

Legislative Council

Agenda

Wednesday 22 April at 11:00 am and
Thursday 23 April 2020 at 9:00 am

I. Laying of Papers on the Table of the Council

14 items of subsidiary legislation and 12 other papers to be laid on the Table of the Council set out in **Appendix 1**

II. Written Questions

Members to ask 22 questions for written replies

Contents of the questions, Members to ask such questions and the public officers to reply set out in **Appendix 2**

III. Government Bill

Second Reading (debate to resume) (Members speak)

Appropriation Bill 2020

: Financial Secretary

Other attending public officers

: Secretary for the Environment
Secretary for Innovation and Technology
Secretary for Home Affairs
Secretary for Financial Services and the Treasury
Secretary for Labour and Welfare
Secretary for the Civil Service
Secretary for Security
Secretary for Transport and Housing
Secretary for Commerce and Economic Development

Other attending public officers (Cont'd)

: Secretary for Development
Secretary for Education
Secretary for Constitutional and
Mainland Affairs
Under Secretary for Development
Under Secretary for Home Affairs

Clerk to the Legislative Council

Council meeting on 22 and 23 April 2020

Laying of Papers on the Table of the Council

Subsidiary legislation	Legal Notice No.
1. <u>Employees Retraining Ordinance (Amendment of Schedule 4) Notice 2020</u>	29 of 2020
2. <u>Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation</u>	31 of 2020
3. <u>Prevention and Control of Disease (Prohibition on Group Gathering) Regulation</u>	32 of 2020
4. <u>Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) Regulation 2020</u>	33 of 2020
5. <u>Road Tunnels (Government) Ordinance (Amendment of Schedule 1) Notice 2020</u>	34 of 2020
6. <u>Road Tunnels (Government) (Amendment) Regulation 2020</u>	35 of 2020
7. <u>Road Traffic (Public Service Vehicles) (Amendment) Regulation 2020</u>	36 of 2020
8. <u>Tsing Ma Control Area (Tolls, Fees and Charges) (Amendment) Regulation 2020</u>	37 of 2020
9. <u>Tsing Ma Control Area (General) (Amendment) Regulation 2020</u>	38 of 2020
10. <u>Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2020</u>	39 of 2020
11. <u>Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulation 2020</u>	40 of 2020
12. <u>Pharmacy and Poisons (Amendment) (No. 2) Regulation 2020</u>	41 of 2020

13. Inland Revenue Ordinance (Amendment of Section 50A) Notice 2020 42 of 2020
14. Inland Revenue Ordinance (Amendment of Schedule 17D) Notice 2020 43 of 2020

Other papers

15. Hong Kong Rotary Club Students' Loan Fund Financial Statements for the year ended 31 August 2019 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
16. Sing Tao Charitable Foundation Students' Loan Fund Financial Statements for the year ended 31 August 2019 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
17. HKSAR Government Scholarship Fund Financial Statements for the year ended 31 August 2019 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
18. Self-financing Post-secondary Education Fund Financial Statements for the year ended 31 August 2019 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
19. Quality Education Fund Financial Statements for the year ended 31 August 2019 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
20. Education Development Fund Financial Statements for the year ended 31 August 2019 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
21. Qualifications Framework Fund Financial Statements for the year ended 31 August 2019 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
22. AIDS Trust Fund 2018-19 Annual Report, Financial Statements and Report of the Director of Audit for the year ended 31 March 2019
(to be presented by Secretary for Food and Health)

23. Financial Reporting Council
Annual Report 2019 (including Financial Statements and Report of the Director
of Audit)
(to be presented by Financial Secretary)
24. Insurance Authority
Estimates of Income and Expenditure for 2020-21
(to be presented by Secretary for Financial Services and the Treasury)
25. Report of changes made to the approved Estimates of Expenditure during the
third quarter of 2019-20
Public Finance Ordinance : Section 8
(to be presented by Secretary for Financial Services and the Treasury)
26. The Government Minute in response to the Report of the Public Accounts
Committee No. 72A of December 2019
(to be presented by Chief Secretary for Administration)

22 questions to be asked at the Council meeting on 22 and 23 April 2020

Questions for written replies		Subject matters	Public officers to reply
1	Hon POON Siu-ping	<u>The Protection of Wages on Insolvency Fund</u>	Secretary for Labour and Welfare
2	Hon Tanya CHAN	<u>Opening up facilities of the Fanling Golf Course</u>	Secretary for Home Affairs
3	Hon Andrew WAN	<u>Resettlement arrangements for residents in the residential care homes for the elderly in the Dills Corner Garden</u>	Secretary for Labour and Welfare
4	Hon Vincent CHENG	<u>The work and manpower arrangements of the Labour Department</u>	Secretary for Labour and Welfare
5	Hon WU Chi-wai	<u>New transport infrastructure for Kowloon East</u>	Secretary for Development
6	Hon Dennis KWOK	<u>Personal protective equipment</u>	Secretary for Security
7	Hon YUNG Hoi-yan	<u>Information security measures of the Government</u>	Secretary for Innovation and Technology
8	Hon SHIU Ka-chun	<u>Provision of cleansing, security services etc. for the Government</u>	Secretary for Food and Health
9	Hon Steven HO	<u>Live poultry trade</u>	Secretary for Food and Health
10	Hon James TO	<u>Issues relating to illegal parking</u>	Secretary for Transport and Housing
11	Hon Holden CHOW	<u>Child care services</u>	Secretary for Labour and Welfare
12	Hon CHAN Chun-ying	<u>Long-term measures to tackle epidemics</u>	Secretary for Food and Health
13	Hon CHAN Hak-kan	<u>Road safety involving roadside trees</u>	Secretary for Development
14	Hon Claudia MO	<u>Joint response exercises of the Hong Kong Police Force</u>	Secretary for Security
15	Hon Dennis KWOK	<u>Adjournment of court hearings</u>	Chief Secretary for Administration
16	Hon Jimmy NG	<u>Innovation and Technology Fund</u>	Secretary for Innovation and Technology
17	Hon Kenneth LEUNG	<u>Implementation of a new patent system</u>	Secretary for Commerce and Economic Development
18	Hon Charles Peter MOK	<u>Assisting children from grass-roots families in undertaking e-learning</u>	Secretary for Education
19	Hon Tony TSE	<u>Supply and demand for and training of land surveyors</u>	Secretary for Development
20	Hon Elizabeth QUAT	<u>Steering Committee on Innovation and Technology</u>	Secretary for Innovation and Technology
21	Hon CHAN Han-pan	<u>Using Chinese medicine to prevent and treat the Coronavirus Disease 2019</u>	Secretary for Food and Health
22	Hon Mrs Regina IP	<u>The MTR Corporation Limited's businesses outside Hong Kong</u>	Secretary for Transport and Housing

