions for language curriculum development and planning;
- (b) providing the Putonghua curriculum, which covers Primary 1 to Secondary 3, to allow students more opportunities for practice;
- (c) encouraging schools to extend "Reading to Learn" to "Reading across the Curriculum" and "Language across the Curriculum" with a view to connecting students' learning experiences in different subjects and broadening their knowledge base;
- (d) providing a new "Promotion of Reading Grant" to encourage the promotion of reading in schools starting from the 2018/19 school year;
- (e) continuing to provide various professional development programmes for language teachers, language learning and teaching resources, and school-based language learning support services as so to enhance their teaching effectiveness;
- (f) implementing the Territory-wide System Assessment to gauge students' attainment of basic competencies in the three core subjects (including Chinese and English Languages) at the three key learning stages (Primary 3, Primary 6 and Secondary 3) so as to provide schools with useful data for

setting priorities in enhancing learning and teaching, and serving as references in monitoring learning progress and standards of students;

- (g) adopting standards-referenced reporting in the HKDSE Examination since 2012 to ensure that the reporting of assessment results is in line with the international standards and is more transparent and explicit;
- (h) implementing research and development projects on language learning and language education issues, enhancing professionalism of Chinese Language and English Language teachers, providing school-based support on language education, and creating a facilitating language environment for our students as well as in the community by the Standing Committee on Language Education and Research (an advisory body established to advise the Government on language education issues); and
- (i) utilising the Language Fund, Quality Education Fund, etc., to encourage teachers to develop school-based curriculum and adopt various teaching strategies with a view to enhancing learning and teaching, including students' learning effectiveness of languages.

2. The fine-tuning of the Medium of Instruction (MOI) arrangements has been implemented starting from the 2010/11 school year at the junior secondary levels as mentioned in paragraph 13.17 of the previous report. Secondary schools are allowed greater flexibility to decide professionally their school-based MOI arrangements, taking into account their students' ability to learn in English, teachers' capability and readiness to teach in English, and school support measures, to increase students' opportunities to be exposed to and to use English. This will enhance students' ability to learn in English and better prepare them for further studies and career pursuits in future to embrace the challenges facing Hong Kong in a globalised economy.

3. The fine-tuning of the MOI arrangements adopts a six-year cycle. After reviewing the implementation of the arrangements in the first MOI cycle (i.e. from the 2010/11 to 2015/16 school years), the EDB considered that the MOI arrangements of schools have begun to take root with students benefitting from the teaching experience of teachers and the effectiveness of school-based support measures, and that a stable language environment is crucial for teachers to develop learning and teaching strategies of non-language subjects. It was therefore decided to maintain the policy objective and overall arrangements of MOI fine-tuning for the second cycle (i.e. from the 2016/17 to 2021/22 school years). In addition, schools may also choose to extend their school-based MOI arrangements of the first cycle to the second cycle.



**Key Measures to Support schools and  
Non-Chinese Speaking Students in Chinese Language Learning**

Chinese Language Learning

*“Chinese Language Curriculum Second Language Learning Framework”*

1. As NCS students regard Hong Kong as their home, it is imperative for them to be proficient in Chinese so as to be competitive in respect of further studies and career pursuits with a view to integrating into the local community. Therefore, it is not advisable to provide them with a simpler Chinese Language curriculum, which will limit their opportunities for Chinese learning in the long run. To this end, EDB has developed, from the perspective of second language learners, the “Learning Framework” based on the mainstream Chinese Language curriculum and input from experts and academics. The “Learning Framework” has been implemented in primary and secondary schools starting from the 2014/15 school year. With reference to the “Learning Framework”, teachers can set progressive learning targets, learning progress and expected learning outcomes in the reading, writing, listening and speaking domains, so that their NCS students with diverse learning needs can learn Chinese progressively in a “small-step” approach.

2. The “Learning Framework” is specially designed for use by teachers. The EDB has been collecting views from frontline teachers regarding the “Learning Framework”. In accordance with teachers’ views, EDB has modified the “Learning Framework” to list out clearer and more concrete learning outcomes. The modified “Learning Framework” was uploaded onto the EDB’s “Chinese Language Curriculum Second Language Learning Framework Dedicated Homepage” in January 2019 for teachers’ reference and use, and related assessment tools and learning and teaching resources have also been updated in tandem. In addition, relevant briefing sessions and professional development programmes have been conducted between January and March 2019 to introduce the results of the review and help schools use the “Learning Framework” for curriculum planning, learning and teaching, and assessment.

### *Learning and teaching resources*

3. Learning and teaching resources provided by EDB include the Chinese as a Second Language Learning Package, “Chinese Language Assessment Tools for NCS Students” and teaching reference materials. These resources have been uploaded onto the EDB webpage and are constantly updated. Among the above-mentioned resources, there is a series of learning and teaching materials jointly developed by EDB and a tertiary institution in light of the experiences in supporting schools to implement the “Learning Framework” since the 2014/15 school year and relevant research findings. These materials, including student textbooks, workbooks and teaching reference materials, for NCS students at lower primary levels (i.e. Primary 1 to 3), have been uploaded onto the EDB webpage by phases for teachers’ reference and use, while the hard copies of teaching materials for Primary 1 have been distributed to schools. The full set of materials for the lower primary levels is expected to be available by August 2019. EDB will extend the initiative to upper primary levels (i.e. Primary 4 to 6).

4. Moreover, based on schools’ experiences in the implementation of the “Learning Framework”, it is found that NCS students of Levels 2 and 3 of the “Learning Framework” (i.e. Primary 3 and 4 in general) are at the most critical stage in their learning of the Chinese language. In view of this, EDB has also commissioned a tertiary institution to develop, in collaboration with primary schools, relevant “textbooks” pegged at Levels 2 and 3 of the “Learning Framework”. Eight sets of “textbooks” applicable to Primary 3 and 4 students have been distributed to schools and NCS students, and uploaded onto the EDB webpage.

### *Professional training for teachers*

5. To help schools implement the “Learning Framework” and raise the cultural sensitivity of teachers, EDB has been organising systematic and diversified professional development programmes for teachers, covering topics such as curriculum planning, second language learning and teaching strategies, etc. EDB has launched the Professional Enhancement Grant Scheme for Chinese Teachers (Teaching Chinese as a



Second Language) through the Language Fund to encourage serving Chinese Language teachers to continue with professional development with a view to enhancing their professional capability in teaching Chinese to NCS students. We have also commissioned the Education University of Hong Kong to organise a five-week full-time “Certificate in Professional Development Programme on the Teaching of Chinese Language for Non-Chinese Speaking Students” course for this purpose.

6. Besides, EDB will continue commissioning post-secondary institutions to provide professional support services for KGs, primary and secondary schools admitting NCS students in the three school years from 2019/20 to 2021/22. EDB’s professional support teams will also continue to provide on-site support for schools so as to enhance the professional capability of teachers in teaching NCS students the Chinese language.

#### *Additional funding*

7. Since the 2013/14 school year, EDB has abolished the so-called “designated schools” system<sup>1</sup> mentioned in paragraphs 13.42 and 13.43 of the previous report, so that the provision of the additional funding is no longer confined to a certain number of schools admitting NCS students. Instead, all public sector and Direct Subsidy Scheme (DSS) Schools offering the local curriculum which admit 10 or more NCS students were provided with an additional funding ranging from \$0.3 million to \$0.6 million per year, depending on the number of NCS students admitted. To facilitate the implementation of the “Learning Framework” and creation of an inclusive learning environment in schools, EDB has substantially increased the additional funding to schools to currently over \$200 million per year. Starting from the 2014/15 school year, these schools are provided with an additional funding ranging from \$0.8 million to \$1.5 million per year. The additional funding allows schools to adopt diversified learning and teaching modes, which include pull-out learning, split-class/group learning, after-school consolidation, etc., as appropriate based on the needs and learning progress of their NCS students with a view to facilitating their learning of the Chinese language, and creating an

---

<sup>1</sup> From the 2006/07 to 2012/13 school years, schools admitting a critical mass of NCS students, having experience in taking care of NCS students, and ready to partner with EDB to develop school-based support measures and share experiences with other schools were provided with a special grant. These schools were generally referred to as the so-called “designated schools”.

inclusive learning environment in schools. The above-mentioned revised additional funding mode aims to equip all schools for supporting NCS students.

8. As regards schools admitting a handful of NCS students (i.e. one to nine), their NCS students can benefit from the immersed Chinese language environment of the schools as well as the “Learning Framework”. Nonetheless, from the 2014/15 school year, these schools may also apply for an additional funding of \$50,000 on a need basis to offer after-school support programmes in learning Chinese to consolidate what their NCS students have learnt in classes. EDB will also continue commissioning a tertiary institution to operate the Chinese Language Learning Support Centres in different districts to support NCS students (particularly those who have a late start in learning the Chinese language) by offering after-school remedial programmes.

#### Widening the school choices of parents of NCS students

9. To assist parents of NCS students in choosing public sector schools, EDB has made available information on admission to schools in major EM languages. Dedicated briefing sessions with simultaneous interpretation services are held annually for parents of NCS students. Since the 2015/16 school year, the Committee on Home-School Co-operation has published the English printed version of the School Profiles for distribution to parents of NCS students at the K3 and Primary 6 levels via KGs and primary schools for their easy access to the information in the School Profiles. To provide parents with more comprehensive information on making school choices, a separate column on “Education Support for NCS Students” has been added in the School Profiles starting from the 2018/19 school year. All public sector schools and DSS schools provided with the additional funding are required to specify that additional support is provided for their NCS students in learning of the Chinese language. EDB will continue encouraging schools to provide more details of their school-based support measures for NCS students in their School Profiles and/or school webpages for the reference of parents of NCS students.

## Creating an inclusive learning environment in schools

10. To create an inclusive learning environment in schools, EDB has repeatedly reminded schools to communicate with parents of NCS students in a proactive manner, including making available school circulars in English. Besides, schools may employ EM assistants or procure translation services as necessary, or strengthen communication with parents of NCS students through making use of the EM languages interpretation services provided by the Centre for Harmony and Enhancement of Ethnic Minority Residents funded by the HAD, and organise multi-cultural activities.

11. To raise teachers' cultural and religious sensitivity in taking care of NCS students, EDB organises annual sharing sessions in collaboration with the EOC. Through sharing of good practices, teachers are empowered especially to overcome practical difficulties in daily teaching and administration, and treat both NCS students and Chinese-speaking students fairly in schools, notwithstanding the differences in their cultures and customs.

12. To ensure that NCS students who study in schools with higher concentration of NCS students can learn and grow together with Chinese-speaking students, EDB has been actively encouraging such schools to form learning circles to organise Chinese learning activities and/or apply for the Quality Education Fund to organise programmes which promote cultural diversity, with a view to increasing NCS students' exposure to Chinese and interaction with their Chinese-speaking peers through learning activities outside school.

## Multiple pathways for NCS students

13. NCS students may, taking into account their needs and aspirations, choose to sit for HKDSE (Chinese Language), or study Applied Learning Chinese (for NCS students) (ApL(C)), and/or obtain internationally recognised alternative Chinese Language qualifications at the senior secondary levels to prepare for further studies and career pursuits.

### *Applied Learning Chinese (for non-Chinese speaking students)*

14. Starting from the 2014/15 school year, ApL(C) has been introduced at the senior secondary levels to provide NCS students with an additional channel to obtain an alternative Chinese Language qualification to prepare them for further studies and career pursuits. In addition to the HKDSE qualification, ApL(C) is also pegged at the QF Levels 1 to 3. ApL(C) is accepted for admission to UGC-funded universities and most post-secondary institutions, as well as appointments to the Civil Service of the Government. The first two cohorts of ApL(C) completed the courses in 2017 and 2018 respectively, and the overall student performance was satisfactory.

### *Internationally recognised alternative Chinese Language qualifications*

15. NCS students also enjoy equal opportunities for access to post-secondary education. The Joint University Programmes Admissions System accepts alternative Chinese Language qualifications for eligible NCS students<sup>2</sup> to meet the entrance requirement in respect of the Chinese Language subject. To enable NCS students to obtain alternative Chinese Language qualifications, these NCS students are also subsidised to obtain internationally recognised alternative Chinese Language qualifications, including those under the General Certificate of Secondary Education (GCSE), the International General Certificate of Secondary Education (IGCSE) and the General Certificate of Education (GCE) for admission to UGC-funded universities and post-secondary institutions. The examination fees of these examinations are on par with that of HKDSE (Chinese Language). Needy NCS students will also be granted full or half remission of the “subsidised examination fees”.

### *Vocational Chinese Language courses for NCS school leavers*

16. To enhance the employability of NCS school leavers, the Standing Committee on Language Education and Research has provided since April 2016 the “Vocational Chinese Language Courses for NCS

---

<sup>2</sup> Specifically, eligible NCS students are those who have learnt the Chinese language for either:  
(a) less than six years while receiving primary and secondary education; or  
(b) six years or more in schools, but have been taught an adapted and simpler curriculum not normally applicable to the majority of students in local schools.

School Leavers” pegged at QF Level 1 or 2.

### Support for NCS Students Studying in Kindergartens

17. Starting from the 2017/18 school year, the Government has implemented the KG education scheme to provide KGs joining the Scheme (Scheme-KGs) with direct subsidy. Under the Scheme, the quality of KG education is enhanced in various aspects, including strengthening the support for NCS students studying in KGs. On admission arrangements, KGs are reminded via diversified channels including circulars, guidelines and briefings, etc., that they must ensure equal opportunities for admission for all children (regardless of their races, genders and abilities), including handling the applications from NCS children properly with due regard to the differences in their cultures and customs. Application forms and relevant information provided by KGs must be in both Chinese and English. To facilitate parents’ access to the English version of the information, KGs are advised to create an icon or provide a simple message in English on the school webpage. When interviewing NCS children, KGs should arrange interpretation and/or translation services for applicants as necessary, or allow parents and NCS children to be accompanied by a Chinese-speaking relative or friend to facilitate communication. Should individual NCS children encounter difficulties in applying for admission, EDB will, where appropriate, make referral for them to Scheme-KGs with vacancies. In the 2017/18 school year, out of the 748 Scheme-KGs, about 390 admitted NCS students.

18. To encourage parents of NCS children to send their children to local KGs to facilitate their learning of the Chinese language as early as possible, EDB organises annual seminars for them on Nursery (K1) admission with interpretation services provided as appropriate. We also capitalise on non-governmental organisations which have established networks with the NCS communities in disseminating the information on the Scheme and K1 admission. Relevant materials published by EDB, have been translated into 7 major EM languages<sup>3</sup>. In addition, the KG Profile has been published in both Chinese and English. It provides information on every KG for parents’ reference when making school

---

<sup>3</sup> The seven major EM languages include Bahasa Indonesia, Hindi, Nepali, Punjabi (Indian), Tagalog, Thai and Urdu.

choices. Starting from 2018, a new column “Support to NCS Students” has been included in the KG Profile for KGs to outline the support provided to their NCS students. To facilitate parents of NCS children in enquiring about matters relating to admission to KGs, EDB has also set up an enquiry hotline on admission to KGs for parents of NCS children starting from September 2018.

19. On curriculum, the updated KG Education Curriculum Guide launched in 2017 has set out recommendations on how schools could support NCS children. There is also a section specifically on Chinese learning for NCS children. Teacher training and school-based support have also been strengthened. Tertiary institutions offer a series of training courses on NCS students’ learning of Chinese in KGs. We have also set out specific training targets as regards the above-mentioned training: each Scheme-KG admitting eight or more NCS students should have at least one teacher having completed the Basic Course recognised by EDB by the end of 2018/19 school year; and this will be extended to all Scheme-KGs having admitted NCS students (regardless of the number) by the end of 2020/21 school year. EDB will provide corresponding training courses and has set up a supply teacher grant from the 2018/19 school year for this purpose.

20. Besides, under the Scheme, KGs admitting eight or more NCS students are provided with an additional grant comparable to the salary of one KG teacher. In the 2017/18 school year, out of about 390 Scheme-KGs with NCS students, about 150 Scheme-KGs were provided with the grant. KGs, taking into consideration of their school-based circumstances, may use the additional grant in diversified modes to help their NCS students learn Chinese, create a multicultural and inclusive environment, strengthen communication with parents of NCS students, etc. To further strengthen the support for NCS students, starting from the 2019/20 school year, we will provide a 5-tiered subsidy to Scheme-KGs according to the number of NCS students admitted. Scheme-KGs admitting only one NCS student will also be provided with a certain subsidy, and the maximum subsidy rate will be doubled of the current provision. In the 2019/20 school year, it is estimated that the number of KGs eligible for the subsidy will increase from about 150 to about 400 under the refined funding mode.

21. Besides, we also help KGs develop an inclusive learning environment. To facilitate KGs' communication with parents of NCS students, a set of cue cards, with audio files, on useful phrases in greeting, showing appreciation, care and concern, etc., has been produced in eight languages (Chinese, English and 6 major EM languages<sup>4</sup>) for teachers to establish a caring rapport with parents of NCS students in their daily contact. These cards have been distributed to KGs and uploaded onto the EDB webpage. A set of templates on commonly used school circulars has also been translated into major EM languages to enhance communication between KGs and parents of NCS students.

---

<sup>4</sup> The six major EM languages include Bahasa Indonesia, Hindi, Nepali, Tagalog, Thai and Urdu. Punjabi (Indian) will be included from the 2019/20 school year.





**Latest development and measures on Special Education**

The current term Government has, upon taking office in July 2017, immediately introduced a package of priority measures to support quality education, and many of them are related to special schools. To name a few, starting from the 2017/18 school year, the teacher-to-class ratio for public sector primary and secondary schools (including special schools) has been increased by 0.1 across-the-board, and an additional recurrent cash grant has been provided to all public sector primary and secondary schools (including special schools) for strengthening the IT staffing support. Starting from the 2018/19 school year, a recurrent Air-conditioning Grant has been provided for all public sector schools (including special schools) and as and when required, installation of air-conditioning systems in the related facilities will be arranged by phases. Measures specifically implemented in special schools include:

- (a) Provision of an Assistant Primary School Master/Mistress (Curriculum Development)

All along, the EDB has been providing special schools with 6 or above approved primary classes with a Primary School Curriculum Leader post. Starting from the 2017/18 school year, special schools operating 1 to 5 primary classes have also been provided with a Primary School Curriculum Leader post to replace the former provision of Curriculum Leadership Grant. The provision enables these schools to assign a designated teacher to take charge of the curriculum planning, implementation and evaluation in a comprehensive manner so that a coherent and continued school curriculum for the primary and secondary sections could be maintained.

- (b) Provision of occupational therapists and occupational therapist assistants

The EDB has all along been providing occupational therapists (OT) and occupational therapist assistants (OTA) to schools for children

with physical disability and schools for children with severe intellectual disability (ID). Starting from the 2017/18 school year, the EDB has also provided OT and OTA to the school for children with visual impairment (VI), the school for children with hearing impairment (HI), schools for children with mild ID and schools for children with moderate ID to better serve the growing and developmental needs of students with multiple disabilities.

- (c) Provision of speech therapists to special schools for children with visual impairment and schools for social development

Before the 2017/18 school year, most special schools have already been provided with speech therapists. Starting from the 2017/18 school year, the EDB has provided speech therapist posts to special schools which were not so provided previously, namely the school for children with visual impairment and schools for social development, so as to enhance the support for the students with speech and language impairment in these schools.

- (d) Extended coverage of additional support grant for students with medical complexity

To strengthen the support for boarders with medical complexity in aided special schools, the EDB has been providing additional support grant since the 2014/15 school year. Starting from the 2017/18 school year, the grant has been extended to cover day students and day students cum boarders with medical complexity so that special schools could have more resources to cater for the needs of these students.

- (e) Enhancement of Provision of School Nurse

In recent years, a certain number of students with delicate health conditions have been enrolled in special schools. Starting from the 2018/19 school year, the EDB has provided an additional school nurse to schools for children with ID, schools for children with physical disability and the school for children with VI cum ID. In addition, the school nurse provision has been expanded to cover the

school for children with VI and the school for children with HI, so that the school nurse could provide nursing support for students concerned.

(f) Enhancement of Provision of School Social Worker

The Government has been providing social workers for special schools. Starting from the 2018/19 school year, the EDB has enhanced the provision of school social workers in special schools so that special schools can employ more social workers to provide guidance and related services to students.



## Support Measures for Schools with SEN Students

### Additional Resources

1. The EDB provides public sector ordinary schools with different kinds of additional resources and professional support (details are at **Appendix**). Of the additional resources for public sector ordinary schools, the Learning Support Grant (LSG) is the major one. The provision of the LSG for each school is based on the number of students with SEN and the tier of support required by the students. The grant rates and ceiling of the LSG are adjusted annually according to the change in the Composite Consumer Price Index. Schools would pool and deploy resources holistically and flexibly to render appropriate support services to students with SEN based on their needs, including employing teachers and/or teaching assistants, and/or hire of various professional services. Starting from the 2019/20 school year, the EDB will increase the grant rate for tier-3 support and schools can convert part of the LSG to additional permanent teaching post(s). Under the enhanced measure, schools will have a more stable teaching force and additional resources for flexible deployment to support students with SEN. In addition, the EDB will provide additional resources for public sector ordinary schools under a 3-tiered structure according to the number of non-Chinese speaking students with SEN admitted, with a view to assisting these schools in stepping up the support for the students concerned to adapt to different learning stages and integrate into school life.

### Professional Support

2. The student support team of public sector ordinary schools assist the school principal and the vice-principal(s) in implementing IE. Professional officers of the EDB will pay regular school visits to understand the support services provided for students with SEN, give professional advice to schools to ensure that schools make good use of resources and provide appropriate teaching support for students with SEN. The major professional support includes:

- (a) **Special Educational Needs Coordinators (SENCO)** - Starting from the 2017/18 school year and by phases in three years, the Government provides each public sector ordinary primary and secondary school with an additional graduate teaching post in the teaching staff establishment to facilitate school's assignment of a designated teacher to take up the role of SENCO to support IE. The responsibilities of SENCO include leading, managing, coordinating, promoting and developing work related to supporting students with SEN. In the 2018/19 school year, about 65% of the public sector ordinary primary and secondary schools have been provided with SENCO and the remaining schools would have their SENCO provision by the 2019/20 school year. Starting from the 2019/20 school year, the SENCO post in schools with a comparatively large number of students with SEN will be upgraded to a promotion rank;
- (b) **School-based Educational Psychology Service (SBEPS)** - From the 2016/17 school year, the SBEPS has covered all public sector ordinary primary and secondary schools. Each educational psychologist (EP) serves 6 to 10 schools (including primary and secondary schools), usually 7 to 8 schools. In addition, the Government has implemented the Enhanced SBEPS at schools with a large intake of students with SEN by enhancing the EP to school ratio to 1:4. In the 2018/19 school year, about 14% of the public sector primary and secondary schools receive the Enhanced SBEPS. We anticipate that by the 2023/24 school year, about 60% of the public sector schools will receive the Enhanced SBEPS, while for the remaining 40% schools, the EP to school ratio will be enhanced to 1:6;
- (c) **School-based Speech Therapy Services (SBSTS)** - The EDB has been providing public sector ordinary primary schools with Enhanced Speech Therapy Grant (ESTG) to allow schools to implement SBSTS for students in need. Public sector ordinary secondary schools would also deploy the LSG to support students with SLI enrolled. Starting

from the 2019/20 school year, the EDB will create school-based speech therapist (SBST) posts in public sector ordinary primary and secondary schools by phases in three years to allow schools to provide comprehensive SBSTS to support students with SLI;

- (d) **Home-School Cooperation** - Home-school cooperation is one of the success factors in promoting IE. The EDB has all along requested schools to establish a systematic and regular communication mechanism to report to parents the support services provided for students with SEN and the progress of students' learning with a view to enhancing communication and cooperation. We also require schools to elucidate their policies, additional resources and support measures on IE in their annual school report, school website and school profile for reference of parents and the public. The EDB also encourages parents to take the initiative to contact the school to understand their children's learning, give views to the school on the support measures and complement the school's arrangements in fostering their children. To enhance parents' awareness of SEN and promote home-school cooperation, the EDB has published various pamphlets such as the Parent Guide on WSA to IE, Pamphlet – Early Identification and Intervention Programme for Primary One Students with Learning Difficulties and a series of pamphlets about nurturing children with different types of SEN.

### Teacher Training

3. The professional quality of teachers is a key factor for successful implementation of IE. To enhance the professional capacity of teachers in catering for students with SEN, starting from the 2007/08 school year, the EDB has been providing serving teachers with structured training courses pitched at basic, advanced and thematic levels and training targets are set. The targets<sup>1</sup> were revised in the 2015/16 school year to

---

<sup>1</sup> Each public sector ordinary school should achieve the following training targets by the end of the 2019/20 school year:

- (a) at least 15% to 25% of teachers will have completed the Basic Course;
- (b) at least six to nine teachers will have completed the Advanced Course; and

ensure schools to have a number of teachers possessing the professional capacity in catering for students with SEN by the end of 2019/20 school year and thus enhance the effectiveness of the implementation of IE. The EDB is currently reviewing the progress of teacher training so that a new training target starting from the 2020/21 school year could be set. To let parents and the public have information on training in special education of school teachers, the EDB requires schools to upload the information onto “School Profiles” of the Committee on Home-School Co-operation website.

4. Starting from the 2012/13 school year, the EDB offers a training course for special school teachers on “Education of Students with Severe or Multiple Disabilities” to meet their needs for professional development. From the 2017/18 school year, the EDB conducts “Professional Development Programme for Mental Health” for teachers to raise their concerns on mental health and to enhance their capacity to identify and support students with mental health needs. The programme includes elementary training for teachers at large and in-depth training for designated teachers. The schools are required to have at least one teacher having completed the elementary training and one designated teacher having completed the in-depth training within the period of three school years.

#### Early Identification and Intervention

5. The EDB is committed to delivering in-service training and devising a teacher professional development framework for kindergarten teachers to strengthen their professional capability in the early identification and support for the special needs of pre-school children. In the 2018/19 school year, the EDB is providing systematic in-service training courses at both basic and advanced levels. The basic level training, which targets kindergarten teachers at large, covers fundamental knowledge and skills on fostering supportive and motivating learning environments as well as early identification and intervention strategies; whereas the advanced level training aims at introducing more advanced knowledge and skills on tiered intervention, response to intervention and multi-disciplinary collaboration, in order to further enhance kindergarten teachers’ capability in catering for learner diversity.

---

(c) at least six to nine teachers will have completed the Thematic Courses.



6. To further enhance the existing mechanism which facilitates smooth transition from pre-school to primary schooling, the EDB and the SWD, together with Child Assessment Services under the DH and HA have strengthened collaboration on information transfer since the 2017/18 school year, so as to ensure that when children with special needs proceed to primary from pre-school centres/kindergartens, primary schools can timely understand the needs of and provide support to the children by referring to their assessment information and progress reports, so as to foster their smooth integration into primary learning.

7. Moreover, the EDB has been implementing the Early Identification and Intervention Programme for Primary One Students with Learning Difficulties in all public sector primary schools. Schools are provided with screening tools and remedial resources on early identification and intervention of Primary One students with learning difficulties. Schools will arrange intervention for these students as early as possible and monitor their progress. Those students who exhibit severe or persistent learning difficulties despite intervention will be referred to the EPs or other professionals for further assessment according to their needs. If teachers suspect that a student might need support in areas other than learning, they could consult the SENCO, Student Support Team or Student Guidance Personnel for advice on the formulation of follow-up and support plans for the student.

#### Supporting NCS Students with SEN

8. The EDB is committed to supporting NCS students to adapt to the local education system and integrate into the community as soon as possible as well as enhancing their learning effectiveness through various support measures. NCS students with SEN can benefit from school support services provided for NCS students and also from those for students with SEN.

9. NCS students with SEN, facing different culture, language and lifestyle on top of their learning difficulties, encounter more complex problems in school than other students. To further support NCS students with SEN to adapt to different learning stages and integrate into campus

life, the EDB will provide additional resources to all public sector ordinary primary and secondary schools and Direct Subsidy Scheme schools admitting NCS students with SEN from the 2019/20 school year. The provision will enable these schools to employ teaching assistants to assist teachers in designing activities and teaching materials, procure translation services, or provide social and emotional management training, etc. so that the emotional, communication and social support for the students concerned can be enhanced.

### Sign-assisted Instruction

10. At present, subject to the consent of parents, students with severe or profound HI or those who cannot construct knowledge because of inadequate speech abilities, i.e. those students who may need to use sign language in communication and learning, will be admitted to the school for children with HI (HI school). The HI school adopts the ordinary school curriculum and there are rich resources and supplementary measures to support the students. The teachers will also appropriately use sign language and/or oral communication in teaching having regard to the needs of students. The EDB will clearly explain to the parents the related policy for their choice of admitting their children to ordinary schools or the HI school.

