

立法會
Legislative Council

LC Paper No. CB(3) 476/18-19

**Paper for the House Committee meeting
of 22 March 2019**

**Questions scheduled for the
Legislative Council meeting of 27 March 2019**

Questions by:

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|------|--|------------------------------|
| (1) | Hon Paul TSE
<i>(Replacing his previous question)</i> | (Oral reply)(original no. 6) |
| (2) | Hon Mrs Regina IP | (Oral reply) |
| (3) | Hon AU Nok-hin | (Oral reply)(original no. 1) |
| (4) | Hon CHAN Han-pan | (Oral reply) |
| (5) | Hon CHU Hoi-dick | (Oral reply) |
| (6) | Dr Hon Priscilla LEUNG
<i>(Replacing her previous question)</i> | (Oral reply)(original no. 3) |
| (7) | Hon CHUNG Kwok-pan | (Written reply) |
| (8) | Hon LAU Kwok-fan | (Written reply) |
| (9) | Hon Michael TIEN | (Written reply) |
| (10) | Hon HUI Chi-fung | (Written reply) |
| (11) | Hon CHAN Chun-ying | (Written reply) |
| (12) | Dr Hon Pierre CHAN | (Written reply) |
| (13) | Hon Claudia MO | (Written reply) |
| (14) | Hon Dennis KWOK | (Written reply) |
| (15) | Hon WU Chi-wai | (Written reply) |
| (16) | Hon Andrew WAN | (Written reply) |
| (17) | Hon Jimmy NG | (Written reply) |
| (18) | Hon CHAN Hak-kan | (Written reply) |
| (19) | Dr Hon Elizabeth QUAT | (Written reply) |
| (20) | Hon Holden CHOW | (Written reply) |
| (21) | Hon Kenneth LEUNG | (Written reply) |
| (22) | Hon James TO | (Written reply) |

Question 1
(For oral reply)

(Translation)

Defaults on payments owed to the Government and public organizations

Hon Paul TSE to ask:

Last year, a Mainland woman was sentenced to imprisonment and ordered to pay legal costs of almost \$200,000 for taking photos inside a courtroom, but the Government has so far not given an account of whether she has settled the payments. During the period from 2012 to 2014, while about 70 000 buyers were required to make statutory declarations retrospectively in relation to exemptions from the Buyer's Stamp Duty, quite a number of them, believing that the Inland Revenue Department would not seriously pursue their responsibilities, neither paid the stamp duty nor made the relevant declarations retrospectively. As a result, the Government has foregone a significant amount of stamp duty payments. In the past five years, the average number of cases in which the Hospital Authority failed to recover medical fees from non-eligible persons was 6 550 a year and the total amount of medical fees written off was more than \$200 million. In one of those cases, the amount of unpaid medical fees has accumulated to over \$6 million since 2015. As at December 2017, the rate of non-local smoking offenders defaulting on payment of fines was as high as 20%. As at July 2017, the total amount of defaults on student loan repayment by post-secondary graduates stood at \$170 million. Although I had relayed to the Chief Executive at the Chief Executive's Question Time held on 13 June last year that given the serious situation of defaults on payments for public services by service users, it was necessary to adopt measures to prevent Hong Kong from becoming "the capital of defaults on payments", the situation has not been improved so far. In this connection, will the Government inform this Council:

- (1) of the total amounts of default payments owed to, the expenditures incurred in recovering the default payments by, and the total amounts of default payments written off by, the Government and various public organizations respectively in each of the past three years;
- (2) of the policies and measures in place to plug the loopholes in defaults on payments by public service users; whether it will, by drawing reference to the practice adopted by the Singapore Government of prohibiting non-local registered vehicles with unsettled fines for traffic-related offences from entering

Singapore, prohibit non-local residents defaulting payments from re-entering Hong Kong; and

- (3) whether it will, when publishing the Budget for the coming year in future, set out information on the amount of fees written off in the last financial year that has ended, which may serve as one of the indicators of whether the Government has effectively managed public money; if not, of the reasons for that?

Question 6
(For oral reply)

(Translation)

Regulating franchising-related business practices

Dr Hon Priscilla LEUNG to ask:

It is learnt that more and more operators of chained convenience stores and self-service laundries are expanding their networks of outlets through granting franchise. However, there is currently no dedicated legislation in Hong Kong regulating the powers and responsibilities between a franchisor and a franchisee under a franchise model. Often, only after signing a franchise agreement did the small shop operators find that the provisions in the agreement are quite unfavourable to them, and they are oppressed by the franchisors but have nowhere to turn to for assistance. In this connection, will the Government inform this Council:

- (1) whether any government department or public body is currently responsible for regulating franchising-related business practices; if so, of the number of complaints received from franchisees against their franchisors by that department or body in the past three years; if not, the reasons for that;
- (2) whether it studied in the past three years ways to enhance the protection for franchisees, such as by amending legislation relating to consumer rights and interests to classify franchisees as consumers; if so, of the outcome; if not, the reasons for that; and
- (3) whether it will, upon making reference to the practices of other jurisdictions, explore the enactment of a dedicated legislation or the establishment of a system to regulate franchising-related business practices; if so, of the details and timetable; if not, the reasons for that?