Question 1
(For written reply)

(Translation)

The Protection of Wages on Insolvency Fund

Hon POON Siu-ping to ask:

Some trade unions have relayed that in recent months, quite a number of workers who have been owed wages have applied for ex gratia payments from the Protection of Wages on Insolvency Fund (“the Fund”) but, after a protracted period of time, have not been issued such payments for meeting their imminent needs. In this connection, will the Government inform this Council:

- (1) of the respective numbers of applications for ex gratia payments (i) received, (ii) processed and (iii) approved, by the Fund in each month since January 2019, and the respective numbers of employees involved in such applications;
- (2) of (i) the average and (ii) the longest durations between the time when the Labour Department (“LD”) received a request for assistance from an employee in respect of wage defaults and the time when all information needed for processing the employee’s application for an ex gratia payment by the Fund was available, in the past three years; if such figures are unavailable, of the reasons for that;
- (3) of (i) the average and (ii) the longest duration between the time when LD received a request for assistance from an employee in respect of wage defaults and the time when the Fund disbursed an ex gratia payment to the employee concerned, in the past three years; if such figures are unavailable, of the reasons for that;
- (4) given that the number of applications to the Fund for ex gratia payments is expected to increase sharply in the coming few months amid Hong Kong’s worsening economic situation, whether LD will deploy additional manpower to process such applications, and whether the Government will consider revamping the procedures for applying for and disbursement of ex gratia payments with a view to expediting the disbursement to applicants of those ex gratia payments related to undisputed payments on default; if so, of the details; if not, the reasons for that; and
- (5) as the Protection of Wages on Insolvency Fund Board has indicated that in 2018-2019, it continued its review of the scope of protection of the Fund and the ceilings for ex gratia payments, of the progress and outcome of the review?

Question 2
(For written reply)

(Translation)

Opening up facilities of the Fanling Golf Course

Hon Tanya CHAN to ask:

The Fanling Golf Course (“FGC”) is a sports and recreational facility developed by the Hong Kong Golf Club for use by its members on a piece of land leased from the Government under a private recreational lease (“PRL”). Under the relevant clause of PRL, FGC is currently required to open up its facilities for use by eligible outside bodies only for a maximum of three sessions of three hours each per week. In addition, the lessee of the land where FGC is located voluntarily opens up FGC’s facilities for use by eligible outside bodies from Monday to Friday, as well as its night range for public use from 6 pm to 10 pm every day. However, some members of the public have pointed out that in recent months, the driving range has often been fully booked in no time, rendering them unable to book the relevant facilities on many occasions. In this connection, will the Government inform this Council:

- (1) whether it knows the utilization rate of FGC, as well as the number of days and number of hours for which the relevant facilities were available for booking and actually hired by non-members, in each month of the past two years, with a tabulated breakdown by the targets to which the facilities were opened up (i.e. eligible outside bodies and the public); if not, whether it will request the lessee concerned to provide such data;
- (2) even though the Government has indicated that it will, when granting FGC a new PRL, add a clause requiring “the further opening up of facilities to outside bodies” (i.e. requiring the lessee to open up 30% of its total sports and recreational facility capacity to eligible outside bodies, and co-organize at least 240 hours of sports activities every month with sports bodies for participation by members of the public), FGC still occupies as vast as 140 hectares of land upon excluding 32 hectares to be used for housing purpose, whether the Government will, in the new PRL, require the lessee to open up more than 30% of the facilities to outside bodies and increase the number of opening hours ; if so, of the details; if not, the reasons for that; and
- (3) whether it has gained an understanding from the lessee concerned as to why members of the public have been unable to book FGC’s driving range on many occasions in recent months, and requested the lessee to examine (i) whether there have been cases of persons being improperly given the right to make priority bookings or

failing to take up their booked sessions on multiple occasions, and
(ii) whether appropriate follow-up actions have been taken in
respect of such cases?

Question 3
(For written reply)

(Translation)

Resettlement arrangements for residents in the
residential care homes for the elderly in the Dills Corner Garden

Hon Andrew WAN to ask:

To take forward the Kwu Tung North New Development Area project, the Government will clear, by two phases, the 15 private residential care homes for the elderly (“RCHEs”) in Dills Corner Garden (“DCG”), and will construct on a nearby site a purpose-built multi-welfare services complex with seven contract RCHEs to rehouse the eligible residents affected by the clearance. According to the Government, as it is expected that the RCHEs concerned will not be commissioned until 2023, the Government will make transitional arrangements for the affected residents, and will establish an inter-departmental working group for maintaining close liaison with the operators of all RCHEs in DCG, in the hope that there will be “no time gap” between the clearance and resettlement. It has been reported that the first-phase clearance will commence in the second quarter of this year, affecting a total of around 140 residents in four RCHEs. In this connection, will the Government inform this Council:

- (1) of the specific measures in place to achieve the aforesaid “no time gap” objective;
- (2) of the latest progress of the transitional arrangements made for the residents affected by the first-phase clearance, including the number of transitional residential places and, among them, the respective numbers of EA1 and EA2 places under the Enhanced Bought Place Scheme; whether it has examined if such places meet the care needs of the residents concerned; given the rampant Coronavirus Disease 2019 epidemic at present, whether it will examine postponing the first-phase clearance to avoid the residents being exposed to greater infection risks caused by their relocation;
- (3) when it will conduct registration for the residents affected by the two phases of clearance in order to confirm their eligibility for admission to the new contract RCHEs;
- (4) of the number of meetings held by the aforesaid working group to date, and the date of the last meeting held; the plans of the working group on enhancing its coordination with the operators of the various RCHEs in DCG; and
- (5) whether it will examine awarding the contracts for operating the new RCHEs through restricted tendering under which only the operators of all RCHEs in DCG are invited to bid for the contracts, so as to maximize the number of affected residents who, upon

moving into the new RCHEs, will continue to be taken care of by the existing RCHE staff with whom they are familiar?