11. Whether they are ordinary or special schools, the EDB always encourages schools and teachers to choose the most appropriate modes of teaching and communication for the students with HI having regard to their abilities and needs; train the students to utilize residual hearing for listening and assist students with HI to acquire skills in communicating with other people. The EDB also encourages schools to arrange sign language training for their school teachers and students on a need basis. The resource teachers of the Enhanced Support Service of the HI school will, if necessary, use the mode of oral communication assisted with sign language in helping the related students in their learning. They will also exchange the experience in teaching students with HI with the teachers in the original schools and share different teaching strategies to enhance the learning effectiveness of students with HI.

## Safeguarding the Rights of Students with SEN

12. With the implementation of the Disability Discrimination Ordinance and the Code of Practice on Education issued under the Ordinance, students with SEN are well protected from disability discrimination. As regards the proposal for introducing legislation for students with SEN, different countries or regions have different arrangements. Furthermore, their education systems, contexts and culture also vary. We consider it more appropriate to focus, at this stage, on pooling our efforts together in supporting schools to implement the WSA to IE through the co-ordination of culture, policy and measures, so as to enhance the effectiveness of support for students with SEN, which is the imminent task indeed.

### **Brief note on the additional resources and professional support for students with special educational needs in ordinary schools**

#### Additional resources

##### **(a) Learning Support Grant (LSG)**

The EDB provides schools with a cash grant premised upon the number of students with SEN and the tier of support required by the students. Schools can use the grant to employ additional staff, hire services and organise programmes on inclusive culture to support the students with SEN. In the 2018/19 school year, the grant rates for each student requiring tier-2 or tier-3 support are \$14,322 and \$28,644 per annum respectively. A basic provision is \$171,864 per school per annum whereas the grant ceiling is about \$1.65 million per school per annum. The grant rates and ceiling are adjusted annually according to the change in the Composite Consumer Price Index (CCPI).

##### **(b) Enhanced Speech Therapy Grant (ESTG)**

The EDB provides public sector ordinary primary schools with cash grant to employ school-based speech therapist or procure school-based speech therapy services from service providers to support their students with speech and language impairment (SLI). Eligible schools are provided with a basic grant according to the number of approved classes each school year and a top-up grant based on the number of students with moderate or severe degree of SLI per school per annum. Rates of the ESTG are subject to adjustment in accordance with the annual movement of the CCPI.

##### **(c) Intensive Remedial Teaching Programme/ Integrated Education (IE) Programme**

Participating schools are provided with additional teachers/teaching assistants for supporting students with SEN or low academic

achievement under the Whole School Approach (WSA). We have been encouraging participating schools to migrate to the funding mode of LSG to enjoy flexibility in deploying and consolidating resources for the provision of a variety of support services. Starting from the 2019/20 school year, the EDB will re-structure the LSG and these two programmes. The two programmes will close from the 2019/20 school year.

**(d) Additional teachers to cater for academically low achievers**

The EDB provides an additional 0.7 Graduate Master/Mistress (GM) teacher per class of territory bottom 10% students and an additional 0.3 GM teacher per class of territory Band 3 students enrolled not within the bottom 10% students with reference to the enrolment of academically low achievers from S1 to S3 levels in the public sector ordinary secondary schools. The maximum number of additional GM teachers provided in each eligible public sector ordinary school is around 6 in the 2018/19 school year.

**(e) Intensive Support Grant for Hardcore Cases of Students with SEN**

For schools with particularly difficult cases, the EDB provides them with additional grant where appropriate for employing temporary teaching assistants to cater for the imminent needs of individual students for intensive support.

**(f) Top-up Fund**

Schools may apply for an additional cash grant to purchase special furniture and equipment (such as Braille machine, closed circuit television magnifier, frequency modulation system, computer with built-in speech-to-text function, etc.) or carry out minor conversion works (such as building ramps, converting toilets, etc.) according to the learning needs of students with disabilities.

**(g) Hearing Aids**

The EDB has been providing free hearing aids for students with hearing impairment (HI). Children in need of hearing aids will be referred to the outsourced service providers by the EDB for hearing aid fitting and follow-up services, including audiological review, hearing aid fitting, repair and maintenance services of hearing aid and earmould, etc. Parents do not need to pay for the related services. From the 2010/11 school year onwards, the EDB has started the provision of two hearing aids for students with bilateral HI for binaural listening and has shortened the replacement period of hearing aids to three years. Since the 2014/15 school year, the specifications of the hearing aids have been further enhanced.

Professional Support

**(a) School-based Educational Psychology Service**

The service has covered all public sector ordinary primary and secondary schools in the 2016/17 school year, and the ratio of educational psychologist (EP) to school has been enhancing progressively. Through regular school visits, EPs support schools in catering for students' diverse educational needs at the school system, teacher and student support levels. The service covers remedial, preventive and developmental work, including the provision of psycho-educational assessment to students with learning or adjustment difficulties. Currently, on average about 80% of cases referred to EPs are assessed within two months, while about 10% of cases are assessed within two to three months. Some of the remaining cases with a longer waiting time for assessment were due to some specific circumstances. For example, there were cases where parents requested to defer the assessment and cases for which assessment had to be held up pending the students' medical treatment.

**(b) Supporting students with Specific Learning Difficulties in Reading and Writing (Dyslexia)**

The EDB has launched the ‘Tiered Intervention Model on the Learning and Teaching of Chinese Language in Primary Schools’ Project since the 2011/12 school year, providing support to schools on enhancing the school-based junior primary Chinese Language curriculum with evidenced-based teaching resources and assessment tools, with a view to helping junior primary students of different abilities improve their literacy skills. More than 200 primary schools have joined the project and benefitted from the professional support to make available early and appropriate intervention for more students with dyslexia. In addition, the EDB also invites schools to join the extended project and collaborate with them to develop resource materials for use in group training for upper primary and secondary students with dyslexia.

**(c) Supporting students with Autism Spectrum Disorders (ASD)**

The EDB has been launching a pilot project by phases in ordinary primary and secondary schools to provide enhanced support for students with ASD since the 2011/12 school year. It comprises provision of systematic supplemental small group training for the students concerned, as well as development and try out of a comprehensive school support model using evidence-based strategies with a view to fostering their adaptive abilities in learning, social and emotional aspects and facilitating them to effectively integrate into classroom learning and community.

**(d) Supporting students with Attention Deficit/Hyperactivity Disorder (AD/HD)**

The EDB has published the Resource Package on “Development of Executive Skills” in the 2009/10 school year to strengthen the executive skills of primary school students with AD/HD through school-based group training programme. In the 2013/14 school year, the EDB has published the “Coaching Programme on Executive Skills” to enhance secondary school students’ executive and self-

management skills and has developed the Parents Education Pamphlet Pack for supporting parents whose children are diagnosed with AD/HD. In addition, the EDB has distributed the resource package on “Enhancement of Executive Skills: A Classroom-based Approach” to all primary schools in 2016, aiming to improve learning and behavioural performance of students with AD/HD through enhancing practices of learning and teaching as well as classroom management strategies.

**(e) Supporting students with Visual Impairment (VI)**

The EDB provides subvention for the only special school for children with VI for provision of the Resource Support Programme for Students with VI (RSP). Under the programme, the resource teachers from this school will visit schools having students with VI and provide support to these students suffering from moderate to severe low vision or total blindness, help the teachers of participating schools produce transcription of learning materials, and provide advisory services on supporting strategies, teaching adjustment and special examination arrangement, etc.

**(f) Supporting students with Speech and Language Impairment**

The EDB regularly organises professional training seminars and workshops to enhance the knowledge and skills of school-based speech therapists (SBSTs), teachers and other school personnel in speech therapy. We also implement curriculum-relevant school-based support programmes through collaboration between teachers and SBSTs to enhance language abilities of students by integrating language-learning strategies in daily teaching. The EDB also developed teaching materials and resource packages with different themes, e.g. teaching resources developed from the “Curriculum-based Language Support Programme for secondary schools” has been produced as an online resources in early 2016 and shared with teachers and SBSTs; and the resource package on Discourse Comprehension Strategies developed in 2014 for enhancing the related abilities of students with language learning difficulties.



**(g) Supporting students with HI**

The EDB officers visit schools regularly to provide professional advice on IE and support for students with HI. In addition, they provide support to schools in the implementation of the school-based support programmes, such as the “Transition Programme for Students with HI”. The EDB has also developed various resource packages, information leaflets and guidelines, e.g. resource package on “School-based Support for Students with HI”, resource package on “Hearing Impaired Students Literacy Learning”, etc. to provide teachers and parents with knowledge, strategies and skills in supporting their students or children with HI.

If the students with HI in ordinary schools have persistent learning and communication problems, the EDB will refer the students to receive the Enhanced Support Service for Students with HI (ESS). ESS is provided by the special school for children with HI (HI School) as commissioned by the EDB. The resource teachers will provide after-school support and school-based remedial service to students with HI. They will also exchange different teaching strategies with teachers of the schools of these students to enhance the learning effectiveness of the students with HI and to facilitate their integration into the schools.

**(h) Supporting students with Mental Illness (MI)**

The EDB has been encouraging schools to adopt the WSA directed at three levels, namely "Universal", "Selective" and "Indicated", to promote mental health amongst students and enhance support for students with mental health needs (including students with suicidal risk). At the Universal level, the EDB and the Department of Health jointly launched the Joyful@School Campaign in the 2016/17 school year, which has continued in the 2017/18 and 2018/19 school years to enhance students' awareness and understanding of mental health and strengthen their ability to cope with environmental changes. At the Selective level, the EDB organises seminars, workshops, experience sharing sessions, etc., in every school year for primary and secondary teachers to equip them with the knowledge and skills to support

students with mental health needs. To help teachers early detect and support students with mental health needs, we have developed different resources, including "A Resource Handbook for Schools: Detecting, Supporting and Making Referral for Students with Suicidal Behaviours", a webpage on Prevention of Student Suicides and "Teacher's Resource Handbook on Understanding and Supporting Students with Mental Illness" jointly developed by the EDB and Hospital Authority. At the Indicated level, starting from the 2017/18 school year, the LSG has covered students with MI so that schools can cater for those students' learning, social, emotional and behavioural needs. Moreover, the Food and Health Bureau, in collaboration with the EDB, Hospital Authority and the Social Welfare Department, has launched the "Student Mental Health Support Scheme" since the 2016/17 school year to provide appropriate support services for students with mental health needs through the school-based platform.

(i) **Special Schools cum Resource Centres (SSRC)**

The EDB invited schools with proficient teaching experience and expertise in IE to serve as "Special Schools cum Resource Centres (SSRC)" to provide school-based support and short-term attachment programme with a view to empowering ordinary schools in supporting students who are in need of intensive individual support. In the 2018/19 school year, there are 10 SSRC.

**Education on cultural identity and national values**

1. It is an established education policy of Hong Kong to develop students' national identity, which is stated as one of the curriculum goals. The promotion of Chinese culture and national values to cultivate national identity is mainly implemented through school curricula, including General Studies and Chinese Language at primary level; Chinese Language, Chinese History, Life and Society and Liberal Studies at secondary level, as well as moral and civic education in schools. In line with the spirit of the current Curriculum Reform, the EDB encourages schools to adopt multiple perspectives and equip students with critical thinking skills in analysing issues on contemporary China.

2. The EDB also adopts diversified strategies to enable teachers and students to gain a comprehensive understanding of our country. These strategies include, organising more professional training programmes for principals and teachers, developing teaching and learning resources, enriching Mainland exchange programmes and learning activities for teachers and students, organising territory-wide inter-school competitions and project learning award schemes on Forty Years of Reform and Opening-up as well as encouraging schools in Hong Kong and the Mainland to form sister school pairs to enhance exchanges and co-operation. Students are provided with ample learning opportunities through classroom learning and life-wide learning activities so as to enable them to become an informed and responsible citizen with a sense of national and global identity, appreciation of positive values and attitudes as well as Chinese culture, and respect for pluralism in society.



## **Cultural Facilities and Promotion and Participation in Culture and Arts**

### Cultural Facilities

#### *Libraries*

1. Further to paragraph 15.8 of the previous report, the network of public libraries managed by the LCSD has increased to 70 static and 12 mobile libraries, providing a total stock of 14.99 million materials in addition to 10 e-book collections and 76 e-databases for access via internet or workstations inside libraries. All libraries regularly organise a wide variety of extension activities for the public of different age groups to participate for free. The Hong Kong Central Library is the hub of Hong Kong Public Libraries system as well as the main information centre of Hong Kong, preserving and promoting the culture and documentary heritage of Hong Kong. Leveraging on technology, the LCSD provides innovative services for enhancement of its facilities, service quality as well as the cost-effectiveness of public libraries that aims at promoting city-wide reading culture. The Public Libraries Advisory Committee is set up to advise the Government on the overall development strategy of libraries. For library services at the district level, the LCSD collaborates with District Councils in organising different kinds of activities and enhancing library facilities, so as to jointly promote reading culture.

#### *Museums*

2. Further to the position mentioned in paragraph 15.9 of the previous report, there are new developments regarding public museums. With effect from 1 August 2016, the community can enjoy free admission to permanent exhibitions of the Hong Kong Museum of Art, Hong Kong Museum of History, Hong Kong Heritage Museum, Hong Kong Museum of Coastal Defence and Dr Sun Yat-sen Museum. The permanent exhibitions of the Hong Kong Science Museum and Hong Kong Space Museum are also open to full-time students free of charge. At present, the LCSD manages 14 museums which acquire, research, conserve, exhibit

and interpret tangible and intangible cultural heritage collections related to Hong Kong's culture, history, the arts and science for the study, education and enjoyment of the public. The Department also manages a film archive and two art spaces.

3. We welcome and encourage the establishment of private museums, which complement public museums in maintaining a diverse museum presence in Hong Kong. We also welcome collaboration between public and private museums. Based on existing information, there are currently 26 private museums in Hong Kong.

#### *Performing arts venues*

4. There are a number of publicly or privately funded venues for arts and cultural activities. The LCSO manages 16 performance venues as focal points for cultural activities throughout the territory. They include three territory-wide performing arts venues, 11 district civic centres as well as two multi-purpose indoor stadia, with seating capacity ranging from 300 to 12 500. They are open for use by all sectors of the community and the general public. The Youth Square under the Home Affairs Bureau (HAB) opened in 2009 also provides performance space to promote youth activities.

5. Non-government venues also provide performing venues of different sizes at different locale, with diversity and versatility to suit performance groups of various art forms. Examples include the Jockey Club Creative Arts Centre, Tai Kwun (situated in the restored Central Police Station compound), HKICC Lee Shau Kee School of Creativity, the Jockey Club Auditorium of the Hong Kong Polytechnic University and the Hong Kong Arts Centre.

#### *West Kowloon Cultural District*

6. Within WKCD, 23 hectares of open space including a park of prominent size and a continuous waterfront promenade will be provided for public enjoyment. Performing arts venues of different types and scales (including Xiqu Centre, Freespace, Art Park and the Lyric Theatre Complex) will be provided in phases. M+, a museum focusing on 20th and

21st century visual culture, and Hong Kong Palace Museum, which showcases the exquisite art and cultural collections of the Palace Museum, will also be built in WKCD. To create vibrancy for WKCD, retail, dining and entertainment facilities as well as hotel, office and residential developments will be suitably integrated with the arts and cultural facilities and other developments within WKCD. The West Kowloon Cultural District Authority (WKCDA) has adopted a policy on universal accessibility that aims to make WKCD and the activities within it accessible to all to ensure everyone can take part in and enjoy the arts.

7. Xiqu Centre was the first landmark performing arts venue of WKCD to officially open in January 2019. It is designed to be a world-class platform for the conservation, promotion and development of the rich traditional Chinese art form of xiqu (including Cantonese opera and other genres). In addition to presenting quality programmes, its mission includes promotion of the development of new repertory, research, education, training and exchanges, as well as organisation of professional development programmes to help nurture young talent. WKCDA arranged an array of free programmes designed to allow the public to participate in the run up to the opening. The opening season includes a comprehensive programme of guided tours, talks, workshops and a special school programme, alongside xiqu performances. The facilities at the Xiqu Centre will be open for hirers' programmes after completion of the opening season in the first quarter of 2019.

8. WKCDA will continue to enrich Hong Kong people's cultural life, build audiences, nurture local talents and promote professional development through organising a variety of quality arts and cultural programmes and broadening Hong Kong's cultural exchange with other places in collaboration with arts groups, education institutions and local communities to dovetail with the completion of the arts and cultural facilities in WKCD. The Government and its partners take a multi-pronged approach in strengthening Hong Kong's cultural software through arts programme development, audience building and enhancement of arts education and manpower training. By combining these efforts, the Government aims to work hand-in-hand with WKCDA to realise the vision for WKCD.

## Promotion and participation in culture and arts

### *Provision of programmes and support*

9. The Government continues to support arts groups of different sizes and cultural programmes through different funding schemes and subvention to HKADC and the nine major performing arts groups. In particular, the LCSD stages programmes of various art forms throughout the year featuring local and visiting artists and arts groups from around the world. It enriches the cultural calendar by presenting community arts programmes, arts education and audience building activities as well as hosting thematic festivals such as the New Vision Arts Festival which features new creations. It also continues to subvent the Hong Kong Arts Festival, a major international arts festival committed to enriching the cultural life of Hong Kong.

10. To promote the development of budding artists and small and medium-sized performing arts groups, the LCSD has formulated structured and sustainable strategies to enhance the performance opportunities and publicity for the productions by these groups/artists. For example, the LCSD offers reduced rates for non-profit-making organisations to hire the performance facilities (except the Hong Kong Coliseum) managed by the LCSD for presenting arts-related events. Furthermore, the Venue Partnership Scheme has been launched since April 2009 at 12 LCSD venues, whereby partnering performing arts groups are provided support such as enhanced publicity arrangements and additional programme funding with a view to building up the character of the venues, developing venue-based marketing strategies to reach out to the neighbourhood and encouraging community involvement in the development of performing arts.

11. The Government will continue to encourage and facilitate arts and cultural exchanges with Mainland China and elsewhere so as to display the essence of Hong Kong culture and to create new opportunities to Hong Kong artists. We have stepped up our efforts in recent years by allocating additional resources for artists to apply or for our support to various cultural exchange initiatives. The Arts Development Fund administered by HAB provides a funding source to local art groups and individual artists



to participate in outbound cultural exchange activities. With extra resources provided by HAB, the HKADC has also brought Hong Kong artists to different international events and arts markets, as well as supporting the presentation of their arts work outside Hong Kong.

*Support to the film industry*

12. To provide a favourable environment for the long-term development of Hong Kong's film industry, the Government set up a Film Services Office in April 1998 to assist the industry to groom talent, facilitate local film productions and help promoting Hong Kong films locally and abroad, as well as regulate discharge of special effects materials for film shooting through a licensing mechanism.

13. The Government subsequently set up the Film Development Fund (FDF) in 1999 with a view to providing funding support for projects conducive to the long-term and sustainable development of the local film industry. In April 2007, the Government set up the Hong Kong Film Development Council, comprising representatives from the film industry and other relevant sectors, to advise the Government on policy, strategy and institutional arrangement for the promotion and development of the film industry as well as the use and allocation of the funds under the FDF.

14. As at end-2018, the FDF, through the various funding schemes thereunder (such as the Film Production Financing Scheme and First Feature Film Initiative), has supported the production of about 60 films and some 210 other film-related projects, altogether disbursing about \$495 million. Among the projects, we have groomed some 40 new directors and won over 110 local and international awards. The FDF has also sponsored around 600 training opportunities covering different professions such as assistant directing, post-production and art directing.

15. To support the further development of the Hong Kong film industry, the Chief Executive announced in the 2018 Policy Address the plan to inject \$10 billion into the FDF to support the local industry through measures under four broad directions, namely, nurturing talent, enhancing local production, expanding markets and building audience.

## *Intangible cultural heritage*

16. To encourage community participation in safeguarding intangible cultural heritage (ICH) and to ensure the continual development of our local culture and traditions, the Government has introduced key measures in the past years including the setting up of the Intangible Cultural Heritage Advisory Committee in 2008 to advise on the implementation of safeguarding measures, the announcement of the first ICH inventory of Hong Kong (comprising 480 items) in 2014, the establishment of a dedicated Intangible Cultural Heritage Office in 2015, the setting up of the Hong Kong Intangible Cultural Heritage Centre at the Sam Tung Uk Museum in 2016, and the promulgation of the first Representative List of the ICH of Hong Kong (comprising 20 items) in 2017. In March 2019, the LCSD will launch a new ICH funding scheme with a commitment of \$300 million to engage the community to participate in the safeguarding, research, education, promotion and transmission of ICH.

17. Through the joint application by the governments of Guangdong, Macao and Hong Kong via the Central Government, Cantonese Opera was successfully inscribed onto the Representative List of the Intangible Cultural Heritage of Humanity of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in September 2009, making it a world ICH item.

18. The Government will continue its efforts in preserving, promoting and developing Cantonese opera through various channels, such as the LCSD, the HKADC and the HKAPA. The Cantonese Opera Development Fund (CODF) was also set up in 2005 to support projects and activities in relation to the study, promotion and development of Cantonese opera. The CODF has so far granted about \$100 million in support of near 800 projects. Having received an injection of \$70 million from the Government in 2018, the CODF introduced new funding measures in late 2018 to enhance its support to the development of Cantonese opera, which cover opening applications relating to arts education for local primary and secondary schools to encourage them to promote education about Cantonese opera on campus.

## *Hong Kong Arts Development Council*

19. Established in 1995 under the Hong Kong Arts Development Council Ordinance (Cap. 472), the HKADC is a statutory body set up by the Government to support the broad development of the arts in Hong Kong. Its major roles include grant allocation, policy and planning, advocacy, promotion and development, and programme planning. The HKADC provides support to local artists and arts groups mainly through various grant schemes. It also invites local arts veterans and professionals to be the arts advisors and examiners to assist in planning and implementation of arts initiatives, and assessment of funding applications and making grant-related recommendations. As at 2018-19, the Government has doubled the funding to the HKADC as compared to the level at the time of the previous report.

20. With funding support from the Government and the support of the owner of a private industrial building, the HKADC launched the first arts space scheme in 2014 to provide arts space for renting to local visual and media artists at below market rent. Modelled on this arts space scheme, the HKADC has opened up two new arts spaces in 2018 in revitalised industrial buildings offered by private owners for renting to young artists. HKADC will continue to explore the possibility of opening up new arts spaces. In addition, the Government has supported the HKADC to foster further collaboration between arts groups and schools to promote the better use of school premises as arts spaces as well as nurturing students' interest in arts, thereby laying a foundation for future cultural development in Hong Kong.

### Access to cultural activities by all

21. The Government is committed to encouraging children, youth and persons with disabilities to participate in arts and cultural programmes.

#### *Children and youth*

22. The LCSD presents year-round programmes that are suitable for children and youth. It offers half-price tickets of stage performances of various art forms to full-time students, as well as educational

programmes and workshops which are either free or at low charges, with a view to enhancing the ability of children and youth to appreciate culture and arts and to stimulate their creativity. During July to August every year, the LCSD presents the International Arts Carnival, which is a territory-wide arts festival providing children, youth and family audiences with educational and entertaining programmes and extension activities in the summer vacation. Furthermore, audience building and arts educational schemes targeted to students are implemented for participation by primary, secondary and special schools. There is a Children's Discovery Gallery in the Hong Kong Heritage Museum and a Children Gallery in the Hong Kong Science Museum. Furthermore, there are educational corners in our museums, worksheets and guided tours on exhibitions for school students and teaching kits for teachers to enhance students' interest and knowledge in museum exhibitions. Children's interests have been taken care of in our museum programmes.

#### *Persons with disabilities*

23. The LCSD provides special facilities and services at its cultural venues to facilitate the participation of persons with disabilities in and their appreciation of the arts. The LCSD and some of the major performing arts groups also provide accessible captions, theatrical interpretation, Cantonese audio description and/or sign interpretation for some of their performances and open rehearsals. The LCSD also collaborates with arts groups with artists with disabilities to organise cultural programmes and provides funding support to arts organisations with members with disabilities to support their cultural projects.

24. With an aim to enhance arts knowledge of persons with disabilities, foster their interests in arts and explore their potential through the provision of elementary and continuing art programmes, and help those who have great artistic potential strive for excellence and develop their career in performing, visual or creative arts, the Government has set up a new fund (managed by the SWD) to foster arts development for persons with disabilities.

25. Some commentators were concerned about the policy in respect of issuing employment visa for members of foreign performing or

arts groups. In general, persons who do not have the right of abode or right to land in Hong Kong and wish to enter for employment require an employment visa / entry permit. Each and every application will be considered individually and on its own merits in accordance with prevailing policy and established procedures. Facilitation will be provided where appropriate.



**Policy on Heritage Conservation, the Commissioner for Heritage's Office and the Antiquities Advisory Board**

1. The Government seeks to protect, conserve and revitalise as appropriate historical and heritage sites and buildings through relevant and sustainable approaches for the benefit and enjoyment of present and future generations. In implementing this policy, due regard is given to development needs in the public interest, respect for private property rights, budgetary considerations, cross-sector collaboration, and active engagement of stakeholders and the general public.
  
2. The CHO has been tasked to take forward various initiatives for heritage conservation, including –
  - (a) implementing the Heritage Impact Assessment mechanism for all new government capital works projects to minimise their impact, if any, on heritage sites;
  
  - (b) administering the Revitalising Historic Buildings Through Partnership Scheme to put government-owned historic buildings to beneficial, adaptive re-use by non-profit-making organisations;
  
  - (c) implementing the Financial Assistance for Maintenance Scheme on Built Heritage to provide subsidies for the maintenance of privately-owned graded historic buildings and government-owned declared monuments and graded historic buildings leased to non-profit-making organisations;
  
  - (d) providing financial support through the Built Heritage Conservation Fund to academic research as well as public education, community involvement and promotion activities;
  
  - (e) identifying suitable economic incentives to encourage the conservation of privately-owned historic buildings; and

- (f) promoting the cause of heritage conservation through community involvement and promotion programmes, including operation of the heritage website ([www.heritage.gov.hk](http://www.heritage.gov.hk)), publication of newsletters and dissemination of information on heritage trails and sites.

3. As at end 2018, five batches of 19 government-owned historic buildings have been included in the Revitalisation Scheme, of which twelve projects have started operation. Refurbishment works for three other projects have commenced and they are expected to start operation in 2020.

4. The AAB, appointed by the Government and comprising 21 members from various areas of expertise including historians, built-discipline professionals and community figures, advises the Government on matters relating to antiquities and monuments. At present, there are 120 declared monuments in Hong Kong, of which 96 are buildings and 24 are rock carvings, forts, archaeological sites and reservoirs. In addition, AAB is also administering an administrative grading system to provide an objective basis for guiding conservation efforts. As at end 2018, AAB has confirmed the grading status of 1 451 historic buildings, of which 180 are Grade 1, 373 are Grade 2, 545 are Grade 3, and the remaining Nil Grade.

5. Since the introduction of the United Nations Educational, Scientific and Cultural Organisation Asia-Pacific Awards for Cultural Heritage Conservation in 2000, a total of 18 heritage projects in Hong Kong have been recognised. Five of them are under the Revitalisation Scheme, one of which, Viva Blue House, received the top honour of Award of Excellence in 2017.

6. Separately, the Government partnered with the Hong Kong Jockey Club and the Musketeers Education and Culture Charitable Foundation to revitalise the Central Police Station Compound (three groups of declared monuments) into Tai Kwun, and the former Police Married Quarters on Hollywood Road (a Grade 3 historic building) into PMQ, a vibrant hub for creative industries.



7. In the private domain, CHO monitors any works or development of declared monuments and graded historic buildings, and works with private owners of historic buildings to explore preservation options. Through persuasion and various economic incentives such as relaxation of development parameters including plot ratio and building height, non-in-situ land exchange, etc., CHO has secured the agreement of private owners to conserve their historic buildings, either in full or in part. These measures have been effective in preserving valuable historic buildings including King Yin Lei (declared monument), Jessville (Grade 3), the Clock Tower of the CLP Power Hong Kong Limited Administration Building (Grade 1), No. 23 Coombe Road (Grade 1), and Maryknoll House (Grade 1).



## Promotion of Science and Technology

1. A new policy bureau, the Innovation and Technology Bureau (ITB), was established in November 2015 to formulate holistic innovation and technology (I&T) policies and strengthen the cooperation among stakeholders, including the Government, industry, academia and research sectors. Our goal is to drive diversified economic development by promoting I&T, thereby raising Hong Kong's competitiveness and improving citizen's quality of life.

