

LEGISLATIVE COUNCIL BRIEF

Hong Kong Science and Technology Parks Corporation Ordinance (Chapter 565)

HONG KONG SCIENCE AND TECHNOLOGY PARKS CORPORATION ORDINANCE (AMENDMENT OF SCHEDULE 1) (No.2) NOTICE 2019

INTRODUCTION

In accordance with Section 27(2) of the Hong Kong Science and Technology Parks Corporation (“HKSTPC”) Ordinance (Cap. 565) (“the Ordinance”), the HKSTPC has made the “Hong Kong Science and Technology Parks Corporation Ordinance (Amendment of Schedule 1) (No.2) Notice 2019” (“the Notice”). The Notice amends Schedule 1 of the Ordinance to include HKSTPC Western District Hub in the list of specified premises where activities related to the purposes of the HKSTPC as prescribed in the Ordinance are, or are to be, carried out.

JUSTIFICATIONS

HKSTPC-University Partnership Programme

2. Our local universities are the spawning grounds for innovation and cradles for start-ups. Through commercialisation or technology transfer, research and development (“R&D”) results could be developed into new products or services, thereby unleashing Hong Kong’s R&D capabilities and benefiting the society and local economy.

3. In recent years, the start-up ecosystem in Hong Kong has

experienced a steady growth. According to the annual start-up survey conducted by Invest Hong Kong, there are 3 184 start-ups in 2019, representing an increase of 21% as compared to the number in 2018. With the thriving start-up ecosystem and the Government's support measures, such as provision of funding to the Technology Transfer Offices of designated local universities and the Technology Start-up Support Scheme for Universities (TSSSU)¹, there has been a flourishing atmosphere of technopreneurship at local universities. More professors, students and graduates are increasingly interested in starting technology businesses and commercialising their R&D results.

4. HKSTPC has been providing comprehensive incubation services across various stages of entrepreneurship. These include the three incubation programmes which provide support for start-ups that focus on technology, biotechnology as well as web and mobile technology. As at the end of September 2019, there were 295 incubatees at the Hong Kong Science Park ("HKSP") and InnoCentre, creating 1 336 employment opportunities. Apart from the incubation programmes, HKSTPC also provides pre-incubation support, through the Science and Technology Entrepreneur Programme, for innovation and technology ("I&T") talents who want to start their own businesses. Under the programme, participants may receive up to \$100,000 seed funding. With its rich experience in incubation and strong industry network, HKSTPC sees merits in strengthening linkage with local universities, so as to give further impetus to the growth of university technopreneurship and technology transfer. In this regard, HKSTPC plans to collaborate with local universities to jointly provide incubation services to university start-ups at sites close to the

¹ TSSSU provides an annual funding of up to \$8 million to the six universities to support their teams in starting technology businesses and commercialising their R&D results. Each funded technology start-up may receive up to \$1.5 million each year for no more than three years.

partnering universities. This will allow start-ups to gain easy access to resources and support from both HKSTPC and the universities, which could in turn strengthen the academic-industry linkage.

5. Local universities are also keen to strengthen their collaboration with HKSTPC. In this connection, HKSTPC has reached an agreement with the University of Hong Kong (“HKU”) to jointly operate the HKSTPC Western District Hub near HKU as a hub for working, coaching and networking etc. for admitted start-ups.

The Ordinance

6. In accordance with Section 27(1) of the Ordinance, Schedule 1 of the Ordinance sets out the list of specified premises in Hong Kong where activities related to the purposes² of the HKSTPC as prescribed in Section 6(1)(b), (c) or (d) of the Ordinance are, or are to be, carried out by the HKSTPC. As the premises in which the HKSTPC Western District Hub is located is currently not listed in Schedule 1 of the Ordinance, legislative amendment is required. Section 27(2) of the Ordinance provides that the HKSTPC may by notice published in the Gazette amend Schedule 1.

² As specified in Section 6(1) in the Ordinance, the purposes of the HKSTPC are -

- (a) to establish or develop any premises where activities related to the purposes prescribed in paragraph (b), (c) or (d) are, or are to be, carried out, and to manage and control the land and other facilities comprised in such premises;
- (b) to facilitate the research and development and application of technologies in manufacturing and service industries in Hong Kong;
- (c) to support the development, transfer and use of new or advanced technologies in Hong Kong;
- (d) to engage in such activities or to perform such functions as the Chief Executive in Council may, after consultation with the HKSTPC, permit or assign to it by order published in the Gazette.

THE NOTICE

7. The Notice (at **Annex A**) amends Schedule 1 of the Ordinance to include the HKSTPC Western District Hub, which is located at Suite Numbers 3, 5, 6, 7 and 8, 29th Floor of the Pacific Plaza, No. 418 Des Voeux Road West, Hong Kong, to the list of specified premises where activities related to the purposes of the HKSTPC as prescribed in the Ordinance are, or are to be, carried out. The amendments concerned were approved by the Board of Directors of the HKSTPC on 27 September 2019.

LEGISLATIVE TIMETABLE

8. The legislative timetable is as follows –

Publication in the Gazette	8 November 2019
Tabling at the Legislative Council	13 November 2019
Date of Commencement	10 January 2020

IMPLICATIONS OF THE PROPOSAL

9. The HKSTPC-University Partnership Scheme leverages HKSTPC's incubation experiences and strong connections with various industry stakeholders. The collaboration combines resources and strengths of HKSTPC and local universities to create synergy, which could catalyse the development of the local I&T ecosystem.

