

**Legislative Council meeting on 19 June 2013**  
**Motion on “Building a Safe City”**  
**Progress Report**

**Purpose**

At the Legislative Council (“LegCo”) meeting on 19 June 2013, the motion on “Building a Safe City” was passed. The wording of the motion carried is at **Annex A**. This paper reports to Members the latest situation.

**Progress Reports**

2. The progress report provided by the Transport and Housing Bureau on the relevant issues is at **Annex B**.
3. The progress report provided by the Security Bureau on the relevant issues is at **Annex C**.
4. The progress report provided by the Development Bureau on the relevant issues is at **Annex D**.
5. The progress report provided by the Labour and Welfare Bureau on the relevant issues is at **Annex E**.

**Transport and Housing Bureau**

**Security Bureau**

**Development Bureau**

**Labour and Welfare Bureau**

**September 2013**

**Motion on “Building a safe city” moved by Hon CHAN Kin-por  
at the Council meeting of 19 June 2013**

Motion as amended by Hon TANG Ka-piu, Hon Charles Peter MOK,  
Hon Claudia MO and Dr Hon Helena WONG

That, although on the surface Hong Kong is a safe city, due to the ageing of some urban facilities, people’s slack safety awareness, certain government departments’ lax enforcement of law, etc., recent years have witnessed the occurrence of various kinds of accidents one after another such as the frequent occurrence of occupational injury cases, and worse still, serious blaze and marine disasters, some of which even incurred heavy casualties; in fact, the China Institute of City Competitiveness has already excluded Hong Kong from its ranking list on China’s safest cities in its research reports over the past two years; in this connection, this Council urges the Government to set up an inter-departmental committee to comprehensively review the various existing ordinances relating to city safety, including occupational safety legislation and the relevant employees’ compensation legislation, urge the various departments to improve the implementation of such ordinances, and formulate a safe city development policy, so as to comprehensively enhance city safety; on the other hand, as Hong Kong’s infrastructure and the daily operation of the society largely rely on computer systems and the Internet, there will be dire consequences if such systems are under malicious attacks; in this connection, this Council also urges the Government to re-activate the Inter-departmental Working Group on Computer Related Crime, which was established in 2000 but subsequently ceased operation, to conduct a fresh review and implement relevant follow-up work regarding the changed cyber environment and possible information system security threats; the authorities must also ensure that large-scale infrastructure will not impair the structure of nearby buildings, so as to protect the safety of residents; in addition, this Council urges the Government to draw reference from the concept of the World Health Organization’s ‘Safe Community’ project and the effective measures of the United Nations Development Fund for Women for protection of women in cities around the globe to incorporate the issue of women’s safety into town planning,

promote a city safety culture and comprehensively prevent the occurrence of accidents.

**Progress Report Provided by the Transport and Housing Bureau  
on Relevant Issues**

**Transport Safety**

**Health Check Arrangements for Franchised Bus Captains**

As for the health check arrangements for franchised bus captains, the Transport Department (“TD”), in conjunction with the franchised bus companies, has completed a review on the arrangements. Franchised bus companies will implement the improvement measures during the third quarter of 2013. In addition to requiring bus captains aged 50 or above to undergo annual health checks and for those at or over 60 to also undergo an electrocardiogram (“ECG”) during the health checks, the improvement measures include:

- (a) requiring bus captains, irrespective of their age, who have ever suffered from certain illnesses (such as stroke and cardio-vascular diseases) to be subject to annual health checks which includes ECG; and
- (b) all bus captains at 50, 54 and 57 years of age will have to undergo ECG during their annual check-up.

**Marine Safety**

2. Through the Local Vessels Advisory Committee and its Subcommittees, the Marine Department and the trade have held a number of meetings to discuss the implementation plan of various short-, medium- and long-term improvement measures, including their technical feasibility and related arrangements. The Government provided a paper (CB(1)1522/12-13(01)) to the LegCo Panel on Economic Development (“ED Panel”) on 22 July 2013 to report the progress of the measures, and attended a special meeting of the ED Panel on 17 September 2013 to listen to the views of the local trade and relevant stakeholders on the improvement measures.