2. ITB is supported by the Innovation and Technology Commission (ITC), the Office of the Government Chief Information Officer (OGCIO) and, since April 2018, the Efficiency Office (EffO). ITC mainly promotes and supports research and development (R&D), technology transfer and applications, technological infrastructure, and nurturing of I&T talent. It also administers the Innovation and Technology Fund (ITF). OGCIO is responsible for promoting development of information and communications technology, smart city, and providing information technology support within the Government. EffO assists Government departments in enhancing operational efficiency and improving public services through promoting application of technology and fostering innovation and collaboration.

3. The CE set out in her inaugural Policy Address in October 2017 eight major areas to promote I&T development, namely increasing resources for R&D, pooling technology talent, providing investments funding, providing technological research infrastructure, reviewing legislation and regulations, opening up government data, enhancing government procurement arrangements and promoting popular science education. A Steering Committee on Innovation and Technology, chaired by the CE, was set up to steer I&T development along the eight major areas.

4. To this end, numerous targeted measures have been launched, e.g. providing up to 300% enhanced tax deduction for qualifying R&D expenditures; building two world-class research clusters focusing on healthcare technologies as well as artificial intelligence and robotics

technologies; developing the Hong Kong-Shenzhen Innovation and Technology Park as a key base for scientific research; launching the Technology Talent Admission Scheme to fast-track admission of non-local technology talent and Technology Talent Scheme to nurture local technology talent; implementing the Innovation and Technology Venture Fund to stimulate venture capital investment in local I&T start-ups; implementing new policies on opening up government data; publishing the Smart City Blueprint, etc. More than \$100 billion have been committed for the different initiatives.

5. The ITF mentioned in the last two reports remains to be our major funding vehicle to support I&T development. There are currently 15 funding schemes under the ITF, each having its own objectives, scope and modus operandi, which support R&D, facilitate technology adoption, nurture technology talent, support technology start-ups and promote I&T culture respectively. The annual amount of funding dispensed by the ITF has been doubled from \$730 million in the 2013-14 financial year to \$1.5 billion in the 2017-18 financial year. To continue the operation of the ITF and support the introduction of new initiatives, the Government has recently committed to inject \$10 billion to the ITF.

**Hong Kong**  
**Special Administrative Region of**  
**the People's Republic of China**

**Common Core Document**

**(Updated as of 31 July 2017)**



# CONTENT

## **Hong Kong Special Administrative Region Common Core Document**

	<u>Paragraph</u>
<b><u>GENERAL INFORMATION</u></b>	
<u>Demographic, economic, social and cultural characteristics</u>	1
<u>Constitutional, political and legal structure of the HKSAR</u>	
Basic Law of the HKSAR	8
Political Structure	11
Administration of justice	26
Non-governmental organisations	33
<b><u>GENERAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF HUMAN RIGHTS</u></b>	
<u>Application of international human rights treaties to the HKSAR</u>	38
<u>Legal framework for the protection of human rights</u>	
Rule of Law	39
Human rights guarantees in the Basic Law	40
Effect of other human rights instruments in HKSAR law	42
Hong Kong Bill of Rights Ordinance	44
Legal aid	45
Office of The Ombudsman	49
Equal Opportunities Commission	54
Privacy Commissioner for Personal Data	56
Complaints and investigations	57
<u>Framework within which human rights are promoted</u>	
Promotion of public awareness of the human rights treaties	61
Reporting process	86
Information on non-discrimination and equality	90

## Annexes

- A Demographic indicators and social, economic and cultural indicators
- B National laws listed in Annex III to the Basic Law which shall be applied in the HKSAR
- C Statistics on the political system
- D Statistics on crime and the administration of justice
- E Application of international human rights treaties to the HKSAR

## List of abbreviations

API	Announcement in the public interest
Basic Law	Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China
BOR	Hong Kong Bill of Rights
CAPO	Complaints Against Police Office
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CIU	Complaints Investigation Unit
CRPD	Convention on the Rights of Persons with Disabilities
CSD	Correctional Services Department
DDO	Disability Discrimination Ordinance (Cap. 487)
DLS	Duty Lawyer Service
EOC	Equal Opportunities Commission
ExCo	Executive Council
GDP	Gross Domestic Product
GNI	Gross National Income
HKBORO	Hong Kong Bill of Rights Ordinance (Cap. 383)
HKSAR	Hong Kong Special Administrative Region of the People's Republic of China
ICAC	Independent Commission Against Corruption
ICCPR	International Covenant on Civil and Political Rights
ICD	International Statistical Classification of Diseases and Related Health Problems
ICESCR	International Covenant on Economic, Social and Cultural Rights
IPCC	Independent Police Complaints Council
LAD	Legal Aid Department
LegCo	Legislative Council



## **List of abbreviations**

LWB	Labour and Welfare Bureau
NGOs	Non-governmental organisations
NPC	National People's Congress
NPCSC	Standing Committee of the NPC
Police	Hong Kong Police Force
RGNI	Real Gross National Income
SDO	Sex Discrimination Ordinance (Cap. 480)
WoC	Women's Commission



## **GENERAL INFORMATION**

### **Demographic, economic, social and cultural characteristics**

Relevant demographic indicators and social, economic and cultural indicators in respect of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR) are at **Annex A**.

2. The population in Hong Kong at mid-2011 was 7.07 million. With the annual population growth ranging from 0.4% to 1.1% in recent years, the population at mid-2017 increased to 7.39 million. The population increase was mainly due to the continuous inflow of Mainland Chinese residents arriving in Hong Kong for family reunion and the natural increase during the period.

3. The majority of the population in Hong Kong are Chinese (92%). The number of ethnic minorities in Hong Kong was 584 383 (about 8% of the population) in 2016, with an increase of 29.5% over 2011. Among all the ethnic minorities in Hong Kong, the number of Filipinos increased markedly from 133 018 in 2011 to 184 081 in 2016, while the proportion of Filipinos among all ethnic minorities increased from 29.5% to 31.5%.

4. In 2016, in terms of the language most commonly spoken, 94% of Chinese aged five and over usually spoke Cantonese at home, followed by other Chinese dialects (other than Cantonese and Putonghua) (3.4%). On the other hand, among ethnic minorities aged five and over, English was the language most commonly spoken at home (45.6%), followed by Cantonese (30.3%).

5. Ageing of the population has continued. While the proportion of people aged under 15 fell slightly from 11.6% in 2011 to 11.4% in 2017, the proportion of people aged 65 and over rose from 13.3% to 16.4%.

6. Hong Kong is a small and open economy. Hong Kong's per capita Gross Domestic Product (GDP) in 2016 stood at around HK\$339,500. Its economy has become increasingly service-oriented over the past decades, the share of the service sectors in GDP rose from 88.1% in 2001 to 92.2% in 2016.

7. Hong Kong constantly strives to be a knowledge-based and high value-added economy. The HKSAR Government is committed to

maintaining a business-friendly environment, strengthening the competitive edge of the four pillar industries (namely trading and logistics, financial services, professional and producer services, and tourism), and promoting and supporting emerging industries with huge potential (e.g. innovation and technology, creative industries, and high value-added maritime services), with an aim to fostering economic diversification and injecting new and sustainable impetus to the Hong Kong economy. In face of such developments, demand for highly-educated and skilled talents is expected to continuously increase.

## **Constitutional, political and legal structure of the HKSAR**

### **Basic Law of the HKSAR**

8. In accordance with the provisions of Article 31 and sub-paragraph 13 of Article 62 of the Constitution of the People's Republic of China, and the relevant decisions of the National People's Congress (NPC) adopted at the Third Session of the Seventh NPC on 4 April 1990, the HKSAR was established on 1 July 1997. The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (Basic Law) also came into effect on the same day.

9. The Basic Law is the most important legal document for the HKSAR. It prescribes the relationship between the Central Authorities and the HKSAR, fundamental rights and duties of the residents, and the social, political, cultural and other systems to be practised in the HKSAR.

10. Among other matters, the Basic Law provides that –

- (a) the HKSAR shall be a local administrative region of the People's Republic of China, which shall enjoy a high degree of autonomy and come directly under the Central People's Government. The Central People's Government shall be responsible for the defence of, and the foreign affairs relating to, the HKSAR;
- (b) the NPC authorises the HKSAR to exercise a high degree of autonomy and enjoy executive, legislative and independent judicial power, including that of final adjudication, in accordance with the provisions of the Basic Law. The power of final adjudication of the HKSAR shall be vested in the Court of Final Appeal established in the Region;

- (c) the executive authorities and legislature of the HKSAR shall be composed of permanent residents of Hong Kong in accordance with the relevant provisions of the Basic Law;
- (d) under the principle of “one country, two systems”, the socialist system and policies shall not be practised in the HKSAR and Hong Kong’s previous capitalist system and way of life shall remain unchanged for 50 years;
- (e) the laws previously in force in Hong Kong, that is, the common law, rules of equity, ordinances, subordinate legislation and customary law shall be maintained, except for any that contravenes the Basic Law, and subject to any amendment by the legislature of the HKSAR;
- (f) national laws shall not be applied in the HKSAR except for those listed in Annex III to the Basic Law<sup>1</sup> and that the laws listed therein shall be applied locally by way of promulgation or legislation by the Region. The Standing Committee of the NPC (NPCSC) may add to or delete from the list of laws in Annex III after consulting the Committee for the Basic Law of the HKSAR and the HKSAR Government;
- (g) the HKSAR may conduct relevant external affairs on its own in accordance with the Basic Law using the name “Hong Kong, China”, maintain and develop relations and conclude and implement agreements with foreign states and regions and relevant international organisations in the appropriate fields, including the economic, trade, financial and monetary, shipping, communications, tourism, cultural and sports fields;
- (h) the HKSAR shall remain a free port, a separate customs territory and an international financial centre. The HKSAR Government shall, on its own, formulate monetary and financial policies, safeguard the free operation of financial business and financial markets, and regulate and supervise them in accordance with law. The HKSAR Government safeguards the free flow of capital within, into and out of the

---

<sup>1</sup> National laws listed in Annex III to the Basic Law are at **Annex B**.

Region. The HKSAR Government issues and manages its own currency;

- (i) the HKSAR Government formulates its own policies on the development of education, science, culture, sports, labour and social welfare;
- (j) Hong Kong residents enjoy a wide range of rights and freedoms prescribed in Chapter III of the Basic Law; and
- (k) the provisions of the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and international labour conventions as applied to Hong Kong shall remain in force and shall be implemented through the laws of the HKSAR.

The rights and freedoms of Hong Kong residents will be dealt with under the section below on “General framework for the protection and promotion of human rights”.

## **Political Structure**

11. The Chief Executive (CE) of the HKSAR is the head of the Region, and is accountable to the Central People’s Government and the HKSAR in accordance with the provisions of the Basic Law. The Executive Council (ExCo) assists her in policy-making. The HKSAR Government formulates and implements policies, introduces bills, implements law and provides services to the community. The Legislative Council (LegCo) is the legislature of the HKSAR. District Councils are consulted on district administration and other affairs. The Judiciary is independent of the executive authorities and the legislature.

### Chief Executive

12. The CE leads the HKSAR Government and decides on Government policies. She is responsible for the implementation of the Basic Law and other laws which, in accordance with the Basic Law, apply in the HKSAR. Moreover, she signs bills and budgets passed by the LegCo. She also nominates and reports to the Central People’s Government for appointment of principal officials. She appoints or removes judges of the courts at all levels and holders of public office in accordance with legal procedures. The CE also conducts, on behalf of

the HKSAR Government, external affairs and other affairs as authorised by the Central Authorities.

13. The Basic Law provides that the CE of the HKSAR shall be selected by election or through consultations held locally and be appointed by the Central People's Government. The method for selecting the CE shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. 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.

### Executive Council

14. The ExCo assists the CE in policy-making. Under Article 56 of the Basic Law, except for the appointment, removal and disciplining of officials and the adoption of measures in emergencies, the CE shall consult the ExCo before making important policy decisions, introducing bills to the LegCo, making subordinate legislation, or dissolving the LegCo. The CE in Council also determines statutory appeals, petitions and objections. If the CE does not accept a majority opinion of the ExCo, she shall put the specific reasons on record.

15. The ExCo normally meets once a week. It is presided over by the CE. As provided for in Article 55 of the Basic Law, members of the ExCo shall be appointed by the CE from among the principal officials of the executive authorities, members of the LegCo and public figures. Their term of office shall not extend beyond the expiry of the term of office of the CE who appoints them.

16. The current membership of the ExCo comprises the 16 Principal Officials appointed under the Political Appointment System and 16 non-official members.

### The structure of the HKSAR Government

17. The CE is the head of the HKSAR Government. If the CE is not able to discharge her duties for a short period, such duties shall temporarily be assumed by one of the three Secretaries of Departments, namely the Chief Secretary for Administration (CS), the Financial Secretary (FS), or the Secretary for Justice (SJ), in that order of precedence. The HKSAR Government comprises a Department of

Administration, a Department of Finance, a Department of Justice (DoJ), and various bureaux, divisions, and commissions.

18. There are currently 13 bureaux, each headed by a Policy Secretary, which collectively form the Government Secretariat. With certain exceptions, the heads of Government departments are responsible to the Secretaries of Departments and Policy Secretaries. The exceptions are the Commissioner of the Independent Commission Against Corruption, The Ombudsman and the Director of Audit, who function independently and are directly accountable to the CE.

19. A Political Appointment System has been introduced since 1 July 2002. Under the system, the CS, the FS, the SJ and the 13 Policy Secretaries of the HKSAR Government are political appointees. They are responsible for specific policy areas and are accountable to the CE. They are at the same time appointed as Members of the ExCo and, together with other Non-Official Members of the ExCo, assist the CE in policy making. Under the system, there remains a permanent, professional and politically neutral civil service.

### Legislative Council

20. The powers and functions of the LegCo are specified in Article 73 of the Basic Law. These include enacting, amending or repealing laws in accordance with the provisions of the Basic Law and legal procedures; examining and approving budgets introduced by the HKSAR Government; approving taxation and public expenditure; receiving and debating the policy addresses of the CE; raising questions on the work of the HKSAR Government; debating any issue concerning public interests; endorsing the appointment and removal of the judges of the Court of Final Appeal and the Chief Judge of the High Court; and receiving and handling complaints from Hong Kong residents, etc.

21. Article 68 of the Basic Law provides that the LegCo shall be constituted by election. The method for its formation shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the LegCo by universal suffrage. Annex II to the Basic Law and the relevant decision of the NPC adopted on 4 April 1990 prescribe the composition of the LegCo during its first three terms as follows –



<u>Membership</u>	<u>First term</u> 1998-2000 (two years)	<u>Second term</u> 2000-2004 (four years)	<u>Third term</u> 2004-2008 (four years)
(a) elected by geographical constituencies through direct elections	20	24	30
(b) elected by functional constituencies	30	30	30
(c) elected by an election committee	10	6	-
Total	60	60	60

22. Annex II to the Basic Law provides that, if there is a need to amend the method for forming the LegCo after 2007, such amendments must be made with the endorsement of a two-thirds majority of all the members of the Council and the consent of the CE and they shall be reported to the NPCSC for the record. In 2007, the NPCSC adopted a decision that after the CE is elected by universal suffrage, the election of the LegCo of the HKSAR may be implemented by the method of electing all members by universal suffrage. The motion on the method for forming the fifth term LegCo in 2012 put forth by the HKSAR Government was passed by the LegCo by two-thirds majority in June 2010 and recorded by the NPCSC in August 2010. More than 3.2 million electors could cast two votes in the 2012 LegCo General Election, one for a candidate list in a geographical constituency and one for another candidate list in the new District Council (second) functional constituency. This new functional constituency treats Hong Kong as a single constituency and candidates are nominated from elected District Council members. The fifth term LegCo in 2012 consisted of 70 members: 35 returned by functional constituencies, apart from the above-mentioned District Council (second) functional constituency, each of the remaining functional constituencies represents an important economic, social or professional sector of the HKSAR; and 35 by geographical constituencies through direct elections, where Hong Kong was divided into five geographical constituencies, each returning five to nine members.

23. As regards the method for forming the sixth term LegCo in 2016, the NPCSC adopted a decision in August 2014 that the existing formation method for the LegCo as prescribed in Annex II to the Basic Law would not be amended; and the formation method for the fifth term LegCo would continue to apply to the sixth term LegCo in 2016. The

local legislation making necessary technical amendments for the 2016 LegCo General Election was passed by the LegCo in July 2015.

### District Councils

24. Eighteen District Councils have been established in the HKSAR to advise the HKSAR Government on all matters relating to the well-being of residents in the districts and to promote community building through carrying out various community involvement programmes including recreational and cultural projects, and undertaking environmental improvement projects within the districts. For the fifth term District Councils (2016-2019), the HKSAR is divided into 431 constituencies, each returning one elected member. In addition, there are 27 ex-officio members (who are the chairmen of Rural Committees). The fifth term District Council ordinary election was held on 22 November 2015.

### Relevant statistics

25. Relevant statistics on the political system, including the voter registration figures and voter turnout rates, are set out in **Annex C**.

## **Administration of justice**

### The judicial system of the HKSAR

26. The legal system is firmly based on the rule of law, right of access to court, quality legal aid services, the independent legal profession and the Judiciary which is independent of the executive authorities and the legislature.

27. Article 19 of the Basic Law provides that the HKSAR shall be vested with independent judicial power, including that of final adjudication. The courts of the HKSAR shall have jurisdiction over all cases in the Region, except that the restrictions on their jurisdiction imposed by the legal system and principles previously in force in Hong Kong shall be maintained. The courts of the HKSAR shall have no jurisdiction over acts of state such as defence and foreign affairs.

28. The courts of the HKSAR comprise the Court of Final Appeal, the High Court (which consists of the Court of Appeal and the Court of First Instance), the District Court, the Magistrates' Courts, the Competition Tribunal, the Lands Tribunal, the Labour Tribunal, the Small

Claims Tribunal, the Obscene Articles Tribunal and the Coroner's Court. The courts hear and determine all criminal trials and civil disputes, whether between individuals or between individuals and the HKSAR Government.

29. Article 82 of the Basic Law provides that the power of final adjudication of the HKSAR shall be vested in the Court of Final Appeal of the Region, which may as required invite judges from other common law jurisdictions to sit on the Court of Final Appeal. Article 84 provides that the courts shall adjudicate cases in accordance with applicable laws and may refer to precedents of other common law jurisdictions. Article 85 provides that the courts shall exercise judicial power independently, free from any interference. Members of the judiciary shall be immune from legal action in the performance of their judicial functions.

30. Article 92 of the Basic Law provides that judges and other members of the judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities and may be recruited from other common law jurisdictions. Article 88 further provides that judges shall be appointed by the CE on the recommendation of an independent commission composed of local judges, persons from the legal profession and eminent persons from other sectors.

31. Judges enjoy security of tenure. Article 89 of the Basic Law provides that a judge may only be removed for inability to discharge his or her duties, or for misbehaviour, by the CE on the recommendation of a tribunal appointed by the Chief Justice of the Court of Final Appeal and consisting of not fewer than three local judges. The Chief Justice of the Court of Final Appeal may be investigated only for inability to discharge his or her duties, or for misbehaviour, by a tribunal appointed by the CE and consisting of not fewer than five local judges and may be removed by the CE on the recommendation of the tribunal and in accordance with the procedures prescribed in the Basic Law.

#### Relevant statistics

32. The relevant statistics on the administration of justice in respect of the HKSAR for the period from 2013 to 2017 (Jan-Jul) (except where otherwise specified) are set out below. Statistics relevant to the sentencing of offenders and death in custody are set out in **Annex D**.

(a) Incidence of violent death and life threatening crimes reported

<b>Crime</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017 (Jan-Jul)</b>
Murder and manslaughter	62 <sup>2</sup>	27	22	28	11
Attempted murder	4	0	3	3	8

(b) Number of persons arrested for violent or other serious crimes

<b>Crime</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017 (Jan-Jul)</b>
Murder and manslaughter	55	32	28	39	15
Wounding and serious assault	4 887	4 148	4 046	3 754	1 907
Robbery	302	208	172	198	107
Drug trafficking	1 639	1 297	1 438	1 570	783

(c) Number of reported cases of sexually motivated violence

<b>Crime</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017 (Jan-Jul)</b>
Rape	105	56	70	71	39
Indecent assault	1 463	1 115	1 068	1 019	620

(d) Number of Police officers per 100 000 persons

	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
Police officers	395.0	394.9	393.7	392.4	395.0

(e) Number of judges and judicial officers

	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Judges and judicial officers	157	157	169	165	157

<sup>2</sup> The figure has included the death toll of 39 victims from the Lamma Island ferry collision on 1 October 2012.

(f) Statistics on legal aid in criminal cases

	2013	2014	2015	2016	2017 (Jan-Jul)
(1) No. of legal aid applications	3 797	3 717	3 630	3 567	2 108
(2) No. of applications refused on merits	889	823	921	817	489
(3) No. of applications granted legal aid	2 785	2 690	2 521	2 641	1 469
(4) Applicants granted legal aid with nil contribution out of (3)	2 515	2 485	2 335	2 396	1 311
((4) as % of (3))	(90.31%)	(92.38%)	(92.62%)	(90.72%)	(89.24%)

### Non-governmental organisations

33. Article 27 of the Basic Law guarantees that Hong Kong residents shall have freedom of association and the right and freedom to form and join trade unions, and to strike. Article 18 of the Hong Kong Bill of Rights (BOR), which corresponds to Article 22 of the ICCPR, also guarantees freedom of association. In the HKSAR, all organisations including companies, societies, trade unions and credit unions must be registered under applicable ordinances such as the Companies Ordinance (Cap. 622) or the Societies Ordinance (Cap. 151).

#### Exemption of tax

34. Subject to certain limitations, charitable institutions or trusts of a public character are exempt from tax under section 88 of the Inland Revenue Ordinance (Cap. 112). Charities wishing to enjoy the tax exemption may apply to the Inland Revenue Department.

35. For an institution or a trust to be a charity, it must be established for purposes which are exclusively charitable according to law. The law defining the legal attributes of a charity is based upon case law developed through court decisions.

36. A summary of the purposes that may be accepted as charitable, in accordance with case law, are –

- (a) relief of poverty;

- (b) advancement of education;
- (c) advancement of religion; and
- (d) other purposes of a charitable nature beneficial to the community not falling under any of the preceding heads.

37. While the purposes under the first three heads may be in relation to activities carried on in any part of the world, those under head (d) will only be regarded as charitable if they are of benefit to the Hong Kong community.

## **GENERAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF HUMAN RIGHTS**

### **Application of international human rights treaties to the HKSAR**

38. The list of international human rights treaties that are applicable to the HKSAR and the relevant information is at **Annex E**.

### **Legal framework for the protection of human rights**

#### **Rule of Law**

39. The fundamental basis for the protection of human rights is the rule of law maintained by an independent judiciary (see paragraphs 26 to 31 above). The principles that inform the rule of law are:

- (a) **the supremacy of the law:** no individual is punishable or can lawfully be made to suffer personally or financially except for a breach of law established before the independent courts. Where, under the law, an official or an authority has discretion to make a decision, that discretion must be exercised lawfully, fairly and reasonably. Where it does not do so, the decision may be challenged before the courts; and
- (b) **equality before the law:** Article 25 of the Basic Law provides that all Hong Kong residents shall be equal before the law. Article 64 provides that the HKSAR Government must abide by the law. Article 22 provides that all offices

set up in the HKSAR by departments of the Central People's Government, or by provinces, autonomous regions, or municipalities directly under the Central Government and personnel of these offices shall abide by the laws of the Region. Article 14 provides that members of the garrison shall, in addition to abiding by national laws of China, abide by the laws of the HKSAR. Article 35 provides that Hong Kong residents shall have the right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel. No Government authority or official, and no individual, is above the law. In addition, Article 10 of the BOR guarantees that all persons are equal before the courts, and Article 22 of the BOR guarantees that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law.

### **Human rights guarantees in the Basic Law**

40. Article 4 of the Basic Law provides that the HKSAR shall safeguard the rights and freedoms of residents of the HKSAR and of other persons in the Region in accordance with law. Chapter III of the Basic Law guarantees a wide range of rights and freedoms, including:

- (a) equality before the law;
- (b) freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike;
- (c) freedom of the person; freedom from torture; freedom from arbitrary or unlawful arrest, detention or imprisonment; freedom from arbitrary or unlawful search of the body; and prohibition of arbitrary or unlawful deprivation of life;
- (d) freedom from arbitrary or unlawful search of, or intrusion into, one's home or other premises;
- (e) freedom and privacy of communication;
- (f) freedom of movement within the HKSAR, freedom of emigration to other countries and regions, and freedom to travel and to enter or leave the Region;

- (g) freedom of conscience; freedom of religious belief, and freedom to preach and to conduct and participate in religious activities in public;
- (h) freedom of choice of occupation;
- (i) freedom to engage in academic research, literary and artistic creation, and other cultural activities;
- (j) right to confidential legal advice, access to the courts, choice of lawyers for timely protection of their lawful rights and interests or for representation in the courts, and to judicial remedies; right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel;
- (k) right to social welfare in accordance with law; and
- (l) freedom of marriage and right to raise a family freely.

41. Persons in the HKSAR other than Hong Kong residents shall, in accordance with law, enjoy the rights and freedoms of Hong Kong residents prescribed in Chapter III of the Basic Law. In addition, the HKSAR protects the right of private ownership of property in accordance with law. Educational institutions of all kinds enjoy autonomy and academic freedom. Permanent residents of the HKSAR enjoy the rights to vote and to stand for election in accordance with law.

### **Effect of other human rights instruments in HKSAR law**

42. According to Article 39 of the Basic Law:

“The provisions of the [ICCPR], the [ICESCR], and international labour conventions as applied to Hong Kong shall remain in force and shall be implemented through the laws of the [HKSAR].

The rights and freedoms enjoyed by Hong Kong residents shall not be restricted unless as prescribed by law. Such restrictions shall not contravene the provisions of the preceding paragraph of this Article.”



43. As in other common law jurisdictions, treaties that apply to Hong Kong (including human rights treaties) do not themselves have the force of law in the domestic legal system of Hong Kong. They cannot directly be invoked before the courts as the source of individual rights. However, the courts will, when possible, construe domestic legislation in such a way as to avoid incompatibility with international treaties that apply to Hong Kong. The usual method of giving effect in local law to treaty obligations (when these require some change in existing laws or practice) is to enact specific new legislation<sup>3</sup>. Where this results in the creation of specific legal rights and these rights are denied or interfered with (or there is the threat of such action), an aggrieved person may seek remedy or relief in the civil courts. Persons who have acted in violation of these rights may also be subject to the criminal sanctions provided for in the legislation.

### **Hong Kong Bill of Rights Ordinance**

44. The Hong Kong Bill of Rights Ordinance (Cap. 383) (HKBORO) was enacted in June 1991 specifically to give effect in local law to the provisions of the ICCPR as applied to Hong Kong. This is achieved by setting out in Part II of the Ordinance a detailed Bill of Rights, the terms of which are almost identical to those of the ICCPR.

### **Legal aid**

45. Eligible applicants receive legal aid through the provision of the services of a solicitor and, if necessary, a barrister in court proceedings to ensure that any person who has reasonable grounds for pursuing or defending a legal action is not prevented from doing so by lack of means. Publicly funded legal aid services are provided through the Legal Aid Department (LAD) and the Duty Lawyer Service (DLS).

### Legal Aid Department

46. The LAD provides legal representation to eligible persons in both civil and criminal cases heard in the Court of Final Appeal, the Court of Appeal, the Court of First Instance, the District Court and the Magistrates' Courts (for committal proceedings). Civil legal aid is available for proceedings covering major areas of livelihood of the

---

<sup>3</sup> An example is the Crimes (Torture) Ordinance (Cap. 427) which was enacted to give effect in Hong Kong to Articles 4 and 5 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

community ranging from family disputes to immigration matters and to Coroner's inquests. The grant of legal aid is not subject to a residence requirement. Applicants must satisfy the Director of Legal Aid of their financial eligibility (the means test) and of the justification for legal action (the merits test). In civil cases, the Director has discretion to waive the limit of the means test in meritorious applications where a breach of the HKBORO or the ICCPR as applied to Hong Kong is an issue. In criminal cases, the Director has the same discretion if he considers it in the interest of justice to do so. Subject to the means test (unless waived by a judge), it is mandatory to grant legal aid to an applicant charged with murder, treason or piracy with violence. For other criminal offences, provided the applicant passes the means test, a judge may grant legal aid notwithstanding that legal aid has been refused on merits by the Director.

