

L.N. 183 of 2002

Census and Statistics (Survey Of Innovation Activities) Order

(Made under section 11 of the Census and Statistics Ordinance (Cap. 316))

1. Commencement

This Order shall come into operation on 29 November 2002.

2. Interpretation

In this Order, unless the context otherwise requires---

"business undertaking" (業務經營) means an undertaking that carries on business in Hong Kong;

"innovation activity" (創新活動) means any activity conducted by a business undertaking for the purpose of introducing---

(a) any new or substantially improved product or service;

(b) any new or substantially improved process in manufacturing a product or in providing a service,

and in this definition, "activity" (活動) includes any research and development programme;

"schedule" (統計表格) has the same meaning as in section 2 of the Ordinance;

"survey" (調查) means the statistical survey carried out under section 3;

"survey period" (調查期) means the period in respect of which a survey is to be carried out, as determined in accordance with section 6;

"undertaking" (經營) includes an undertaking carried on by a non-profit making body or a statutory body.

3. Survey of innovation activities

A statistical survey shall be carried out by the Commissioner every year for the purpose of compiling statistics relating to the innovation activities of business undertakings.

4. Matters in respect of which information is to be given

(1) The matters in respect of which information shall be given in the survey are the matters specified in the Schedule.

(2) The information shall be given to the Commissioner---

(a) by completing such schedule as the Commissioner may issue for that purpose; and

(b) by completing that schedule within such period as may be specified in the schedule.

5. Persons required to give information

The following persons are required to give information in respect of a business undertaking for the purposes of a survey, if so requested by the Commissioner---

- (a) in the case of a business undertaking that is a body corporate, any director, secretary or other person concerned in the management of the body corporate;
- (b) in the case of the business undertaking being a partnership, any partner of the partnership;
- (c) in any other case, the proprietor of the business undertaking.

#### 6. Survey period

(1) The period in respect of which the survey in any year (hereinafter called "survey year") is to be carried out shall be---

- (a) the calendar year immediately preceding the survey year; or
- (b) such other period of 12 consecutive months, commencing not earlier than 1 January of the calendar year immediately preceding the survey year and ending not later than 31 March of the survey year, as may be determined by the Commissioner in any particular case and specified by him in the schedule.

(2) Notwithstanding subsection (1), the Commissioner may, in relation to a survey year, determine that the period in respect of which information shall be given under item 6 of the Schedule (information as to the innovation activities), shall be such period---

- (a) not exceeding 36 months; and
- (b) commencing not earlier than 1 January of the calendar year 3 years preceding the survey year and ending not later than 31 March of the survey year, as may be specified by him in the schedule.

#### 7. Sampling methods

The Commissioner may use sampling methods in the collection of statistical information under this Order.

#### 8. Application of Order in certain cases

This Order applies to a business undertaking that carried on business during any part of a survey period, as it applies to a business undertaking that carried on business during the whole of the survey period.

#### 9. Date for destruction of completed schedules

All completed schedules collected or received for a survey and all copies of the schedules shall be destroyed by the expiry of a period of 24 months after the end of the survey period.

### SCHEDULE [ss. 4 & 6]

Matters in Respect of Which  
Information is to be Given

1. Name, business address, business registration number, nature of business and type of ownership.
2. Total number of working proprietors, active partners, unpaid family workers,

full-time employees and part-time employees engaged in business undertaken by the business undertaking concerned.

3. The actual period within the relevant survey period that the business undertaking has been carrying on its business.

4. Percentage of shareholding by country of origin of investment.

5. Total incomes received from the sale of products, the provision of services and other sources.

6. Innovation activities, by type.

7. Information on the persons engaged in the innovation activities relating to their age, sex, education, profession and the time spent on the innovation activities.

8. Expenditure in respect of the innovation activities with information on the expenses incurred on each type of innovation activity, the sources of the funds and the parties conducting the relevant activities.

9. Income received from the innovation activities, by type, and the sources of the income.

10. Factors affecting the conduct of the innovation activities.

11. Information relating to strategic changes of the business undertaking in respect of organizational structure, management, business strategies and the effect thereof.

Frederick S. MA

Secretary for Financial Services and the Treasury

20 November 2002

#### Explanatory Note

This Order directs the Commissioner for Census and Statistics to carry out statistical surveys relating to innovation activities conducted by business undertakings in Hong Kong (section 3). The Order sets out---

(a) the matters in respect of which information is to be given (section 4);

(b) the persons required to give information (section 5);

(c) the period to be covered by the survey (section 6); and

(d) the time limit within which the schedules collected or received should be destroyed (section 9).