

# Legislative Council

## Agenda

Wednesday 2 December 2020 at 11:00 am

### **I. Laying of Papers on the Table of the Council**

5 items of subsidiary legislation and 6 other papers to be laid on the Table of the Council set out in **Appendix 1**

### **II. Questions**

Members to ask 22 questions (6 for oral replies and 16 for written replies)

#### **Questions for oral replies to be asked by**

#### **Public officers to reply**

- |                                                                            |                                                                                                         |
|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 1. Hon WONG Kwok-kin<br>(Supporting the unemployed and underemployed)      | Secretary for Labour and Welfare                                                                        |
| 2. Hon LAU Kwok-fan<br>(Expediting the planning processes)                 | Secretary for Development                                                                               |
| 3. Hon Jeffrey LAM<br>(Coronavirus Disease 2019 vaccines)                  | Secretary for Food and Health                                                                           |
| 4. Hon Christopher CHEUNG<br>(Suspension of listing on the stock exchange) | Secretary for Financial Services and the Treasury                                                       |
| 5. Hon CHAN Hak-kan<br>(Development of the border zone)                    | Secretary for Development<br>Under Secretary for the Environment<br>Under Secretary for Food and Health |
| 6. Hon Paul TSE<br>(Relief measures)                                       | Secretary for Financial Services and the Treasury                                                       |

Contents of 22 questions, Members to ask such questions and public officers to reply set out in **Appendix 2**

### **III. Government Bills**

#### **First Reading and Second Reading (debate to be adjourned)**

1. Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Bill : Secretary for Justice
2. Stamp Duty (Amendment) Bill 2020 : Secretary for Financial Services and the Treasury

### **IV. Member's Motion on Subsidiary Legislation**

#### **Proposed resolution to extend the period for amending subsidiary legislation (L.N. 221 of 2020)**

Mover : Dr Hon CHIANG Lai-wan

Wording of the motion : **Appendix 3**

Clerk to the Legislative Council

## Council meeting of 2 December 2020

## Laying of Papers on the Table of the Council

Subsidiary legislation	Legal Notice No.
1. <u>Public Revenue Protection (Stamp Duty) Order 2020</u>	231 of 2020
2. <u>Airport Authority Ordinance (Map of Restricted Area) (Amendment) Order 2020</u>	232 of 2020
3. <u>Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No. 3) Order 2020</u>	233 of 2020
4. <u>Public Health and Municipal Services Ordinance (Public Swimming Pools) (Amendment of Fourteenth Schedule) Order 2020</u>	234 of 2020
5. <u>Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 14) Regulation 2020</u>	235 of 2020
<b>Other papers</b>	
6. <u>Prisoners' Education Trust Fund</u> <u>Report by the Trustee, Financial Statements and Report of the Director of Audit for the period 1 April 2019 to 31 March 2020</u> (to be presented by Secretary for Security)	
7. <u>Emergency Relief Fund</u> <u>Annual Report by the Trustee for the year ended 31 March 2020 (including Financial Statements and Report of the Director of Audit)</u> (to be presented by Secretary for Labour and Welfare)	
8. <u>Sir Murray MacLehose Trust Fund</u> <u>Trustee's Report on the administration of the Fund, Financial Statements and Report of the Director of Audit for the year ended 31 March 2020</u> (to be presented by Secretary for Home Affairs)	
9. <u>Customs and Excise Service Welfare Fund</u> <u>Financial Statements for the year ended 31 March 2020, Report of the Director of Audit and Report by the Commissioner of Customs and Excise Incorporated</u> (to be presented by Secretary for Security)	

10. Customs and Excise Service Children's Education Trust Fund  
Report by the Trustee for the year 1 April 2019 to 31 March 2020 (including  
Financial Statements and Report of the Director of Audit)  
(to be presented by Secretary for Security)
11. Report No. 4/20-21 of the House Committee on Consideration of Subsidiary  
Legislation and Other Instruments  
(to be presented by Hon Starry LEE, Chairman of the House Committee)

## 22 questions to be asked at the Council meeting of 2 December 2020

		Subject matters	Public officers to reply
<b>Questions for oral replies</b>			
1	Hon WONG Kwok-kin	<u>Supporting the unemployed and underemployed</u>	Secretary for Labour and Welfare
2	Hon LAU Kwok-fan	<u>Expediting the planning processes</u>	Secretary for Development
3	Hon Jeffrey LAM	<u>Coronavirus Disease 2019 vaccines</u>	Secretary for Food and Health
4	Hon Christopher CHEUNG	<u>Suspension of listing on the stock exchange</u>	Secretary for Financial Services and the Treasury
5	Hon CHAN Hak-kan	<u>Development of the border zone</u>	Secretary for Development Under Secretary for the Environment Under Secretary for Food and Health
6	Hon Paul TSE	<u>Relief measures</u>	Secretary for Financial Services and the Treasury
<b>Questions for written replies</b>			
7	Hon YIU Si-wing	<u>Measures for supporting the tourism industry</u>	Secretary for Commerce and Economic Development
8	Hon Kenneth LAU	<u>Cross-boundary railway projects</u>	Secretary for Transport and Housing
9	Hon Vincent CHENG	<u>Fire safety of buildings</u>	Secretary for Security
10	Hon CHAN Han-pan	<u>Support for Rural Committees and village representatives</u>	Secretary for Home Affairs
11	Hon LEUNG Che-cheung	<u>Development of the biomedicine industry</u>	Secretary for Innovation and Technology
12	Hon Jimmy NG	<u>Retraining for the unemployed and underemployed</u>	Secretary for Labour and Welfare
13	Hon KWOK Wai-keung	<u>Civil servants to take an oath or sign a declaration</u>	Secretary for the Civil Service
14	Hon Tony TSE	<u>Building safety</u>	Secretary for Security
15	Hon LUK Chung-hung	<u>Love Upgrading Special Scheme</u>	Secretary for Labour and Welfare
16	Hon CHAN Chun-ying	<u>Regulation of credit reference agencies</u>	Secretary for Financial Services and the Treasury
17	Hon Mrs Regina IP	<u>Chinese medicine services</u>	Secretary for Food and Health
18	Hon Elizabeth QUAT	<u>The conduct, decisions and promotion of judges</u>	Chief Secretary for Administration
19	Hon Alice MAK	<u>Supply of land and housing</u>	Secretary for Development
20	Hon Elizabeth QUAT	<u>An in-house talk organized by the Judiciary</u>	Chief Secretary for Administration
21	Dr Hon Priscilla LEUNG	<u>Fire safety of “three-nil buildings”</u>	Secretary for Security
22	Hon Holden CHOW	<u>Dead Removal Teams</u>	Secretary for Food and Health