### The Duty Lawyer Service

47. The DLS complements the legal aid services provided by the LAD. It operates three schemes that respectively provide legal representation (the Duty Lawyer Scheme), legal advice (the Free Legal Advice Scheme) and legal information (the Tel-Law Scheme). The Duty Lawyer Scheme offers legal representation to defendants (both juvenile and adult) charged in the Magistracies who cannot afford private representation. It also provides legal representation to persons who are at risk of criminal prosecution as a result of giving incriminating evidence in Coroner's inquests. Applicants are subject to a means test and merits test, based on the "interests of justice" principle in accordance with Article 11(2)(d) of the BOR. The Free Legal Advice Scheme and the Tel-Law Scheme respectively provide members of the public with free legal advice through individual appointments and taped information on the legal aspects of everyday problems. In addition, the DLS started operating the Convention Against Torture Scheme in December 2009 on a pilot basis. This Scheme was extended to become the Publicly-funded Legal Assistance Scheme for Non-refoulement Claimants when the Unified Screening Mechanism for the determination of claims for non-refoulement protection commenced operation in March 2014.

### Legal Aid Services Council

48. The Legal Aid Services Council is an independent statutory body established by the Legal Aid Services Council Ordinance (Cap. 489). Its role is to oversee the administration of the legal aid services provided by the LAD, which is accountable to the Council for

the provision of such services. The Council also advises the CE on legal aid policy.

### **Office of The Ombudsman**

49. The Ombudsman is an independent statutory authority, established by The Ombudsman Ordinance (Cap. 397). The Ombudsman investigates complaints of grievances about maladministration by Government bureaux and departments of the HKSAR and major public bodies listed in Part 1 of Schedule 1 to the Ordinance. “Maladministration” means inefficient, bad or improper administration, and includes such things as unreasonable conduct (such as delay, discourtesy and lack of consideration), abuse of power or authority, and unreasonable, unjust, oppressive or improperly discriminatory procedures. The Ombudsman may initiate investigations on receiving a complaint by a member of the public or on her own volition, and may publish investigation reports in the public interest. Additionally, The Ombudsman is empowered to investigate complaints against Government bureaux and departments and major public bodies for non-compliance with the Code on Access to Information.

50. The Ombudsman, a corporate sole, is empowered with full autonomy and statutory authority to conduct her own administrative and financial business. The Ordinance makes it clear that The Ombudsman is not a servant or agent of the HKSAR Government.

51. Under The Ombudsman Ordinance, The Ombudsman may obtain any information and documents from such persons as he thinks fit. She may summon any person to provide information relating to her investigations and may enter any premises of the organisations within her jurisdiction to conduct investigations.

52. After investigating a complaint, The Ombudsman is empowered to report her opinion and reasons, together with a statement of any remedy and recommendation necessary, to the head of the organisation affected. If the recommendation is not acted upon within a reasonable timeframe, The Ombudsman may report the matter to the CE. She may also do so if she believes that a serious irregularity or injustice has been done. Such reports are required by law to be laid before the LegCo. This helps ensure that The Ombudsman’s recommendations are heard and acted upon.

53. While the Ombudsman may not investigate complaints of maladministration made against the Hong Kong Police Force (Police) and the Independent Commission Against Corruption (ICAC), she may investigate complaints of non-compliance with the Code on Access to Information made against these two bodies. Any other types of complaints against these two bodies are handled separately by a dedicated mechanism (see paragraphs 57 and 58 below).

### **Equal Opportunities Commission**

54. The Equal Opportunities Commission (EOC) was established by the Sex Discrimination Ordinance (Cap. 480) (SDO). It is responsible for conducting formal investigations, handling complaints, encouraging conciliation between parties in dispute, providing assistance to aggrieved persons in accordance with the four anti-discrimination ordinances. It undertakes research programmes and public education to promote equal opportunities in the community. The Commission is also empowered to issue codes of practice to provide practical guidelines to facilitate public compliance with the anti-discrimination ordinances.

55. Please refer to the section on “Information on non-discrimination and equality” below for further details in relation to the anti-discrimination ordinances and the work of the EOC.

### **Privacy Commissioner for Personal Data**

56. The Personal Data (Privacy) Ordinance (Cap. 486) regulates the collection, holding, processing and use of personal data. Its provisions are based on internationally accepted data protection principles, and apply to personal data in any form the access to or the processing of which is practicable. The Privacy Commissioner for Personal Data, an independent statutory body, was established by the Ordinance to promote, monitor and supervise compliance with the provisions of the Ordinance. The duties of the Privacy Commissioner for Personal Data include, among others, carrying out promotional or educational activities, issuing codes of practice to provide guidance on compliance with the Ordinance, and conducting investigations and inspections for matters in relation to personal data privacy of individuals.

## **Complaints and investigations**

### The Police

57. Under the two-tier police complaints handling system, the Complaints Against Police Office (CAPO) is responsible for handling and investigating complaints lodged by members of the public against members of the Police. It operates independently from other Police formations to ensure its impartiality in handling complaints. The Independent Police Complaints Council (IPCC) is an independent statutory body specifically appointed to monitor and review the CAPO's handling and investigation of complaints. Members of the IPCC appointed by the CE are civilians drawn from a wide spectrum of the community, and public officers (including a member of the Police) are not eligible for appointment. The Independent Police Complaints Council Ordinance (Cap. 604) came into force on 1 June 2009 and provides the above police complaints system with a statutory basis. It clearly sets out the statutory IPCC's role, functions and powers in the police complaints handling system, as well as the obligations of the Police to comply with the requirements made by the IPCC under the Ordinance. There are effective checks and balances to ensure that the complaints lodged with the CAPO are handled thoroughly, fairly and impartially.

### The Independent Commission Against Corruption

58. Established in 1977, the ICAC Complaints Committee is responsible for monitoring and reviewing the ICAC's handling of non-criminal complaints against the ICAC and its officers. Being an independent committee appointed by the CE, the ICAC Complaints Committee comprises members of the ExCo and LegCo, a representative of The Ombudsman and eminent members of the community. Complaints against the ICAC or its officers can be made directly to the ICAC Complaints Committee as well as the ICAC at any of its offices. The investigation of such complaints is handled by a special unit of the Operations Department of the ICAC. When the unit has completed its investigation of a complaint, its conclusions and recommendations are submitted to the ICAC Complaints Committee for consideration.

### Other disciplined services

59. Other disciplined services maintain clear guidelines and procedures for handling complaints. For example, the Correctional

Services Department (CSD), which runs HKSAR's prisons, has a Complaints Investigation Unit (CIU) appointed by the Commissioner of Correctional Services to handle and investigate complaints. For check and balance, Correctional Services Department Complaints Committee examines all investigation findings handled by the CIU. To further fine-tune the departmental complaint handling mechanism, the CSD established the Correctional Services Department Complaints Appeal Board in 2016 as a channel for complainants dissatisfied with the outcome of CIU's investigation to appeal. At present, all ten non-official members of the Appeal Board are non-official Justices of the Peace. Furthermore, complainants may also direct their complaints to the CE, members of the LegCo, The Ombudsman, visiting Justices of the Peace and other law enforcement agencies such as the ICAC and the Police. If there is prima facie evidence that a CSD staff has committed a criminal offence, the CSD will immediately report the matter to the Police for further investigation. Disciplinary procedures against CSD staff are also governed by the Prison Rules (Cap. 234, sub. leg. A). Under Rule 239(j) of the Prison Rules, any CSD officer who without necessity uses force in dealing with the prisoners, or where the use of force is necessary, uses undue force, commits a disciplinary offence.

60. The Immigration Department applies complaints procedures set out in the Immigration Service Standing Orders made by the Director of Immigration under the authority of the Immigration Service Ordinance (Cap. 331). Complaints about abuse of authority or maltreatment by service members can be made to the Director of Immigration and are investigated promptly in accordance with the procedures in the Standing Orders. To ensure that all complaints are properly handled, a Complaints Review Working Party examines the results of investigations, conducts reviews and recommends follow-up action whenever necessary. Persons who consider that they have been improperly treated or that their cases have been mismanaged also have access to The Ombudsman. If there is prima facie evidence that a member of the Immigration Service has committed a criminal offence, the Immigration Service will immediately report the matter to the Police for further investigation. Disciplinary procedures against Immigration Service staff are also governed by the Immigration Service Ordinance and the Immigration Service Standing Orders. Under section 8(1)(i) of the Ordinance, unlawful or unnecessary exercise of authority resulting in loss or injury to any person is a disciplinary offence.

## **Framework within which human rights are promoted**

### **Promotion of public awareness of the human rights treaties**

61. The Constitutional and Mainland Affairs Bureau is responsible for co-ordinating and overseeing the implementation of policies relating to human rights and equal opportunities, including the promotion of public awareness of the rights and obligations stipulated in the human rights treaties applicable to the HKSAR. The Labour and Welfare Bureau (LWB) is responsible for human rights treaties relating to women and persons with disabilities that are applicable to the HKSAR.

### **Dissemination of human rights treaties in the HKSAR**

62. The HKSAR Government is committed to the promotion of the rights as enshrined in the human rights treaties applicable to the HKSAR. The promotion work is carried out through various channels including media campaigns in the form of television and radio announcement in the public interest (API). For example, a major publicity campaign (including a series of television thematic docudrama and documentary, a package of television and radio APIs, and advertisements on newspapers and public transport facilities) has been launched by the LWB since August 2009 to promote the spirit and values enshrined in the Convention on the Rights of Persons with Disabilities (CRPD). A series of publicity programmes, such as roving exhibitions and education activities to secondary school students, have been carried out by the LWB on an on-going basis to promote public awareness on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

63. The HKSAR Government also produces bilingual booklets on the text of the human rights treaties (in both Chinese and English, the official languages of the HKSAR). Furthermore, publications such as bilingual booklets, newsletters and leaflets on these treaties, with illustrations of the principal provisions and in language which is easy to understand, are published. These publications aim to enhance the promotion of the treaties to members of the public, including parents and children. The publications are widely distributed to the public, including schools, libraries, district offices and non-governmental organisations (NGOs), and have been uploaded onto the HKSAR Government website.

64. The processes undertaken by the HKSAR Government in consulting the public in preparing reports to the United Nations treaty-monitoring bodies, publication of the report, dissemination of Concluding Observations of the United Nations treaty-monitoring bodies to the public and discussing them with stakeholders concerned also provide opportunities for promoting the human rights treaties to the public. These are elaborated below under the section on “Reporting process”.

#### Human rights education among public officials and professionals

65. The HKSAR Government provides training and education to Government officials, including legal officers and operational staff of the disciplined services, on the Basic Law and other human rights subjects such as application of human rights treaties in the HKSAR, the HKBORO and equal opportunities.

##### *(a) Government officers in general*

66. The Civil Service Bureau organises seminars for Government officers at different ranks on a regular basis. These include seminars on the Basic Law, equal opportunities and other areas of human rights. Speakers include representatives from the DoJ, EOC and NGOs, etc.

67. Major elements of the HKBORO and the anti-discrimination ordinances have also been incorporated into seminars and courses for newly recruited officers of the HKSAR Government. Moreover, government departments with frequent and extensive contacts with members of the public organise tailored courses for their officers to enhance their knowledge on applying the anti-discrimination ordinances and related code of practice in their daily work.

68. In addition to the above, training is provided to officers of different grades and ranks in the HKSAR Government to raise their gender awareness and understanding of gender-related issues. Such training includes seminars and workshops which cover CEDAW and other instruments that protect women’s interests and their application in the HKSAR. The LWB has also developed a web-portal and a web course on gender mainstreaming for reference by all Government officers.



*(b) Legal officers*

69. The DoJ organises training sessions for their legal officers. Some of those sessions deal with international human rights law and human rights protection under the Basic Law. Others focus on specific areas according to the special needs of the different divisions of the Department. For example, the Prosecutions Division provides training for prosecutors on human rights issues that arise in the course of prosecutions, whereas the Law Drafting Division provides training on human rights issues that arise in the course of drafting legislation. Legal officers of the Department also attend a range of seminars, conferences and training programmes on human rights organised by local and overseas academic institutions.

*(c) Operational staff of the disciplined services*

70. Training of disciplined services invariably includes reference to human rights. The law enforcement agencies have incorporated lectures on the relevant human rights treaties (such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment), Basic Law, HKBORO, equal opportunities, and gender-related issues into their regular in-service and training programmes for new recruits. Human rights and equality principles are part of the foundation training for the Police to recruit police constables and probationary inspectors. The continued training programmes for in-service officers also cover these topics.

71. The ICAC provides training and issues orders to all investigating officers to ensure compliance with statutory requirements concerning the treatment of victims, witnesses and suspects. Officers are trained to treat all suspects and witnesses in accordance with the Basic Law and HKBORO. Apart from the training on relevant legislation touching upon human rights and related issues, the ICAC provides professional training to all investigating officers to ensure the voluntariness of admissions and confessions, and that there is no oppression, violence or threat.

Human rights training for judges, judicial officers and support staff of the Judiciary

72. Since the courts of the HKSAR may refer to precedents of other common law jurisdictions in adjudicating cases, they follow developments in all areas of law – including human rights law – in other

common law jurisdictions. The Hong Kong Judicial Institute provides continuing education and training for judges and judicial officers. Human rights law is one of many areas that are emphasised. They participate in visits and human rights seminars held both locally and overseas. Talks on anti-discrimination ordinances and seminars on the Personal Data (Privacy) Ordinance are arranged regularly for the support staff of the Judiciary to enhance their understanding and knowledge on these ordinances and to raise their awareness on human rights, equal opportunities and protection of personal data. Staff also attend the training on Basic Law organised by the Civil Service Training and Development Institute.

### Promotion of human rights in general

73. The Committee on the Promotion of Civic Education is an advisory body under the Home Affairs Bureau set up in 1986 to promote civic education outside schools and to enhance general public's civic awareness, including human rights education. Separately, a Basic Law Promotion Steering Committee, chaired by the CS, was established in 1998 to guide promotional strategy.

74. The EOC, an independent statutory body to enforce the anti-discrimination ordinances, has the important function of promoting equal opportunities with a view to eliminating discrimination on the grounds of sex, disability, family status and race. The EOC also works towards the elimination of discrimination on the grounds of marital status and pregnancy. Please refer to the section on "Information on non-discrimination and equality" below on the work of the EOC. The Privacy Commissioner for Personal Data also carries out promotional and educational activities in relation to data protection.

75. The HKSAR Government also promotes the rights under the human rights treaties applicable to the HKSAR through other measures, such as sponsoring and co-operating with NGOs to promote awareness and public education through funding schemes and other initiatives.

### Promotion of human rights in schools

76. Education in schools is an important aspect in the promotion of children's rights and human rights in general. Human rights education is an integral part of the school curriculum and is addressed in a wide range of subjects at different key stages of learning. Students are provided with ample opportunities to develop concepts and values in

relation to human rights in the existing school curriculum. Important concepts and values on human rights, such as the right to life, fundamental freedoms (e.g. freedom of speech and religion), privacy, respect for all peoples (e.g. different nationalities and their cultures, and ways of life), equality and non-discrimination (e.g. gender equality and racial equality) are discussed through the learning and teaching of various subjects in primary and secondary schools. Students' concepts and understanding of human rights are strengthened progressively from a basic understanding of the rights and responsibilities to more complex concepts of human rights. In addition, the Education Bureau has clear and explicit guidelines for textbook publishers to adhere to the principle of non-discrimination. Under the present textbook review system, the Bureau will only place quality textbooks on the Recommended Textbook/e-Textbook List for reference of schools. According to the "Guiding Principles for Quality Textbooks", a quality textbook should be one in which:

- (a) there is not any bias in content, such as over-generalisation and stereotyping; and
- (b) the content and illustrations do not carry any form of discrimination on the grounds of gender, age, race, religion, culture and disability etc., nor do they suggest exclusion.

Textbooks that fail to meet the above and other criteria in the Guiding Principles will not be placed on the Recommended List for selection by schools.

77. Basic Law education, civic education, human rights education and education against discrimination are included in the curriculum and are addressed in a wide range of subjects at different key stages of learning such as General Studies at primary level, curricula under the Personal, Social and Humanities Education at secondary level, and the core subject of Liberal Studies implemented in the senior secondary curriculum. To support schools in promoting the concepts and values pertaining to these curriculum areas, professional development programmes and resources support are provided to empower teachers' professional capability to implement these curricula. Relevant learning activities (including Mainland exchange programmes, project learning, museum visits, service learning, etc.) to enhance students' understanding and application of the Basic Law in daily lives are also provided.

78. The development of the Hong Kong school curriculum has advanced into a new phase of ongoing curriculum renewal. One of the key emphases is “promoting values education” which includes the priority values and attitudes of respect for others, responsibility, commitment, care for others, etc. In parallel, Basic Law education will be strengthened so as to reinforce the cultivation of values and attitudes among students, including human rights, equality, freedom, caring, responsibility, etc.

#### Participation of NGOs in promotion of human rights

79. A number of NGOs are dedicated to the promotion of human rights in the HKSAR. Some focus on the rights of a group of people such as ethnic minorities, children, persons with disabilities, or women. Others have a wider scope embracing a broader range of human rights issues.

80. The HKSAR Government has increasingly engaged or collaborated with NGOs in matters relevant to the promotion of human rights. This includes seeking their views during the preparation of reports in respect of the HKSAR under the human rights treaties and in considering follow-up actions on the Concluding Observations, seeking their views on issues of policy and other matters concerning human rights, as well as co-operation on public promotion and provision of support services.

81. To strengthen the liaison with NGOs, a number of forums have been established to provide platforms for exchanging views with NGOs on various issues concerning human rights. These include:

(a) *Human Rights Forum*

82. The Forum first met in October 2003. It provides a platform for NGOs to have regular meetings with the HKSAR Government for discussions on various human rights issues, including the implementation of various human rights treaties as well as other issues of concern.

(b) *Children’s Rights Forum*

83. The Children’s Rights Forum aims to provide a platform for exchanging views on matters concerning children’s rights among the

HKSAR Government, children's representatives, and NGOs focusing on human rights (including those on children's rights).

(c) *Ethnic Minorities Forum*

84. The Forum provides a channel of communication between the HKSAR Government and Hong Kong's ethnic minority communities and organisations dedicated to serving them. It helps to identify the concerns and needs of the ethnic communities and discuss possible ways of addressing them.

85. The agenda and notes of the meetings of the above forums are publicly available on the HKSAR Government website.

**Reporting process**

86. The Central People's Government submits reports in respect of the HKSAR under various human rights treaties applicable to the HKSAR. Under the established practice, the HKSAR Government would consult the public in the drafting of each report. The HKSAR Government would set out in an outline the broad subject headings and individual topics that it envisages to cover in the report. The outline would be widely distributed to stakeholders, including the LegCo and members of relevant forums, and to the general public through various means such as the HKSAR Government's website. Discussions with members of the relevant forums and NGOs would be arranged. The public are also invited to suggest additional topics that ought to be included in the report. The outline would also be discussed at the LegCo, and usually representatives of interested NGOs would be invited by the LegCo to present their views.

87. Comments and suggestions raised by commentators would be considered. Respective responses of the HKSAR Government would be incorporated in the relevant sections of the reports as appropriate.

88. The HKSAR section of the report will be made available, in both English and Chinese, to stakeholders, including the LegCo and interested NGOs, and will be made available to the public at the Home Affairs Enquiry Centres of District Offices, public libraries and the HKSAR Government website, after the report has been submitted to and made public by the United Nations.

## Follow-up to Concluding Observations of human rights treaty bodies

89. In accordance with the established practice, following the issue of the Concluding Observations by the human rights treaty bodies, we would widely disseminate the Concluding Observations among all levels of society, including the LegCo, the relevant Government bureaux and departments, and other interested parties. At the same time, we would also issue a press release to the media on the Concluding Observations and the preliminary response of the HKSAR Government. The Concluding Observations would also be made available to the public through the HKSAR Government website. We would discuss the Concluding Observations and the HKSAR Government's initial response with the LegCo and relevant forums.

### **Information on non-discrimination and equality**

90. The general legal framework to guarantee non-discrimination and equality before the law, as well as the relevant institutional framework, have been described above in respect of the legal framework for the protection of human rights.

### Equal Opportunities Commission

91. As mentioned above, the EOC is responsible for the implementation of four anti-discrimination ordinances in the HKSAR and promotion of equal opportunities in the respective areas. These ordinances are outlined below.

#### *Anti-discrimination ordinances*

92. The SDO and the Disability Discrimination Ordinance (Cap. 487) (DDO) came into full operation in 1996. Under the SDO, it is unlawful to sexually harass a person or to discriminate against a person on the ground of sex, marital status or pregnancy in the specified areas of activities. The law applies to both males and females. Under the DDO, it is unlawful to vilify a person with a disability in public, or discriminate against or harass a person on the ground of disability in the specified areas of activities.

93. The Family Status Discrimination Ordinance (Cap. 527) came into force in 1997. Under this Ordinance, it is unlawful to discriminate against a person on the ground of family status. Family status means the status of having a responsibility for the care of an

immediate family member. Immediate family member, in relation to a person, means someone who is related to the person concerned by blood, marriage, adoption or affinity.

94. The Race Discrimination Ordinance (Cap. 602) came into full operation in 2009. Race in relation to a person means the race, colour, descent or national or ethnic origin of the person. It is unlawful under the Ordinance to vilify a person on the ground of race in public, or discriminate against or harass a person on the ground of race in specified areas of activities.

95. The areas of activities covered by the four above-mentioned ordinances are broadly the same, including employment, education, provision of goods, facilities or services, disposal or management of premises, eligibility to vote for and to stand for election of public bodies, and membership of clubs.

#### *Investigation and Conciliation*

96. The EOC investigates complaints lodged under the four ordinances and encourages conciliation between the parties in dispute. Where conciliation fails, a complainant may apply to the EOC for other forms of assistance including legal assistance. The EOC also conducts formal investigation into discriminatory practices where appropriate.

#### *Education and Promotion*

97. The EOC is committed to promoting the concept of equal opportunities through education and promotion. The EOC builds partnerships with the HKSAR Government and NGOs in working towards the elimination of discrimination. Public education and publicity programmes to raise awareness and promote better understanding of equal opportunities concepts include organising talks, seminars and workshops for different target groups, publishing half-yearly journals and printing promotional leaflets, organising roadshows and exhibitions, putting together activity programmes and arranging drama performances for students and producing TV and radio announcements and programmes. Other than traditional media, the EOC also leverages on new media, such as mobile applications and social media for its promotion. In order to encourage community participation, the Community Participation Funding Programme on Equal Opportunities is in place to assist community groups to organise their own activities to promote equal opportunities. The EOC also seeks to

achieve its vision through partnership projects with all sectors in the community. Calendar and tailor-made training programmes are conducted to raise awareness of discrimination and harassment within organisations and Government departments, as well as to equip them with the skills to deal with the situation should such problems arise.

### *Research*

98. The EOC commissions various research studies and baseline surveys to examine why discrimination takes place, the overall attitudes and perceptions of equal opportunities within the community. The research studies will help the EOC to develop its strategy, monitor the attitude change and provide benchmarks for future studies.

### *Review of relevant legislation and issuing codes of practice and guidelines*

99. The EOC keeps under review the anti-discrimination ordinances and submits proposals for amendments to the HKSAR Government as it thinks fit. It also issues codes of practice under the ordinances and other guidelines. The Codes of Practice on Employment are issued to assist employers and employees in understanding their responsibilities under the ordinances and to provide practical guidelines to management on procedures and practices that can help prevent discrimination and other unlawful acts in the workplace.

100. Copies of the codes of practice under the four ordinances as well as a series of other publications explaining the provisions of the ordinances are available at the EOC office and its website. The EOC website also provides up-to-date information on equal opportunities issues in the HKSAR and international developments and trends.

### Promotion of non-discrimination and equality

#### *Women*

101. We strive to implement the principles of CEDAW and promote public awareness of the Convention.

102. The HKSAR Government set up the Women's Commission (WoC) in 2001 as a high-level central mechanism to advise and assist the HKSAR Government on women's issues and to champion women's interests. The WoC is tasked with taking a strategic overview on



women issues, developing a long-term vision and strategy for the development and advancement of women, and advising the HKSAR Government on policies and initiatives which are of concern to women.

103. To achieve its mission of enabling women in the HKSAR to fully realise their due status, rights and opportunities in all aspects of life, the WoC has adopted a three-pronged strategy, namely the provision of an enabling environment, empowerment of women through capacity building and public education, and promoting the interest and well-being of women. Apart from offering advice to the HKSAR Government on women-related policies and initiatives, the WoC also commissions researches and surveys, organises publicity and public education programmes and maintains close liaison with women's groups and different sectors of the community with a view to promoting interests of women in the HKSAR.

#### *Ethnic minorities*

104. In respect of the promotion of racial equality, besides legislation, we believe that public education and support services are also important for better integration of ethnic minorities into the community. We have, over the years, launched various initiatives to promote racial harmony and to assist integration of the ethnic minorities in the HKSAR.

105. The Committee on the Promotion of Racial Harmony advises the HKSAR Government on public education and publicity in this area. The Race Relations Unit of the Home Affairs Department serves as the secretariat to the Committee and liaises with the ethnic minority communities.

106. Various bureaux/departments of the HKSAR Government and public bodies have been providing public services to meet the needs of ethnic minorities according to their respective policy purview and service area, e.g. education, employment, housing and social welfare. The Home Affairs Department operates a number of programmes to facilitate the integration of ethnic minorities into community, either by organising activities or through sponsoring the work of NGOs. Since 2009, we have provided funding to NGOs for operating a total of six support service centres for ethnic minorities and two sub-centres in the HKSAR. They provide Chinese and English language training, orientation programmes, counselling and referral services, interest classes, and other support services to ethnic minorities. One of the centres also provides telephone and on-site interpretation services to facilitate ethnic

minorities' access to public services. Other programmes include language programmes, integration activities, radio programmes in the languages of the ethnic minorities, and community teams to provide support services to the ethnic minority groups.

107. In 2010, the HKSAR Government also issued the Administrative Guidelines on Promotion of Racial Equality to provide general guidance to concerned Government bureaux and departments and public authorities to promote racial equality and ensure equal access by ethnic minorities to public services in key areas concerned, and to take this into account in their formulation, implementation and review of policies and measures. In 2010, the scope of application of the Guidelines covered 14 Government bureaux and departments and public authorities, and it was extended to cover 23 in 2015. The HKSAR Government will keep the scope and coverage of the Guidelines under review.

#### *Children's rights*

108. Matters concerning children cover a wide range of policies, and they are taken care of by the respective policy bureaux of the HKSAR Government. The best interests of the child are necessary considerations in all relevant decision-making, including legislative proposals and policies, and are taken into account as a matter of course. Advice would be sought from the DoJ on human rights and international law where necessary to ensure compliance.

109. Certain child-related policies and measures may involve more than one bureau or department. Mechanisms are in place within the HKSAR Government for co-ordinating and handling policies and measures that involve different bureaux and departments to ensure that adequate consideration is given to the interests of children.

110. The Children's Rights Education Funding Scheme provides financial support for community organisations to carry out educational projects to raise public awareness and understanding of the Convention on the Rights of the Child and the children's rights enshrined in it. The Scheme accepts open application for funding on an annual basis.

#### *People of different sexual orientation and transgender persons*

111. The HKSAR Government is committed to fostering the culture and values of inclusiveness and mutual respect and promoting

equal opportunities for people of different sexual orientation and transgender persons. The publicity and educational measures include, among others, implementing the Equal Opportunities (Sexual Orientation) Funding Scheme which provides funding support to worthwhile community projects that promote equal opportunities on grounds of sexual orientation or gender identity, or provide support services for the sexual minorities; promoting the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation; maintaining a hotline for enquiries and complaints on issues relating to sexual orientation and gender identity; and producing and broadcasting television programme and API on television and radio, and launching advertising campaigns on different media to promote the message of “eliminate discrimination, embrace inclusion” for people of different sexual orientation and transgender persons.

112. In June 2013, the HKSAR Government established the Advisory Group on Eliminating Discrimination against Sexual Minorities to provide advice on strategies and measures to eliminate discrimination. During its term, the Advisory Group had taken stock of the major developments in Hong Kong on issues of concern to sexual minorities, conducted a qualitative study on discrimination faced by sexual minorities, carried out research on the relevant experience and legislation in other jurisdictions, met with stakeholder groups, and recommended to the HKSAR Government in December 2015 a series of strategies and measures. We are actively following up on the recommendations of the Advisory Group.

#### *Persons with disabilities*

113. The CRPD entered into force for the People’s Republic of China, including the HKSAR, on 31 August 2008. States Parties undertake to adopt all appropriate legislative, administrative and other measures for the implementation of the rights of persons with disabilities recognised in the Convention. With the DDO affording protection against discrimination on the ground of disability, and the Mental Health Ordinance (Cap. 136) safeguarding the rights of mentally incapacitated persons, the HKSAR has been well positioned to meet the objectives of this Convention.