### Railway safety

3. MTR Corporation Limited (“MTRCL”) always strives to provide a safe, reliable and efficient railway service. In accordance with the Mass Transit Railway Regulations, MTRCL should report to the Electrical and Mechanical Services Department (“EMSD”) any incident that occurs at any part of the entire railway premises which has a direct bearing on the safe operation of the railway. EMSD, as the regulator of railway safety, also closely monitors MTRCL’s operation to ensure safety. Separately, a series of safety campaigns are scheduled to be organised in the second half of the year, offering passengers tips to ensure their own safety and that of their travel companions when taking the MTR.

## **Transport Infrastructure and Road Works**

### Railway Works

4. Geological conditions and structures along the alignments of railway projects have been assessed by the MTRCL since the design stage to formulate prudent construction methods and implement appropriate measures to ensure minimal impact on the neighbouring areas. Throughout the construction period of a project, the MTRCL will monitor the situation of the sites, structures and geological conditions along the alignment in order to apply the most appropriate construction methods and protective procedures. The Highways Department (“HyD”) and relevant government departments will continue to closely monitor railway construction entrusted to the MTRCL to ensure that all relevant safety regulations and requirements have been observed and to minimise impact on the areas nearby.

5. As regards the incident in mid-May this year that some of the residents at 67-69 Maidstone Road and 314-318 Ma Tau Wai Road felt building vibration, the MTRCL commenced site trial in late May, with the consent of the Buildings Department, to investigate the building impact arising from various construction activities under the Shatin to Central Link project. There was no abnormal condition so far. In end

July, the MTRCL submitted the incident investigation report based on the results of site trial to the Buildings Department and HyD. The departments concerned are vetting the report with a view to identifying the possible causes of the incident. They are also scrutinizing the construction proposal submitted to ensure that the proposed construction arrangement would not cause structural safety problem to the buildings nearby, prior to granting approval to MTRCL to resume the foundation works construction fully.

### Road Works

6. Same as for railway works, when carrying out road works, safety is our primary concern. As usual, when carrying out major road works projects, HyD will make reference to past experience of similar works, and formulate proper design and construction plan, so as to ensure the safety of works and that the structural safety of the buildings along the road works would not be affected by the construction works and the subsequent operation of the roads.

### Road Repair and Maintenance

7. To maintain the good conditions of roads and to ensure the safety of road users, HyD will continue its maintenance works for roads under their purview. HyD carries out different scales of maintenance works during the year to upkeep the good condition of roads and requires their contractors to conduct regular inspection on public roads in Hong Kong. Once damages to roads are discovered, HyD will arrange repair works as soon as possible to ensure safety of the road users.

8. To ensure that the contractors' performance in inspection, repair and maintenance works comply with the requirements, HyD will conduct sample checks and spot checks on the contractors to examine their inspection, repair and maintenance works. When damages to road facilities are discovered or upon receipt of reports from the public, HyD would immediately inform contractors to follow up and arrange repairs, HyD would monitor the progress of repair works to ensure timely restoration of the damaged facilities.

## Road Design

9. We attach great importance to road safety, and thus we adopt stringent standards on the design, construction and selection of materials for roads. We monitor closely on the design and safety conditions of roads in Hong Kong. In conducting reviews on existing roads, the TD will take into consideration the prevailing design standards, traffic demand, throughput data, actual condition of road surface, public views etc. Improvement works programme or appropriate traffic control measures will then be formulated to enhance road safety.

## **Safe Community**

10. In accordance with the Safe Community project, the Housing Department (“HD”) runs a series of regular exercises throughout the year, including Operation Tai Ping Tei and the recruitment of Public Housing Estate Cleaning Ambassadors. The HD has also implemented the Marking Scheme for Estate Management Enforcement to enhance the hygiene standards of estates. The HD is very concerned about community safety and has laid down stringent requirements on hygiene maintenance and pest control in property management and cleaning service contracts for HD’s contractors. Where special incidents such as the outbreak of avian flu occur, the HD will impose enhanced measures for disinfection and cleaning in estates to prevent spread of viruses.

**Progress Report Provided by the Security Bureau  
on Relevant Issues**

**Combating Computer-related Crimes and Safeguarding Information  
System Security**

The HKSAR Government is committed to enhancing its internal information security technologies and capabilities, reviewing the relevant regulatory framework and measures from time to time as well as working closely with the industry to safeguard the security of information systems and data.

