

Legislative Council

Agenda

Wednesday 27 January 2021 at 11:00 am

I. Laying of Papers on the Table of the Council

3 items of subsidiary legislation and 2 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

1. Hon SHIU Ka-fai
(Measures to boost the economy)
2. Hon Steven HO
(Development of the livestock industry)
3. Hon YIU Si-wing
(Study tour activities to the Mainland)
4. Hon Jimmy NG
(Variants of the coronavirus)
5. Hon Tommy CHEUNG
(The poverty line)
6. Hon Starry LEE
(Promotion of electronic payment)

Public officers to reply

- Secretary for Financial Services and the Treasury
- Secretary for Food and Health
Under Secretary for Development
- Secretary for Education
- Secretary for Food and Health
- Chief Secretary for Administration
- 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. Member's Motion on Subsidiary Legislation

**Proposed resolution to extend the period for amending subsidiary legislation
(L.N. 258 of 2020)**

Mover : Dr Hon CHIANG Lai-wan

Wording of the motion : **Appendix 3**

Clerk to the Legislative Council

Council meeting of 27 January 2021

Laying of Papers on the Table of the Council

Subsidiary legislation	Legal Notice No.
1. <u>Foreign Lawyers Registration (Fees) (Amendment) Rules 2021</u>	6 of 2021
2. <u>Insurance (Amendment) Ordinance 2020 (Commencement) Notice</u>	7 of 2021
3. <u>Insurance (Special Purpose Business) Rules</u>	8 of 2021

Other papers

4. Hong Kong Examinations and Assessment Authority Report on Activities for September 2019 - August 2020 and Financial Statements for the year ended 31 August 2020 (including Independent Auditor's Report)
(to be presented by Secretary for Education)
5. Report No. 10/20-21 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 27 January 2021

Questions for oral replies		Subject matters	Public officers to reply
1	Hon SHIU Ka-fai	<u>Measures to boost the economy</u>	Secretary for Financial Services and the Treasury
2	Hon Steven HO	<u>Development of the livestock industry</u>	Secretary for Food and Health Under Secretary for Development
3	Hon YIU Si-wing	<u>Study tour activities to the Mainland</u>	Secretary for Education
4	Hon Jimmy NG	<u>Variants of the coronavirus</u>	Secretary for Food and Health
5	Hon Tommy CHEUNG	<u>The poverty line</u>	Chief Secretary for Administration
6	Hon Starry LEE	<u>Promotion of electronic payment</u>	Secretary for Financial Services and the Treasury
Questions for written replies			
7	Hon LAU Kwok-fan	<u>Support measures for the cross-boundary passenger service sector</u>	Secretary for Transport and Housing
8	Ir Dr Hon LO Wai-kwok	<u>Improving the design of drainage pipes</u>	Secretary for the Environment
9	Hon CHEUNG Kwok-kwan	<u>Uses of divested shopping centres in public rental housing estates</u>	Secretary for Transport and Housing
10	Hon CHAN Han-pan	<u>Locally produced face masks</u>	Secretary for Commerce and Economic Development
11	Hon KWOK Wai-keung	<u>Inspection of drainage pipes</u>	Secretary for Transport and Housing
12	Dr Hon Priscilla LEUNG	<u>General out-patient services provided by the Hospital Authority</u>	Secretary for Food and Health
13	Hon Alice MAK	<u>Reprovisioning of brownfield operations and development of the logistics industry</u>	Secretary for Development
14	Hon Tony TSE	<u>Facilitating the architectural and engineering sectors to start business and practise in the Greater Bay Area</u>	Secretary for Development
15	Hon Vincent CHENG	<u>The Love Upgrading Special Scheme</u>	Secretary for Labour and Welfare
16	Hon Paul TSE	<u>Relief measures</u>	Secretary for Financial Services and the Treasury
17	Hon CHAN Hak-kan	<u>Statistics and policies on residential mortgages</u>	Secretary for Financial Services and the Treasury
18	Hon Elizabeth QUAT	<u>Protection of online privacy</u>	Secretary for Constitutional and Mainland Affairs
19	Hon SHIU Ka-fai	<u>Support measures under the Anti-epidemic Fund</u>	Chief Secretary for Administration
20	Hon Elizabeth QUAT	<u>Handling of non-refoulement claims</u>	Chief Secretary for Administration
21	Hon Starry LEE	<u>Combating job-hopping by foreign domestic helpers</u>	Secretary for Security
22	Dr Hon CHIANG Lai-wan	<u>Coronavirus Disease 2019 vaccination programmes</u>	Secretary for Food and Health

Question 1
(For oral reply)

(Translation)

Measures to boost the economy

Hon SHIU Ka-fai to ask:

Hong Kong's economy has been hard hit by the Coronavirus Disease 2019 epidemic, which has persisted for one year and has not yet subsided. To encourage consumer spending of members of the public with a view to boosting the economy, the Government launched the \$10,000 Cash Payout Scheme in the middle of last year. However, there have been comments querying the Scheme's effectiveness in boosting the economy. In this connection, will the Government inform this Council:

- (1) of the latest situation of the Cash Payout Scheme, including the number of persons to whom money was disbursed and its percentage in the total number of eligible persons, the total amount of money disbursed, and the administrative cost incurred;
- (2) whether it has assessed the increase in the amount of local consumer spending of members of the public as a result of the disbursement of cash to them, and the economic benefits brought about by that amount; and
- (3) whether it will consider afresh, by following the practices of places such as the Mainland, Macao, Taiwan, South Korea and Singapore, issuing electronic consumption vouchers to members of the public in order to boost the economy and help fuel the recovery of all businesses; if not, of the reasons for that?

Question 2
(For oral reply)

(Translation)

Development of the livestock industry

Hon Steven HO to ask:

In recent years, a number of livestock farms affected by the Government's development plans needed to be resited. While the Government amended the legislation last year to facilitate the relocation of chicken farms, the farmers concerned have indicated that they are faced with a number of difficulties in identifying lands. In this connection, will the Government inform this Council:

- (1) of the respective numbers of pig farms and chicken farms affected by the Government's development plans which were successfully resited in each of the past five years; whether it has projected the number of the relevant cases for each of the coming 10 years; whether it will assist in the resiting of livestock farms through new measures, e.g. providing ancillary facilities and lands;
- (2) whether it will further remove the red tape in respect of the resiting policy for livestock farms, including releasing more lands for farms to move in and, on the premise of making good use of technology and enhancing bio-security measures, relaxing the requirement that a prescribed buffer distance be maintained between livestock farms and lands "with sensitive uses"; if so, of the details; if not, the reasons for that; and
- (3) given that while agro-technology has been making progress in leaps and bounds in recent years, the policy on and testing standards for livestock farming, which have been in place for years, have failed to keep up with the times, whether the Government will study, with a new mindset, the following measures for promoting the sustained development of the livestock industry: supporting farmers in developing livestock farms in the Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area or in other Mainland cities, setting aside lands on outlying islands or those derived through reclamation for use by the livestock industry, establishing a "green lane" for mutual recognition of test results between the Mainland and Hong Kong, as well as designating the Agricultural Park (Phase 2) for the development of the livestock industry?

Question 3
(For oral reply)

(Translation)

Study tour activities to the Mainland

Hon YIU Si-wing to ask:

The Chief Executive pointed out in the 2020 Policy Address that enhancing students' understanding of the history of the nation, Chinese culture and national developments, as well as deepening education on the nation's Constitution and the Basic Law, are the basic work for fostering students' sense of the nation and awareness of national security. Quite a number of schools have organized study tour activities to the Mainland with the goals of deepening students' understanding of the nation and strengthening their sense of national identity. However, there are views that the itineraries concerned often merely involve gaining a shallow understanding from a fleeting glance, and may not necessarily meet the goals of organizing study tour activities. In this connection, will the Government inform this Council:

- (1) whether the Education Bureau ("EDB") has formulated guidelines, for study tour activities to the Mainland, setting out the learning themes about the history, culture and developments of the nation that should be included in the study tour activities, as well as the mechanism for evaluating the effectiveness of the activities;
- (2) given that quite a number of schools have requested travel agents to submit suggested itineraries, but the relevant suggestions may not necessarily meet the goal of organizing study tour activities, whether EDB will formulate guidelines and a scoring mechanism to assist schools in discussing itineraries with travel agents and selecting suitable travel agents; if so, of the details; if not, the reasons for that; and
- (3) in order to achieve the aforesaid education objective mentioned in the Policy Address, whether the Government will allocate additional resources to schools, so that they can organize more study tour activities to the Mainland; if so, of the details; if not, the reasons for that?

Question 4
(For oral reply)

(Translation)

Variants of the coronavirus

Hon Jimmy NG to ask:

The World Health Organization has reported that variants of the coronavirus causing the Coronavirus Disease 2019 (“COVID-19”) have been found in Denmark, the United Kingdom, South Africa and Japan one after another, with some of such variants having higher transmissibility. In this connection, will the Government inform this Council:

- (1) given that some virus variants have higher transmissibility, whether the Government will implement more stringent measures to prevent the importation of cases;
- (2) whether it has reviewed if the various COVID-19 vaccines that it has procured or planned to procure are effective in preventing the virus variants from causing diseases, and reviewed the performance of the various tests in detecting the virus variants; and
- (3) given the unsatisfactory vaccination rates of most of the countries which have commenced COVID-19 vaccination, whether the Government has put in place concrete measures for spurring the majority of members of the public to receive vaccination voluntarily; if so, of the details; if not, the reasons for that?