Question 1  
(For oral reply)

(Translation)

Supporting the unemployed and underemployed

Hon WONG Kwok-kin to ask:

The seasonally adjusted unemployment rate from August to October this year was 6.4%, the highest in 16 years, with the number of unemployed persons reaching as high as 257 800. As the Government no longer, from this month onwards, provides employers with wage subsidies through the Employment Support Scheme, some academics have predicted that more and more enterprises will lay off their staff or introduce no-pay leave schemes so as to manage costs, thereby causing the unemployment rate and underemployment rate to rise continuously in the coming few months. In this connection, will the Government inform this Council:

- (1) of the new measures in place to cope with the imminent wave of layoffs; the targeted measures in place to stimulate the economy and bail out enterprises in financial distress, so as to avoid job losses;
- (2) whether it will introduce a temporary cash allowance scheme under which the unemployed and underemployed may apply, in their personal capacity (i.e. without being subject to a family means test), for a monthly allowance of up to \$9,000 for a maximum period of six months; and
- (3) whether it will redeploy the resources of the Community Care Fund for disbursing financial assistance to the unemployed and underemployed; if so, of the details; if not, the reasons for that?

Question 2  
(For oral reply)

(Translation)

Expediting the planning processes

Hon LAU Kwok-fan to ask:

As pointed out in a research report published by the Legislative Council Secretariat, the development of non-spade-ready sites for residential buildings currently takes at least 10 years as lengthy planning processes are involved. Major stakeholders have repeatedly urged the Government to conduct a review and expedite the planning processes. In this connection, will the Government inform this Council:

- (1) as the aforesaid research report has shown that the Town Planning Board takes a long time, in some cases as long as two decades, to make statutory plans as well as vet and approve planning applications, of the Government's measures to expedite the relevant processes, including whether it will comprehensively review the Town Planning Ordinance; if so, of the timetable; if not, the reasons for that;
- (2) given that currently the relevant government departments responsible for vetting and approving development projects have different requirements in respect of some common planning and development parameters, necessitating developers to submit repetitive applications, of the progress of the Government's efforts to align the standards for, and rationalize the processes of, vetting and approval; the plans in place to completely digitalize the relevant processes and set time limits for the various departments in processing applications; and
- (3) as the authorities in Singapore have put in place a "provisional permission" procedure for planning applications, so that developers may commence certain preliminary works before the issuance of "written permissions", whether the Government will introduce similar practices to expedite the development of projects?

Question 3  
(For oral reply)

(Translation)

Coronavirus Disease 2019 vaccines

Hon Jeffrey LAM to ask:

The Government has earmarked over \$8.4 billion in the current financial year for procuring Coronavirus Disease 2019 vaccines (“COVID-19 vaccines”) and administering them to members of the public. On the other hand, queries concerning the efficacy and safety of vaccination have been raised from time to time in recent years, and such “anti-vaccination” thinking may dampen the public’s desire for being administered the COVID-19 vaccines. In this connection, will the Government inform this Council:

- (1) of the details of the preparatory work for procuring COVID-19 vaccines and administering them to members of the public; whether it will expedite the registration process of COVID-19 vaccines, assist private healthcare institutions in procuring the vaccines, and provide free vaccination for specific groups of persons;
- (2) whether persons who have been administered, either in or outside Hong Kong, those COVID-19 vaccines recognized by the World Health Organization will be granted exemption from quarantine requirements upon entry into the territory, so as to facilitate cross-boundary flow of people; and
- (3) whether it has set any target vaccination coverage rates for the COVID-19 vaccines; if so, of the measures in place to ensure that the target rates will be achieved; the measures in place to curb the deliberate spread of rumours about the vaccines?