2. In 2012, the Office of the Government Chief Information Officer (“OGCIO”), in collaboration with the Security Bureau, completed a review of the government information security regulations, policies and guidelines. The review produced a set of more stringent security requirements in respect of the use of mobile devices, social networks and cloud computing. In the review, we also made reference to the security policies of other economies and the prevailing international information security standards, such as ISO 27001, so as to draw up more stringent security requirements that are in compliance with the international standards for HKSAR Government’s information assets.

3. In order to better monitor and respond to computer security incidents, issue alerts and raise public awareness on Internet security, the HKSAR Government provided funding support for establishing the Hong Kong Computer Emergency Response Team Coordination Centre (“HKCERT”) in 2001, which provides the local Internet community with computer security incident related services. Moreover, in 2005, OGCIO set up the Internet Infrastructure Liaison Group (“IILG”), comprising members from OGCIO, the Hong Kong Police Force (“the Police”), the Office of the Communications Authority, HKCERT, the Hong Kong Internet Registration Corporation Limited, the Hong Kong Internet Exchange and the Hong Kong Internet Service Providers Association. IILG fosters closer communication and collaboration among stakeholders.



In its day-to-day work, OGCIO also maintains close liaison with the industry and information security experts. On 30 August 2013, OGCIO held an information security roundtable meeting with local experts to review the information security situation in Hong Kong and overseas, and listen to their views and recommendations on the information security measures of the Government.

4. On publicity, OGCIO, together with the Police and HKCERT, stages a year-round campaign on information security annually. The theme of the campaign for this year is “Build a Secure Cyberspace – Protecting from Targeted Attacks”. Through different activities including seminars and video contest, the campaign aims to raise the awareness of information security among organisations and members of the public.

5. Apart from the above, the Police adopt a multi-pronged approach to combat technology crimes and strengthen Hong Kong’s cyber security, including (i) staying professional and advanced in technology crimes investigation, digital forensics and training; (ii) closely cooperating with overseas law enforcement agencies, government departments and key industry stakeholders; and (iii) raising public awareness of the prevention of technology crimes through public education and community efforts. In December 2012, the Police set up a Cyber Security Centre which operates round-the-clock. Through strengthening communication and coordination between the Police and stakeholders, and conducting thematic researches as well as audits on network security measures, the Centre aims to prevent and respond to possible attacks on information systems of critical infrastructure more effectively. The setting up of the Centre is instrumental in enhancing the responsiveness and protection against cyber attack incidents in Hong Kong.

6. Tackling computer and related crimes has always been an inter-departmental effort. At present, Section 161 of the Crimes Ordinance (Cap. 200) (obtaining access to computer with intent to commit an offence or with a dishonest intent) and Section 27A of the Telecommunications Ordinance (Cap. 106) (by telecommunications, obtaining unauthorised access to any computer) are the key legislative provisions in Hong Kong for tackling hackers’ illegal intrusion into

computer systems. Cases involving personal data collection will also be regulated by the Personal Data (Privacy) Ordinance (Cap. 486). Government departments will also review from time to time the relevant administrative measures in order to protect information systems and tackle security issues effectively.

7. We consider that the current work of various departments on combating computer-related crimes as well as protecting information system security is sufficient to meet today's needs in terms of inter-departmental coordination, standards setting, industry collaboration, public education, legislation and law enforcement. There is no need to set up a separate inter-departmental administrative structure for that purpose.

### **Combating Sexual Crimes**

8. In respect of crime prevention and public education, the Police actively combat sex crimes by offering tips on personal safety to the public, including ways to avoid becoming victims of sexual offences. Apart from public education through the mass media, the Police also upload relevant tips onto the Force webpage, and distribute publicity leaflets on personal safety to members of the public. The Police also keep close contact with relevant public transport operators on further prevention of sex crimes on public transportation.