114. Measures have been taken to ensure that all bureaux and departments are fully aware of the need to take due account of the Convention’s provisions in formulating policies and implementing programmes. The HKSAR Government works with the Rehabilitation

Advisory Committee (the principal advisory body to the HKSAR Government on matters pertaining to the well-being of persons with disabilities and the development and implementation of rehabilitation policies and services in the HKSAR), the rehabilitation sector and the community at large to ensure compliance with the Convention, to provide support to promote participation by persons with disabilities in society, and to facilitate the enjoyment of their rights under this Convention. The HKSAR Government has also been actively promoting the spirit and core values of this Convention to the community.

## Demographic indicators and social, economic and cultural indicators

### **A. Demographic Indicators**

#### **(a) : Population size**

Mid-year	Population size
2011	7 071 600
2012	7 150 100
2013	7 178 900
2014	7 229 500
2015	7 291 300
2016	7 336 600
2017	7 391 700

Note: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, figures from 2012 to 2015 have been revised accordingly.

#### **(b) : Population growth rate**

Mid-year	Population growth rate
2011	0.7%
2012	1.1%
2013	0.4%
2014	0.7%
2015	0.9%
2016	0.6%
2017	0.8%

Note: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, figures from 2012 to 2015 have been revised accordingly.

#### **(c) : Population Density<sup>(1)</sup> by Area**

	Persons per sq. km				
	2012	2013	2014	2015	2016
Hong Kong Island	16 000	15 920	15 810	15 660	15 690
Kowloon	45 710	45 970	46 680	46 950	47 750
New Territories and Islands	3 910	3 930	3 950	4 020	4 020
Total	6 620	6 640	6 680	6 740	6 780

Notes: Figures refer to end-June of the year.

The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, figures from 2012 to 2015 have been revised accordingly.

<sup>(1)</sup> Excluding marine population and area of reservoirs.

**(d) : Population aged 5 and over by usual spoken language and ethnicity, 2016**

Ethnicity	Usual spoken language/dialect								Total
	Cantonese	English	Putonghua	Other Chinese dialects	Filipino	Indonesian	Japanese	Others	
Chinese	6 093 771	43 733	123 813	219 446	356	1 931	587	1 915	6 485 552
Filipino	7 168	150 405	396	133	24 237	-	-	564	182 903
Indonesian	109 258	20 554	5 853	492	1	16 208	-	736	153 102
Indian	2 225	12 868	45	-	22	367	-	18 553	34 080
Nepalese	382	1 678	-	-	52	-	18	21 766	23 896
Japanese	693	1 505	54	-	-	13	7 077	42	9 384
Thai	7 323	469	58	76	1	-	-	2 210	10 137
Pakistani	826	2 243	9	-	25	-	-	13 437	16 540
Korean	445	1 962	72	40	-	-	63	3 306	5 888
Other Asian	5 260	2 877	35	126	7	24	-	4 485	12 814
White	1 688	44 132	83	65	-	-	15	8 670	54 653
Others	35 661	17 991	988	869	637	604	346	2 924	60 020
Total	6 264 700	300 417	131 406	221 247	25 338	19 147	8 106	78 608	7 048 969

Note: The figures exclude mute persons.

**(e) : Population by ethnicity, sex and age group, 2016**

Ethnicity/Sex		Age group							Total
		< 15	15 - 24	25 - 34	35 - 44	45 - 54	55 - 64	65+	
Chinese	Male	400 960	382 027	437 523	433 613	511 391	539 126	533 298	3 237 938
	Female	376 635	367 056	477 688	522 531	612 855	548 454	609 045	3 514 264
	Total	777 595	749 083	915 211	956 144	1 124 246	1 087 580	1 142 343	6 752 202
Filipino	Male	1 469	1 116	2 041	2 511	2 409	854	526	10 926
	Female	1 580	2 727	57 490	64 741	36 971	8 327	1 319	173 155
	Total	3 049	3 843	59 531	67 252	39 380	9 181	1 845	184 081
Indonesian	Male	71	196	245	411	161	175	533	1 792
	Female	233	7 079	68 786	64 223	9 534	746	906	151 507
	Total	304	7 275	69 031	64 634	9 695	921	1 439	153 299
Indian	Male	2 845	1 726	4 351	4 160	2 348	810	1 425	17 665
	Female	3 219	2 032	4 720	4 480	1 998	915	1 433	18 797
	Total	6 064	3 758	9 071	8 640	4 346	1 725	2 858	36 462
Nepalese	Male	2 310	2 086	2 235	3 203	2 380	524	450	13 188
	Female	1 773	1 901	2 809	3 439	1 545	554	263	12 284
	Total	4 083	3 987	5 044	6 642	3 925	1 078	713	25 472
Japanese	Male	822	204	700	1 081	1 055	785	323	4 970
	Female	800	204	839	1 342	1 219	272	330	5 006
	Total	1 622	408	1 539	2 423	2 274	1 057	653	9 976
Thai	Male	161	102	144	401	274	181	73	1 336
	Female	253	178	697	1 662	2 877	2 241	971	8 879
	Total	414	280	841	2 063	3 151	2 422	1 044	10 215
Pakistani	Male	2 717	2 076	1 504	2 385	975	274	457	10 388
	Female	2 610	1 407	1 196	1 467	563	287	176	7 706
	Total	5 327	3 483	2 700	3 852	1 538	561	633	18 094
Korean	Male	480	239	451	836	382	263	94	2 745
	Female	382	312	876	940	629	277	148	3 564
	Total	862	551	1 327	1 776	1 011	540	242	6 309
Other Asian	Male	625	342	1 261	1 304	561	544	445	5 082
	Female	472	435	2 116	2 335	1 345	741	754	8 198
	Total	1 097	777	3 377	3 639	1 906	1 285	1 199	13 280
White	Male	4 661	2 042	6 347	8 607	7 799	4 736	2 824	37 016
	Female	4 370	1 734	4 507	4 499	3 212	1 779	1 092	21 193
	Total	9 031	3 776	10 854	13 106	11 011	6 515	3 916	58 209
Others	Male	11 168	4 614	3 940	4 058	3 285	2 673	2 578	32 316
	Female	9 839	4 146	5 002	6 869	4 334	2 790	3 690	36 670
	Total	21 007	8 760	8 942	10 927	7 619	5 463	6 268	68 986
Total	Male	428 289	396 770	460 742	462 570	533 020	550 945	543 026	3 375 362
	Female	402 166	389 211	626 726	678 528	677 082	567 383	620 127	3 961 223
	Total	830 455	785 981	1 087 468	1 141 098	1 210 102	1 118 328	1 163 153	7 336 585

**(f) : Population by age group and sex, mid-2013 to mid-2017**

Age group	Mid-2013			Mid-2014			Mid-2015			Mid-2016			Mid-2017		
	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes
0 - 4	134 200	125 500	259 700	137 400	128 100	265 500	146 200	135 600	281 800	144 800	134 700	279 500	143 300	133 700	277 000
5 - 9	127 900	120 200	248 100	136 000	126 700	262 700	145 000	134 200	279 200	151 200	140 600	291 800	158 500	146 300	304 800
10-14	149 200	139 500	288 700	141 500	133 800	275 300	136 000	129 400	265 400	132 300	126 900	259 200	134 300	128 700	263 000
15-19	208 700	197 000	405 700	198 500	188 000	386 500	186 600	175 800	362 400	176 500	164 400	340 900	163 500	152 300	315 800
20-24	226 300	231 200	457 500	223 800	227 000	450 800	222 600	226 100	448 700	220 300	224 800	445 100	217 900	223 700	441 600
25-29	221 800	294 700	516 500	224 200	290 800	515 000	226 000	287 600	513 600	227 700	282 500	510 200	230 100	275 500	505 600
30-34	231 900	341 400	573 300	233 000	346 000	579 000	233 800	345 000	578 800	233 000	344 200	577 200	229 000	341 200	570 200
35-39	229 500	328 800	558 300	226 800	329 500	556 300	225 300	334 000	559 300	228 000	343 300	571 300	230 600	351 800	582 400
40-44	239 800	337 700	577 500	239 700	338 400	578 100	239 200	339 100	578 300	234 600	335 200	569 800	233 500	337 500	571 000
45-49	270 800	337 000	607 800	258 000	329 100	587 100	246 100	323 800	569 900	240 200	326 800	567 000	239 000	330 900	569 900
50-54	313 800	340 400	654 200	310 600	347 900	658 500	303 800	351 300	655 100	292 900	350 200	643 100	281 600	344 400	626 000
55-59	281 100	288 000	569 100	291 600	299 200	590 800	300 900	309 400	610 300	306 800	316 200	623 000	306 900	320 700	627 600
60-64	219 900	222 700	442 600	227 500	232 600	460 100	234 100	239 800	473 900	244 100	251 200	495 300	257 600	264 600	522 200
65-69	148 700	146 400	295 100	163 000	163 300	326 300	180 300	182 800	363 100	196 500	199 200	395 700	204 000	208 300	412 300
70-74	109 500	103 600	213 100	109 600	101 900	211 500	110 300	103 400	213 700	112 200	108 600	220 800	124 900	124 800	249 700
75-79	100 400	109 800	210 200	99 900	109 400	209 300	101 200	108 300	209 500	101 200	105 200	206 400	97 900	100 200	198 100
80-84	69 300	88 300	157 600	73 300	91 400	164 700	73 800	92 400	166 200	74 100	92 900	167 000	76 500	94 900	171 400
85+	47 100	96 800	143 900	50 100	101 900	152 000	54 400	107 700	162 100	59 000	114 300	173 300	63 400	119 700	183 100
<b>Total</b>	<b>3 329 900</b>	<b>3 849 000</b>	<b>7 178 900</b>	<b>3 344 500</b>	<b>3 885 000</b>	<b>7 229 500</b>	<b>3 365 600</b>	<b>3 925 700</b>	<b>7 291 300</b>	<b>3 375 400</b>	<b>3 961 200</b>	<b>7 336 600</b>	<b>3 392 500</b>	<b>3 999 200</b>	<b>7 391 700</b>

Note: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, figures from mid-2013 to mid-2015 have been revised accordingly.



**(g) : Dependency ratio**

Year	Child dependency ratio <sup>(1)</sup>	Elderly dependency ratio <sup>(2)</sup>	Overall dependency ratio <sup>(3)</sup>
2011	155	177	333
2012	152	183	335
2013	149	190	339
2014	150	198	348
2015	154	208	363
2016	155	218	373
2017 <sup>#</sup>	158	228	386

## Notes:

<sup>(1)</sup> The number of persons aged under 15 per 1 000 persons aged between 15 and 64.

<sup>(2)</sup> The number of persons aged 65 and over per 1 000 persons aged between 15 and 64.

<sup>(3)</sup> The number of persons aged under 15 and aged 65 and over per 1 000 persons aged between 15 and 64.

The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, figures from 2012 to 2015 have been revised accordingly.

**(h) : Statistics on Births**

	2010	2011	2012	2013	2014	2015	2016
Number of births							
Male	47 366	51 286	48 777	29 806	32 262	31 218	31 724
Female	41 218	44 165	42 781	27 278	30 043	28 660	29 132
Total	88 584	95 451	91 558	57 084	62 305	59 878	60 856
Crude birth rate (per 1 000 population)	12.6	13.5	12.8	8.0	8.6	8.2	8.3

Note: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, population-related figures from 2012 to 2015 have been revised accordingly.

**(i) : Death statistics**

Age	2012				2013				2014				2015				2016			
	SEX				SEX				SEX				SEX				SEX			
	Male	Female	Unknown	TOTAL	Male	Female	Unknown	TOTAL	Male	Female	Unknown	TOTAL	Male	Female	Unknown	TOTAL	Male	Female	Unknown	TOTAL
0	68	68	1	137	65	35	0	100	44	59	0	103	51	34	0	85	59	50	0	109
01-04	16	17	0	33	19	21	0	40	21	22	0	43	19	9	0	28	21	18	0	39
05-09	15	15	0	30	17	13	0	30	11	9	0	20	10	10	0	20	12	8	0	20
10-14	20	11	0	31	17	11	0	28	12	15	0	27	12	9	0	21	11	10	0	21
15-19	48	15	0	63	35	26	0	61	41	21	0	62	21	26	0	47	38	27	0	65
20-24	99	36	0	135	69	37	0	106	62	31	0	93	84	32	0	116	71	38	0	109
25-29	97	51	0	148	96	66	0	162	85	48	0	133	74	50	0	124	106	53	0	159
30-34	142	93	0	235	153	101	0	254	127	102	0	229	124	92	0	216	145	88	0	233
35-39	211	156	0	367	216	137	0	353	207	120	0	327	172	138	0	310	190	131	0	321
40-44	344	268	0	612	285	242	0	527	330	207	0	537	360	260	0	620	294	251	0	545
45-49	578	408	0	986	551	379	0	930	527	358	0	885	472	388	0	860	478	343	0	821
50-54	999	574	0	1 573	961	589	0	1 550	960	573	0	1 533	964	634	0	1 598	910	608	0	1 518
55-59	1 424	761	0	2 185	1 461	793	0	2 254	1 524	804	0	2 328	1 536	829	0	2 365	1 624	808	0	2 432
60-64	1 822	798	0	2 620	1 841	867	0	2 708	1 890	904	0	2 794	1 891	945	0	2 836	2 044	1 001	0	3 045
65-69	1 824	802	0	2 626	1 876	850	0	2 726	1 982	940	0	2 922	2 257	1 117	0	3 374	2 484	1 171	0	3 655
70-74	2 595	1 148	0	3 743	2 466	1 087	0	3 553	2 451	1 014	0	3 465	2 331	1 000	0	3 331	2 415	1 048	0	3 463
75-79	3 995	2 177	0	6 172	3 621	2 021	0	5 642	3 575	2 061	0	5 636	3 516	2 015	0	5 531	3 497	1 802	0	5 299
80-84	4 360	3 353	0	7 713	4 265	3 238	0	7 503	4 596	3 364	0	7 960	4 533	3 225	0	7 758	4 465	3 105	0	7 570
85+	5 810	8 679	0	14 489	6 111	8 735	0	14 846	6 488	9 485	0	15 973	6 925	9 918	0	16 843	7 252	10 195	0	17 447
Unknown	13	3	3	19	13	7	4	24	13	3	1	17	13	9	3	25	23	7	4	34
<b>TOTAL</b>	<b>24 480</b>	<b>19 433</b>	<b>4</b>	<b>43 917</b>	<b>24 138</b>	<b>19 255</b>	<b>4</b>	<b>43 397</b>	<b>24 946</b>	<b>20 140</b>	<b>1</b>	<b>45 087</b>	<b>25 365</b>	<b>20 740</b>	<b>3</b>	<b>46 108</b>	<b>26 139</b>	<b>20 762</b>	<b>4</b>	<b>46 905</b>

**(j) : Life expectancy**

	2010	2011	2012	2013	2014	2015	2016
Expectation of life at birth							
Male	80.1	80.3	80.7	81.1	81.2	81.4	81.3
Female	86.0	86.7	86.4	86.7	86.9	87.3	87.3

Note: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, population-related figures from 2012 to 2015 have been revised accordingly.

**(k) : Fertility rate**

	2010	2011	2012	2013	2014	2015	2016
Total fertility rate (Number of live births per 1 000 women)	1 127	1 204	1 285	1 125	1 235	1 196	1 205

Note: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, population-related figures from 2012 to 2015 have been revised accordingly.

**(l) : Statistics on domestic households**

Period	Number of domestic households ('000)	Average domestic household size
2012	2 386.2	2.9
2013	2 407.3	2.9
2014	2 432.4	2.9
2015	2 471.1	2.9
2016	2 498.9	2.8

Note: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, population-related figures from 2012 to 2015 have been revised accordingly.

(m) :

**Proportion of single-parent households and proportion of domestic households with female household head, 2006**

	No. of domestic households	Domestic households with female household head <sup>(2)</sup>	Domestic households with single parent <sup>(1)</sup>	Proportion of domestic households with female household head <sup>(2)</sup>	Proportion of single-parent <sup>(1)</sup> households
Total	2 226 546	975 971	76 290	43.8	3.4

**Proportion of single-parent households and proportion of domestic households with female household head, 2011**

	No. of domestic households	Domestic households with female household head <sup>(3)</sup>	Domestic households with single parent <sup>(1)</sup>	Proportion of domestic households with female household head <sup>(3)</sup>	Proportion of single-parent <sup>(1)</sup> households
Total	2 368 796	1 078 228	81 589	45.5	3.4

Notes:

- <sup>(1)</sup> Single parents are defined as mothers or fathers who are never married, widowed, divorced or separated, and living with child(ren) aged under 18 in the same household in the 2011 Population Census. Figures for 2001 and 2006 have been re-compiled based on the above definition of single parents.
- <sup>(2)</sup> The figures of the 2006 Population By-census include 975 971 domestic households with female household head. Among them, there were 332 402 domestic households reported to have more than one household head and at least one female head.
- <sup>(3)</sup> The figures of the 2011 Population Census include 1 078 228 domestic households with female household head. Among them, there were 300 329 domestic households reported to have more than one household head and at least one female head.

## **B. Social, economic and cultural indicators**

### **(a) : Share of average monthly household expenditure on food, housing, health and education**

	2004-05	2009-10	2014-15
Food (excluding meals bought away from home)	9.5%	10.0%	9.4%
Meals bought away from home	16.3%	17.1%	17.9%
Housing	30.6%	32.8%	35.8%
Health <sup>(1)</sup>	2.5%	2.7%	3.0%
Education <sup>(1)</sup>	4.1%	4.3%	3.6%

Note:

<sup>(1)</sup> Refers to “Health” and “Education” under the Classification of Individual Consumption According to Purpose. “Health” covers expenditure on outpatient and hospital services, proprietary medicines and supplies, and medical and health equipment. “Education” covers school fees (but excluding those for interest and sports courses) and expenditure on other educational services.

### **(b) : Gini Coefficient (Based on original household income), 2006, 2011 and 2016**

Year	Gini Coefficient
2006	0.533
2011	0.537
2016	0.539

### **(c) : Percentage of Children under 5 years who were Underweight by Sex<sup>(1)</sup>**

	6 months - <9 months <sup>(2)</sup>	12 months - <18 months <sup>(2)</sup>	18 months- <24 months <sup>(2)</sup>	48 months – <60 months <sup>(3)</sup>
Number of male children in the sample with weight recorded within the age interval	1 300	1 273	1 226	16 223
Number & percentage of male children being underweight	25 (1.9%)	29 (2.3%)	26 (2.1%)	267 (1.6%)
No of female children in the sample with weight recorded within the age interval	1 231	1 224	1 164	15 065
Number and percentage of female children being underweight	15 (1.2%)	17 (1.4%)	14 (1.2%)	299 (2.0%)

Note:

<sup>(1)</sup> Underweight was defined as body weight less than the 2 standard deviations below the median weight for age on the World Health Organization 2006 child growth standard. Data was based on the clinical information of children born in <sup>(2)</sup> 2014 (body weight in 6 to 24 months) and <sup>(3)</sup> 2010 (48 to 60 months).

**(d) : Number of registered infant deaths and infant mortality rate by sex, 2012-2016**

Year	Number of registered infant deaths			Infant mortality rate (Number of registered infant deaths per 1 000 registered live births)		
	Male	Female	Total*	Male	Female	Total*
2012	70	66	137	1.4	1.5	1.5
2013	57	39	96	1.9	1.4	1.7
2014	53	53	106	1.7	1.8	1.7
2015	48	41	89	1.5	1.4	1.5
2016	51	50	101	1.6	1.7	1.7

Note: \* Total includes unknown sex.

**Number of registered maternal deaths and maternal mortality ratio, 2012-2016**

Year	Number of registered maternal deaths	Maternal mortality ratio (Number of registered maternal deaths per 100 000 registered live births)
2012	2	2.2
2013	0	0.0
2014	2	3.3
2015	1	1.6
2016	0	0.0

**(e) : Ratio of Legal Termination of Pregnancy to Known Live Births, 2012-2016**

	Year				
	2012	2013	2014	2015	2016
No. of legal termination of pregnancy	11 298	10 653	10 359	9 890	9 481
No. of known live births	91 558	57 084	62 305	59 878	60 856
Ratio	12.3%	18.7%	16.6%	16.5%	15.6%

**(f) : Number of reported cases of HIV/AIDS by age group**

Year	2012		2013		2014		2015		2016	
Age Group	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS
0-14	1	0	1	1	0	0	2	1	0	0
15-44	383	46	422	45	503	47	569	68	497	58
45-64	105	35	114	30	127	52	138	36	159	42
65 and above	22	5	22	8	19	9	14	5	27	11
Unknown	2	0	0	0	2	0	2	0	9	0
Total	513	86	559	84	651	108	725	110	692	111

**Number of reported cases of HIV/AIDS by sex**

Year	2012		2013		2014		2015		2016	
Sex	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS
Male	399	68	444	70	549	83	626	90	596	87
Female	114	18	115	14	102	25	99	20	96	24
Total	513	86	559	84	651	108	725	110	692	111

**(g) : Notifications of Notifiable Infectious Diseases 2012 – 2016**

Disease	Number of Notifications					Notification Rate † (Number of Notifications per 100 000 Population)				
	2012	2013	2014	2015	2016*	2012	2013	2014	2015	2016*
Amoebic dysentery	7	4	11	5	3	0.10	0.06	0.15	0.07	0.04
Bacillary dysentery	59	66	51	44	39	0.83	0.92	0.71	0.60	0.53
Botulism†	0	0	0	0	13	0.00	0.00	0.00	0.00	0.18
Chickenpox	8 589	10 926	7 800	8 746	8 879	120.12	152.20	107.89	119.95	121.02
Chikungunya fever	0	5	2	1	8	0.00	0.07	0.03	0.01	0.11
Cholera	2	2	1	1	3	0.03	0.03	0.01	0.01	0.04
Community-associated methicillin-resistant <i>Staphylococcus aureus</i> infection	815	990	998	1 047	1 168	11.40	13.79	13.80	14.36	15.92
Creutzfeldt-Jakob disease	8	5	8	9	9	0.11	0.07	0.11	0.12	0.12
Dengue fever	53	103	112	114	124	0.74	1.43	1.55	1.56	1.69
Enterovirus 71 infection	59	12	68	56	38	0.83	0.17	0.94	0.77	0.52
Food poisoning:										
Outbreaks	378	316	214	254	213	5.29	4.40	2.96	3.48	2.90
Persons affected	(1 529)	(1 176)	(1 134)	(1 076)	(1 084)	(21.38)	(16.38)	(15.69)	(14.76)	(14.78)
<i>Haemophilus influenzae</i> type b infection (invasive)	1	3	6	0	1	0.01	0.04	0.08	0.00	0.01
Invasive pneumococcal disease	-	-	-	162	189	-	-	-	2.22	2.58
Japanese encephalitis	3	6	5	2	2	0.04	0.08	0.07	0.03	0.03
Legionnaires' disease	28	28	41	66	75	0.39	0.39	0.57	0.91	1.02
Leprosy	5	5	9	3	3	0.07	0.07	0.12	0.04	0.04
Leptospirosis	8	2	1	3	7	0.11	0.03	0.01	0.04	0.10
Listeriosis	26	26	22	22	17	0.36	0.36	0.30	0.30	0.23
Malaria	26	20	23	22	24	0.36	0.28	0.32	0.30	0.33
Measles	8	38	50	18	9	0.11	0.53	0.69	0.25	0.12
Meningococcal infection (invasive)	4	3	5	5	6	0.06	0.04	0.07	0.07	0.08
Mumps	150	127	111	118	110	2.10	1.77	1.54	1.62	1.50
Novel influenza A infection‡	1	3	9	2	5	0.01	0.04	0.12	0.03	0.07
Paratyphoid fever	23	23	26	11	15	0.32	0.32	0.36	0.15	0.20
Psittacosis	5	2	6	2	8	0.07	0.03	0.08	0.03	0.11
Q fever	1	1	0	2	2	0.01	0.01	0.00	0.03	0.03
Rabies	0	0	1	0	0	0.00	0.00	0.01	0.00	0.00
Rubella and congenital rubella syndrome	47	25	14	12	3	0.66	0.35	0.19	0.16	0.04
Scarlet fever	1 500	1 100	1 238	1 210	1 466	20.98	15.32	17.12	16.60	19.98
Shiga toxin-producing <i>Escherichia coli</i> infection	8	2	2	0	6	0.11	0.03	0.03	0.00	0.08
<i>Streptococcus suis</i> infection	7	8	12	9	5	0.10	0.11	0.17	0.12	0.07
Tetanus	3	0	0	1	0	0.04	0.00	0.00	0.01	0.00
Tuberculosis	4 858	4 664	4 705	4 418	4 412	67.94	64.97	65.08	60.59	60.14
Typhoid fever	25	33	27	31	14	0.35	0.46	0.37	0.43	0.19
Typhus and other rickettsial diseases	44	57	45	45	53	0.62	0.79	0.62	0.62	0.72
Viral hepatitis	243	184	192	265	270	3.40	2.56	2.66	3.63	3.68
Whooping cough	20	20	30	50	31	0.28	0.28	0.41	0.69	0.42
Zika Virus Infection	-	-	-	-	2	-	-	-	-	0.03
<b>Total §</b>	<b>17 014</b>	<b>18 809</b>	<b>15 845</b>	<b>16 756</b>	<b>17 232</b>	<b>237.95</b>	<b>262.00</b>	<b>219.17</b>	<b>229.81</b>	<b>234.88</b>

Notes: Number of notified cases refers to notifications of infectious disease cases known to the Department of Health as of 10 November 2017.



No case of Acute poliomyelitis, Anthrax, Diphtheria, Hantavirus infection, Middle East Respiratory Syndrome, Plague, Relapsing fever, Severe Acute Respiratory Syndrome, Smallpox, Viral haemorrhagic fever, West Nile Virus Infection or Yellow fever was reported during the specified years.

Infectious diseases which have been made notifiable during the period include:

<u>Infectious disease</u>	<u>Effective date</u>
Variant Influenza A (H3N2)	17 August 2012
Middle East Respiratory Syndrome	28 September 2012
Invasive pneumococcal disease	9 January 2015
Zika Virus Infection	5 February 2016

The 2016 Population By-census conducted by the Census and Statistics Department from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. Population-related figures from 2012 to 2015 have been revised accordingly.

\* Provisional figures.

† A revised case definition of Botulism has been adopted since May 2016.

‡ Novel influenza A infection has been listed as a notifiable infectious disease since 21 February 2014, which has replaced Influenza A (H2), Variant influenza A (H3N2), Influenza A (H5), Influenza A (H7) and Influenza A (H9).

§ Number of persons affected in food poisoning cases is excluded.

- Not applicable.

**(h) : Persons with chronic diseases by selected type of chronic diseases, sex and age group**

Selected type of chronic diseases	Male								Female								Both sexes							
	Age group				Age group				Age group				Age group				Age group							
	0 - 44		45 - 64		65 +		Total		0 - 44		45 - 64		65 +		Total		0 - 44		45 - 64		65 +		Total	
No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	No. of persons	%*	
Hypertension	9 800	0.6	120 100	11.1	203 900	42.9	333 700	10.0	6 900	0.3	120 100	10.1	247 100	45.4	374 100	9.7	16 700	0.4	240 100	10.6	451 000	44.2	707 800	9.9
Diabetes mellitus	4 000	0.2	63 900	5.9	82 600	17.4	150 600	4.5	5 600	0.3	53 400	4.5	105 700	19.4	164 700	4.3	9 600	0.2	117 400	5.2	188 300	18.5	315 300	4.4
Heart diseases	1 800	0.1	24 900	2.3	52 900	11.1	79 600	2.4	§	§	11 500	1.0	50 500	9.3	63 300	1.6	3 200	0.1	36 300	1.6	103 400	10.1	143 000	2.0
Hypercholesterolemia	2 600	0.1	26 200	2.4	31 500	6.6	60 400	1.8	1 900	0.1	25 400	2.1	47 700	8.8	75 100	1.9	4 500	0.1	51 700	2.3	79 200	7.8	135 400	1.9
Cataract	§	§	3 500	0.3	27 400	5.8	30 900	0.9	§	§	6 000	0.5	43 000	7.9	49 400	1.3	§	§	9 500	0.4	70 400	6.9	80 300	1.1
Cancer	2 200	0.1	10 600	1.0	18 500	3.9	31 300	0.9	4 000	0.2	24 800	2.1	14 300	2.6	43 100	1.1	6 200	0.2	35 400	1.6	32 800	3.2	74 400	1.0
Diseases of the respiratory system	8 300	0.5	7 300	0.7	18 200	3.8	33 800	1.0	5 100	0.2	6 600	0.6	15 100	2.8	26 800	0.7	13 400	0.3	13 900	0.6	33 300	3.3	60 600	0.8
Cerebrovascular disease (Stroke)	§	§	6 300	0.6	21 300	4.5	29 000	0.9	§	§	5 600	0.5	24 900	4.6	30 900	0.8	1 800	0.0	11 900	0.5	46 200	4.5	59 900	0.8
Degenerative	§	§	4 700	0.4	12 600	2.6	18 100	0.5	§	§	12 000	1.0	20 600	3.8	33 300	0.9	1 600	0.0	16 700	0.7	33 100	3.2	51 400	0.7
Thyroid disease	§	§	5 100	0.5	2 500	0.5	8 900	0.3	6 100	0.3	13 000	1.1	11 300	2.1	30 400	0.8	7 400	0.2	18 100	0.8	13 900	1.4	39 300	0.5
Gastrointestinal	§	§	5 900	0.5	7 400	1.5	14 300	0.4	§	§	6 600	0.6	7 600	1.4	15 300	0.4	2 100	0.1	12 500	0.6	15 000	1.5	29 600	0.4
Liver diseases	2 800	0.2	14 300	1.3	2 200	0.5	19 300	0.6	§	§	6 800	0.6	2 700	0.5	10 100	0.3	3 500	0.1	21 100	0.9	4 900	0.5	29 400	0.4

Notes: \* As a percentage of all persons in the respective sex and age sub-groups.