Question 4  
(For oral reply)

(Translation)

Suspension of listing on the stock exchange

Hon Christopher CHEUNG to ask:

Ant Group, a Mainland financial technology (“fintech”) company, was originally scheduled to be dually listed on the stock exchanges in Hong Kong and Shanghai on 5 November this year. Two days before the listing, the Shanghai Stock Exchange suspended the company’s listing on its stock exchange for reasons such as a change in the regulatory environment of fintech in which the company operates. On the same day, the company announced the suspension of its listing in Hong Kong. It has been reported that the company originally planned to raise funds of an amount over \$260 billion, which had broken the global record, and the amount of money subscribing the company’s shares in Hong Kong was \$1.3 trillion, of which around \$500 billion were loans (commonly known as “margin loans”). In this connection, will the Government inform this Council:

- (1) whether it knows the details of the change in the regulatory environment of fintech in which the company operates; whether it has assessed if there were errors and omissions regarding the due diligence performed by the sponsors in respect of the company as well as the work undertaken by the Stock Exchange of Hong Kong Limited for vetting and approving the company’s listing;
- (2) given that as small and medium-sized securities brokers lack the financial resources possessed by large securities brokers and banks, they cannot afford waiving the interests and fees payable by margin subscribers of the company’s shares in Hong Kong, and may thus lose clients, and that some margin subscribers have to shoulder the expense on interests, whether the authorities have studied amending the relevant rules and regulations so that in future such losses will be shouldered by those parties which have a greater responsibility for leading to suspension of listing (e.g. the company to be listed and its sponsors); and
- (3) whether the authorities will draw experience from this incident and improve the communication between the regulatory authorities in Hong Kong and those on the Mainland, so as to prevent the recurrence of sudden suspension of listing; if so, of the details; if not, the reasons for that?

Question 5  
(For oral reply)

(Translation)

Development of the border zone

Hon CHAN Hak-kan to ask:

The Central Authorities have expressed full support for the integration of the Hong Kong Special Administrative Region into the development of the Guangdong-Hong Kong-Macao Greater Bay Area (“Greater Bay Area”) and the overall development of the country. On the other hand, the development of the border zone of Hong Kong has lagged behind for years, striking a stark contrast with Shenzhen, which is located just a river apart and packed with high-rise buildings. Moreover, the presence of obnoxious facilities such as landfills, cemeteries and food waste treatment plants in the border zone, coupled with the lack of transport links, has constrained the development of the zone. In this connection, will the Government inform this Council:

- (1) whether it will change its policy by ceasing the construction or expansion of obnoxious facilities in the border zone and downsizing the existing facilities; if so, of the details; if not, the reasons for that;
- (2) whether it has studied how the development potential of the border zone can be fully realized so as to achieve “complementarity of advantages” with Shenzhen, such as by establishing a core business district; if so, of the details; and
- (3) whether it has explored with the Central Authorities and the relevant ministries how Hong Kong may utilize the land in the border zone in its participation in the development of the Greater Bay Area?

Question 6  
(For oral reply)

(Translation)

Relief measures

Hon Paul TSE to ask:

With the fourth wave of the Coronavirus Disease 2019 epidemic coming inexorably, quite a number of industries are operating for mere survival. Some academics have anticipated that with the Lunar New Year approaching and the Government no longer disbursing wage subsidies to employers from this month onwards, there will be imminent waves of enterprises closing down and layoffs. There have been public opinions criticizing the Government for spending \$30 billion lavishly on subsidizing the Cathay Group which still needs to make a substantial cut of over 5 300 positions eventually, but refusing to spend a similar amount on making contributions to the Mandatory Provident Fund (“MPF”) schemes on behalf of the employers and employees in Hong Kong for half a year. These have reflected that the Government’s policies have placed emphasis on individual companies and ignored the hardship faced by the workers in Hong Kong, and that the Government has often misjudged the situations and took wrong remedies. In this connection, will the Government inform this Council:

- (1) given that the epidemic has resurged with many members of the public being laid off or experiencing drastic pay cuts, but they have received one after another notices for payment of salaries tax issued by the Inland Revenue Department with assessments made on the basis of their income levels before the epidemic, and they therefore feel extremely anxious, helpless and even angry, whether the Government will be truly down to earth and sympathize with people’s hardship, and introduce measures to provide a universal full waiver or substantial reduction of salaries tax;
- (2) whether it will consider afresh introducing “individual-based” relief measures, including making contributions to the MPF schemes on behalf of the employers and employees in Hong Kong for half a year, paying government rent on behalf of all property owners and providing concessions on rates for self-occupied properties for one year, granting flat owners who are unemployed exemption from paying the Special Stamp Duty when selling their properties, as well as handing out cash to members of the public again by making reference to the practice of the Macao Government of handing out \$10,000 and \$6,000 to permanent and non-permanent residents respectively; and

- (3) as it has been reported that in recent months, the number of applications for Certificates of No Criminal Conviction has surged, and there is also a wave of students of a number of traditional prestigious schools dropping out, whether the Government has assessed if these phenomena have reflected that quite a number of members of the public consider the Government's efforts in tackling the epidemic and boosting the economy to be perfunctory, and that they are continuously losing confidence in the Government's governance; what government measures are in place to address the situation?

Question 7  
(For written reply)

(Translation)

Measures for supporting the tourism industry

Hon YIU Si-wing to ask:

With the Coronavirus Disease 2019 epidemic raging across the globe, various countries and regions have implemented immigration control and quarantine measures, which have dealt a heavy blow to Hong Kong's tourism industry. Some members of the tourism industry have relayed that given their income having dropped almost to zero, the relief measures launched by the Government for the tourism industry were just a drop in the bucket. As the Government, starting from this month, no longer provides wage subsidies to employers under the Employment Support Scheme, and the time for recovery of the tourism industry is indefinite, they fear that there will be waves of travel agencies closing down, with a large number of practitioners in the tourism industry being laid off. In this connection, will the Government inform this Council:

- (1) whether it has studied what measures, among those taken by overseas countries and regions to support their local tourism industry, are of reference value to Hong Kong; if so, of the details; if not, the reasons for that;
- (2) whether it has assessed what changes there will be in Hong Kong's unemployment rate, as well as the number of travel agencies and other tourism-related companies that will lay off their staff, in the coming three months; if so, of the assessment outcome; if not, the reasons for that; and
- (3) given that the tourism industry (especially medium-to-small travel agencies) has been hard hit by the epidemic, and that some members of the industry have criticized the measures launched by the Government earlier on as being just a drop in the bucket, whether the Government will consider afresh launching targeted new support measures; if so, of the details; if not, the reasons for that?

