

立法會
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Panel on Health Services and Panel on Commerce and Industry

**Joint Subcommittee on Issues Relating to the Regulation of Devices and
Development of the Beauty Industry**

**Minutes of the sixth meeting
held on Tuesday, 5 November 2019 at 2:30 pm
in Conference Room 2 of the Legislative Council Complex**

Members present : Hon Tommy CHEUNG Yu-yan, GBS, JP (Chairman)
Hon Elizabeth QUAT, BBS, JP (Deputy Chairman)
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon Helena WONG Pik-wan
Hon CHUNG Kwok-pan
Hon SHIU Ka-fai, JP

Member attending : Hon Martin LIAO Cheung-kong, GBS, JP

Members absent : Dr Hon KWOK Ka-ki
Dr Hon Pierre CHAN

Public officers attending : Agenda item II & III
Mr Howard CHAN Wai-kee, JP
Deputy Secretary for Food & Health (Health)1
Food and Health Bureau

Ms Leonie LEE
Principal Assistant Secretary for Food & Health (Health)1
Food and Health Bureau

Ms Jacko TSANG
Principal Assistant Secretary for Commerce & Economic
Development (Commerce & Industry)6
Commerce and Economic Development Bureau

Mr Steve LAI
General Manager
Qualifications Framework Secretariat

Ms Elaine MAK
Principal Assistant Secretary (Further Education)
Education Bureau

Mr Patrick PANG
Deputy Executive Director (Training Services)
The Employees Retraining Board

Dr Tina CHAN Siu-mui
Assistant Director of Health
(Health Science and Technology)
Department of Health

**Clerk in
attendance** : Ms Angel WONG
Chief Council Secretary (4)4

**Staff in
attendance** : Miss Mandy NG
Senior Council Secretary (4)4

Miss Rachel WONG
Council Secretary (4)4

Ms Sandy HAU
Legislative Assistant (4)4

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I. Election of Chairman and Deputy Chairman

Members considered it not necessary to re-elect the Chairman and Deputy Chairman of the Joint Subcommittee. Mr Tommy CHEUNG and Ms

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Elizabeth QUAT agreed to continue to serve as the Chairman and Deputy Chairman respectively.

II. Implementation of Qualifications Framework in the beauty industry

(LC Paper No. CB(4)808/18-19(01) -- Paper provided by the Administration)

The Subcommittee deliberated (index of proceedings attached at **Annex**).

Declaration of interest

2. The Deputy Chairman declared that she was the honorary member of several beauty industry associations. Also, her family member(s) owned beauty parlour(s) in which she had no pecuniary interest. Mr SHIU Ka-fai declared that he was the honorary Chairman of several beauty industry associations.

Major views and concerns

3. While supporting the implementation of Qualifications Framework ("QF"), the Deputy Chairman questioned whether the voluntary QF system was effective in enhancing the beauty industry's professional standards. Principal Assistant Secretary (Further Education), Education Bureau ("PAS(Further Education), EDB") advised that the policy objective of QF was to establish a voluntary system to provide qualifications pathways for progression in learning. As of today, about 4 000 beauty practitioners had sought assessment of their qualifications under the Recognition of Prior Learning ("RPL") mechanism. Moreover, operators on and off formulated new learning programmes and sought accreditation for entry into QF. All these showed that QF was widely adopted and recognized by the beauty industry.

4. Noting there were over 60 operators operating more than 200 beauty-related learning programmes under QF, Mr SHIU Ka-fai enquired about the criteria for being an operator. Dr Helena WONG expressed concerns as to whether measures such as standardized assessment, de-registration of operators, etc. were in place to ensure the quality of the learning programmes, standard of operators and qualifications of instructors. She also enquired how the public could learn about the programme contents, programme fees and qualifications of the instructors of individual programmes.