Question 4
(For written reply)

(Translation)

The work and manpower arrangements of the Labour Department

Hon Vincent CHENG to ask:

It has been reported that during the period from November last year to February this year, the Registry of Trade Unions of the Labour Department (“LD”) received a total of 273 applications for registration of newly-formed trade unions, representing a huge year-on-year increase by 120 times. According to the relevant performance pledge, LD will complete the processing of such applications within four weeks upon receipt of all relevant information and documentation. Furthermore, some trade unions have pointed out that with the economy of Hong Kong being badly hit by the Coronavirus Disease 2019 epidemic, an upsurge of cases relating to unemployment, wage defaults and labour disputes is foreseeable in the coming few months. Regarding the work and manpower arrangements of LD, will the Government inform this Council:

- (1) of the respective numbers of applications for trade union registration that LD (i) received and (ii) approved in each of the past two years and since January this year, together with a breakdown by the trade to which the trade unions belonged;
- (2) of the number of applications for trade union registration currently being processed and, among such applications, the expected number of those the processing of which can be completed within the timeframe specified in the aforesaid performance pledge; the projected number of outstanding applications as at the end of this month; whether LD will deploy additional manpower to handle the backlog of applications; if so, of the details; if not, the reasons for that; and
- (3) whether LD has plans to recruit additional manpower to handle the anticipated upsurge of cases relating to job seeking, wage defaults and labour disputes in the coming few months; if so, of the details; if not, the reasons for that?

Question 5
(For written reply)

(Translation)

New transport infrastructure for Kowloon East

Hon WU Chi-wai to ask:

Since 2009, the Government has been studying the construction of an Environmentally Friendly Linkage System (“EFLS”) for Kowloon East. EFLS is an elevated monorail which will start and end respectively at the Kowloon Bay Station and the Kwun Tong Station of the MTR Kwun Tong Line, run through the Kai Tak Development Area (“KTDA”), and connect the Kai Tak Station of the Shatin to Central Link. Some members of the public have pointed out that as, in recent years, the Government has increased the development density of KTDA and the populations of the districts in the vicinity of Cha Kwo Ling and Yau Tong have increased continuously, it will be difficult for EFLS to meet the transport demand in Kowloon East. They also hold the view that given the high cost of EFLS, coupled with the Government’s indication that quite a number of technical difficulties have been encountered in designing the alignment of EFLS, the Government should explore alternative options. In this connection, will the Government inform this Council:

- (1) of the respective current residential population and working population in (i) KTDA, (ii) Kowloon Bay Business Area, (iii) Kwun Tong Business Area, (iv) Cha Kwo Ling and (v) Yau Tong, as well as the relevant projected figures for the next five and 10 years;
- (2) as the Government has indicated that it is conducting the second-stage detailed feasibility study for EFLS, of the progress and the preliminary conclusion of the study (including the latest cost estimates); whether it has explored alternative options, e.g. constructing a Kwun Tong south line which will be an underground rail connecting the Yau Tong Station with the Kai Tak Station; if so, of the details (including the relevant cost estimates); if not, the reasons for that;
- (3) whether, in view of the development and population growth in recent years of districts such as Cha Kwo Ling and Yau Tong, it will study the extension of EFLS to those districts; if so, of the details; if not, the reasons for that;
- (4) as it takes time to implement EFLS (or its alternative option), whether the Government has formulated short and medium term measures to alleviate the traffic congestion problems in Kowloon East; if so, of the details; and

- (5) as the Government anticipates that upon the commissioning of the Route 6, the traffic load on the existing key road links in Kowloon East will be greatly relieved, of the respective projected volume to capacity ratios of such key road links (i) after the commissioning of the Route 6 and (ii) after the completion of EFLS (or its alternative option), and how such figures compare with the existing figures?

Question 6
(For written reply)

(Translation)

Personal protective equipment

Hon Dennis KWOK to ask:

It has been reported that in a number of recent operations to transport patients confirmed to have been infected with the Coronavirus Disease 2019 or persons who might have been infected to hospitals and quarantine centres, despite the fact that healthcare personnel (including doctors, nurses and ambulancemen) faced a higher risk of infection than police officers, the former only wore blue isolation gowns which were of lower protection specifications while the latter wore “Tyvek” isolation gowns which were of higher protection specifications. Some members of the public have queried that such situation has reflected the Government’s serious mismatch of resources and reckless disregard for the safety of patients and healthcare personnel. In this connection, will the Government inform this Council:

- (1) of the current quantities of personal protective equipment (“PPE”) of the various types of specifications stocked by the Police, with a breakdown by the unit which is in possession of the stock; the unit costs and total value of such equipment;
- (2) whether it has formulated guidelines setting out, in respect of PPE of each type of specifications, the circumstances under which such PPE may be used by police officers; if so, of the details; if not, the reasons for that; and
- (3) as some healthcare personnel have pointed out that the current stock of PPE in public hospitals is only sufficient for one-month consumption, whether the Government has any mechanism to re-allocate such PPE in the Police’s possession to frontline healthcare personnel for use; if so, of the details; if not, the reasons for that?

Question 7
(For written reply)

(Translation)

Information security measures of the Government

Hon YUNG Hoi-yan to ask:

On the 22nd of February this year, a newspaper reported the content of a report on the anti-epidemic work of Hong Kong, which had purportedly been prepared by the Chief Executive's Office and submitted to the Central Authorities. Given that this type of documents should be highly confidential in nature, some members of the public are worried that there are serious loopholes in the Government's information security measures. In this connection, will the Government inform this Council:

- (1) of the number of incidents, uncovered since January 2015 by the Government, of suspected violations of the relevant laws or codes on information security by some people that resulted in the leakage of information, and set out one by one in a table such incidents' causes (e.g. intrusion into its information systems by hackers, and negligence or deliberate divulgence by some people) and their impacts, as well as the follow-up measures taken by the Government and the effectiveness of such measures;
- (2) of the government departments and post titles of the officers responsible for conducting investigations into the incidents mentioned in (1), the details of the investigation work and the follow-up actions, as well as the circumstances under which the investigation results will be made public; and
- (3) whether it will, in the light of information leakage incidents, conduct a comprehensive review on the existing measures and mechanism on information security; if so, of the details; if not, the reasons for that?