Question 8  
(For written reply)

(Translation)

Cross-boundary railway projects

Hon Kenneth LAU to ask:

The National Development and Reform Commission made public in July this year the Official Reply on the Development Plan for Inter-city Railway Links in the Guangdong-Hong Kong-Macao Greater Bay Area, agreeing to the implementation of a batch of intercity railway projects in the Guangdong-Hong Kong-Macao Greater Bay Area (“Greater Bay Area”) in an orderly manner to improve the quality of inter-city transportation in the Greater Bay Area. Those railway projects include extending the Guangzhou-Shenzhen-Hong Kong Express Rail Link from the Guangzhou South Station to the Guangzhou Railway Station and switching the terminus station to the latter. The Transport and Housing Bureau has indicated that it will maintain close communication with the Mainland rail operator and provide different train schedules to meet the demands of different passengers. There are comments that the development of the Greater Bay Area is a major national development strategy which can create a new area of growth for Hong Kong’s economy, and the Government should actively participate in the development plan for the inter-city railway links in the Greater Bay Area and seize the development opportunities in the Greater Bay Area. In this connection, will the Government inform this Council:

- (1) whether it knows which of the Greater Bay Area inter-city railway projects under planning will connect with the boundary control points in Hong Kong (“cross-boundary railway projects”) and their details;
- (2) whether it has formulated any cooperation plans with the relevant Mainland departments for the implementation of the cross-boundary railway projects mentioned in (1); if so, of the details, including (i) the specific work for which Hong Kong is mainly responsible, (ii) the mode of cooperation and division of labour among the various cities in the Greater Bay Area, (iii) the latest progress of the cooperation plans, and (iv) the expected date for announcing the concrete proposals;
- (3) whether it has assessed the benefits to Hong Kong’s economic and trade development that such cross-boundary railway projects will bring; if so, of the details; and

- (4) whether it has plans to commence other cross-boundary railway projects in collaboration with the authorities of the other cities in the Greater Bay Area in the coming five years; if so, of the details?

Question 9  
(For written reply)

(Translation)

Fire safety of buildings

Hon Vincent CHENG to ask:

It has been reported that on the 15th of last month, a fire broke out in a 69-year-old tenement building in Yau Ma Tei, resulting in more than 10 casualties. The building lacks fire safety measures that meet the current fire safety standards, and the fire doors on certain floors have been removed. The said building is one of those which have not formed an owners' corporation or any residents' organization, and have not engaged any property management company ("three-nil building"). Regarding fire safety of buildings, will the Government inform this Council:

- (1) of the current number of buildings in Hong Kong which do not meet the current fire safety standards and, among such buildings, the number of those whose owners or occupiers have failed to comply with the Fire Safety Directions issued by the Fire Services Department ("FSD") and the Buildings Department ("BD") to enhance the fire safety measures of their buildings to a level that conforms to the current fire safety standards (with a breakdown by District Council district);
- (2) given that FSD and BD will, in the light of the fire incident, embark on a special exercise to inspect some 2 500 buildings aged 60 or above and will take law enforcement actions against contraventions (including instigating prosecutions against offenders), whether the Government will extend the scope of inspection to cover all of the buildings mentioned in (1); if so, of the details; if not, the reasons for that;
- (3) as some members of the public have pointed out that the Government's current efforts in promoting improvement to the fire safety of old buildings (including three-nil buildings) are ineffective, whether BD will assign its social services teams to take the initiative to assist owners of old buildings in improving the management and the fire safety of their buildings; if so, of the details; if not, the reasons for that;
- (4) given that application for the Fire Safety Improvement Works Subsidy Scheme closed in October this year, whether the Government will consider extending the Scheme and reopening it for application; if not, whether it will launch other subsidy schemes for improving fire safety of buildings;



- (5) whether the Government will consider introducing measures to tackle fire hazards in old buildings, including making legislative amendments to enable relevant government departments to intervene by first carrying out the needed fire safety works for high-risk old buildings which do not meet the current fire safety standards and then recovering the costs from the owners concerned; and
- (6) in respect of short-term measures, whether the Government will consider launching a subsidy scheme to immediately provide basic fire safety equipment, commonly known as the “three treasures of firefighting tools” (i.e. fire extinguishers, fire blankets or fire sand), to owners or tenants of those old buildings which do not meet the current fire safety standards and are located in selected areas densely packed with subdivided units?

Question 10  
(For written reply)

(Translation)

Support for Rural Committees and village representatives

Hon CHAN Han-pan to ask:

At present, there are over 1 000 village representatives (“VRs”) in Hong Kong. Not only do they need to frequently liaise with various parties on affairs affecting their villages and the well-being of villagers, they also serve as the main contact point for the whole village in times of natural disasters and other emergency incidents. The Government has indicated that, although the number of people that VRs represent is fewer and the issues they handle are relatively local, the work of VRs is, to a certain extent, of a similar nature to that of District Council (“DC”) members. On the provision of support for Rural Committees (“RCs”) and VRs, will the Government inform this Council:

- (1) of the respective total annual amounts of (i) the funding/allowance allocated to various RCs and (ii) the honorarium granted to VRs, by the Government in each of the past 10 years (set out in a table);
- (2) of the respective adjustment mechanisms for the funding/allowance/honorarium mentioned in (1), as well as the respective numbers of adjustment in the past 10 years and the rate of each adjustment; whether the Government will review the adjustment mechanisms in the coming year; if so, of the details and timetable; if not, the reasons for that;
- (3) whether it has compared if the amounts of allowance allocated to VRs and DC members are comparable; if it has compared and the outcome is in the negative, whether it will adjust upward the amount of allowance for the lower one; if so, of the details; if not, the reasons for that;
- (4) whether it will enhance the support provided for VRs to encourage young people living in villages to serve their villages; if so, of the details; if not, the reasons for that; and
- (5) whether it will set up an emergency fund to be operated on an accountable basis so that RCs and VRs can have the resources to expeditiously handle the emergency incidents within the village area (such as collapse of trees and drain blockage); if so, of the details; if not, the reasons for that?

Question 11  
(For written reply)

(Translation)

Development of the biomedicine industry

Hon LEUNG Che-cheung to ask:

On 29 October this year, the Fifth Plenary Session of the Central Committee of the Communist Party of China adopted the Proposal on Formulating the Fourteenth Five-year Plan on National Economic and Social Development, which includes supporting the Hong Kong Special Administrative Region in “consolidating and enhancing its competitive advantages” and “building an international centre for innovation and technology”. Furthermore, the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area, promulgated in February 2019, has listed biomedicine as one of the strategic emerging industries. Regarding the development of Hong Kong’s biomedicine industry, will the Government inform this Council:

- (1) whether it knows (i) the number of Hong Kong enterprises whose businesses involved the biomedicine field, and (ii) the respective numbers of Mainland and overseas enterprises with which these Hong Kong enterprises partnered in joint biomedical projects, in the past three years, together with a breakdown of the numbers of enterprises mentioned in (i) and (ii) by type of business (i.e. (a) production of as well as research and development (“R&D”) on biomedicine and (b) production of medical equipment);
- (2) as there are comments that as compared with other Mainland cities in the Guangdong-Hong Kong-Macao Greater Bay Area (“Greater Bay Area”), Hong Kong still has an edge in areas such as scientific research, talents, clinical medicine, pharmaceutical certification and financing in respect of the biomedicine industry, of the government policies on (i) facilitating the enhanced cooperation, between the enterprises and tertiary institutions in Hong Kong and their counterparts in the Mainland cities in the Greater Bay Area, in the biomedicine field (in the areas of industry, education and R&D), and (ii) helping Hong Kong’s biomedicine industry develop the Mainland market; and
- (3) of the policy on attracting top-notch biomedicine scientific research institutions and talents to establish their bases in Hong Kong, as well as attracting capital to the territory, so as to enhance the competitiveness and sustainable development of Hong Kong’s biomedicine industry?

Question 12  
(For written reply)

(Translation)

Retraining for the unemployed and underemployed

Hon Jimmy NG to ask:

To assist the unemployed and underemployed in upgrading their skills and self-enhancement, with a view to their re-entering the employment market as early as possible, the Government has entrusted the Employees Retraining Board (“ERB”) to implement the Love Upgrading Special Scheme (“the Scheme”) to provide such persons with two to three months’ integrated training courses. Two phases of the Scheme have been launched so far, with the relevant periods of enrolment being from 3 October 2019 to 30 June 2020 and from 1 July to 31 December 2020 respectively. Regarding the provision of retraining for the unemployed and underemployed, will the Government inform this Council:

- (1) as it has been reported that among the over 36 000 person-times of applications made under Phase 1 of the Scheme, only about 7 000 person-times have completed the courses, whether it knows the reasons for some trainees’ failure to complete the courses;
- (2) whether it knows the up-to-date number of trainees who have been engaged in course-related jobs since completion of the courses under the Scheme;
- (3) whether it knows the respective up-to-date numbers of trainees under the Scheme who have been provided with employment counselling, job referral and placement follow-up services by ERB;
- (4) whether the Government will, in entrusting ERB to roll out a new phase of the Scheme, require ERB to offer courses covering a wider variety of skills, such as those concerning the skills needed for working in the Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area; if so, of the details; if not, the reasons for that; and
- (5) whether it will consider regularizing the Scheme, so as to assist more unemployed and underemployed persons in taking up employment or switching to other trades; if so, of the details; if not, the reasons for that?

Question 13  
(For written reply)

(Translation)

Civil servants to take an oath or sign a declaration

Hon KWOK Wai-keung to ask:

Earlier on, the Civil Service Bureau (“CSB”) issued a circular to various government departments, requiring that all civil servants appointed on or after 1 July this year (“new appointees”) must take an oath or sign a declaration that they will uphold the Basic Law, bear allegiance to the Hong Kong Special Administrative Region (“SAR”) and be responsible to the SAR Government. CSB has indicated that it will, after consulting the staff side and conducting a study on the matter, finalize the arrangements for civil servants appointed before 1 July this year to take the oath or sign the declaration. In this connection, will the Government inform this Council:

- (1) of the respective up-to-date numbers of new appointees who (i) took the oath and (ii) signed the declaration (with a breakdown by the department, grade and rank to which they belonged), as well as the number of civil servants to date who were required to leave the service due to their refusal to take the oath or sign the declaration;
- (2) of the up-to-date number of applicants for civil service posts who had been issued with an appointment letter but were eventually not appointed due to their refusal to take the oath or sign the declaration;
- (3) of the progress and expected completion date of the aforesaid consultation exercise and study; whether the civil servants who are on probation, on permanent employment terms, and soon to be promoted and transferred will be treated differently under the proposed arrangements; and
- (4) whether it will, before implementing the arrangements applicable to civil servants appointed before 1 July this year, establish a channel for such civil servants to voluntarily take the oath or sign the declaration; if so, of the details; if not, the reasons for that?