5. PAS(Further Education), EDB advised that operators of QF-recognized learning programmes came from different sectors including private

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education/training institutes, public organizations, non-government organizations and commercial corporations. The Hong Kong Council for Accreditation of Academic and Vocational Qualifications ("HKCAAVQ") was responsible for accrediting programmes for entry into QF so as to ensure the quality of the programmes. In an accreditation exercise, HKCAAVQ would take into account various factors such as the nature and curriculum of the programme, QF level, qualifications of instructors, facilities and equipment provided by the operator, etc. Details of QF-recognized learning programmes such as operators, Units of Competency ("UoCs") adopted, etc. were available on the Qualifications Register for public access.

6. General Manager, Qualifications Framework Secretariat ("GM, QF Secretariat") supplemented that although there were various programmes of similar contents under QF, there was no standardized assessment for the programmes because different programmes were designed for different trainees, such as those without relevant working experience, on-job beauty practitioners, etc. However, the assessment method of the learning programmes would also be taken into account in the accreditation exercise. Moreover, each accredited programme would have a validity period of registration. HKCAAVQ would review the programmes if the operators would like to continue operating the programmes.

7. Mr SHIU Ka-fai pointed out that there were still a number of private beauty training organizations in the industry. He urged the Administration to assist these training organizations particularly those small and medium-sized ones to seek accreditation, with a view to supporting their survival. PAS(Further Education), EDB advised that the Administration had been maintaining close contacts with the private training organizations in the beauty industry to encourage and facilitate them to seek accreditation under QF.

8. Mr Jeffrey LAM enquired how the Administration could ensure that beauty practitioners would have the appropriate qualifications for safe use of devices, such as cosmetic light equipment, upon completion of the relevant learning programmes under QF, and that the programmes had caught up with the rapid development of devices.

9. PAS(Further Education), EDB and GM, QF Secretariat advised that the Beauty and Hairdressing Industry Training Advisory Committee ("B&H ITAC") which comprised employers, employees, trade associations, professional bodies and trade unions of the beauty and hairdressing industries was responsible for developing, updating and reviewing UoCs so as to keep up with the latest development in the beauty industry. Operators of learning programmes would formulate programmes in accordance with the current over 200 beauty-related UoCs (including 18 UoCs related to operation of beauty devices). As ITAC had a good understanding of the beauty industry, UoCs

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developed would meet the changing needs of the industry. Moreover, six new clusters of UoC related to the operation of cosmetic light equipment would be introduced in January 2020 for beauty practitioners to apply for assessments under RPL mechanism. ITAC was not responsible for defining the safety standards for beauty devices.

10. Noting that beauty practitioners who had completed QF-recognized learning programmes on operation of beauty devices were proven to possess the necessary capabilities for operating the devices concerned, Prof Joseph LEE opined that QF might serve as some kind of monitoring mechanism with a view to professionalizing the beauty industry. The Deputy Chairman and Mr SHIU Ka-fai considered that the Administration should encourage beauty practitioners to attend QF training so as to be qualified for operating beauty devices, such as High Intensity Focused Ultrasound (HIFU) machines.

11. Deputy Secretary(Health)1, Food and Health Bureau ("DS(H)1, FHB") advised that as there were diverse views on use control and consensus over use control might not be reached soon, the proposed Medical Devices Bill ("Bill") would not include use control of specified medical devices at the present stage. The Administration would revisit the use control at a later stage so as to allow more time for reaching consensus with the beauty industry. Meanwhile, the Administration would encourage beauty practitioners to receive training regarding the use of beauty devices. Upon introduction of the Bill, the Administration would explore possibilities in cooperating with EDB and QF Secretariat to promote a wider implementation of QF to enhance the capability of beauty practitioners.

12. Mr SHIU Ka-fai enquired about the measures taken by the Administration to enhance the general public's awareness of QF for the beauty industry so as to boost consumers' confidence in the industry. PAS(Further Education), EDB and GM, QF Secretariat advised that riding on ITAC networks, various promotion and publicity campaigns had been conducted to introduce QF for the beauty industry. EDB would continue to explore effective ways to promote QF to the industry and the general public.