Question 8
(For written reply)

(Translation)

Provision of cleansing, security services etc. for the Government

Hon SHIU Ka-chun to ask:

The Government has established a debarment mechanism and a demerit point system in respect of the government service contracts (excluding construction ones) that rely heavily on the engagement of non-skilled employees. Under the debarment mechanism, the tenders submitted by service contractors (“contractors”) will not be considered for a period of five years from the date on which the contractors are convicted of having contravened a specified ordinance relating to employment rights and benefits. Under the demerit point system, contractors may be given demerit points if they have failed to sign a Standard Employment Contract (“SEC”) with their employees or have breached the clauses in SEC in respect of wages, working hours and payment of wages by autopay. In addition, the Government may issue verbal warnings, written warnings and default notices to contractors who have breached the contracts, and may also withhold payment of monthly service charges or make deductions thereof. Regarding the provision of cleansing, security services etc. for the Government, will the Government inform this Council:

- (1) of the respective numbers of service contracts expiring in the coming three years which were awarded by the Food and Environmental Hygiene Department (“FEHD”) and the Leisure and Cultural Services Department (“LCSD”), and set out the following relevant information by (a) type of service (i.e. cleansing or security) involved in the contracts and (b) District Council (“DC”) district: (i) names of contractors, (ii) service locations and details, (iii) contract values, (iv) number of non-skilled employees, (v) total amount of wages and (vi) expiry dates of the contracts;
- (2) whether it knows, in respect of the non-skilled employees engaged by the cleansing and security service contractors of FEHD and LCSD respectively, their (i) monthly wage ranges, (ii) average working hours, (iii) average length of employment and (iv) age distribution, in each of the past three years (set out in a table);
- (3) of the respective numbers of Workman II currently employed by FEHD and LCSD; among them, the respective (i) numbers, (ii) minimum pay points, (iii) maximum pay points and (iv) average weekly working hours of those who are required to carry out cleansing duties in public places, and whether they are entitled to the relevant travelling allowance and hardship allowance when they work under inclement weather;

- (4) of the current number of refuse collection points (“RCPs”) under FEHD, and among such RCPs, the respective numbers of those provided with (i) individual rest rooms, (ii) changing rooms, (iii) water dispensers and (iv) mobile refuse compactors, with a tabulated breakdown by DC district;
- (5) in respect of the current contracts for the provision of (a) property management, (b) cleansing and (c) security services respectively at public rental housing estates, of the following details: (i) effective dates, (ii) expiry dates, (iii) names of contractors, (iv) contract values, as well as the (v) numbers, (vi) total amounts of wages, (vii) monthly wage ranges, (viii) average working hours and (ix) age distribution of the non-skilled employees (set out in a table);
- (6) of the following details of the punishments imposed by (a) FEHD and (b) LCSD on their cleansing service contractors in the past five years: (i) the respective numbers of verbal warnings, written warnings and default notices issued, (ii) the numbers of times for which deductions of the monthly service charges were made and the total amounts of money involved, and (iii) the numbers of times for which demerit points were awarded;
- (7) of the respective numbers of cases for which (A) FEHD and (B) LCSD imposed punishments on their cleansing service contractors in each of the past five years for breaching (a) the clauses relating to the demerit point system and (b) other clauses in SEC, as well as the following details of such cases: (i) names of contractors, (ii) number of breaches, (iii) details of the breaches, (iv) the respective numbers of verbal warnings, written warnings and default notices issued, and (v) total amount of the monthly service charges deducted;
- (8) of the current cumulative numbers of written warnings or default notices that the contractors of (i) FEHD and (ii) LCSD have received within a period from have breached those clauses in SEC which are unrelated to the demerit point system before deductions will be made to the monthly service charges paid to them and punishments will be imposed on them under the debarment mechanism;
- (9) of the respective numbers of complaints received by (a) FEHD and (b) LCSD last year against their cleansing service contractors for having committed the following contraventions: (i) underpaying wages, (ii) defaulting on wage payments, (iii) failing to sign SEC, (iv) the number of working hours of the employees having exceeded the limits and (v) failing to make severance payments/long service payments; among each category of complaints, the numbers of those found substantiated, and the numbers of contractors punished as a result (with a breakdown by form of punishment); and

- (10) whether the cleansing service contractors of (i) FEHD and (ii) LCSD are required under the service contracts to provide the non-skilled employees engaged by them with anti-epidemic items; if so, whether it knows the quantities of each type of anti-epidemic items (including face masks, gloves and sanitizing items) given to each of such employees on average on each working day since the outbreak of the Coronavirus Disease 2019?

Question 9
(For written reply)

(Translation)

Live poultry trade

Hon Steven HO to ask:

Under the existing policy, the Government will not issue new licences for fresh provision shops with permission for selling live poultry nor grant new tenancies for live poultry stalls in public markets, and the existing licences/tenancies may be succeeded only by the immediate family members of the licensees/tenants. As a result, the numbers of these two types of live poultry retailers will only be dwindling. Furthermore, the Government will not issue new chicken farm licences, and quite a number of chicken farms affected by development projects have no choice but to cease operation as no suitable relocation sites can be identified. The above situations have left the live poultry trade of Hong Kong hardly any room for sustainable development, and caused inconvenience to those members of the public who want to buy live chickens. In this connection, will the Government inform this Council:

- (1) of the respective numbers of (i) licences for fresh provision shops with permission for selling live poultry and (ii) live poultry stalls in public markets, in each of the past three years, with a tabulated breakdown by District Council district; the existing measures in place to assist these two types of retailers who are affected by redevelopment projects or market closures in relocating to other places for continued operation, and the number of successful relocation cases in the past three years under the assistance from such measures;
- (2) whether the Government will (i) consider increasing the numbers of the two types of live poultry retailers, and (ii) examine the distribution of such retailers in various districts, so as to ensure that members of the public can purchase live poultry conveniently;
- (3) given that the Government plans to relax the restrictions on the relocation of chicken farms under the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139 sub. leg. L), so as to facilitate the relocation of chicken farms affected by government land development projects for continued operation, of the progress and timetable of the relevant legislative amendment exercise;
- (4) as it is learnt that there are quite a number of development projects at present which have affected/will affect the existing chicken farms, of the existing measures in place to assist in the relocation of

such farms, and the number of successful relocation cases in the past three years under the assistance from such measures; and

- (5) of the measures in place to help maintain reasonable numbers of chicken farms and live poultry retailers, and whether it will formulate a policy for maintaining the sustainable development of the live poultry trade?