10. The rental and operating costs of the HKSTPC Western District

Hub will be covered by HKSTPC.

11. By including the HKSTPC Western District Hub in Schedule 1 of the Ordinance, HKSTPC will be able to fully exercise its powers as conferred to it under the Ordinance. These powers include those as set out in the provisions listed under **Annex B**.

BACKGROUND

12. HKSTPC is a statutory body established under the Ordinance in May 2001. It provides one-stop service to technology-based companies and start-ups, makes available spaces in the HKSP and the InnoCentre for R&D activities, and offers land and premises in Industrial Estates for manufacturing. It is also developing the InnoCell adjacent to the HKSP to provide accommodation support to HKSP's tenants and incubatees.

ENQUIRIES

13. Any enquiries about this brief can be directed to Miss Eunice Chan, Assistant Commissioner (Infrastructure) of the Innovation and Technology Commission, at 2810 3272.

Innovation and Technology Bureau
Innovation and Technology Commission
November 2019

**Hong Kong Science and Technology Parks Corporation
Ordinance (Amendment of Schedule 1) (No. 2) Notice
2019**

(Made by the Hong Kong Science and Technology Parks Corporation under
section 27(2) of the Hong Kong Science and Technology Parks Corporation
Ordinance (Cap. 565))

1. Commencement

This Notice comes into operation on 10 January 2020.

**2. Hong Kong Science and Technology Parks Corporation
Ordinance amended**

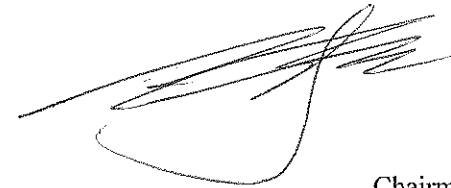
The Hong Kong Science and Technology Parks Corporation
Ordinance (Cap. 565) is amended as set out in section 3.

3. Schedule 1 amended (specified premises)

At the end of Schedule 1—

Add

- “8. HKSTPC Western Suite Nos. 3, 5, 6, 7 and 8, 29th
District Hub Floor, Pacific Plaza, 418 Des
Voeux Road West, Hong
Kong”.



Chairman,
Hong Kong Science and Technology
Parks Corporation

8 November 2019

Explanatory Note

This Notice amends Schedule 1 to the Hong Kong Science and Technology Parks Corporation Ordinance (Cap. 565) to update the list of premises where activities related to the purposes of the Hong Kong Science and Technology Parks Corporation as prescribed in section 6(1)(b), (c) or (d) of the Ordinance are, or are to be, carried out.

**Powers of HKSTPC in Specified Premises Conferred by the
HKSTPC Ordinance (Cap. 565)**

Section 8 Powers of Corporation

(2) Without prejudice to the generality of subsection (1), the Corporation may —

(d) manage any buildings, structures and other facilities (including any land ancillary to them) in specified premises;

**Whereas subsection (1) of section 8 specified that —*

The Corporation shall have powers — (a) to do, in any part of the world, such things as are expedient for or conducive to the attainment of the purposes of the Corporation or of any purpose reasonably incidental to or consequential upon any of those purposes; (b) to do any thing referred to in paragraph (a) jointly with other persons.

Section 28 Power to prohibit certain persons from entering specified premises

(1) A manager may—

(a) prevent a person from entering; or

(b) remove a person from,

any specified premises if he reasonably believes that the person is likely to disrupt or obstruct the operation or management of the specified premises.

(2) A manager may use such force as may be reasonably necessary to prevent a person from entering, or remove a person from, any specified premises under subsection (1) and, for that purpose, may request the assistance of a police officer or any other person.

Section 29 Power to take possession and dispose of property

- (1) The Corporation may take possession of any property—
 - (a) found on land in any specified premises which has been leased land, after the tenant has left the land following the termination of his lease;
 - (b) which is placed in or affixed to leased land in any specified premises in contravention of any condition in the relevant lease;
 - (c) which a manager reasonably believes to have been left or abandoned on land in any specified premises which is not leased land; or
 - (d) which causes an obstruction or nuisance on or in any land in any specified premises which is not leased land.

Section 33 Bylaws

- (1) The Corporation may make bylaws for all or any of the following purposes—
 - (a) the management and control of specified premises;
 - (b) the use of any equipment, facility or service provided for use at specified premises;
 - (c) the preservation of good order and discipline and prevention of nuisances in specified premises; and
 - (d) the better performance of the functions of the Corporation.
- (2) A bylaw made under subsection (1) is subsidiary legislation.
- (3) Any bylaw made under subsection (1) which provides that hawking within any specified premises is an offence may also provide that all or any of the provisions of sections 86, 86A, 86C and 86D of the Public Health and Municipal Services Ordinance (Cap. 132) shall apply as if such offence were a hawker offence within the meaning of section 83

of that Ordinance.

- (4) Any bylaw made under subsection (1) may apply generally to all specified premises or may apply only to any specified premises particularly mentioned in the bylaw.
- (5) The Corporation shall cause printed copies of any bylaw made under subsection (1) to be—
 - (a) prominently displayed in the specified premises to which the bylaw applies;
 - (b) kept at its offices; and
 - (c) available for sale to any person at a reasonable cost.