III. Government's policies and measures to support the industrialization of beauty trade

(LC Paper No. CB(4)69/19-20(01) -- Paper provided by the Administration)

Major views and concerns

13. Mr SHIU Ka-fai expressed dissatisfaction that the Administration had

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adopted a regulatory approach for developing the beauty industry. In his view, the beauty industry had taken initiative in tackling unfair trade and sale practices. The Administration should not impose statutory cooling-off period in the beauty industry, particularly when the industry was encountering operational difficulties arising from the recent disputes in the society. He further pointed out that although there were about 40 funding schemes provided by the Administration to support business enterprises and organizations in areas such as obtaining financing, exploring export markets, etc., many beauty companies did not meet the eligibility criteria of these funding schemes. The Administration should undertake specific support measures to help develop the beauty industry. Moreover, the Administration should consider subsidizing private training organizations in the industry to provide training to beauty practitioners, with a view to supporting their survival. In the long run, the Administration should develop Hong Kong into an international beauty centre which would in turn promote the development of the tourist industry.

14. The Deputy Chairman expressed disappointment that there was no targeted measure to develop and industrialize the beauty industry. In her view, the beauty industry was a promising industry with good development potential. A flourishing beauty industry could create employment opportunities and wealth for Hong Kong. The Administration should have a good understanding of the uniqueness of the industry, set up a steering committee comprising relevant bureau/departments and formulate a holistic policy to promote industrialization of the beauty industry. In the long run, the Administration should facilitate Hong Kong in achieving a pre-eminent position in Asia's beauty industry which would lead to the development of the tourist industry as well. She also suggested the Administration to formulate a licencing system for the healthy development of the industry.

15. Mr WONG Ting-kwong was of the view that the beauty industry was of high economic value and development potential. He suggested that there should be a better division and coordination of work among relevant bureau/departments, including FHB, EDB, Labour and Welfare Bureau, and Commerce and Economic Development Bureau ("CEDB"), with a view to developing and regulating the beauty industry.

16. DS(H)1, FHB explained that different bureau/departments were responsible for their relevant policy areas with respect to the development of beauty industry. The Administration would consider measures to assist the development of the beauty industry by making reference to the views and recommendations of the Joint Subcommittee.

17. Dr Helena WONG said that the Administration should adopt a multi-faceted approach to develop the beauty industry, such as providing professional training to beauty practitioners, providing financial support to the industry,

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implementing cooling-off period, introducing statutory framework for medical devices, etc. To better understand whether the SME Financing Guarantee Scheme ("SFGS") was effective in supporting the beauty industry, Dr WONG requested CEDB to provide the number of applications received from the beauty industry, and the number of beauty companies which had successfully applied for SFGS. On whether Hong Kong should be developed into an international beauty centre, she considered it important for the Administration to conduct a study to assess Hong Kong's competitive edge and opportunities for development. Principal Assistant Secretary for Commerce & Economic Development (Commerce & Industry)⁶, CEDB undertook to provide the information after the meeting.

(Post-meeting note: The Administration's written information was issued to members vide LC Paper No. CB(4)182/19-20(01) on 10 December 2019.)

18. The Deputy Chairman and Prof Joseph LEE suggested the Administration to consider subsidizing beauty practitioners to participate in QF and training courses offered by the Employees Retraining Board (ERB) and private beauty training organizations, with a view to professionalizing the beauty industry. Deputy Executive Director (Training Services), ERB advised that trainees taking full-time ERB courses would be provided with a maximum amount of subsidy of \$153.8 per day. In the light of the economic downturn, ERB had just launched a one-off "Love Upgrading Special Scheme" to support those recently unemployed or under-employed for skill enhancement. Special allowances at \$153.8 and \$76.9 per day would be disbursed to trainees who had completed full-time and part-time courses respectively. GM, QF Secretariat advised that beauty practitioners were given full reimbursement of assessment fees for assessment under the RPL mechanism.

19. Mr SHIU Ka-fai enquired whether the Administration would consider extending the 5-year transitional listing period under the proposed statutory framework for medical devices. Assistant Director of Health(Health Science and Technology), Department of Health advised that the listing system was a transitional measure. The Administration believed that the 5-year period should be sufficient for traders to source and import qualified medical devices.