### **Promoting Fire Safety Culture and Abating Fire Hazards**

9. To maintain Hong Kong as one of the safest cities in the world, the staff of the Fire Services Department ("FSD") is committed to providing speedy and reliable fire-fighting, rescue and emergency ambulance services to the public. FSD also strives to enhance the understanding of the public on fire safety through various means in order to reduce the number of fire cases and strengthen their readiness to respond in the case of a fire. FSD conducts fire risk assessments basing on the latest district development and decides on the deployment of fire service members and related vehicles to individual districts. New fire

stations and ambulance depots are constructed as appropriate to meet the growing demand of the concerned services and to maintain the Department's high operational efficiency. With the efforts of FSD and the cooperation of the public, the number of fire cases in Hong Kong in the past five years has decreased by about 25% from around 8 200 in 2008 to some 6 100 in 2012. Those Alarm No.3 or above have decreased by about 28%, from 18 in 2008 to 13 in 2012.

10. Addressing the fire risk of different kinds of commercial premises, FSD monitors their fire safety standard by way of licensing or registration regimes. More stringent fire safety requirements are imposed in the light of the additional fire risk of those premises. If fire hazards (such as obstructions to means of escape or lack of maintenance of the fire service installations) are identified during building inspections, fire services staff will issue Fire Hazard Abatement Notice ("FHAN") to the concerned buildings in accordance with the Fire Services Ordinance (Cap. 95) and require them to abate the concerned fire hazards. The Department would also consider initiating prosecution against the concerned buildings or persons where needed. In the first six months of 2013, FSD has issued over 3 700 FHANs to different types of buildings and premises.

11. To enhance the fire safety of old composite buildings and residential buildings, starting from 1 July 2007, FSD and the Buildings Department ("BD") have been conducting joint inspections on target old buildings constructed on or before 1 March 1987 in accordance with the Fire Safety (Buildings) Ordinance (Cap 572). The two departments will issue Fire Safety Directions (FS Directions) to owners and occupiers, with a view to enhancing the basic fire protection measures of the buildings, such as the installation of fire alarms and emergency lighting, etc. As at end-June 2013, among 9 000 old composite buildings in the territory, the two departments have completed inspection of about 6 400 of them, and issued over 110 000 Fire Safety Directions. If an owner or occupier fails to comply with a FS Direction without reasonable explanation, prosecution may be initiated against him/her. As at end of June 2013, a total of 48 such prosecutions have been initiated.

12. To ensure fire safety of old domestic and composite buildings in terms of having proper common means of escape, FSD and BD launched a large-scale joint operation in early April 2013, in which the common means of escape of about 6 500 such old buildings will be inspected in one year. Appropriate enforcement action will be taken against fire safety irregularities. During this operation, the two departments will also distribute publicity leaflets to enhance the fire safety awareness among the concerned residents. As at end-June 2013, FSD and BD have inspected about 1 600 such buildings.

13. FSD will continue to adopt a multi-pronged approach to enhance building fire safety through enforcement, inspection, publicity, etc. For example, the Department has produced promotional videos, educating the public to bring their mobile phones, keys and wet towels when trying to escape, so as to enhance their safety. The Department will also continue to promote the Fire Safety Ambassador Scheme and Building Fire Safety Envoy Scheme. FSD will provide fire safety training to the members of the public, building owners, residents and property management staff who participate in these Schemes, and will encourage them to keep a watch on building fire safety, report on cases of fire hazards to FSD, and assist in disseminating fire safety messages, etc. At present, over 130 000 and over 3 000 members of public have participated in the two schemes respectively.

14. FSD will continue to consolidate efforts of the communities in promoting fire safety culture, with a view to abating fire hazards.

**Progress Report Provided by the Development Bureau  
on Relevant Issues**

**Building Safety**

The Government has been making significant effort to tackle the problems related to building safety. The Government, after the building collapse on Ma Tau Wai Road, conducted a comprehensive review on its policy on building safety, and has since October 2010 begun to implement a series of multi-pronged measures, covering legislation, enforcement, support and assistance to owners, as well as publicity and public education, to enhance the building safety in Hong Kong

Legislation

2. On the legislation front, with the support of the Legislative Council, we have passed and implemented various important legislative proposals to enhance building safety. In July 2012, the Buildings Legislation (Amendment) Ordinance 2012, introducing various measures to enhance building safety, was enacted seeking to enhance the deterrence against non-compliance with statutory orders or notices and enable the Buildings Department (“BD”) to apply to the court for a warrant to enter individual premises for inspection and carrying out enforcement works. Early inspection in premises by the enforcement officers is of great assistance to the enforcement action against subdivided flats (“SDFs”). In addition, the Government has through legislation included works commonly associated with SDFs into the Minor Works Control System (“MWCS”). To carry out related works, owners must employ qualified contractors, and commence works through simplified and effective procedures. These works must also meet the building design and construction standards related to fire safety, structural safety and drainage works etc, under the Buildings Ordinance and respective regulations. As at end July this year, the BD has received under the MWCS around 1 300 submissions reporting commencement of works associated with

SDFs.