Question 10
(For written reply)

(Translation)

Issues relating to illegal parking

Hon James TO to ask:

It has been reported that the situation of illegal parking has become more serious across the territory in recent months, and the shortage of parking spaces has aggravated the problem of illegal parking. In this connection, will the Government inform this Council:

- (1) of the numbers of vehicles (i) newly registered and (ii) deregistered last year, with a tabulated breakdown by class of vehicles;
- (2) of (i) the respective numbers of publicly and privately operated public parking spaces across the territory last year, and (ii) the respective estimated additional numbers of these two types of parking spaces this year, with a tabulated breakdown by District Council (“DC”) district and class of vehicles;
- (3) of the number of parking spaces in Hong Kong and the ratio of such number to the number of vehicles at present; whether it has considered amending the Hong Kong Planning Standards and Guidelines to raise the number of parking spaces needed to be provided for various types of facilities; if so, of the details; if not, whether it will consider taking measures to reduce the number of vehicles;
- (4) as the Government indicated in May last year that it had commissioned a consultancy study to take forward pilot projects of automated parking systems (“APSs”) at six suitable sites and an APS could increase the number of parking spaces by 30% to a double, of the progress of the study and whether it will identify more car parks for installation of APSs;
- (5) of the number of fixed penalty notices (“FPNs”) issued in each of the past 12 months by the Police by invoking the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237) against various types of parking contraventions, with a tabulated breakdown by (i) police region and (ii) type of contravention;
- (6) whether there is a big difference when the number of FPNs issued by various police regions in respect of vehicles parked illegally in the past 12 months is compared with the relevant number in the preceding 12 months; if so, of the reasons for that;
- (7) of the current number of illegal parking black spots in Hong Kong, with a tabulated breakdown by DC district; and

- (8) as I have learnt that in locations where schools, tutorial schools and interest class studios stand in great numbers (e.g. Beech Street in Tai Kok Tsui, To Fuk Road and Rutland Quadrant in Kowloon Tong, Un Chau Street in Sham Shui Po, and Hing Wah Street and Castle Peak Road in Cheung Sha Wan), the problem of illegal stopping and waiting of private cars is serious during the hours of going to and finishing classes each day, and there are also a large number of goods vehicles and tourist coaches parked illegally at night, in respect of the illegal parking/stopping and waiting of vehicles in the aforesaid locations, (i) the number of patrol operations conducted and the average number of such vehicles found during each operation, and (ii) the number of FPNs issued, by the Police in each of the past six months; apart from stepping up patrol operations, of the Police's other measures to step up efforts in combating the problem of illegal parking/stopping and waiting of vehicles in the aforesaid locations?

Question 11
(For written reply)

(Translation)

Child care services

Hon Holden CHOW to ask:

According to the research findings published by the Hong Kong Society for the Protection of Children in 2016, the enrolment rate of full-day child care services for children aged below three in Hong Kong was only 13%, while the relevant rate for the member countries of the Organization for Economic Co-operation and Development was 35.2% on average. In this connection, will the Government inform this Council:

- (1) whether it has plans to establish more child care centres (“CCCs”); if so, of the additional number in the coming five years;
- (2) whether it has set a target on the enrolment rate of child care services; if so, of the details; if not, the reasons for that;
- (3) of the number of CCCs in Hong Kong and the number of service places provided by them in each of the past five years;
- (4) whether it has assessed if there will be a shortage of qualified child care workers in the coming five years; if it has assessed and the outcome is in the affirmative, of the details, and whether it will introduce programmes for training such workers; and
- (5) given that the unemployment rates of various sectors (e.g. the retail and catering sectors) have been on the rise recently, whether the Government has plans to offer training courses on child care work for the unemployed, so as to attract new blood to the sector after the present epidemic has subsided?

Question 12
(For written reply)

(Translation)

Long-term measures to tackle epidemics

Hon CHAN Chun-ying to ask:

By now, Coronavirus Disease 2019 has broken out in more than 110 countries/regions around the world, with the cumulative number of confirmed cases exceeding 100 000. There are comments that in an era of globalization, with contacts among people of different places becoming increasingly frequent, and problems relating to health, the environment, biochemical safety, cross-species transmission of viruses, etc. becoming more and more changeable and unpredictable, the Government should formulate long-term measures to tackle epidemics. In this connection, will the Government inform this Council:

- (1) whether it will draw up a contingency plan under which, in the event of a large-scale outbreak of an infectious disease in Hong Kong, government officers in each policy bureau may be split up to continue working at different locations, so as to reduce the risk of mass infection; if so, of the details; if not, the reasons for that;
- (2) given that the Government has set up a certain number of temporary quarantine centres in tackling the current epidemic, but the sites selected for some of these centres have been queried by the residents nearby as being too close to residential areas, whether the Government will identify locations far away from residential areas (e.g. outlying islands) for setting up permanent quarantine centres; if so, of the timetable; if not, the reasons for that; and
- (3) as it has been reported that places such as Mainland China, South Korea, Taiwan and France have criminalized acts of spreading rumours, and given that earlier on Hong Kong has seen cases of people scrambling for food and daily necessities which were caused by rumours, what measures the Government will take to curb the spread of various kinds of rumours amid an epidemic outbreak?