§ Statistics are not released due to large sampling errors.

0.0 Means less than 0.05%

Source: Survey on Persons with Disabilities and Chronic Diseases, 2013. (The survey is conducted on an *ad hoc* basis and was conducted once only during the last five years.)

**(i) : Number of registered deaths by ten leading causes of death by age group, 2012-2016  
(Ranking is according to the number of registered deaths in 2016)**

Rank	Disease group	Age group	Number of registered deaths				
			2012	2013	2014	2015	2016
1	Malignant neoplasms (ICD10: C00-C97)	0-14	20	23	32	25	16
		15-44	497	487	442	525	470
		45-64	3 907	3 960	4 061	4 172	4 138
		65 and above	8 912	9 118	9 267	9 594	9 585
		Total‡	13 336	13 589	13 803	14 316	14 209
2	Pneumonia (ICD10: J12-J18)	0-14	5	6	9	5	5
		15-44	51	58	49	42	57
		45-64	349	332	371	358	434
		65 and above	6 555	6 434	7 072	7 599	7 795
		Total‡	6 960	6 830	7 502	8 004	8 292
3	Diseases of heart (ICD10: I00-I09, I11, I13, I20-I51)	0-14	9	7	14	7	11
		15-44	129	113	133	119	128
		45-64	852	881	910	873	924
		65 and above	5 292	4 833	5 347	5 191	5 136
		Total‡	6 283	5 834	6 405	6 190	6 201
4	Cerebrovascular diseases (ICD10: I60-I69)	0-14	6	5	9	2	6
		15-44	82	58	67	59	71
		45-64	396	402	466	428	405
		65 and above	2 792	2 786	2 793	2 769	2 742
		Total‡	3 276	3 252	3 336	3 259	3 224
5	External causes of morbidity and mortality* (ICD10: V01-Y89)	0-14	15	25	16	11	19
		15-44	479	564	506	522	434
		45-64	478	564	558	589	524
		65 and above	679	703	750	866	831
		Total‡	1 655	1 860	1 834	1 993	1 813
6	Nephritis, nephrotic syndrome and nephrosis (ICD10: N00-N07, N17-N19, N25-N27)	0-14	2	1	1	1	1
		15-44	21	14	16	18	11
		45-64	159	148	151	160	168
		65 and above	1 447	1 426	1 516	1 476	1 525
		Total‡	1 629	1 589	1 684	1 655	1 706
7	Chronic lower respiratory diseases† (ICD10: J40-J47)	0-14	1	3	2	2	1
		15-44	18	9	8	8	12
		45-64	99	110	109	100	89
		65 and above	1 863	1 621	1 622	1 550	1 537
		Total‡	1 981	1 743	1 742	1 660	1 639
8	Dementia (ICD10: F01-F03)	0-14	0	0	0	0	0
		15-44	0	0	0	0	0
		45-64	8	6	17	10	15
		65 and above	896	993	1 095	1 135	1 356
		Total	904	999	1 112	1 145	1 371
9	Septicaemia (ICD10: A40-A41)	0-14	10	8	8	6	5
		15-44	17	21	12	12	16
		45-64	89	85	71	83	100
		65 and above	721	738	793	790	849
		Total	837	852	884	891	970
10	Diabetes mellitus (ICD10: E10-E14)	0-14	0	1	0	0	0
		15-44	11	8	10	13	9
		45-64	58	60	57	68	81
		65 and above	329	291	323	411	408
		Total	398	360	390	492	498
All other causes		0-14	156	114	112	103	111
		15-44	199	239	241	233	195
		45-64	892	945	973	983	973
		65 and above	5 155	5 172	5 681	5 814	5 445
		Total‡	6 413	6 491	7 018	7 152	6 739
All causes		0-14	224	193	203	162	175
		15-44	1 504	1 571	1 484	1 551	1 403
		45-64	7 287	7 493	7 744	7 824	7 851
		65 and above	34 641	34 115	36 259	37 195	37 209
		Total‡	43 672	43 399	45 710	46 757	46 662

Notes: Classification of diseases and causes of death is based on the International Statistical Classification of Diseases and Related Health Problems (ICD) 10th Revision from 2001 onwards.

\* According to the ICD 10th Revision, when the morbid condition is classifiable under Chapter XIX as “injury, poisoning and certain other consequences of external causes”, the codes under Chapter XX for “external causes of morbidity and mortality” should be used as the primary cause of death.

† Chronic lower respiratory diseases have been included as a disease group for the purpose of ranking the causes of death since 2001.

‡ Including unknown age.

**(i) (cont'd) : Number of registered deaths by ten leading causes of death by sex, 2012-2016**  
**(Ranking is according to the number of registered deaths in 2016)**

Rank	Disease group	Sex	Number of registered deaths				
			2012	2013	2014	2015	2016
1	Malignant neoplasms (ICD10: C00-C97)	Male	7 933	7 934	8 223	8 345	8 447
		Female	5 403	5 655	5 580	5 971	5 762
		Total	13 336	13 589	13 803	14 316	14 209
2	Pneumonia (ICD10: J12-J18)	Male	3 683	3 690	4 038	4 223	4 393
		Female	3 277	3 140	3 464	3 781	3 899
		Total	6 960	6 830	7 502	8 004	8 292
3	Diseases of heart (ICD10: I00-I09, I11, I13, I20-I51)	Male	3 398	3 210	3 510	3 349	3 396
		Female	2 885	2 624	2 895	2 841	2 805
		Total	6 283	5 834	6 405	6 190	6 201
4	Cerebrovascular diseases (ICD10: I60-I69)	Male	1 680	1 657	1 717	1 671	1 666
		Female	1 596	1 595	1 619	1 588	1 558
		Total	3 276	3 252	3 336	3 259	3 224
5	External causes of morbidity and mortality* (ICD10: V01-Y89)	Male	1 069	1 202	1 175	1 279	1 176
		Female	585	658	659	714	637
		Total‡	1 655	1 860	1 834	1 993	1 813
6	Nephritis, nephrotic syndrome and nephrosis (ICD10: N00-N07, N17-N19, N25-N27)	Male	799	763	813	812	840
		Female	830	826	871	843	866
		Total	1 629	1 589	1 684	1 655	1 706
7	Chronic lower respiratory diseases† (ICD10: J40-J47)	Male	1 470	1 325	1 310	1 275	1 256
		Female	511	418	432	385	383
		Total	1 981	1 743	1 742	1 660	1 639
8	Dementia (ICD10: F01-F03)	Male	337	388	445	455	549
		Female	567	611	667	690	822
		Total	904	999	1 112	1 145	1 371
9	Septicaemia (ICD10: A40-A41)	Male	430	406	383	424	490
		Female	407	446	501	467	480
		Total	837	852	884	891	970
10	Diabetes mellitus (ICD10: E10-E14)	Male	198	181	186	241	246
		Female	200	179	204	251	252
		Total	398	360	390	492	498
All other causes		Male	3 349	3 393	3 578	3 736	3 543
		Female	3 060	3 092	3 436	3 412	3 195
		Total‡	6 413	6 491	7 018	7 152	6 739
All causes		Male	24 346	24 149	25 378	25 810	26 002
		Female	19 321	19 244	20 328	20 943	20 659
		Total‡	43 672	43 399	45 710	46 757	46 662

Notes: Classification of diseases and causes of death is based on the International Statistical Classification of Diseases and Related Health Problems (ICD) 10th Revision from 2001 onwards.

\* According to the ICD 10th Revision, when the morbid condition is classifiable under Chapter XIX as “injury, poisoning and certain other consequences of external causes”, the codes under Chapter XX for “external causes of morbidity and mortality” should be used as the primary cause of death.

† Chronic lower respiratory diseases have been included as a disease group for the purpose of ranking the causes of death since 2001.

‡ Including unknown sex.

**(j) : Net Enrolment Ratio<sup>(1)</sup> by Level and Sex, 2012/13 – 2016/17 School Years**

Level	Sex	Net Enrolment Ratios (%) <sup>(7)</sup>				
		2012/13	2013/14	2014/15	2015/16 <sup>(2)</sup>	2016/17 <sup>(2)</sup>
Primary (P1-P6)	Male	97.2	98.4	98.0	99.5	99.1 <sup>#</sup>
	Female	95.7	96.2	95.3	98.0	97.7 <sup>#</sup>
	Both Sexes	96.5	97.3	96.7	98.8	98.5 <sup>#</sup>
Junior Secondary (S1-S3) <sup>(3)</sup>	Male	87.4	89.9	90.2	94.1	93.3 <sup>#</sup>
	Female	85.2	88.4	89.1	93.1	90.6 <sup>#</sup>
	Both Sexes	86.3	89.1	89.7	93.6	92.0 <sup>#</sup>
Senior Secondary (S4-S6) <sup>(3)(4)(5)(6)</sup>	Male	77.6	77.7	79.4	84.3	86.4 <sup>#</sup>
	Female	79.8	79.3	80.8	88.1	90.8 <sup>#</sup>
	Both Sexes	78.7	78.5	80.0	86.1	88.5 <sup>#</sup>
Secondary (S1-S6) <sup>(3)(4)(5)(6)</sup>	Male	90.3	91.3	92.7	96.8	97.0 <sup>#</sup>
	Female	89.5	90.7	92.1	96.4	96.1 <sup>#</sup>
	Both Sexes	89.9	91.0	92.4	96.6	96.5 <sup>#</sup>

**Notes:**

Figures include students attending in both day and evening schools, special schools and special classes.

- (1) “Net enrolment ratio (NER)” is defined as the total number of students in the theoretical age group for a given level of education enrolled in that level, expressed as a percentage of the total population in that age group. In Hong Kong, the theoretical age groups for primary level, junior secondary level (i.e. Secondary 1-3) and senior secondary level (i.e. Secondary 4-6) are aged 6-11, aged 12-14 and aged 15-17 respectively. Since some children in a theoretical age group could be enrolled across other education levels, the NER is below 100% despite that nine years of free and universal primary and junior secondary education is provided in Hong Kong.
- (2) Hong Kong has been providing nine years of free and universal basic education (six years of primary education and three years of junior secondary education) through public sector primary and secondary schools (including government schools, aided schools and caput schools) since 1978. The minimum age for entering public sector primary education in Hong Kong is five years and eight months as at 1 September of the year, which corresponds to six years old as at 31 December of the year. Starting from the 2015/16 school year, the reference time point for counting of age is shifted to 31 December of the year for compilation of Net Enrolment Ratio to better reflect Hong Kong students’ schooling situation.
- (3) Figures include correctional/residential home under the Social Welfare Department and correctional institutions under the Correctional Services Department.
- (4) Figures include students enrolled in craft level courses and Diploma Yi Jin Programme.
- (5) Figures include secondary day courses operated by private schools offering tutorial, vocational and adult education courses.
- (6) The New Senior Secondary academic structure has been implemented fully from 2011/12 school year onwards. The Net Enrolment Ratio at secondary level from this year is compiled based on school-age population 12-17.
- (7) The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. Population figures from end-2011 to mid-2016 have been revised accordingly. Net Enrolment Ratio has been compiled using the revised population figures.

# Provisional figures

**(k) : School Attendance Rates by Age Group and Sex, 2006, 2011 and 2016**

Age Group	School Attendance Rate (%)								
	2006			2011			2016		
	Male	Female	Both Sexes	Male	Female	Both Sexes	Male	Female	Both Sexes
3 – 5	89.9	88.3	89.1	91.0	91.6	91.3	92.7	92.3	92.5
6 – 11	99.9	99.9	99.9	100.0	100.0	100.0	100.0	100.0	100.0
12 – 17	96.4	97.4	96.9	96.6	97.7	97.1	97.6	98.0	97.8
18 – 24	43.5 (43.5)	41.9 (45.9)	42.7 (44.7)	48.9 (49.0)	49.3 (51.7)	49.1 (50.3)	50.8 (50.8)	52.7 (54.4)	51.8 (52.6)
25+	0.5	0.4	0.4	0.5	0.5	0.5	0.6	0.6	0.6

Note: Figures in brackets are school attendance rates compiled with foreign domestic helpers excluded from the population in the respective age-sex groups.

**(l) : Pupil-Teacher Ratios in Public Sector Primary and Secondary Schools, 2012 - 2016**

	2012	2013	2014	2015	2016
Primary school	14.4	14.2	14.0	14.1	14.2
Secondary school	14.5	13.8	13.0	12.3	11.9

Notes: Figures refer to the position as at mid-September of the respective school years.  
Figures include Government, aided and caput schools, but exclude special schools.

**(m) : Unemployment and Unemployment Rates by Sex and by Age Group**

Sex/Age group	2012		2013		2014		2015		2016	
	Number ( <sup>'000</sup> )	Rate (%)	Number ( <sup>'000</sup> )	Rate (%)	Number ( <sup>'000</sup> )	Rate (%)	Number ( <sup>'000</sup> )	Rate (%)	Number ( <sup>'000</sup> )	Rate (%)
<b>Male</b>										
15 - 19	3.4	15.5	4.0	17.6	2.9	13.3	3.4	15.6	3.6	15.8
20 - 24	14.0	10.2	14.5	10.3	13.6	10.0	14.7	10.7	13.5	10.2
25 - 29	9.1	4.3	9.3	4.5	8.3	4.0	7.9	3.7	10.3	4.9
30 - 34	6.8	3.1	5.8	2.6	5.2	2.3	5.4	2.4	6.2	2.8
35 - 39	6.1	2.7	5.5	2.5	5.3	2.4	4.1	1.9	5.2	2.4
40 - 44	6.6	2.9	6.3	2.8	6.2	2.7	6.2	2.7	5.3	2.4
45 - 49	8.4	3.1	8.7	3.4	7.1	3.0	6.5	2.8	7.6	3.4
50 - 54	9.4	3.4	9.3	3.2	8.2	2.9	7.4	2.7	8.6	3.2
55 - 59	7.0	3.3	8.3	3.6	8.1	3.4	7.2	2.9	8.0	3.2
60 - 64	3.2	2.8	3.2	2.7	4.2	3.3	4.3	3.2	3.8	2.6
≥ 65	0.4	0.9	0.9	1.6	1.9	2.7	1.5	2.0	1.5	1.8
Overall	74.3	3.8	75.8	3.8	71.0	3.6	68.7	3.4	73.7	3.7
<b>Female</b>										
15 - 19	2.3	11.9	2.6	11.3	2.8	11.8	2.9	13.0	2.3	11.5
20 - 24	10.2	7.1	10.6	7.2	10.4	7.5	13.0	9.1	11.7	8.2
25 - 29	6.9	2.6	7.4	2.9	7.3	2.9	7.7	3.1	7.8	3.2
30 - 34	4.6	1.7	5.6	2.0	6.0	2.1	5.2	1.9	5.6	2.0
35 - 39	5.4	2.2	5.6	2.3	4.9	2.0	5.5	2.2	5.2	2.0
40 - 44	6.2	2.6	6.5	2.6	6.4	2.6	6.8	2.7	6.5	2.7
45 - 49	6.0	2.5	6.4	2.7	6.5	2.8	6.9	2.9	6.9	2.9
50 - 54	5.0	2.5	5.2	2.4	6.4	2.9	6.8	3.0	6.9	2.9
55 - 59	2.5	2.0	4.0	3.0	4.1	2.8	4.1	2.7	4.4	2.7
60 - 64	0.8	1.6	1.4	2.6	1.5	2.5	1.5	2.2	1.4	1.9
≥ 65	§	§	§	§	0.4	1.8	0.3	1.2	0.6	2.2
Overall	49.9	2.8	55.3	3.0	56.6	3.0	60.7	3.2	59.3	3.1
<b>Both sexes</b>										
15 - 19	5.8	13.8	6.6	14.5	5.7	12.5	6.3	14.3	5.9	13.8
20 - 24	24.2	8.6	25.1	8.7	24.0	8.7	27.8	9.9	25.2	9.1
25 - 29	16.0	3.4	16.6	3.6	15.6	3.4	15.6	3.4	18.1	4.0
30 - 34	11.3	2.3	11.3	2.3	11.2	2.2	10.6	2.1	11.9	2.4
35 - 39	11.5	2.4	11.1	2.4	10.2	2.2	9.7	2.1	10.5	2.2
40 - 44	12.8	2.7	12.9	2.7	12.6	2.6	13.0	2.7	11.8	2.5
45 - 49	14.4	2.8	15.1	3.0	13.6	2.9	13.4	2.9	14.5	3.1
50 - 54	14.4	3.0	14.4	2.9	14.6	2.9	14.2	2.8	15.4	3.1
55 - 59	9.5	2.8	12.3	3.4	12.2	3.2	11.3	2.8	12.4	3.0
60 - 64	3.9	2.4	4.6	2.7	5.7	3.0	5.8	2.9	5.2	2.4
≥ 65	0.5	0.8	1.1	1.4	2.2	2.5	1.8	1.8	2.1	1.9
Overall	124.3	3.3	131.1	3.4	127.6	3.3	129.4	3.3	133.0	3.4

Notes: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, population-related figures from 2012 to 2015 have been revised accordingly.

§ Statistics are not released due to large sampling errors.

**(n) : Employed Persons by Industry of Main Employment, Age Group and Sex**

Industry/Age group		2012						2013					
		Male		Female		Both Sexes		Male		Female		Both Sexes	
		Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)
Manufacturing	15 - 24	3.4	0.2	1.6	0.1	5.0	0.1	3.6	0.2	1.0	0.1	4.6	0.1
	25 - 39	22.5	1.2	11.1	0.6	33.6	0.9	18.1	0.9	10.3	0.6	28.4	0.8
	≥ 40	63.6	3.4	31.2	1.8	94.9	2.6	63.8	3.3	29.5	1.6	93.3	2.5
	Sub-total	89.5	4.7	43.9	2.5	133.4	3.6	85.4	4.5	40.8	2.3	126.3	3.4
Construction	15 - 24	13.8	0.7	1.7	0.1	15.5	0.4	13.5	0.7	2.1	0.1	15.5	0.4
	25 - 39	74.6	3.9	9.7	0.6	84.3	2.3	78.3	4.1	11.5	0.6	89.8	2.4
	≥ 40	176.3	9.3	13.9	0.8	190.3	5.2	187.6	9.8	16.1	0.9	203.7	5.5
	Sub-total	264.7	14.0	25.3	1.4	290.1	7.9	279.4	14.6	29.6	1.6	309.0	8.3
Import/export trade & wholesale	15 - 24	12.5	0.7	15.3	0.9	27.8	0.8	10.1	0.5	13.5	0.7	23.5	0.6
	25 - 39	91.7	4.8	121.2	6.9	213.0	5.8	80.1	4.2	109.9	6.1	190.0	5.1
	≥ 40	174.7	9.2	146.4	8.3	321.1	8.8	169.2	8.8	139.7	7.7	308.8	8.3
	Sub-total	279.0	14.7	282.9	16.1	561.9	15.4	259.3	13.5	263.1	14.6	522.4	14.0
Retail, accommodation <sup>(1)</sup> & food services <sup>(2)</sup>	15 - 24	43.1	2.3	42.7	2.4	85.7	2.3	44.0	2.3	47.0	2.6	91.0	2.4
	25 - 39	90.3	4.8	113.1	6.4	203.3	5.6	93.7	4.9	115.3	6.4	209.0	5.6
	≥ 40	126.0	6.6	172.0	9.8	298.0	8.1	128.6	6.7	180.6	10.0	309.3	8.3
	Sub-total	259.3	13.7	327.7	18.6	587.0	16.0	266.3	13.9	343.0	19.0	609.3	16.4
Transportation, storage, postal and courier services, information & communications	15 - 24	18.7	1.0	11.2	0.6	29.9	0.8	18.8	1.0	11.1	0.6	29.9	0.8
	25 - 39	112.4	5.9	48.5	2.8	160.9	4.4	115.3	6.0	49.3	2.7	164.6	4.4
	≥ 40	201.0	10.6	42.3	2.4	243.3	6.7	205.2	10.7	44.5	2.5	249.7	6.7
	Sub-total	332.1	17.5	102.0	5.8	434.1	11.9	339.3	17.7	104.9	5.8	444.3	11.9
Financing, insurance, real estate, professional & business services	15 - 24	22.6	1.2	23.8	1.4	46.4	1.3	24.6	1.3	23.0	1.3	47.6	1.3
	25 - 39	138.9	7.3	122.1	6.9	261.0	7.1	138.7	7.2	124.9	6.9	263.6	7.1
	≥ 40	208.0	11.0	175.4	10.0	383.4	10.5	215.4	11.2	187.6	10.4	403.0	10.8
	Sub-total	369.5	19.5	321.3	18.2	690.8	18.9	378.7	19.7	335.5	18.6	714.2	19.2
Public administration, social & personal services	15 - 24	27.6	1.5	54.5	3.1	82.1	2.2	29.8	1.6	59.5	3.3	89.2	2.4
	25 - 39	100.4	5.3	334.9	19.0	435.2	11.9	101.3	5.3	337.5	18.7	438.8	11.8
	≥ 40	154.6	8.2	264.9	15.0	419.5	11.5	160.0	8.3	287.2	15.9	447.1	12.0
	Sub-total	282.6	14.9	654.2	37.1	936.8	25.6	291.1	15.2	684.2	37.9	975.2	26.2
Other industries	15 - 24	0.5	0.0	0.3	0.0	0.8	0.0	0.8	0.0	0.4	0.0	1.2	0.0
	25 - 39	4.2	0.2	1.2	0.1	5.4	0.1	4.6	0.2	1.7	0.1	6.4	0.2
	≥ 40	15.1	0.8	2.7	0.2	17.8	0.5	12.6	0.7	3.2	0.2	15.8	0.4
	Sub-total	19.9	1.0	4.1	0.2	24.0	0.7	18.1	0.9	5.4	0.3	23.4	0.6
Total	15 - 24	142.1	7.5	151.0	8.6	293.1	8.0	145.0	7.6	157.6	8.7	302.6	8.1
	25 - 39	635.0	33.5	761.6	43.2	1 396.6	38.2	630.2	32.9	760.5	42.1	1 390.7	37.3
	≥ 40	1 119.5	59.0	848.8	48.2	1 968.2	53.8	1 142.3	59.6	888.4	49.2	2 030.7	54.5
	Sub-total	1 896.6	100.0	1 761.4	100.0	3 658.0	100.0	1 917.6	100.0	1 806.5	100.0	3 724.0	100.0



**(n) (cont'd) : Employed Persons by Industry of Main Employment, Age Group and Sex**

Industry/Age group		2014						2015					
		Male		Female		Both Sexes		Male		Female		Both Sexes	
		Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)
Manufacturing	15 - 24	4.8	0.2	1.0	0.1	5.8	0.2	3.1	0.2	1.4	0.1	4.5	0.1
	25 - 39	19.3	1.0	9.7	0.5	29.0	0.8	17.5	0.9	8.9	0.5	26.4	0.7
	≥ 40	62.5	3.3	32.7	1.8	95.2	2.5	54.6	2.8	28.0	1.5	82.6	2.2
	Sub-total	86.6	4.5	43.4	2.4	130.0	3.5	75.2	3.9	38.3	2.1	113.5	3.0
Construction	15 - 24	14.3	0.7	1.6	0.1	15.9	0.4	16.2	0.8	1.5	0.1	17.7	0.5
	25 - 39	77.3	4.0	12.1	0.7	89.4	2.4	76.7	4.0	11.4	0.6	88.1	2.3
	≥ 40	187.1	9.7	17.3	0.9	204.3	5.5	190.9	9.9	20.0	1.1	210.9	5.6
	Sub-total	278.7	14.5	31.0	1.7	309.7	8.3	283.7	14.7	32.9	1.8	316.7	8.4
Import/export trade & wholesale	15 - 24	8.7	0.5	12.1	0.7	20.7	0.6	8.5	0.4	9.4	0.5	18.0	0.5
	25 - 39	78.7	4.1	100.8	5.5	179.5	4.8	73.8	3.8	95.6	5.2	169.4	4.5
	≥ 40	166.5	8.7	135.5	7.4	302.0	8.1	159.8	8.3	133.0	7.2	292.8	7.8
	Sub-total	253.9	13.2	248.4	13.6	502.3	13.4	242.1	12.6	238.1	12.9	480.2	12.7
Retail, accommodation <sup>(1)</sup> & food services <sup>(2)</sup>	15 - 24	44.5	2.3	45.5	2.5	90.0	2.4	38.8	2.0	45.1	2.4	83.9	2.2
	25 - 39	100.5	5.2	118.5	6.5	219.0	5.9	95.7	5.0	117.9	6.4	213.6	5.7
	≥ 40	135.3	7.1	189.0	10.4	324.3	8.7	135.2	7.0	192.5	10.4	327.6	8.7
	Sub-total	280.3	14.6	353.0	19.3	633.3	16.9	269.7	14.0	355.5	19.3	625.1	16.6
Transportation, storage, postal and courier services, information & communications	15 - 24	19.8	1.0	10.8	0.6	30.6	0.8	19.6	1.0	10.0	0.5	29.6	0.8
	25 - 39	107.5	5.6	52.7	2.9	160.2	4.3	113.2	5.9	50.6	2.7	163.8	4.3
	≥ 40	206.2	10.7	48.5	2.7	254.8	6.8	209.3	10.9	51.8	2.8	261.1	6.9
	Sub-total	333.5	17.4	112.1	6.1	445.6	11.9	342.1	17.7	112.5	6.1	454.6	12.0
Financing, insurance, real estate, professional & business services	15 - 24	22.9	1.2	23.3	1.3	46.2	1.2	24.0	1.2	23.4	1.3	47.3	1.3
	25 - 39	138.6	7.2	134.0	7.3	272.6	7.3	143.7	7.5	134.8	7.3	278.5	7.4
	≥ 40	219.2	11.4	194.6	10.7	413.8	11.1	223.8	11.6	200.5	10.9	424.4	11.2
	Sub-total	380.7	19.8	351.9	19.3	732.6	19.6	391.5	20.3	358.7	19.4	750.2	19.9
Public administration, social & personal services	15 - 24	26.4	1.4	54.7	3.0	81.2	2.2	30.0	1.6	58.9	3.2	88.9	2.4
	25 - 39	104.0	5.4	335.1	18.4	439.1	11.7	109.2	5.7	338.9	18.4	448.1	11.9
	≥ 40	157.0	8.2	290.2	15.9	447.2	11.9	164.8	8.5	306.7	16.6	471.5	12.5
	Sub-total	287.4	15.0	680.0	37.3	967.4	25.8	304.0	15.8	704.5	38.2	1 008.5	26.7
Other industries	15 - 24	0.7	0.0	0.3	0.0	1.0	0.0	0.8	0.0	0.4	0.0	1.2	0.0
	25 - 39	3.7	0.2	1.6	0.1	5.3	0.1	3.7	0.2	1.2	0.1	4.9	0.1
	≥ 40	13.1	0.7	3.2	0.2	16.3	0.4	15.7	0.8	3.3	0.2	19.0	0.5
	Sub-total	17.5	0.9	5.1	0.3	22.6	0.6	20.2	1.0	4.9	0.3	25.1	0.7
Total	15 - 24	142.1	7.4	149.4	8.2	291.5	7.8	141.0	7.3	150.2	8.1	291.2	7.7
	25 - 39	629.6	32.8	764.4	41.9	1 394.1	37.2	633.5	32.8	759.3	41.1	1 392.8	36.9
	≥ 40	1 147.0	59.8	911.0	49.9	2 057.9	55.0	1 154.0	59.8	935.8	50.7	2 089.8	55.4
	Sub-total	1 918.7	100.0	1 824.8	100.0	3 743.5	100.0	1 928.5	100.0	1 845.3	100.0	3 773.8	100.0

**(n) (cont'd) : Employed Persons by Industry of Main Employment, Age Group and Sex**

Industry/Age group		2016					
		Male		Female		Both Sexes	
		Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)	Number (‘000)	Percentage (%)
Manufacturing	15 - 24	4.1	0.2	1.5	0.1	5.6	0.1
	25 - 39	16.1	0.8	10.6	0.6	26.7	0.7
	≥ 40	58.5	3.0	27.0	1.4	85.5	2.3
	Sub-total	78.7	4.1	39.1	2.1	117.8	3.1
Construction	15 - 24	16.8	0.9	1.8	0.1	18.6	0.5
	25 - 39	84.0	4.4	12.1	0.6	96.1	2.5
	≥ 40	194.2	10.1	19.5	1.0	213.7	5.6
	Sub-total	294.9	15.3	33.4	1.8	328.4	8.7
Import/export trade & wholesale	15 - 24	6.8	0.4	10.2	0.5	17.0	0.4
	25 - 39	69.0	3.6	89.4	4.8	158.4	4.2
	≥ 40	158.7	8.3	131.3	7.0	290.0	7.7
	Sub-total	234.5	12.2	230.9	12.4	465.4	12.3
Retail, accommodation <sup>(1)</sup> & food services <sup>(2)</sup>	15 - 24	41.0	2.1	43.0	2.3	84.0	2.2
	25 - 39	96.4	5.0	111.3	6.0	207.7	5.5
	≥ 40	133.6	6.9	194.3	10.4	327.9	8.7
	Sub-total	270.9	14.1	348.6	18.7	619.5	16.4
Transportation, storage, postal and courier services, information & communications	15 - 24	16.7	0.9	11.0	0.6	27.7	0.7
	25 - 39	112.6	5.9	51.5	2.8	164.0	4.3
	≥ 40	206.9	10.8	51.1	2.7	258.1	6.8
	Sub-total	336.2	17.5	113.6	6.1	449.8	11.9
Financing, insurance, real estate, professional & business services	15 - 24	25.6	1.3	23.5	1.3	49.1	1.3
	25 - 39	141.3	7.3	136.6	7.3	277.9	7.3
	≥ 40	227.1	11.8	208.1	11.2	435.3	11.5
	Sub-total	394.0	20.5	368.3	19.7	762.2	20.1
Public administration, social & personal services	15 - 24	26.7	1.4	57.4	3.1	84.1	2.2
	25 - 39	105.9	5.5	346.2	18.6	452.1	11.9
	≥ 40	160.9	8.4	320.9	17.2	481.9	12.7
	Sub-total	293.6	15.3	724.5	38.8	1 018.1	26.9
Other industries	15 - 24	1.0	0.1	0.5	0.0	1.5	0.0
	25 - 39	4.7	0.2	2.1	0.1	6.8	0.2
	≥ 40	13.7	0.7	4.0	0.2	17.7	0.5
	Sub-total	19.4	1.0	6.6	0.4	26.0	0.7
Total	15 - 24	138.6	7.2	148.9	8.0	287.4	7.6
	25 - 39	629.9	32.8	759.8	40.7	1 389.6	36.7
	≥ 40	1 153.7	60.0	956.4	51.3	2 110.0	55.7
	Sub-total	1 922.1	100.0	1 865.0	100.0	3 787.1	100.0

Notes: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, population-related figures from 2012 to 2015 have been revised accordingly.