Question 14  
(For written reply)

(Translation)

Building safety

Hon Tony TSE to ask:

On the 15th of last month, a fire broke out in a 69-year-old tenement building in Yau Ma Tei, resulting in more than 10 casualties. It has been reported that the said building is one of those which have not formed an owners' corporation ("OC") or any residents' organization, and have not engaged any property management company ("PMC") ("three-nil buildings"). The owners of that building have not yet complied with the statutory notices for mandatory building inspection and mandatory window inspection issued to them by the Buildings Department ("BD") two years ago. Moreover, the Fire Services Department ("FSD") and BD had not, prior to the fire incident, inspected the building nor issued any Fire Safety Directions ("Directions") to the owners of that building pursuant to the Fire Safety (Buildings) Ordinance (Cap. 572) to require them to enhance the fire safety measures of the building to a level that meets the modern fire safety standards. Regarding building safety, will the Government inform this Council:

- (1) of the latest progress of the enforcement of Cap. 572 by FSD and BD, including the respective up-to-date numbers of (i) buildings inspected, (ii) Directions issued and their state of compliance, (iii) prosecutions instituted, and (iv) convictions; the criteria adopted for deciding the priority in building inspections; the expected date for completion of inspection of all target buildings;
- (2) of the latest progress of (i) the Mandatory Building Inspection Scheme ("MBIS") and (ii) the Mandatory Window Inspection Scheme ("MWIS") implemented by BD, including the respective up-to-date numbers of (a) statutory notices issued and their state of compliance, and (b) law enforcement actions taken against non-compliant owners;
- (3) of the respective staffing establishments of FSD and BD for performing the duties mentioned in (1) and (2), and whether it has assessed if such manpower is adequate; if it has assessed and the outcome is in the negative, whether it has plans to (i) employ additional manpower and (ii) increase outsourcing to expedite the work progress;

- (4) of the latest progress and effectiveness of the Government's efforts on assisting three-nil buildings in establishing OCs and engaging PMCs; the Government's measures, upon learning that it is unlikely for a building to establish an OC or engage a PMC, to ensure compliance with the Directions or statutory notices by the owners of that building; and
- (5) as there are views that owners do not comply with the Directions or statutory notices in a timely manner because improvement works are costly, the fines for non-compliance are disproportionately low and the Government does not institute prosecutions after a long time, whether the Government will expedite the prosecution work and raise the penalties?

Question 15  
(For written reply)

(Translation)

Love Upgrading Special Scheme

Hon LUK Chung-hung to ask:

The Employees Retraining Board (“ERB”) has been entrusted by the Government to implement the Love Upgrading Special Scheme (“the Scheme”) to assist, through the provision of two to three months’ integrated training courses, in upgrading the skills and self-enhancement of the unemployed and underemployed, with a view to their re-entering the employment market as early as possible. A special allowance will be disbursed to trainees who have attained an attendance rate of 80%. Two phases of the Scheme have been launched so far, with the relevant periods of enrolment being from 3 October 2019 to 30 June 2020 and from 1 July to 31 December 2020 respectively. In this connection, will the Government inform this Council:

- (1) whether it knows the number of persons enrolling in each of the training courses under Phase 1 of the Scheme; regarding those courses that have been completed, the respective numbers and percentages of trainees who attained the required attendance rates; the amount of monthly special allowance disbursed to each eligible trainee on average;
- (2) whether it knows the number of persons enrolling in each of the training courses under Phase 2 of the Scheme in each month since July this year; regarding those courses that have been completed, the respective numbers and percentages of trainees who attained the required attendance rates; the amount of monthly special allowance disbursed to each eligible trainee on average;
- (3) whether it knows the employment situation of the graduates of the Scheme; and
- (4) whether it will, when entrusting ERB to roll out a new phase of the Scheme, make the following improvements: raising the rate of the monthly special allowance for eligible trainees, and expediting the disbursement of the allowance to the trainees; if so, of the details; if not, the reasons for that?



Question 16  
(For written reply)

(Translation)

Regulation of credit reference agencies

Hon CHAN Chun-ying to ask:

The TransUnion Limited (“TransUnion”) is the only credit reference agency (“CRA”) in Hong Kong, and it holds the personal data and credit records of over 5 million members of the public. In 2018, it was revealed that a website of TransUnion which provided access to personal credit reports had serious information security loopholes. Subsequently, The Hong Kong Association of Banks (“HKAB”) requested TransUnion to suspend its services, as well as to conduct a full investigation into the incident and make a comprehensive upgrade of its information security level. In July this year, TransUnion fully resumed its services. In this connection, will the Government inform this Council:

- (1) given that the Office of the Privacy Commissioner for Personal Data (“PCPD”) last revised the Code of Practice on Consumer Credit Data (“Code of Practice”) in January 2013, whether it knows if PCPD has (i) reviewed the Code of Practice in the light of the aforesaid incident, and (ii) regularly assessed if the information security level of the CRA meets the latest international standards; if PCPD has, of the details; if not, the reasons for that;
- (2) of the progress of the work undertaken by the Hong Kong Monetary Authority (“HKMA”) and HKAB for introducing more than one CRA, and the implementation time; and
- (3) given that credit reference services are closely related to the financial services industry, whether the Government will amend the legislation to subject agencies providing this type of services to the regulation of HKMA or other statutory bodies; if so, of the legislative timetable; if not, the reasons for that?