Question 13
(For written reply)

(Translation)

Road safety involving roadside trees

Hon CHAN Hak-kan to ask:

It is learnt that there have been, from time to time, incidents of vehicles damaged (e.g. cracking of the windowpanes of franchised buses) or traffic accidents, resultant from vehicles hitting roadside trees, the trunks and branches of these trees that overhung the roads or their wilted branches that fell onto the roads. In this connection, will the Government inform this Council:

- (1) of the number of complaints received by the authorities in each of the past five years about roadside trees posing hazards to road safety, and the details of the follow-up actions;
- (2) of the number of traffic accidents caused by vehicles hitting roadside trees or their trunks and branches that overhung the roads, and the resultant casualties, in each of the past five years;
- (3) of the mechanism currently put in place to prevent roadside trees from posing hazards to road safety; the respective numbers of roadside trees that were pruned and removed by the authorities in the past three years;
- (4) whether the authorities will designate a single government department to take up the task of managing roadside trees; if so, of the details; if not, the reasons for that;
- (5) how the authorities currently determine the species of the trees to be planted alongside the roads;
- (6) whether, in the light of a serious traffic accident that occurred on Fanling Highway in December last year and involved a bus hitting a tree, the authorities have reviewed the road safety measures of the location concerned so as to avoid the occurrence of similar incidents; if so, of the details;
- (7) as the front left compartment on the upper deck of a bus is the first to bear the brunt when the bus hits the trunks and branches of roadside trees, whether the authorities have discussed with bus companies the adoption of improvement measures to enhance the protection for passenger safety; if so, of the details;
- (8) given that there is a shortage of local workers in the greening industry, of the authorities' new measures to attract new blood to the industry with a view to improving tree management work; and
- (9) given that the arboriculture and horticulture industry is not regarded as a separate trade in the construction industry, and that a

registration system for arboriculture and horticulture practitioners has not been set up at present, of the improvement measures put in place by the authorities to ensure the quality of tree management work?

Question 14
(For written reply)

(Translation)

Joint response exercises of the Hong Kong Police Force

Hon Claudia MO to ask:

Chi Ma Wan Correctional Institution and the adjacent Chi Sun Correctional Institution ceased operation in 2010. I have learnt that the Hong Kong Police Force (“HKPF”) and the Correctional Services Department (“CSD”) parked a number of their vehicles in the vicinity of the aforesaid correctional institutions on the 5th of last month. In reply to my enquiry, HKPF confirmed that it had conducted a joint response exercise together with CSD at the aforesaid location on that day. In this connection, will the Government inform this Council:

- (1) of the following information on the aforesaid two correctional institutions since they ceased operation in 2010:
 - (a) the government department(s) responsible for the management of them, and the amount of expenditure and manpower involved each year;
 - (b) whether they have been on loan to government departments or public and private organizations; if so, set out, by date in a table, the following information: (i) the name of the government department or public and private organization, (ii) the reason for the loan, and (iii) the number of persons using the premises;
 - (c) whether they have been used for law enforcement purposes (such as detention of arrestees); if so, set out, by date in a table, the following information: (i) the name of the law enforcement agency, (ii) the purpose of use, and (iii) the number of persons involved; and
 - (d) whether they have been used to store the vehicles, ammunition or accoutrements of HKPF;
- (2) of the details of the aforesaid joint response exercise, including (i) the purpose and (ii) the respective numbers of officers deployed by various government departments to participate in the exercise; and
- (3) of the respective numbers of joint response exercises that HKPF coordinated and joined in each of the past five years, and set out the following information by date: (i) the location, (ii) the purpose, and (iii) the respective numbers of officers deployed by various government departments to participate in the exercise?

Question 15
(For written reply)

(Translation)

Adjournment of court hearings

Hon Dennis KWOK to ask:

In response to the Coronavirus Disease 2019 (commonly known as “the Wuhan pneumonia”) epidemic, the Judiciary has adjourned all hearings originally scheduled to be held in courts (including tribunals) from 29 January to 22 March 2020, and the various court registries and offices handled only urgent and essential hearings/matters during the said period. The Judiciary subsequently announced that it would, starting from 2 March, pave the way for the orderly resumption of proceedings for all levels of courts and re-opening of court registries/offices within March. In other words, courts at all levels and their offices have not been in normal and full operation for as long as two months. In this connection, will the Government inform this Council if it knows:

- (1) (i) the criteria adopted by the Judiciary for determining that the aforesaid court closure arrangements should be made, and (ii) whether the Judiciary took into consideration that the prolonged closure of courts would prejudice members of the public’s right of access to justice by means of judicial proceedings; if the Judiciary did, whether the Judiciary has reviewed if such decisions struck a balance between fighting against the epidemic and upholding justice; if the Judiciary has not, of the reasons for that;
- (2) the number of cases affected by the court closures, with a breakdown by the courts involved and type of cases (i.e. (i) civil cases, (ii) criminal cases, and (iii) others);

Court	(i)	(ii)	(iii)	Total
Court of Final Appeal				
Court of Appeal of the High Court				
Court of First Instance of the High Court				
District Court				
Magistrates’ Courts				
Labour Tribunal	(not applicable)			
Lands Tribunal	(not applicable)			
Competition Tribunal	(not applicable)			
Coroner’s Court	(not applicable)			
Obscene Articles Tribunal	(not applicable)			
Small Claims Tribunal	(not applicable)			

- (3) whether the Judiciary will take measures to expeditiously re-schedule the hearings which have been adjourned as a result of the court closures; if the Judiciary will, of the details; if not, the reasons for that;

- (4) whether the Judiciary has, in response to the outbreak of the Severe Acute Respiratory Syndrome in 2003, formulated a contingency plan in respect of court operation and hearings during an infectious disease outbreak; if the Judiciary has, of the details, and whether the Judiciary has implemented such a plan in tackling the current epidemic; if the Judiciary has no such contingency plan, of the reasons for that; and
- (5) whether the Judiciary has plans to expedite the implementation of information technology application projects, with a view to enabling the electronic transmission of documents among the parties to the proceedings and the conduct of hearings by telephone or video link, so as to reduce the impacts of court closures necessitated by infectious disease outbreaks in future; if the Judiciary does, of the timetable and details; if not, the reasons for that?