3. With respect to the 120 000 unauthorised signboards in Hong Kong, we tabled at the Legislative Council a subsidiary legislation for introducing the Signboard Control System (“SBCS”), to allow the continued use of existing unauthorised signboards after inspection and strengthening (if necessary) by registered professionals or contractors, subject to validation once every five years thereafter. The relevant legislation was passed smoothly in July this year, and the SBCS will be implemented on 2 September this year. This measure will tighten the control by the BD over signboards, and enhance the safety of the numerous unauthorised signboards in Hong Kong.

4. On the other hand, we understand that many building safety problems stem from dilapidation of buildings. As “prevention is better than cure”, the Government has been tackling the building safety problems at source. Prepared for years, the Mandatory Building Inspection Scheme (“MBIS”) and Mandatory Window Inspection Scheme (“MWIS”) were implemented in end June 2012. The MBIS and the MWIS respectively requires private buildings aged 30 years or above and 10 years or above to undergo periodic inspection. Each year, the BD will arrange to select 2 000 buildings aged 30 years or above and 5 800 buildings aged 10 years or above to join the MBIS and the MWIS respectively. The operation of the two schemes has so far been smooth. The statutory notices for the MWIS were issued starting from the third quarter of 2012, and the statutory notices for MBIS in the first quarter of 2013.

#### Enforcement

5. As regards enforcement, the BD has since April 2011 implemented a revised enforcement policy against unauthorised building works (“UBWs”), which widened the scope for actionable UBWs, and implemented at the same time various large scale operations (“LSOs”) to deal with problems related to UBWs, illegal subdivision of flats, as well as dilapidated buildings. Apart from the LSOs, the BD has also been actively responding to reports on UBWs by the public. Where the BD confirms that the UBWs are actionable after inspection upon receipt of

reports, it will issue statutory orders. The BD has also enhanced its prosecution against owners not complying with orders, in order to penalize owners who have not complied with statutory orders.

6. To specifically address the issues related to SDFs which have wide public concern, the BD has since April 2011 launched a LSO to inspect 150 target buildings per year for rectification of irregularities of buildings works associated with SDFs. The LSO was enhanced in April 2012 by increasing the target to 200 buildings per year, including 30 target industrial buildings suspected to contain SDFs for domestic use. In response to the Fa Yuen Street Fire in 2011, the strategy of this operation was adjusted by taking into account the fire risk that might be brought about by hawker stalls when choosing the target buildings for the operation in 2012. As a result, 339 old style domestic and composite buildings in the vicinity of hawker stalls, which are of the same type as the buildings affected by the Fa Yuen Street Fire, were selected for inspection.

7. As the common parts of old style domestic and composite buildings, particularly the common escape staircases which are often poorly managed and maintained, causing irregularities in fire-resisting construction and blockage of means of escapes (“MOEs”), and thereby adversely affecting the fire safety of the buildings, the BD and the Fire Safety Department (“FSD”) launched a joint operation in April 2013 to inspect the common MOEs of about 6 500 old-style domestic and composite buildings. The inspection of these buildings is expected to complete in a year’s time, during which the BD and FSD will carry out suitable enforcement action.

#### Support and Assistance to Owners

8. To assist owners to properly maintain their buildings, the Government has, in collaboration with the Urban Renewal Authority (“URA”) and the Hong Kong Housing Society (“HKHS”), implemented various financial and technical assistance schemes. For example, the \$1-billion Building Maintenance Grant Scheme for Elderly Owners was launched in 2008, to assist elderly owner-occupants to maintain old buildings. The Government, URA and the HKHS have also

implemented the Operation Building Bright to provide subsidies and one-stop technical support for assisting owners of old buildings to carry out repair and maintenance works in the common areas. Apart from enhancing building safety and beautifying city landscape, it is also hoped that more career opportunities will be created for the construction sector.