20. The Chairman said that the Administration should strike a proper balance between safeguarding consumer interests and sustaining the long-term development of the beauty industry. Industrialization of beauty industry could not be achieved solely through regulations. He urged the Administration to provide a facilitating business environment for the beauty industry and think out of the box in formulating policies for supporting the development of the industry.

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IV. Any other business

Way forward of the Joint Subcommittee

21. Members agreed that the Joint Subcommittee should conclude its work and that the report on its deliberations would be circulated for members' consideration before submitting to the Panel on Health Services and Panel on Commerce and Industry.

22. There being no other business, the meeting ended at 4:26 pm.

Council Business Division 4
Legislative Council Secretariat
5 June 2020

Panel on Health Services and Panel on Commerce and Industry

**Proceedings of the sixth meeting of the
Joint Subcommittee on Issues Relating to the Regulation of Devices and
Development of the Beauty Industry
on Tuesday, 5 November 2019 at 2:30 pm
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda Item I – Election of Chairman and Deputy Chairman</i>			
000343-000443	Mr Tommy CHEUNG Mr CHUNG Kwok-pan Mr SHIU Ka-fai	Election of Chairman and Deputy Chairman	
<i>Agenda Item II – Implementation of Qualifications Framework in the beauty industry</i>			
000444-001014	Chairman Administration	Administration's briefing on the implementation of Qualifications Framework ("QF") in the beauty industry	
001015-001617	Chairman Deputy Chairman Administration	Concern about the effectiveness of QF in enhancing the professional standards of the beauty industry Suggestion of encouraging beauty practitioners to receive training regarding safe use of beauty devices	
001618-002554	Chairman Mr SHIU Ka-fai Administration	Suggestion of providing assistance to private training providers for seeking accreditation Promotion of QF for the beauty industry	
002555-003356	Chairman Mr Jeffrey LAM Administration	QF-recognized learning programmes on safe use of beauty devices	
003357-004033	Chairman Dr Helena WONG Administration	Quality assurance and transparency of QF-recognized learning programmes for the beauty industry	
004034-004653	Chairman Mr WONG Ting-kwong	Collaboration of relevant bureaux/departments in regulating and developing the beauty industry	
004654-005508	Chairman Prof Joseph LEE Administration	Professionalization of the beauty industry through QF-recognized learning programmes	
005509-010311	Chairman Mr SHIU Ka-fai Administration	Professionalization of the beauty industry through QF-recognized learning programmes Suggestion of encouraging beauty practitioners to receive training regarding safe use of beauty devices	

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda Item III – Government's policies and measures to support the industrialization of beauty trade</i>			
010312-011417	Chairman Administration	Administration's briefing on the Government's policies and measures to support the industrialization of beauty trade	
011418-012310	Chairman Mr SHIU Ka-fai Administration	Concern about the Administration's regulatory approach to develop the beauty industry Proposed measures to industrialize the beauty industry Suggestion of subsidizing private training providers for organizing learning programmes for beauty practitioners	
012311-013252	Chairman Deputy Chairman	Proposed measures to industrialize the beauty industry	
013253-013850	Chairman Prof Joseph LEE Administration	Suggestion of subsidizing beauty practitioners to attend training courses	
013851-014610	Chairman Dr Helena WONG Administration	Proposed measures to industrialize the beauty industry The Administration was requested to provide the number of applications received from the beauty industry, and the number of beauty companies which had successfully applied for the SME Financing Guarantee Scheme	
014611-015200	Chairman Deputy Chairman Administration	Suggestion of subsidizing beauty practitioners to attend training courses	
015201-015537	Chairman Mr SHIU Ka-fai Administration	Transitional listing system under the proposed regime for regulating medical devices	
015538-015843	Chairman	Proposed measures to industrialize the beauty industry	
<i>Agenda Item IV – Any other business</i>			
015844-020014	Chairman	Way forward of the Joint Subcommittee Closing remarks	