Statistics are compiled based on HSIC Version 2.0.

(1) Accommodation services cover hotels, guesthouses, boarding houses and other establishments providing short term accommodation.

(2) The retail, accommodation and food services industries as a whole are generally referred to as the consumption- and tourism-related segment.

0.0 Means less than 0.05%

**(o) : Labour Force and Labour Force Participation Rates by Sex and Age Group**

Sex/Age group	2012		2013		2014		2015		2016	
	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)	Number (‘000)	Rate (%)
<b>Male</b>										
15 - 19	22.2	10.4	22.8	11.0	22.0	11.1	21.7	11.7	22.7	12.9
20 - 24	137.3	61.1	140.7	62.5	136.6	61.4	137.4	62.0	133.0	60.7
25 - 29	211.9	94.4	206.8	93.8	208.0	93.4	210.7	93.7	210.5	92.9
30 - 34	220.8	97.3	223.3	96.9	223.5	96.6	223.9	96.3	222.2	96.0
35 - 39	224.2	96.3	220.6	96.8	217.0	96.4	216.3	96.7	219.0	96.8
40 - 44	230.1	96.0	228.5	95.9	227.8	95.7	227.6	95.7	223.4	95.9
45 - 49	269.6	94.7	256.3	95.2	240.5	93.8	231.0	94.4	224.8	94.2
50 - 54	280.4	90.4	286.2	91.8	282.9	91.7	274.5	90.9	264.1	90.8
55 - 59	209.9	79.0	227.2	81.3	235.7	81.4	245.9	82.2	248.3	81.5
60 - 64	113.7	53.7	120.5	55.3	126.8	56.2	133.8	57.6	146.6	60.5
≥ 65	50.8	11.7	60.4	13.3	68.7	14.5	74.3	14.9	81.2	15.6
Overall	1 970.9	68.7	1 993.4	69.2	1 989.7	68.8	1 997.2	68.8	1 995.8	68.6
<b>Female</b>										
15 - 19	19.7	9.7	22.7	11.5	23.5	12.5	22.5	12.8	20.1	12.3
20 - 24	143.8	62.2	148.1	64.2	139.1	61.4	143.7	63.6	142.7	63.6
25 - 29	263.9	87.3	254.6	86.5	250.5	86.3	246.0	85.7	243.2	86.2
30 - 34	267.1	80.4	277.5	81.4	281.2	81.4	279.7	81.2	276.4	80.5
35 - 39	247.5	74.8	246.8	75.2	250.9	76.3	252.0	75.6	258.7	75.5
40 - 44	242.6	72.7	250.0	74.2	248.3	73.6	250.9	74.1	246.1	73.6
45 - 49	241.3	68.9	239.7	71.3	237.7	72.4	237.1	73.4	238.4	73.2
50 - 54	199.9	60.9	216.8	63.9	223.0	64.3	229.9	65.6	235.6	67.5
55 - 59	123.8	45.5	135.1	47.1	145.7	48.9	153.8	49.9	160.7	51.1
60 - 64	47.5	22.2	53.1	24.0	61.5	26.6	65.5	27.4	74.2	29.7
≥ 65	14.2	2.9	17.1	3.4	20.0	3.8	24.9	4.5	28.1	4.8
Overall	1 811.3	53.5	1 861.8	54.5	1 881.4	54.5	1 906.0	54.7	1 924.3	54.8
<b>Both sexes</b>										
15 - 19	41.9	10.0	45.5	11.3	45.5	11.8	44.2	12.3	42.8	12.6
20 - 24	281.2	61.6	288.8	63.4	275.7	61.4	281.0	62.8	275.7	62.2
25 - 29	475.8	90.3	461.4	89.6	458.5	89.4	456.7	89.2	453.7	89.2
30 - 34	488.0	87.3	500.8	87.7	504.7	87.5	503.7	87.3	498.7	86.7
35 - 39	471.6	83.7	467.4	84.1	467.8	84.5	468.3	84.1	477.7	84.0
40 - 44	472.6	82.4	478.5	83.2	476.2	82.7	478.5	83.0	469.5	82.8
45 - 49	510.8	80.4	496.0	81.9	478.2	81.8	468.0	82.4	463.2	82.1
50 - 54	480.3	75.2	503.0	77.3	505.9	77.2	504.5	77.3	499.8	78.1
55 - 59	333.7	62.0	362.3	64.0	381.4	64.9	399.7	65.8	409.0	66.0
60 - 64	161.2	37.9	173.7	39.5	188.3	41.2	199.3	42.3	220.8	44.9
≥ 65	65.0	7.1	77.6	8.1	88.8	8.9	99.2	9.4	109.2	9.9
Overall	3 782.2	60.5	3 855.1	61.2	3 871.1	61.1	3 903.2	61.1	3 920.1	61.1

Note: The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In the above table, population-related figures from 2012 to 2015 have been revised accordingly.

**(p) : Per capita income**

	Year				
	2012	2013	2014	2015	2016
Per capita income <sup>(1)</sup> (HK\$)	284,899	297,860	312,609	328,945	339,531

Note:

<sup>(1)</sup> Figures refer to per capita GDP at current market prices.

**(q) : GDP at current market prices**

	Year				
	2012	2013	2014	2015	2016
GDP at current market prices (HK\$ million)	2,037,059	2,138,305	2,260,005	2,398,437	2,491,001

**(r) : Annual growth rate of GDP**

	Year				
	2012	2013	2014	2015	2016
Annual growth rate <sup>(1)</sup> ( % )	1.7	3.1	2.8	2.4	2.0

Note:

<sup>(1)</sup> Figures refer to percentage change of GDP in real terms.

**(s) : Gross National Income (GNI) , real Gross National Income (RGNI), per capita GNI and per capita RGNI of Hong Kong**

Year	GNI <sup>(1)</sup>		RGNI <sup>(2)</sup>	
	At current market prices	In chained (2015) dollars	At current market prices	In chained (2015) dollars
	HK\$ million	HK\$ million	HK\$	HK\$
1993	936,211	1,278,685	158,653	216,690
1994	1,051,860	1,332,601	174,282	220,797
1995	1,128,818	1,337,248	183,366	217,223
1996	1,224,628	1,387,412	190,293	215,587
1997	1,371,972	1,479,932	211,421	228,057
1998	1,333,641	1,450,838	203,805	221,715
1999	1,312,098	1,467,359	198,607	222,108
2000	1,348,246	1,541,988	202,287	231,356
2001	1,351,595	1,582,385	201,301	235,674
2002	1,305,731	1,604,774	193,611	237,952
2003	1,288,895	1,645,544	191,492	244,480
2004	1,344,927	1,713,280	198,264	252,566
2005	1,419,589	1,787,101	208,359	262,300
2006	1,538,864	1,906,461	224,419	278,027
2007	1,703,567	2,063,637	246,312	298,373
2008	1,807,994	2,131,727	259,851	306,379
2009	1,709,007	2,034,227	245,096	291,737
2010	1,813,928	2,108,645	258,240	300,197
2011	1,987,256	2,209,021	281,019	312,379
2012	2,066,514	2,204,755	289,019	308,353
2013*	2,178,824	2,293,380	303,504	319,461
2014*	2,306,612	2,354,266	319,056	325,647
2015*	2,442,813	2,442,813	335,031	335,031
2016*	2,575,114	2,539,659	350,996	346,163

Notes: Figures in this table are the latest data released on 10 November 2017.

In Hong Kong, the first released GNI statistics in respect of a period are called “preliminary figures”. When more data become available, the preliminary figures will be revised. All those figures published subsequently, on revision, are called “revised figures”. The figures are finalised when data from all regular sources are incorporated.

<sup>(1)</sup> GNI is a measure of the total income earned by residents of an economy from engaging in various economic activities, irrespective of whether the economic activities are carried out within the economic territory of the economy or outside. GNI is computed as follows:

GNI = GDP + Net external primary income flows

Primary income comprises investment income and compensation of employees. Investment income includes direct investment income, portfolio investment income and other investment income as well as income on reserve assets.

<sup>(2)</sup> The chained dollar estimate of RGNI for a particular year is obtained by multiplying the chain volume index for that year by the current price value for the reference year. In compiling the continuous time series of the chain volume indices of RGNI, the annually re-weighted chain linking approach is adopted.

<sup>(3)</sup> Per capita GNI of an economy is obtained by dividing GNI in a year by the population of that economy in the same year.

<sup>(4)</sup> Per capita RGNI of an economy is obtained by dividing RGNI in a year by the population of that economy in the same year.

The 2016 Population By-census conducted from June to August 2016 provides a benchmark for revising the population figures compiled since the 2011 Population Census. In this table, per capita GNI and per capita RGNI figures from 2012 to 2016 have been revised accordingly.

\* Revised figures

**(t) : Consumer Price Index****Table 1(A) - Composite Consumer Price Index (Oct 2014 – Sep 2015 = 100)<sup>(1)</sup>**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	81.3	82.1	81.6	82.1	82.0	82.1	80.2	80.2	80.4	82.9	83.2	83.6	81.8
2011	84.1	85.0	85.2	85.8	86.3	86.7	86.5	84.8	85.1	87.7	87.9	88.4	86.1
2012	89.2	89.0	89.4	89.9	89.9	89.9	88.0	88.0	88.3	91.0	91.2	91.7	89.6
2013	91.9	92.8	92.7	93.5	93.4	93.6	94.1	91.9	92.4	94.9	95.2	95.6	93.5
2014	96.1	96.5	96.3	97.0	96.9	96.9	97.9	95.6	98.5	99.8	100.0	100.3	97.7
2015	100.0	100.8	100.5	99.7	99.7	99.8	100.3	98.6	100.5	102.1	102.3	102.6	100.6
2016	102.5	103.8	103.4	102.4	102.3	102.3	102.7	102.8	103.1	103.3	103.6	103.8	103.0

**Table 1(B) - Consumer Price Index (A) (Oct 2014 – Sep 2015 = 100)<sup>(1)</sup>**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	80.1	80.9	80.5	80.7	80.6	80.8	75.4	75.4	76.0	81.7	81.9	82.3	79.7
2011	83.0	84.0	84.4	84.7	85.2	85.5	84.9	79.5	79.9	86.0	86.3	86.7	84.2
2012	87.5	87.5	88.0	88.2	88.4	88.3	82.8	82.8	83.3	89.6	89.9	90.4	87.2
2013	90.8	91.6	91.5	92.3	92.3	92.4	92.8	86.9	87.5	93.7	93.9	94.2	91.7
2014	94.8	95.5	95.4	95.9	95.8	95.9	97.1	91.1	98.4	100.2	100.5	100.6	96.8
2015	100.6	101.3	101.4	99.7	99.9	100.0	100.3	95.2	100.4	102.7	103.0	103.2	100.6
2016	103.4	104.9	104.4	102.7	102.5	102.5	102.7	102.8	103.7	103.8	104.2	104.3	103.5

**Table 1(C) - Consumer Price Index (B) (Oct 2014 – Sep 2015 = 100)<sup>(1)</sup>**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	81.5	82.2	81.7	82.1	82.0	82.1	81.6	81.7	81.8	82.8	83.2	83.7	82.2
2011	84.1	85.0	85.2	85.8	86.3	86.7	86.7	86.4	86.7	87.8	88.1	88.7	86.5
2012	89.5	89.3	89.6	90.1	90.2	90.2	89.7	89.7	90.0	91.1	91.3	91.8	90.2
2013	92.0	93.0	92.8	93.6	93.6	93.7	94.2	93.7	94.1	95.1	95.4	95.8	93.9
2014	96.4	96.7	96.5	97.1	97.0	97.1	98.0	97.2	98.4	99.6	99.8	100.1	97.8
2015	99.8	100.6	100.3	99.6	99.6	99.7	100.3	99.9	100.5	102.0	102.2	102.5	100.6
2016	102.3	103.5	103.2	102.3	102.3	102.3	102.7	102.9	103.0	103.2	103.4	103.7	102.9

**Table 1(D) - Consumer Price Index (C) (Oct 2014 – Sep 2015 = 100)<sup>(1)</sup>**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	82.5	83.3	82.9	83.7	83.5	83.5	83.8	83.8	83.8	84.2	84.6	85.1	83.7
2011	85.3	86.2	86.3	87.2	87.6	88.0	88.3	88.8	89.1	89.5	89.7	90.1	88.0
2012	90.8	90.3	90.8	91.5	91.4	91.3	91.6	91.7	92.0	92.4	92.6	93.1	91.6
2013	93.0	94.1	93.9	94.7	94.6	94.7	95.3	95.6	95.8	96.2	96.5	96.9	95.1
2014	97.2	97.4	97.2	98.0	97.9	98.0	98.7	98.7	98.7	99.6	99.8	100.1	98.4
2015	99.5	100.4	99.9	99.8	99.7	99.8	100.5	100.5	100.5	101.6	101.8	102.2	100.5
2016	101.8	103.0	102.6	102.2	102.1	102.1	102.7	102.8	102.7	102.9	103.1	103.5	102.6

Note: <sup>(1)</sup> The Consumer Price Indices from October 2014 onwards are compiled based on expenditure weights obtained from the 2014/15 Household Expenditure Survey. The Consumer Price Indices for earlier periods are compiled based on old weights and have been *re-scaled* to the new base period for linking with the new index series.

**(t) (cont'd) : Consumer Price Index****Table 1(A) – Year-on-year rates of change in Composite Consumer Price Index<sup>(1)</sup>**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	1.0	2.8	2.0	2.4	2.5	2.8	1.3	3.0	2.6	2.5	2.8	2.9	2.4
2011	3.4	3.6	4.4	4.6	5.2	5.6	7.9	5.7	5.8	5.8	5.7	5.7	5.3
2012	6.1	4.7	4.9	4.7	4.3	3.7	1.6	3.7	3.8	3.8	3.7	3.7	4.1
2013	3.0	4.4	3.6	4.0	3.9	4.1	6.9	4.5	4.6	4.3	4.3	4.3	4.3
2014	4.6	3.9	3.9	3.7	3.7	3.6	4.0	3.9	6.6	5.2	5.1	4.9	4.4
2015	4.1	4.6	4.5	2.8	3.0	3.1	2.5	2.4	2.0	2.3	2.3	2.4	3.0
2016	2.5	3.0	2.9	2.7	2.6	2.4	2.3	4.3	2.7	1.2	1.2	1.2	2.4

**Table 1(B) - Year-on-year rates of change in Consumer Price Index (A)<sup>(1)</sup>**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	1.7	3.4	2.5	2.9	3.0	3.2	-0.8	3.6	3.2	3.0	3.3	3.3	2.7
2011	3.6	3.8	4.8	5.0	5.6	5.9	12.5	5.4	5.2	5.2	5.3	5.3	5.6
2012	5.4	4.2	4.3	4.2	3.8	3.3	-2.4	4.1	4.3	4.3	4.2	4.2	3.6
2013	3.8	4.7	4.0	4.7	4.4	4.6	12.0	4.9	5.1	4.5	4.4	4.3	5.1
2014	4.5	4.2	4.3	3.9	3.9	3.7	4.6	4.8	12.3	7.1	7.2	6.9	5.6
2015	6.3	6.5	6.6	3.9	4.2	4.4	3.4	3.0	2.1	2.5	2.5	2.6	4.0
2016	2.8	3.6	3.0	3.0	2.7	2.5	2.4	8.0	3.3	1.1	1.2	1.1	2.8

**Table 1(C) - Year-on-year rates of change in Consumer Price Index (B)<sup>(1)</sup>**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	0.9	2.7	1.9	2.3	2.4	2.7	2.1	3.0	2.5	2.3	2.5	2.7	2.3
2011	3.2	3.5	4.2	4.5	5.2	5.6	6.2	5.8	6.0	6.0	6.0	5.9	5.2
2012	6.3	4.9	5.2	5.0	4.6	4.0	3.5	3.8	3.9	3.7	3.6	3.6	4.3
2013	2.8	4.2	3.5	3.8	3.7	3.9	5.0	4.4	4.5	4.4	4.4	4.4	4.1
2014	4.8	4.0	3.9	3.8	3.7	3.6	4.0	3.8	4.7	4.7	4.6	4.4	4.2
2015	3.6	4.2	4.1	2.6	2.8	2.9	2.4	2.4	2.1	2.3	2.3	2.4	2.9
2016	2.5	2.9	2.8	2.7	2.7	2.5	2.4	3.0	2.5	1.2	1.2	1.2	2.3

**Table 1(D) - Year-on-year rates of change in Consumer Price Index (C)<sup>(1)</sup>**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	0.5	2.2	1.5	2.0	2.2	2.4	2.6	2.5	2.0	2.1	2.5	2.8	2.1
2011	3.5	3.5	4.2	4.2	4.9	5.4	5.4	6.0	6.3	6.2	5.9	5.9	5.1
2012	6.4	4.7	5.1	4.9	4.3	3.7	3.7	3.2	3.3	3.2	3.3	3.3	4.1
2013	2.4	4.2	3.4	3.5	3.6	3.7	4.0	4.3	4.2	4.1	4.2	4.1	3.8
2014	4.5	3.5	3.5	3.5	3.5	3.5	3.5	3.2	3.1	3.6	3.4	3.2	3.5
2015	2.2	3.0	2.8	1.9	2.0	2.0	1.8	1.8	1.8	1.9	2.0	2.1	2.1
2016	2.3	2.6	2.8	2.4	2.4	2.2	2.2	2.3	2.2	1.4	1.3	1.3	2.1

Note: <sup>(1)</sup> From October 2015 onwards, the year-on-year rates of change are derived from the 2014/15-based Consumer Price Indices. The year-on-year rates of change before October 2015 were derived using the index series in the base periods at that time (for instance the 2009/10-based index series), compared with the index a year earlier in the same base period.

**(u) : External Debt Statistics**

Position as at end of	HK\$ million		
	General Government		
	Short-term	Long-term	All maturities
2004	149	12,341	12,490
2005	*	12,227	12,227
2006	*	12,990	12,990
2007	*	13,421	13,421
2008	*	13,096	13,096
2009	*	11,017	11,017
2010	*	10,426	10,426
2011	*	10,827	10,827
2012	*	10,837	10,837
2013	*	10,778	10,778
2014	*	9,744	9,744
2015	*	18,640	18,640
2016	*	18,525	18,525

Note: \* Data are not released due to relatively insignificant value (less than HK\$10 million).



**National laws listed in Annex III to the Basic Law  
which shall be applied in the HKSAR**

1. Resolution on the Capital, Calendar, National Anthem and National Flag of the People's Republic of China
2. Resolution on the National Day of the People's Republic of China
3. Declaration of the Government of the People's Republic of China on the Territorial Sea
4. Nationality Law of the People's Republic of China
5. Regulations of the People's Republic of China Concerning Diplomatic Privileges and Immunities
6. Law of the People's Republic of China on the National Flag
7. Regulations of the People's Republic of China concerning Consular Privileges and Immunities.
8. Law of the People's Republic of China on the National Emblem
9. Law of the People's Republic of China on the Territorial Sea and the Contiguous Zone
10. Law of the People's Republic of China on the Garrisoning of the Hong Kong Special Administrative Region
11. Law of the People's Republic of China on the Exclusive Economic Zone and the Continental Shelf
12. Law of the People's Republic of China on Judicial Immunity from Compulsory Measures concerning the Property of Foreign Central Banks



### Statistics on the political system

(a) **Number of registered electors and registration rate for geographical constituencies**

Year of publishing the final register of electors	Number of registered electors	Registration rate
2011	3,560,535	75.60%
2012	3,466,201	73.56%
2013	3,471,423	73.17%
2014	3,507,786	73.48%
2015	3,693,942	77.35%
2016	3,779,085	78.90%
2017	3,805,069	79.45%

(b) **Average voter turnouts in elections**

	Voter Turnout Rate (%)
(1) 2017 Chief Executive Election	99.33
(2) 2012 Chief Executive Election	94.89
(3) 2007 Chief Executive Election	99.12
(4) 2016 Election Committee Subsector Elections	46.53
(5) 2011 Election Committee Subsector Elections	27.60
(6) 2006 Election Committee Subsector Elections	27.43
(7) 2005 Election Committee Subsector By-elections	14.95
(8) 2016 Legislative Council General Election	
• <i>Geographical Constituency</i>	58.28
• <i>District Council (Second) Functional Constituency</i>	57.09
• <i>Functional Constituency (other than District Council (Second) Functional Constituency)</i>	74.33
(9) 2016 Legislative Council New Territories East Geographical Constituency By-election	46.18
(10) 2012 Legislative Council General Election	
• <i>Geographical Constituency</i>	53.05
• <i>District Council (Second) Functional Constituency</i>	51.95
• <i>Functional Constituency (other than District Council (Second) Functional Constituency)</i>	69.65
(11) 2010 Legislative Council Geographical Constituency By-election	17.19
(12) 2008 Legislative Council General Election	
• <i>Geographical Constituency</i>	45.20
• <i>Functional Constituency</i>	59.76
(13) 2007 Legislative Council Hong Kong Island Geographical Constituency By-election	52.06

	<b>Voter Turnout Rate (%)</b>
(14) 2015 District Council Ordinary Election	47.01
(15) 2011 District Council Ordinary Election	41.49
(16) 2007 District Council Ordinary Election	38.83
(17) 2005-2015 District Councils By-elections	
• 2015 Tai Po District Council San Fu Constituency	42.55
• 2014 Islands District Council Peng Chau and Hei Ling Chau Constituency	60.96
• 2014 Eastern District Council Nam Fung Constituency	49.49
• 2014 Islands District Council Tung Chung North Constituency	40.73
• 2014 Southern District Council South Horizons West Constituency	53.65
• 2013 Yau Tsim Mong District Council King's Park Constituency	36.62
• 2013 Kwun Tong District Council Ping Shek Constituency	44.77
• 2013 Sha Tin District Council Tin Sum Constituency	45.40
• 2012 Sha Tin District Council On Tai Constituency	39.40
• 2011 Tsuen Wan District Council Fuk Loi Constituency	41.32
• 2011 Yuen Long District Council Shap Pat Heung North Constituency	26.03
• 2010 Southern District Council Pokfulam Constituency	39.47
• 2009 Kwai Tsing District Council Kwai Shing East Estate Constituency	38.62
• 2009 Wan Chai District Council Canal Road Constituency	25.86
• 2009 Sha Tin District Council Tai Wai Constituency	49.02
• 2008 Wong Tai Sin District Council Tsz Wan West Constituency	41.34
• 2008 Yau Tsim Mong District Council Jordan East Constituency	25.68
• 2007 Kowloon City District Council Hung Hom Bay Constituency	20.83
• 2007 Tai Po District Council Hong Lok Yuen Constituency	30.78
• 2007 Kwun Tong District Council Kai Yip Constituency	46.97
• 2007 Sha Tin District Council Kam Ying Constituency	35.35
• 2006 Eastern District Council Tsui Wan Constituency	45.39
• 2006 Central & Western District Council Centre Street Constituency	36.88
• 2005 Kwun Tong District Council King Tin Constituency	37.50
• 2005 Southern District Council Ap Lei Chau North Constituency	31.28
• 2005 Eastern District Council Fort Street Constituency	28.30
• 2005 Sham Shui Po District Council Nam Cheong Central Constituency	33.13

## Statistics on crime and the administration of justice

### (a) Average length of remand in correctional facilities

	2012	2013	2014	2015	2016
Male	62	68	77	86	87
Female	47	51	60	67	64
All	59	64	73	82	82

Note: Figures refer to the average remand lengths (in number of days) for sentenced persons from the time they were remanded by CSD to the time they were sentenced to imprisonment in correctional facilities.