9. To better utilise resources and providing convenience to the applicants, the HKHS and the URA have since 1 April 2011 consolidated their five respective schemes into an Integrated Building Maintenance Assistance Scheme. Building owners of all districts in Hong Kong can enjoy the one-stop assistance provided by this scheme.

### Publicity and Public Education

10. In addition, we have also carried out various publicity and public education works through different channels, for example, the television, the radio, websites, etc, to raise the public knowledge and awareness about building safety.

11. Maintaining building safety is one of the highlights of the work of the Development Bureau. The Government will continue to adopt the multi-pronged approach to enhance the building safety in Hong Kong on different fronts, and is committed to promoting the concept of a safe community and building a safe city.

### **Lift Safety**

12. Regarding strengthening training of workers in lift profession, the Construction Industry Council (“CIC”) has launched the Contractor Cooperative Training Scheme for the electrical and mechanical trade which includes lift and escalator trade. With an aim to increase manpower resources of the electrical and mechanical trade, the Scheme provides training to young people aspiring to join the profession. Under the Scheme, contractors will hire trainees and provide them with training while the CIC will offer training allowances.

13. In respect of carrying out inspection and enforcement work for



lifts and escalators, the Electrical and Mechanical Services Department (“EMSD”) will continue to adopt a risk-based approach. EMSD has conducted a review of relevant regulatory process and proposed such measures as stepping up monitoring of contractors, comprehensive review of the Contractors’ Performance Rating scheme, and enhancing support to responsible persons and the trade. Further, we established the Lift and Escalator Safety Advisory Committee on 9 July 2013. The Committee comprises members drawing from industry stakeholders and representatives from outside the trade, including property management organisations and consumers. EMSD will consult the Committee on the proposed measures. We will also continue to closely monitor EMSD’s manpower situation and strengthen relevant resources when necessary.

### **Construction Safety**

14. The Government has been attaching great importance to construction safety. With the collaborative effort of the Government and the industry, the accident rates in the construction industry have decreased significantly over the past decade. To meet with the challenge arising from the large-scale infrastructure projects entering their construction peaks, the Development Bureau is gradually rolling out a series of enhancement measures, including strengthening the monitoring of contractors, enhancing the merit and demerit system for contractors, reinforcing safety training for site personnel, and strengthening publicity and promotion work, with a view to enhancing the safety of public works projects.

**Progress Report Provided by the Labour and Welfare Bureau  
on Relevant Issues**

**Review of Legislation Relating to Occupational Safety**

Over the past decade, the numbers of occupational injuries and industrial accidents were reduced by 5.0% and 27.3% respectively. In the first quarter of 2013, the number of occupational injuries stood at 8 506, representing a drop of 5.9% when compared to 9 042 in the same period of last year; whilst the number of industrial accidents also decreased by 10.1% from 2 901 to 2 607.

2. On occupational safety and health aspects, the Labour Department (“LD”) continues to protect the safety and health of people at work through a three-pronged approach of inspection and enforcement, publicity and promotion, as well as education and training. This year, our work priorities include work safety of mega infrastructure projects, work-at-height safety, electrical works safety and prevention of workers from heat stroke at work. LD has stepped up inspection and enforcement, and further diversified the publicity and promotion work.

3. The Administration will regularly review relevant guidelines and legislation. We will, in the light of social, economic and technological developments as well as the trend of occupational accidents, consider if amendments to the guidelines and legislation or introduction of new ones are required for more effective protection of employees’ safety at work.

**Review of Legislation Relating to Employees’ Compensation**

4. As regards legislation relating to employees’ compensation (“EC”), the Administration will adhere to the established mechanism in reviewing the levels of compensation under the Employees’

Compensation Ordinance, the Occupational Deafness (Compensation) Ordinance and the Pneumoconiosis and Mesothelioma (Compensation) Ordinance. A new round of review, covering 2012 and 2013, will commence in early 2014. The Administration will also continue to pay attention to the situation in society and various aspects, listen to views from all quarters and monitor the practical needs in undertaking reviews and improvements of the EC-related legislation as appropriate. We will, having regard to the overall interests of Hong Kong, endeavour to strike a reasonable balance between protecting employees' rights and the affordability of employers.