Question 16
(For written reply)

(Translation)

Innovation and Technology Fund

Hon Jimmy NG to ask:

The aim for the Government to establish the Innovation and Technology Fund (“ITF”) is to encourage and assist Hong Kong enterprises in upgrading their technological level and introducing more innovative ideas to their businesses. However, the success rates of applications for a number of funding schemes set up under ITF have all along been on the low side. For example, in the three financial years from 2016-2017 to 2018-2019, the respective success rates of applications for the Innovation and Technology Support Programme, Enterprise Support Scheme, Technology Start-up Support Scheme for Universities, Guangdong-Hong Kong Technology Cooperation Funding Scheme, and Midstream Research Programme for Universities were 40%, 33%, 39%, 12% and 14% only. In this connection, will the Government inform this Council:

- (1) whether it has examined the reasons why the success rates of applications for the various funding schemes under ITF have all along been on the low side; if so, of the outcome; of the measures put in place to assist the rejected applicants in understanding the essential elements for a successful application;
- (2) whether it has collected the applicants’ views on the various funding schemes; if so, of the details and whether it has implemented improvement measures in the light of the views so collected; if improvement measures have been put in place, of the details; if it has not collected any views, the reasons for that;
- (3) whether it has taken the initiative to review if the criteria for vetting and approval of the applications for the various funding schemes are too stringent and suitably relaxed such criteria, with a view to raising the success rates of applications; if so, of the details; if not, the reasons for that; and
- (4) whether the Government will, in the coming year, recruit additional manpower to step up ITF’s work, including (i) assisting applicants in submitting applications, and (ii) stepping up the publicity on the various funding schemes’ contents and application requirements; if so, of the details; if not, the reasons for that?

Question 17
(For written reply)

(Translation)

Implementation of a new patent system

Hon Kenneth LEUNG to ask:

The Patents (Amendment) Ordinance 2016 and the Patents (General) (Amendment) Rules 2019 came into operation on 19 December 2019 to provide the necessary legal and procedural framework for a new patent system. The new patent system mainly introduces an original grant patent system, and original grant patent applications are subject to substantive examination by the Patents Registry for determining the patentability of the underlying inventions. In this connection, will the Government inform this Council:

- (1) given that the Patents Registry charges a fee of \$4,000 for substantive examination in relation to an original patent application, whether such level of fee complies with the “user pays” principle; if so, of the details; if not, the reasons for that;
- (2) whether it has assessed the direct and indirect economic benefits that the implementation of the new patent system may bring to Hong Kong;
- (3) as it has been reported that during the initial stage of the implementation of the new patent system, the National Intellectual Property Administration will provide the Hong Kong Intellectual Property Department with technical support and talent training (including the provision of technical advice on writing the description of the technology of an invention and the claims in the patent specifications, as well as conducting searches), of the duration of the arrangements for the provision of the said support and training and the fees charged; the criteria adopted by the Intellectual Property Department for selecting the patent office responsible for providing the Department with the relevant support and training, as well as the jurisdictions whose patent offices have been considered by the Department; and
- (4) whether it has set up Patent Prosecution Highway or bilateral arrangements with the patent offices in other jurisdictions to expedite the examination of patent applications; if so, of the details; if not, whether there are any plans for that?

Question 18
(For written reply)

(Translation)

Assisting children from grass-roots families in undertaking e-learning

Hon Charles Peter MOK to ask:

In the last school year, the Government launched an assistance programme known as “Provision of Subsidy to Needy Primary and Secondary Students for Purchasing Mobile Computer Devices to Facilitate the Practice of e-Learning” (“the assistance programme”) under the Community Care Fund, to subsidize students to purchase mobile computer devices. One of the conditions for applying for the assistance programme is that students are “studying in schools and classes implementing e-learning and adopting ‘Bring Your Own Device’ (‘BYOD’)”. However, only about 26% of secondary schools, 22% of primary schools and 18% of special schools had implemented or were formulating measures relating to BYOD in the 2017-2018 school year. Based on such figures, it is estimated that the majority of students have been unable to receive subsidies through the assistance programme. On the other hand, in view of the severe situation of the Coronavirus Disease 2019 epidemic, the Education Bureau (“EDB”) has earlier extended for several times the class suspension arrangements at schools and recommended that schools should provide students with learning materials through school websites, e-learning platforms, etc. during the period of class suspension, so that students can continue their studies at home. It is learnt that as some grass-roots families cannot afford to purchase computers for their children who are students or pay for Internet access charges, and that they have not received the required technical support, the students concerned are unable to learn at home through e-learning platforms. In this connection, will the Government inform this Council:

- (1) of the number and percentage of public schools which implemented the BYOD policy in the past three years, together with a tabulated breakdown by type of schools (i.e. secondary school and primary school) and finance type of schools (i.e. government, aided, caput, Direct Subsidy Scheme, and special schools);
- (2) of the respective numbers of students whose applications were received and approved under the assistance programme so far, and the percentage of the number of students whose applications were approved in the total number of students eligible for application, together with a tabulated breakdown by type of schools and finance type of schools (as shown in (1));
- (3) whether it knows the respective numbers of grass-roots families which encountered difficulties last year in purchasing computers for

their children who were students, paying for Internet access charges, and seeking relevant technical support; given that the majority of students of public schools have been unable to benefit from the assistance programme, how EDB assists them in learning through e-learning platforms;

- (4) whether it knows the number of cases in the past three months in which students from grass-roots families were unable to learn at home through e-learning platforms during the period of class suspension, and the relevant details; of the new measures to assist them in undertaking e-learning at home;
- (5) whether it will conduct a review of the assistance programme, including studying the following issues: extending the coverage to schools which have not implemented the BYOD policy, setting a target rate of subsidy and a timetable, and assigning the coordination work to EDB, with a view to benefitting all students from grass-roots families as soon as possible;
- (6) given that the Hong Kong Jockey Club has recently launched, in collaboration with two non-governmental organizations, the “Bandwidth Support for E-learning at Home Scheme” to provide grass-roots primary and secondary students (particularly those who live in subdivided units, old buildings and remote areas and thus do not have access to high-speed Internet services) with free mobile data bandwidth for four months, so that they can undertake e-learning at home during the period of class suspension, whether the Government will consider launching a similar scheme on its own in future to be run on a regular basis, with a view to providing support for students from grass-roots families in a systemic manner; and
- (7) whether it will study the establishment of regional e-learning resource centres in various public libraries and study rooms and the acquisition of the relevant equipment (including WiFi and printers), so that students from grass-roots families can undertake e-learning at such centres?