### (b) Statistics on sentenced persons

#### (1) Sentenced persons by type of offence and by sex (as at end of year)

Type of Offence	Male					Female					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
<b>Against Lawful Authority</b>															
Unlawful society	28	36	21	25	29	1	0	0	0	0	29	36	21	25	29
Possession of offensive weapons	18	13	14	19	15	1	0	1	0	1	19	13	15	19	16
Perjury	30	24	18	18	19	22	38	37	29	33	52	62	55	47	52
Others	41	29	25	17	16	0	3	0	3	4	41	32	25	20	20
<b>Sub-total</b>	<b>117</b>	<b>102</b>	<b>78</b>	<b>79</b>	<b>79</b>	<b>24</b>	<b>41</b>	<b>38</b>	<b>32</b>	<b>38</b>	<b>141</b>	<b>143</b>	<b>116</b>	<b>111</b>	<b>117</b>

Type of Offence	Male					Female					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
<b>Against Public Morality</b>															
Rape	72	73	78	65	57	2	1	1	0	0	74	74	79	65	57
Indecent assault	60	55	54	57	49	0	0	1	0	1	60	55	55	57	50
Keeping a vice establishment	56	42	14	20	32	1	5	3	4	16	57	47	17	24	48
Others	78	88	65	69	53	4	10	6	4	5	82	98	71	73	58
<b>Sub-total</b>	<b>266</b>	<b>258</b>	<b>211</b>	<b>211</b>	<b>191</b>	<b>7</b>	<b>16</b>	<b>11</b>	<b>8</b>	<b>22</b>	<b>273</b>	<b>274</b>	<b>222</b>	<b>219</b>	<b>213</b>
<b>Against the Person</b>															
Murder	245	239	237	227	215	12	12	12	11	11	257	251	249	238	226
Manslaughter/Attempted murder	72	65	61	61	56	10	11	11	9	7	82	76	72	70	63
Wounding/Serious assault	203	207	201	182	191	14	17	15	14	11	217	224	216	196	202
Others	69	70	44	42	48	6	6	3	2	2	75	76	47	44	50
<b>Sub-total</b>	<b>589</b>	<b>581</b>	<b>543</b>	<b>512</b>	<b>510</b>	<b>42</b>	<b>46</b>	<b>41</b>	<b>36</b>	<b>31</b>	<b>631</b>	<b>627</b>	<b>584</b>	<b>548</b>	<b>541</b>
<b>Against Property</b>															
Robbery	305	267	232	197	170	2	5	9	3	2	307	272	241	200	172
Burglary	278	247	244	203	207	13	9	7	4	6	291	256	251	207	213
Theft	721	645	606	579	531	226	202	169	174	164	947	847	775	753	695
Others	157	162	150	157	147	36	27	21	17	13	193	189	171	174	160
<b>Sub-total</b>	<b>1 461</b>	<b>1 321</b>	<b>1 232</b>	<b>1 136</b>	<b>1 055</b>	<b>277</b>	<b>243</b>	<b>206</b>	<b>198</b>	<b>185</b>	<b>1 738</b>	<b>1 564</b>	<b>1 438</b>	<b>1 334</b>	<b>1 240</b>
<b>Against the Penal Code</b>															
Possession of forged identity document	118	105	92	115	201	132	111	87	157	153	250	216	179	272	354
Forgery/Counterfeiting	92	83	63	43	50	26	35	21	25	24	118	118	84	68	74

Type of Offence	Male					Female					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
Others	212	177	117	124	100	84	90	46	39	55	296	267	163	163	155
<b>Sub-total</b>	<b>422</b>	<b>365</b>	<b>272</b>	<b>282</b>	<b>351</b>	<b>242</b>	<b>236</b>	<b>154</b>	<b>221</b>	<b>232</b>	<b>664</b>	<b>601</b>	<b>426</b>	<b>503</b>	<b>583</b>
<b>Against Local Laws</b>															
Remaining in Hong Kong unlawfully	251	224	213	184	233	134	102	104	106	90	385	326	317	290	323
Breach of condition of stay	105	58	27	65	43	170	127	100	153	128	275	185	127	218	171
Publishing of obscene articles	119	98	50	52	38	1	5	3	0	1	120	103	53	52	39
Soliciting for immoral purpose	1	3	0	0	1	31	43	25	7	25	32	46	25	7	26
Possession of dutiable commodities	52	63	42	38	36	14	21	18	14	21	66	84	60	52	57
Others	349	336	342	360	327	78	74	72	77	70	427	410	414	437	397
<b>Sub-total</b>	<b>877</b>	<b>782</b>	<b>674</b>	<b>699</b>	<b>678</b>	<b>428</b>	<b>372</b>	<b>322</b>	<b>357</b>	<b>335</b>	<b>1 305</b>	<b>1 154</b>	<b>996</b>	<b>1 056</b>	<b>1 013</b>
<b>Narcotics Offences</b>															
Trafficking in Dangerous Drugs	1 924	2 025	2 046	2 010	1 990	329	385	437	438	475	2 253	2 410	2 483	2 448	2 465
Possession of Dangerous Drugs	521	503	432	426	510	125	149	121	132	136	646	652	553	558	646
Others	77	70	58	65	63	10	12	8	14	17	87	82	66	79	80
<b>Sub-total</b>	<b>2 522</b>	<b>2 598</b>	<b>2 536</b>	<b>2 501</b>	<b>2 563</b>	<b>464</b>	<b>546</b>	<b>566</b>	<b>584</b>	<b>628</b>	<b>2 986</b>	<b>3 144</b>	<b>3 102</b>	<b>3 085</b>	<b>3 191</b>
<b>Total</b>	<b>6 254</b>	<b>6 007</b>	<b>5 546</b>	<b>5 420</b>	<b>5 427</b>	<b>1 484</b>	<b>1 500</b>	<b>1 338</b>	<b>1 436</b>	<b>1 471</b>	<b>7 738</b>	<b>7 507</b>	<b>6 884</b>	<b>6 856</b>	<b>6 898</b>

Note: Sentenced persons include prisoners and inmates but exclude civil prisoners.

## (2) Sentenced persons by type of offence and by age (as at end of year)

Type of Offence	Aged 21 or over					Aged under 21					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
<b>Against Lawful Authority</b>															
Unlawful society	18	22	12	13	18	11	14	9	12	11	29	36	21	25	29
Possession of offensive weapons	10	8	11	16	14	9	5	4	3	2	19	13	15	19	16
Perjury	50	61	53	43	50	2	1	2	4	2	52	62	55	47	52
Others	27	26	21	17	17	14	6	4	3	3	41	32	25	20	20
<b>Sub-total</b>	<b>105</b>	<b>117</b>	<b>97</b>	<b>89</b>	<b>99</b>	<b>36</b>	<b>26</b>	<b>19</b>	<b>22</b>	<b>18</b>	<b>141</b>	<b>143</b>	<b>116</b>	<b>111</b>	<b>117</b>
<b>Against Public Morality</b>															
Rape	69	69	71	61	53	5	5	8	4	4	74	74	79	65	57
Indecent assault	52	44	48	52	44	8	11	7	5	6	60	55	55	57	50
Keeping a vice establishment	56	46	17	24	47	1	1	0	0	1	57	47	17	24	48
Others	64	78	60	64	47	18	20	11	9	11	82	98	71	73	58
<b>Sub-total</b>	<b>241</b>	<b>237</b>	<b>196</b>	<b>201</b>	<b>191</b>	<b>32</b>	<b>37</b>	<b>26</b>	<b>18</b>	<b>22</b>	<b>273</b>	<b>274</b>	<b>222</b>	<b>219</b>	<b>213</b>
<b>Against the Person</b>															
Murder	256	251	248	238	226	1	0	1	0	0	257	251	249	238	226
Manslaughter/Attempted murder	79	71	67	67	62	3	5	5	3	1	82	76	72	70	63
Wounding/Serious assault	182	170	173	179	181	35	54	43	17	21	217	224	216	196	202
Others	72	70	46	42	49	3	6	1	2	1	75	76	47	44	50
<b>Sub-total</b>	<b>589</b>	<b>562</b>	<b>534</b>	<b>526</b>	<b>518</b>	<b>42</b>	<b>65</b>	<b>50</b>	<b>22</b>	<b>23</b>	<b>631</b>	<b>627</b>	<b>584</b>	<b>548</b>	<b>541</b>



Type of Offence	Aged 21 or over					Aged under 21					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
<b>Against Property</b>															
Robbery	232	228	214	180	146	75	44	27	20	26	307	272	241	200	172
Burglary	277	248	240	200	211	14	8	11	7	2	291	256	251	207	213
Theft	884	784	738	722	671	63	63	37	31	24	947	847	775	753	695
Others	167	166	158	162	147	26	23	13	12	13	193	189	171	174	160
<b>Sub-total</b>	<b>1 560</b>	<b>1 426</b>	<b>1 350</b>	<b>1 264</b>	<b>1 175</b>	<b>178</b>	<b>138</b>	<b>88</b>	<b>70</b>	<b>65</b>	<b>1 738</b>	<b>1 564</b>	<b>1 438</b>	<b>1 334</b>	<b>1 240</b>
<b>Against the Penal Code</b>															
Possession of forged identity document	249	215	178	270	351	1	1	1	2	3	250	216	179	272	354
Forgery/Counterfeiting	116	114	82	63	70	2	4	2	5	4	118	118	84	68	74
Others	292	260	160	163	150	4	7	3	0	5	296	267	163	163	155
<b>Sub-total</b>	<b>657</b>	<b>589</b>	<b>420</b>	<b>496</b>	<b>571</b>	<b>7</b>	<b>12</b>	<b>6</b>	<b>7</b>	<b>12</b>	<b>664</b>	<b>601</b>	<b>426</b>	<b>503</b>	<b>583</b>
<b>Against Local Laws</b>															
Remaining in Hong Kong unlawfully	381	319	312	283	320	4	7	5	7	3	385	326	317	290	323
Breach of condition of stay	268	180	124	215	169	7	5	3	3	2	275	185	127	218	171
Publishing of obscene articles	116	102	51	52	39	4	1	2	0	0	120	103	53	52	39
Soliciting for immoral purpose	32	46	25	6	26	0	0	0	1	0	32	46	25	7	26
Possession of dutiable commodities	63	78	55	49	53	3	6	5	3	4	66	84	60	52	57
Others	382	380	393	412	386	45	30	21	25	11	427	410	414	437	397
<b>Sub-total</b>	<b>1 242</b>	<b>1 105</b>	<b>960</b>	<b>1 017</b>	<b>993</b>	<b>63</b>	<b>49</b>	<b>36</b>	<b>39</b>	<b>20</b>	<b>1 305</b>	<b>1 154</b>	<b>996</b>	<b>1 056</b>	<b>1 013</b>

Type of Offence	Aged 21 or over					Aged under 21					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
<b>Narcotics Offences</b>															
Trafficking in dangerous drugs	1 992	2 106	2 171	2 194	2 267	261	304	312	254	198	2 253	2 410	2 483	2 448	2 465
Possession of dangerous drugs	584	578	516	536	616	62	74	37	22	30	646	652	553	558	646
Others	84	81	64	79	77	3	1	2	0	3	87	82	66	79	80
<b>Sub-total</b>	<b>2 660</b>	<b>2 765</b>	<b>2 751</b>	<b>2 809</b>	<b>2 960</b>	<b>326</b>	<b>379</b>	<b>351</b>	<b>276</b>	<b>231</b>	<b>2 986</b>	<b>3 144</b>	<b>3 102</b>	<b>3 085</b>	<b>3 191</b>
<b>Total</b>	<b>7 054</b>	<b>6 801</b>	<b>6 308</b>	<b>6 402</b>	<b>6 507</b>	<b>684</b>	<b>706</b>	<b>576</b>	<b>454</b>	<b>391</b>	<b>7 738</b>	<b>7 507</b>	<b>6 884</b>	<b>6 856</b>	<b>6 898</b>

Note: Sentenced persons include prisoners and inmates but exclude civil prisoners.

(3) Sentenced persons (prisoners only) by length of sentence and by sex (as at end of year)

Length of Sentence	Male					Female					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
<b>Determinate Sentence</b>															
less than 1 month	16	24	34	41	30	14	9	14	19	11	30	33	48	60	41
1 to less than 3 months	184	136	95	128	116	168	145	100	126	131	352	281	195	254	247
3 to less than 6 months	243	258	170	225	214	87	89	58	78	88	330	347	228	303	302
6 to less than 12 months	482	479	348	373	422	132	147	110	106	120	614	626	458	479	542
12 to less than 18 months	654	560	485	534	605	351	295	260	326	310	1005	855	745	860	915
18 months to less than 3 years	974	828	756	657	671	147	144	125	115	127	1 121	972	881	772	798
3 years	134	114	109	77	80	11	9	16	13	13	145	123	125	90	93
over 3 to 6 years	1 194	1 169	1150	1 002	850	135	154	167	148	121	1 329	1 323	1 317	1 150	971
over 6 to less than 10 years	511	512	539	533	488	85	91	100	94	99	596	603	639	627	587
10 years and over	687	753	816	922	985	126	160	183	215	259	813	913	999	1 137	1 244

<b>Length of Sentence</b>	<b>Male</b>					<b>Female</b>					<b>Total</b>				
	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Indeterminate Sentence</b>															
Life (Mandatory)	224	220	221	206	201	12	11	11	11	11	236	231	232	217	212
Life (Discretionary)	22	20	16	16	16	0	0	0	0	0	22	20	16	16	16
Admissions under Mental Health Ordinance/ Criminal Procedure Ordinance	45	44	46	44	43	10	9	8	7	7	55	53	54	51	50
<b>Total</b>	<b>5 370</b>	<b>5 117</b>	<b>4 785</b>	<b>4 758</b>	<b>4 721</b>	<b>1 278</b>	<b>1 263</b>	<b>1 152</b>	<b>1 258</b>	<b>1 297</b>	<b>6 648</b>	<b>6 380</b>	<b>5 937</b>	<b>6 016</b>	<b>6 018</b>

Note: Figures exclude civil prisoners.

(4) Sentenced persons (prisoners only) by length of sentence and by age (as at end of year)

Length of Sentence	Aged 21 or over					Aged under 21					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
<b>Determinate Sentence</b>															
less than 1 month	28	33	48	57	41	2	0	0	3	0	30	33	48	60	41
1 to less than 3 months	341	274	192	250	245	11	7	3	4	2	352	281	195	254	247
3 to less than 6 months	327	343	227	301	300	3	4	1	2	2	330	347	228	303	302
6 to less than 12 months	608	619	454	472	536	6	7	4	7	6	614	626	458	479	542
12 to less than 18 months	991	841	737	848	906	14	14	8	12	9	1 005	855	745	860	915
18 months to less than 3 years	1 070	923	836	749	782	51	49	45	23	16	1 121	972	881	772	798
3 years	135	114	119	86	91	10	9	6	4	2	145	123	125	90	93
over 3 to 6 years	1 184	1 193	1 182	1 040	902	145	130	135	110	69	1 329	1323	1 317	1 150	971
over 6 to less than 10 years	569	558	585	577	546	27	45	54	50	41	596	603	639	627	587
10 years and over	799	893	975	1 113	1 210	14	20	24	24	34	813	913	999	1 137	1 244

Length of Sentence	Aged 21 or over					Aged under 21					Total				
	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016	2012	2013	2014	2015	2016
<b>Indeterminate Sentence</b>															
Life (Mandatory)	236	231	231	217	212	0	0	1	0	0	236	231	232	217	212
Life (Discretionary)	22	20	16	16	16	0	0	0	0	0	22	20	16	16	16
Admissions under Mental Health Ordinance/ Criminal Procedure Ordinance	54	52	53	50	50	1	1	1	1	0	55	53	54	51	50
<b>Total</b>	<b>6 364</b>	<b>6 094</b>	<b>5 655</b>	<b>5 776</b>	<b>5 837</b>	<b>284</b>	<b>286</b>	<b>282</b>	<b>240</b>	<b>181</b>	<b>6 648</b>	<b>6 380</b>	<b>5 937</b>	<b>6 016</b>	<b>6 018</b>

Note: Figures exclude civil prisoners.

**(c) Death of Persons under custody of the Police and Correctional Services Department (CSD)**

(1) Incidence of death in Police custody – by age and sex

Age on Death	Male					Female					Total				
	2013	2014	2015	2016	2017 <sup>^</sup>	2013	2014	2015	2016	2017 <sup>^</sup>	2013	2014	2015	2016	2017 <sup>^</sup>
< 21	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21 - 30	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0
31 - 40	0	4	1	0	0	0	1	0	0	0	0	5	1	0	0
41 - 50	0	1	0	1	1	0	0	1	0	0	0	1	1	1	1
51 - 60	1	1	0	1	0	0	0	0	0	0	1	1	0	1	0
61 - 70	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0
71 - 80	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
81 and over	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>6</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>7*</b>	<b>2</b>	<b>4<sup>#</sup></b>	<b>1</b>

\* Four of the deceased were found dead in hospital. They were all sent directly to hospital after arrest, or originally admitted to hospital before being arrested.

<sup>^</sup> Figure as at 31 July 2017.

<sup>#</sup> Two of the deceased were found dead in hospital. They were all sent directly to hospital after arrest.

(2) Incidence of death in custody of the CSD - by age and sex

Age on Death	Male					Female					Total				
	2013	2014	2015	2016	2017^	2013	2014	2015	2016	2017^	2013	2014	2015	2016	2017^
< 21	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21 - 30	2	2	0	0	1	0	0	0	0	0	2	2	0	0	1
31 - 40	0	0	0	1	1	0	0	2	0	0	0	0	2	1	1
41 - 50	3	5	2	0	0	0	1	1	0	0	3	6	3	0	0
51 - 60	8	3	0	1	2	2	0	0	1	0	10	3	0	2	2
61 - 70	3	3	1	2	1	0	0	0	0	0	3	3	1	2	1
71 - 80	2	1	4	1	1	0	0	0	0	0	2	1	4	1	1
81 and over	0	0	0	2	1	0	0	0	0	0	0	0	0	2	1
<b>Total</b>	<b>18</b>	<b>14</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>20</b>	<b>15</b>	<b>10</b>	<b>8</b>	<b>7</b>

^ Figure as at 31 July 2017.



**Application of international human rights treaties  
to the HKSAR**

**Part A : Major international human rights treaties**

*International Covenant on Economic, Social and Cultural Rights*

By a notification on 20 June 1997, the Government of the People's Republic of China informed the United Nations Secretary-General of the status of Hong Kong in relation to treaties deposited with the Secretary-General. The notification specifically sets out, among other things, that the provisions of the Covenant as applied to Hong Kong shall remain in force beginning from 1 July 1997.

On 20 April 2001, the Government of the People's Republic of China notified the Secretary-General of the following statement on the application of the Covenant to the HKSAR:

- “1. Article 6 of the Covenant does not preclude the formulation of regulations by the HKSAR for employment restrictions, based on place of birth or residence qualifications, for the purpose of safeguarding the employment opportunities of local workers in the HKSAR.
2. “National federations or confederations” in Article 8.1(b) of the Covenant shall be interpreted, in this case, as “federations or confederations in the HKSAR” and this Article does not imply the right of trade union federations or confederations to form or join political organizations or bodies established outside the HKSAR.”

## *International Covenant on Civil and Political Rights*

The abovementioned notification of 20 June 1997 from the Government of the People's Republic of China also informed the United Nations Secretary-General that the provisions of the Covenant as applied to Hong Kong shall remain in force beginning from 1 July 1997.

In 1976, the Government of the United Kingdom ratified the Covenant with certain reservations and declarations, and extended the Covenant to Hong Kong. The reservations and declarations which continue to apply to HKSAR are as follows.

### *Declaration made on signing the Covenant*

“First, the Government of the United Kingdom declare their understanding that, by virtue of Article 103 of the Charter of the United Nations, in the event of any conflict between their obligations under Article 1 of the Covenant and their obligations under the Charter (in particular, under Articles 1, 2 and 73 thereof) their obligations under the Charter shall prevail.”

### *Declarations and reservations made on depositing the instrument of ratification of the Covenant*

“Firstly the Government of the United Kingdom maintain their declaration in respect of Article 1 made at the time of signature of the Covenant.”

“The Government of the United Kingdom reserve the right to apply to members of and persons serving with the armed forces of the Crown and to persons lawfully detained in penal establishments of whatever character such laws and procedures as they may from time to time deem to be necessary for the preservation of service and custodial discipline and their acceptance of the provisions of the Covenant is subject to such restrictions as may for these purposes from time to time be authorised by law.”

“Where at any time there is a lack of suitable prison facilities or where the mixing of adults and juveniles is deemed to be mutually beneficial, the Government of the United Kingdom reserve the right not to apply Article 10.2(b) and 10.3 so far as those provisions require juveniles who are detained to be accommodated separately from adults, ...”

“The Government of the United Kingdom reserve the right to interpret the provisions of Article 12.1 relating to the territory of a State as applying separately to each of the territories comprising the United Kingdom and its dependencies.”

“The Government of the United Kingdom reserve the right to continue to apply such immigration legislation governing entry into, stay in and departure from the United Kingdom as they may deem necessary from time to time and, accordingly, their acceptance of Article 12.4 and of the other provisions of the Covenant is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom. The United Kingdom also reserves a similar right in regard to each of its dependent territories.”

“The Government of the United Kingdom reserve the right not to apply Article 13 in Hong Kong in so far as it confers a right of review of a decision to deport an alien and a right to be represented for this purpose before the competent authority.”

“The Government of the United Kingdom interpret Article 20 consistently with the rights conferred by Articles 19 and 21 of the Covenant and having legislated in matters of practical concern in the interests of public order (*ordre public*) reserve the right not to introduce any further legislation. The United Kingdom also reserve a similar right in regard to each of its dependent territories.”

“The Government of the United Kingdom reserve the right to enact such nationality legislation as they may deem necessary from time to time to reserve the acquisition and possession of citizenship under such legislation to those having sufficient connection with the United Kingdom or any of its dependent territories and accordingly their acceptance of Article 24.3 and of the other provisions of the Covenant is subject to the provisions of any such legislation.”

“The Government of the United Kingdom reserve the right not to apply sub-paragraph (b) of Article 25 in so far as it may require the establishment of an elected Executive or Legislative Council in Hong Kong ....”

***International Convention on the Elimination of All Forms of Racial Discrimination***

On 10 June 1997, the Government of the People's Republic of China issued a letter to the United Nations Secretary-General giving notification that the Convention will apply to the HKSAR with effect from 1 July 1997. The Government of the People's Republic of China also made the following declarations:

“The reservation made by the Government of the People's Republic of China to Article 22 of the Convention will also apply to the Hong Kong Special Administrative Region.

The Government of the People's Republic of China on behalf of the Hong Kong Special Administrative Region interprets the requirement in Article 6 concerning “reparation and satisfaction” as being fulfilled if one or other of these forms of redress is made available and interprets “satisfaction” as including any form of redress effective to bring the discriminatory conduct to an end.”

## ***Convention on the Elimination of All Forms of Discrimination against Women***

The Convention was extended to Hong Kong, with the consent of the People's Republic of China and the United Kingdom, on 14 October 1996. The Government of the People's Republic of China notified the United Nations Secretary-General that the Convention would continue to apply to the HKSAR with effect from 1 July 1997, with the following reservations and declarations:

- “1. The reservation made by the Government of the People's Republic of China to paragraph 1 of Article 29 of the Convention will also apply to the Hong Kong Special Administrative Region.
  
2. The Government of the People's Republic of China understands, on behalf of the Hong Kong Special Administrative Region, the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement upon the Hong Kong Special Administrative Region to repeal or modify any of its existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term. Undertakings by the Government of the People's Republic of China on behalf of the Hong Kong Special Administrative Region under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.
  
3. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to continue to apply relevant immigration legislation governing the entry into, stay in and departure from the Hong Kong Special Administrative Region as may be deemed necessary from time to time. Accordingly, acceptance of Article 15, paragraph 4, and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the laws of the Hong Kong Special Administrative Region to enter and remain in the Hong Kong Special Administrative Region.

4. The Government of the People's Republic of China understands, in the light of the definition contained in Article 1, that none of its obligations under the Convention shall be treated as extending to the affairs of religious denominations or orders in the Hong Kong Special Administrative Region.
5. Laws applicable in the New Territories of the Hong Kong Special Administrative Region which enable male indigenous villagers to exercise certain rights in respect of property and which provide for rent concessions in respect of land or property held by indigenous persons or their lawful successors through the male line will continue to be applied.
6. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to apply all its legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits in relation to death or retirement (including retirement on ground of redundancy), whether or not derived from a social security scheme.

This reservation will apply equally to any future legislation which may modify or replace such aforesaid legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the Government of the People's Republic of China's obligations under the Convention in respect of the Hong Kong Special Administrative Region.

The Government of the People's Republic of China reserves the right for the Hong Kong Special Administrative Region to apply any non-discriminatory requirement for a qualifying period of employment for the application of the provisions contained in Article 11, paragraph 2 of the Convention.

7. The Government of the People's Republic of China understands, on behalf of the Hong Kong Special Administrative Region, the intention of Article 15, paragraph 3, of the Convention to be that only those terms or elements of the contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole."

***Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment***

On 10 June 1997, the Government of the People's Republic of China notified the United Nations Secretary-General that the Convention will apply to the HKSAR with effect from 1 July 1997. The Government of the People's Republic of China also made the following declaration:

- "the reservations made by the Government of the People's Republic of China to article 20 and paragraph 1 of article 30 of the Convention will also apply to the Hong Kong Special Administrative Region."

The aforementioned reservations are:

- "1. The Chinese Government does not recognize the competence of the Committee against Torture as provided for in article 20 of the Convention.
2. The Chinese Government does not consider itself bound by article 30, paragraph 1, of the Convention."

## *Convention on the Rights of the Child*

On 10 June 1997, the Government of the People's Republic of China issued a letter to the United Nations Secretary-General and a number of diplomatic notes stating that the reservations and declarations entered by the Government of the People's Republic of China on its ratification of the Convention in 1992 were also applicable to the HKSAR with effect from 1 July 1997. These reservations and declarations were:

- “1. The Government of the People's Republic of China, on behalf of the Hong Kong Special Administrative Region, interprets the Convention as applicable only following a live birth.
2. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to apply such legislation, in so far as it relates to the entry into, stay in and departure from the Hong Kong Special Administrative Region of those who do not have the right under the laws of the Hong Kong Special Administrative Region to enter and remain in the Hong Kong Special Administrative Region, and to the acquisition and possession of residency as it may deem necessary from time to time.
3. The Government of the People's Republic of China interprets, on behalf of the Hong Kong Special Administrative Region, the references in the Convention to “parents” to mean only those persons who, under the laws of the Hong Kong Special Administrative Region, are treated as parents. This includes cases where the laws regard a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.
4. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right not to apply article 32(2)(b) of the Convention in so far as it might require regulation of the hours of employment of young persons who have attained the age of fifteen years in respect of work in non-industrial establishments.



5. The Government of the People's Republic of China, on behalf of the Hong Kong Special Administrative Region, seeks to apply the Convention to the fullest extent to children seeking asylum in the Hong Kong Special Administrative Region except in so far as conditions and resources make full implementation impracticable. In particular, in relation to article 22 of the Convention, the Government of the People's Republic of China reserves the right to continue to apply legislation in the Hong Kong Special Administrative Region governing the detention of children seeking refugee status, the determination of their status and their entry into, stay in and departure from the Hong Kong Special Administrative Region.
  
6. Where at any time there is a lack of suitable detention facilities, or where the mixing of adults and children is deemed to be mutually beneficial, the Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right not to apply Article 37(c) of the Convention in so far as those provisions require children who are detained to be accommodated separately from adults."

On 10 April 2003, the Government of the People's Republic of China informed the Secretary-General that it had decided to withdraw its declaration relating to article 22 of the Convention.

## ***Convention on the Rights of Persons with Disabilities***

On 1 August 2008, the Government of the People's Republic of China deposited its Instrument of Ratification of the Convention with the United Nations Secretary-General and made the following declarations in respect of the HKSAR:

“In accordance with the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China ..., the Government of the People's Republic of China decides that the Convention shall apply to the Hong Kong Special Administrative Region ... of the People's Republic of China.

The application of the provisions regarding *Liberty of movement and nationality* of the Convention on the Rights of Persons with Disabilities to the Hong Kong Special Administrative Region of the People's Republic of China, shall not change the validity of relevant laws on immigration control and nationality application of the Hong Kong Special Administrative Region of the People's Republic of China.”

The Convention entered into force for the People's Republic of China, including the HKSAR, on 31 August 2008.

## **Part B : Other United Nations human rights and related treaties**

The following United Nations human rights and related treaties apply to the HKSAR:

- Convention on the Prevention and Punishment of the Crime of Genocide, 1948
- Slavery Convention, 1926
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956
- Convention relating to the Status of Stateless Persons, 1954
- United Nations Convention against Transnational Organized Crime, 2000
- United Nations Convention against Corruption, 2003

## **Part C : Geneva Conventions**

The following Geneva Conventions apply to the HKSAR:

- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949
- Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949
- Geneva Convention relative to the Treatment of Prisoners of War, 1949
- Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949

## **Part D : Conventions of the International Labour Organization**

The following Conventions of the International Labour Organization apply to the HKSAR:

- Weekly Rest (Industry) Convention, 1921 (No. 14)
- Forced Labour Convention, 1930 (No. 29)
- Labour Inspection Convention, 1947 (No. 81)
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Migration for Employment Convention (Revised), 1949 (No. 97)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Employment Policy Convention, 1964 (No. 122)
- Minimum Age Convention, 1973 (No. 138)
- Labour Relations (Public Service) Convention, 1978 (No. 151)
- Worst Forms of Child Labour Convention, 1999 (No. 182)

## **Part E : Conventions of the Hague Conference on Private International Law**

The following Conventions of the Hague Conference on Private International Law apply to the HKSAR:

- Convention on Protection of Children and Co-operation in respect of Inter-country Adoption, 1993
- Convention on the Recognition of Divorces and Legal Separations, 1970
- Convention on the Civil Aspects of International Child Abduction, 1980