Question 17  
(For written reply)

(Translation)

Chinese medicine services

Hon Mrs Regina IP to ask:

From 2003 to 2014, the Government established one after another a Chinese Medicine Clinic cum Training and Research Centre (“CM Clinic”) in each of the 18 districts across the territory. These CM Clinics are operated on a self-financing basis through tripartite collaboration among the Hospital Authority, non-governmental organizations and local universities. Moreover, the Government launched a pilot scheme in March this year to provide in the CM Clinics in Eastern District and Tsuen Wan free Chinese medicine general consultation and acupuncture services for Civil Service Eligible Persons. With the curative effects of Chinese medicine being generally recognized, quite a number of members of the public (especially the elderly) hope to receive treatment of diseases and nursing of their health by Chinese medicine. In this connection, will the Government inform this Council:

- (1) whether it knows the public resources (including expenditures and manpower) used by CM Clinics in the past three years;
- (2) as some members of the public have criticized that the service quotas of CM Clinics are too small, the duration of each treatment session is too short (being 15 minutes only), and the consultation fee of \$120 for each session is much higher than the consultation fee of \$50 charged by public general outpatient clinics, whether the Government knows the respective service quotas of the various CM Clinics, and whether it will provide resources for the relevant operating organizations to increase the service quotas, extend the duration of treatment sessions, and lower the consultation fee to a level on a par with that of the public general outpatient clinics; if it will, of the details; if not, the reasons for that;
- (3) whether it will introduce Chinese medicine services in the Kwai Tsing District Health Centre (which is the first of its kind across the territory); if so, of the details; if not, the reasons for that;
- (4) whether it will increase the Chinese medicine service quotas provided by CM Clinics for civil servants, and extend the aforesaid pilot scheme to all CM Clinics; and

- (5) whether it will consider assuming a leading role in CM Clinics, and make long-term planning for the development of Chinese medicine (including ways to enhance the treatment, teaching and research standards in respect of Chinese medicine); if so, of the details; if not, the reasons for that?

Question 18  
(For written reply)

(Translation)

The conduct, decisions and promotion of judges

Hon Elizabeth QUAT to ask:

The Judiciary disposed of 368 complaint cases against judges and judicial officers last year. Of these, 10 complaints were related to judicial conduct and 353 were related to judicial or statutory decisions. Besides, some members of the public have criticized the sentences imposed for certain recent cases as being inappropriate. Regarding the conduct, decisions and promotion of judges, will the Government inform this Council:

- (1) whether it knows if the Judiciary will consider afresh drawing reference from the practices in overseas jurisdictions and setting up an independent judiciary monitoring committee to subject the conduct of judges to public scrutiny, so as to enhance the credibility of the judicial system; if the Judiciary will, of the details; if not, the reasons for that;
- (2) whether it knows if the Judiciary will consider afresh drawing reference from the practices in the United States or the United Kingdom and setting up a sentencing commission or council to issue binding sentencing tariffs on all criminal offences; if the Judiciary will, of the details; if not, the reasons for that, and whether the Judiciary will expeditiously study the issuance of sentencing tariffs on the offences involved in those cases relating to the movement of opposition to the proposed legislative amendments;
- (3) given that while a number of judges had made, in recent months in handing down judgments on cases involving a political context, remarks that have given rise to controversies and complaints, only one of these judges should not, as the Judiciary has so far decided, for the time being deal with cases involving a similar context, whether it knows the criteria adopted by the Judiciary for making the relevant decisions;
- (4) given that a magistrate was appointed as a temporary Deputy Registrar of the High Court in July, resulting in a jump in his remuneration by four pay points in the judicial service pay scale, whether it knows by whom the appointment was recommended and approved, and whether it was a special arrangement; if it was, of the reasons and other details;

- (5) given that a person who was called to the Bar and became a Senior Counsel in 1991 and 2006 respectively had reportedly been convicted and fined in 1999, whether it knows the reasons why the Judiciary appointed this person, who had a record of criminal conviction, as a Deputy Judge and a Recorder of the Court of First Instance of the High Court in 2011 and 2013 respectively, as well as the criteria adopted by the Judiciary for making the relevant decisions; and
- (6) given that a number of persons, who had been charged in recent months for serious offences such as arson and wounding with intent and granted bail pending trial by the Courts, have reportedly absconded, whether it knows if the Judiciary will review the appropriateness of the decisions to grant bail made by the relevant judges; if the Judiciary will, of the details; if not, the reasons for that?

Question 19  
(For written reply)

(Translation)

Supply of land and housing

Hon Alice MAK to ask:

The Fanling Golf Course (“FGC”), occupying 172 hectares of land, is a sports and recreational facility developed by the Hong Kong Golf Club (“HKGC”) on a piece of land leased by the Government under a private recreational lease. The Government announced in September last year that it would (i) resume a site of 32 hectares east of Fan Kam Road within FGC in September 2023 for the purpose of housing development (“FGC project”), and (ii) upon the expiry of the current lease in August 2020, renew the lease with HKGC for the remaining 140 hectare-site for a term ending on 30 June 2027. The Government estimated in February 2019 that the technical study for the project would be completed by early 2021 and the housing construction works could commence in 2024 at the earliest. Regarding the supply of land and housing, will the Government inform this Council:

- (1) according to its latest estimate, of the respective commencement and completion dates for the various stages (including the technical study, land formation works and construction works) of the FGC project; the measures in place to ensure that there will not be any delay in the various stages;
- (2) whether it has studied and explored with relevant stakeholders the relocation of FGC to the following locations, so as to vacate the entire FGC site for housing development: (i) the site of the Jockey Club Kau Sai Chau Public Golf Course or (ii) the site originally reserved for the second phase development of Hong Kong Disneyland; if not, of the reasons for that, and whether it will conduct the relevant study;
- (3) given that there is a shortage in land supply at present, and that the reclamation projects under the “Lantau Tomorrow Vision” have yet to be implemented, whether the Government will undertake to resume the aforesaid site of 140 hectares when the lease of the site expires in June 2027 so as to increase the medium and long term land supply; if not, of the reasons for that; and
- (4) of the importance of the implementation of the reclamation projects under the “Lantau Tomorrow Vision” to the medium and long term land and housing supply in Hong Kong?