Question 19
(For written reply)

(Translation)

Supply and demand for and training of land surveyors

Hon Tony TSE to ask:

Some members of the land surveying sector have pointed out that as there is growing popularity of the application of land spatial data and an increasing demand for more accurate land surveying data for work such as monitoring ground settlement, they expect the demand for land surveyors will increase. Nevertheless, the numbers of training programme places and in-service training places for land surveyors have not increased correspondingly. In this connection, will the Government inform this Council:

- (1) whether it carried out any assessment in the past five years on the manpower supply and demand for as well as the training of land surveyors; if so, of the outcome; if not, whether it will carry out such an assessment;
- (2) of the numbers of land surveying degree programmes offered by the various local tertiary institutions and the total number of places of such programmes, in each of the past five years; whether it knows if the various institutions have plans to offer more programmes of this type or more such places in the coming three years; and
- (3) of the respective numbers of land surveying graduate trainee vacancies offered by the relevant government departments and the respective numbers of such trainees employed by them, in each of the past five years; whether such departments have plans to increase the numbers of vacancies for this type of trainees in the coming three years?

Question 20
(For written reply)

(Translation)

Steering Committee on Innovation and Technology

Hon Elizabeth QUAT to ask:

The Chief Executive announced in the 2017 Policy Address the setting up of a Steering Committee on Innovation and Technology (“Steering Committee”) to be chaired by her personally to examine and steer measures under the eight areas of innovation and technology as well as the smart city projects. In this connection, will the Government inform this Council:

- (1) as the Government indicated in November 2017 that “[t]he Steering Committee is a high-level, inter-departmental Government internal committee with membership comprising the majority of the Government Secretaries as well as the relevant department heads”, of the current membership of the Steering Committee;
- (2) of the number of meetings held by the Steering Committee since its establishment and set out, in a table by meeting date, the agenda items, attendance list, outcome and follow-up actions of each meeting;
- (3) as it is learnt that the Singapore established the National Research Foundation (“NRF”) as early as in 2006 which sets the direction for research and development (“R&D”) for the nation by formulating an overarching strategy in every five years, and NRF has launched a number of funding schemes that align with its strategy and has provided guidelines to the funding bodies under the various government ministries on the ways to allocate funds, whether the Steering Committee will commence work in this regard; if so, of the details; if not, the reasons for that; and
- (4) as a think tank has suggested that the Steering Committee should, upon making reference to the practice of Singapore and the United Kingdom, establish an overarching department responsible for steering R&D, so as to more effectively coordinate and optimize the use of R&D funding by the various Government departments, whether the Steering Committee will consider the suggestion; if so, of the details; if not, the reasons for that, and how the Government takes forward the relevant work?

Question 21
(For written reply)

(Translation)

Using Chinese medicine to prevent and treat the Coronavirus Disease 2019

Hon CHAN Han-pan to ask:

In 2003, there was an outbreak of the Severe Acute Respiratory Syndrome (“SARS”) epidemic in Hong Kong. At that time, the Hospital Authority (“HA”) set up a Chinese Medicine Expert Panel on SARS Exploratory Treatment, whose members comprised local and Mainland experts in Chinese medicine. The Panel gave advice on the use of Chinese medicine in treating SARS patients and formulated protocols of prophylaxis Chinese medicine for use by HA for its frontline staff. Regarding the use of Chinese medicine in preventing and treating the Coronavirus Disease 2019 (“COVID-19”), will the Government inform this Council:

- (1) whether it will set up a Chinese medicine expert panel on COVID-19 exploratory treatment to study the feasibility of using Chinese medicine and adopting an integrated Western medicine/Chinese medicine approach in preventing and treating the disease; if so, of the details and timetable; if not, the reasons for that;
- (2) whether it will invite Chinese medicine practitioners to join the anti-epidemic front line, so as to relieve the work pressure currently borne by healthcare personnel of the public healthcare system; if so, of the details and timetable; if not, the reasons for that; and
- (3) whether it will send Chinese medicine practitioners to the various quarantine facilities to help quarantined persons strengthen their bodies by Chinese medicine treatment under the Chinese medicine approach of “curing the illness while it is still obscure”, in the hope that those quarantined persons who have been infected will not develop the disease or, should they develop the disease, their conditions will be mitigated; if so, of the details and timetable; if not, the reasons for that?

Question 22
(For written reply)

(Translation)

The MTR Corporation Limited's businesses outside Hong Kong

Hon Mrs Regina IP to ask:

According to the Audited Results for the year ended 31 December 2019 published by the MTR Corporation Limited ("MTRCL"), MTRCL's revenues in 2019 from "Mainland of China and international railway, property rental and management subsidiaries" and "Hong Kong transport operations" were \$21,085 million and \$19,938 million respectively, and MTRCL's expenses on both for the same period were \$19,760 million and \$14,029 million respectively. There are views that MTRCL has placed too much emphasis on developing businesses outside Hong Kong at the expense of local railway business, giving rise to numerous problems. For example, on train operations, there have been frequent train delays, signalling system failures, and even serious incidents of train derailment and collision, and on the implementation of new railway projects, there have been problems of works quality, construction delays and significant cost overruns, etc. In this connection, will the Government inform this Council:

- (1) whether it knows the details of each of the businesses/projects currently engaged by MTRCL outside Hong Kong, including the contract periods and financial information such as investment amounts, as well as the anticipated and actual profits and losses; and
- (2) in order not to divert the attention of the MTRCL management team from the local transport and other related businesses, whether the Government will demand MTRCL to reduce its business expansion outside Hong Kong so as to focus on local railway development and services; if not, of the reasons for that?