Question 20  
(For written reply)

(Translation)

An in-house talk organized by the Judiciary

Hon Elizabeth QUAT to ask:

The Hong Kong Judicial Institute of the Judiciary organized a talk of the theme “Judicial Impartiality and Public Confidence” for magistrates on 3 July this year. It has been reported that the Judiciary, in variance with the established practice, required all magistrates to attend the talk, and did not videotape the talk and upload the video clips onto its intranet. In this connection, will the Government inform this Council:

- (1) given that the Judiciary issued in as early as 2004 the Guide to Judicial Conduct to provide judges with practical guidelines in dealing with matters, whether it knows the reasons for the Judiciary to organize the aforesaid talk;
- (2) whether it knows who the speaker of the talk was, as well as the content of the talk;
- (3) whether it knows why the Judiciary required all magistrates to attend the talk; and
- (4) whether it knows why the Judiciary did not videotape the talk and upload the video clips onto its intranet for the reference of magistrates appointed in the future?

Question 21  
(For written reply)

(Translation)

Fire safety of “three-nil buildings”

Dr Hon Priscilla LEUNG to ask:

It has been reported that a fire broke out on the 15th of last month in a 69-year-old tenement building in Yau Ma Tei which lacks fire service equipment, causing more than 10 casualties. On the other hand, according to the Fire Safety (Buildings) Ordinance (Cap. 572), the fire safety measures of composite and domestic buildings which were constructed, or the plans of the building works of which were first submitted for approval, on or before 1 March 1987, are required to be enhanced to a level that meets modern fire safety standards. After inspecting such buildings, the Fire Services Department (“FSD”) and the Buildings Department (“BD”) will, depending on the circumstances, issue to the owners or occupiers concerned Fire Safety Directions (“Directions”), specifying the fire safety improvement works required to be carried out. However, the aforesaid tenement building is not among the nearly 10 000 buildings which have been inspected. The said building is one of those which have not formed an owners’ corporation or any residents’ organization, and have not engaged any property management company (“three-nil buildings”). Regarding the fire safety of three-nil buildings, will the Government inform this Council:

- (1) of the number of three-nil buildings inspected by FSD and BD as well as the number of those buildings whose owners or occupiers were issued with Directions, in the past five years; the respective numbers of those buildings in respect of which the relevant Directions have now been complied with or discharged;
- (2) given that FSD and BD will, in the light of the aforesaid fire incident, embark on a special inspection exercise, whether the two departments will give priority to inspecting those three-nil buildings which have not yet been inspected, and introduce measures to assist the owners or occupiers concerned in complying with the Directions; and
- (3) given that at its meeting held on 16 November 2016, this Council passed, after amending, a motion moved by me, and the motion included the proposal that the Government should amend Cap 572 to empower persons responsible in the Government to, under urgent circumstances, carry out improvement works on fire service installations for buildings which are unable to comply with the Directions, but the Government advised in response to the motion



that the proposal was not feasible, whether the Government will consider afresh the proposal?

Question 22  
(For written reply)

(Translation)

Dead Removal Teams

Hon Holden CHOW to ask:

The Dead Removal Teams (“DRTs”) under the Food and Environmental Hygiene Department are tasked to handle or remove dead bodies found in public places and those in hospitals. Some DRT members have relayed that they need to perform duties under harsh environments (with the occasional need to tramp over hills and ridges). Their job is obnoxious and renders them susceptible to contracting infectious diseases. However, they only receive a remuneration package for Workmen II, with no difference from that for those Workmen II responsible for public cleansing duties. They consider that their job is laborious but poorly remunerated, which reflects that their contributions have not been recognized, and makes it difficult to attract new blood to join them. In this connection, will the Government inform this Council:

- (1) of the current total number of DRT members;
- (2) whether it will, in the light of the job nature of DRT members and the need for them to face risks such as contracting infectious diseases, (i) upgrade their rank, and (ii) raise the hardship allowance granted to them; if so, of the specific arrangements; if not, the reasons for that; whether it has assessed the additional annual expenditure to be incurred for upgrading their rank to Workman I;
- (3) as it has been reported that the majority of DRT members are in middle to old age, and that a number of members are due to retire next year, how the Government will attract young people to join DRTs to ensure that sufficient manpower is available for handling dead bodies; and
- (4) given that the epidemic persists currently, whether the Government will improve the relevant notification mechanism to ensure that DRT members grasp in advance whether the dead bodies to be handled by them are infectious, so that they can make adequate preparation in order to reduce infection risks; if so, of the details?

## Interpretation and General Clauses Ordinance

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### Resolution

(Under section 34(4) of the Interpretation and  
General Clauses Ordinance (Cap. 1))

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**Resolved** that in relation to the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation, published in the Gazette as Legal Notice No. 221 of 2020, and laid on the table of the Legislative Council on 18 November 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 6 January 2021.