Question 5
(For oral reply)

(Translation)

The poverty line

Hon Tommy CHEUNG to ask:

The current poverty line framework takes into account only the income of households but not their assets. The Hong Kong Poverty Situation Report 2019 indicates that among some 390 000 poor elders in 2019, as high as 30% of them had owner-occupied housing. The Report acknowledges that the actual living standard of the “income-poor, owning property of certain value” elders could have been underestimated. As pointed out in the report entitled “Hong Kong at a Crossroads – Let’s be Honest about Poverty!” published by the Business and Professionals Federation of Hong Kong in December last year, the definition of poverty adopted by the Government is flawed, resulting in elders with no income but owning properties of certain value being classified as poor, which is unreasonable. As such, the poverty line simply cannot accurately reflect the true picture of poverty in Hong Kong, making it difficult for the poverty alleviation policies to offer appropriate solutions to the problems. In this connection, will the Government inform this Council:

- (1) whether it has compiled statistics on the current average asset value of each household among the poor population; if not, whether it will collect the relevant information;
- (2) whether it will review the practice of adopting the concept of relative poverty in setting the poverty line framework, and study the adoption of the concept of absolute poverty instead; if so, of the details; if not, the reasons for that; and
- (3) given that the population of Hong Kong is ageing, more and more elders with no income but owning properties of certain value will be classified as poor, what measures the Government has put in place to make the poverty line accurately reflect the true picture of poverty in Hong Kong?

Question 6
(For oral reply)

(Translation)

Promotion of electronic payment

Hon Starry LEE to ask:

It has been reported that cash is still the most frequently used payment method in Hong Kong, and mobile payment accounts for 20% only, which is far lower than the 80% of the Mainland. In order to reduce the risk of epidemic spreading through the use of cash, the Government has earlier on provided a one-off subsidy of \$5,000 per stall in the public markets to encourage the stall tenants to install contactless payment systems. However, only 30% of the stall tenants applied for the said subsidy. Moreover, the Hong Kong Monetary Authority launched the “Faster Payment System” (“FPS”) as early as in 2018, but so far only seven government departments accept members of the public making payments through FPS. Regarding the promotion of electronic payment, will the Government inform this Council:

- (1) whether it will step up its promotional efforts, including adopting administrative measures, providing a new subsidy or raising the amount of the existing subsidy, with a view to encouraging more trades to adopt electronic payment systems; if so, of the details; if not, the reasons for that;
- (2) whether it will spur more government departments to accept members of the public making payments through FPS; if so, of the details and timetable; if not, the reasons for that; and
- (3) whether it will create some short-term posts to hire young people and deploy them to the public markets to promote electronic payment systems to the stall tenants and answer enquiries, so as to encourage the stall tenants to install the relevant systems?

Question 7
(For written reply)

(Translation)

Support measures for the
cross-boundary passenger service sector

Hon LAU Kwok-fan to ask:

To cope with the Coronavirus Disease 2019 epidemic, the Government has closed a number of land boundary control points one after another since February last year. As a result, the services of most cross-boundary passenger coaches travelling to and from the Mainland have been suspended, causing a drastic reduction in the income of the cross-boundary passenger service sector, and most drivers have been idle for almost a year. However, the various rounds of relief measures rolled out by the Government under the Anti-epidemic Fund have not included any support measures specifically formulated for the cross-boundary passenger service sector. In this connection, will the Government inform this Council:

- (1) whether it has grasped the extent to which the incomes of the operators and practitioners of cross-boundary passenger coach services have been affected by the epidemic, including the number of practitioners who have been idle for over 10 months;
- (2) whether it will expeditiously put forth gap-filling measures in support of the cross-boundary passenger service sector, such as providing a one-off living subsidy for eligible practitioners; if so, of the financial commitment and the expected number of beneficiaries; if not, the reasons for that;
- (3) whether it has explored measures to assist the cross-boundary passenger service sector in generating income amid the epidemic, such as hiring cross-boundary passenger coaches to take inbound travellers from the various boundary control points to the designated hotels for quarantine; and
- (4) whether it will review the existing mechanism for formulating relief measures, so as to ensure that it will not leave out any industries which have been affected by the epidemic and are in real and urgent need of support?

Question 8
(For written reply)

(Translation)

Improving the design of drainage pipes

Ir Dr Hon LO Wai-kwok to ask:

Recently, there have been a number of confirmed cases of Coronavirus Disease 2019 (“COVID-19”) in a number of residential buildings. Some experts have pointed out that the path of infection in some cases is suspected to be related to the sewerage system of the buildings concerned. The U-shaped water traps of a number of units of those buildings are dry, causing the water traps to lose their sealing function, and such situation is similar to that of Block E of Amoy Gardens in 2003 in which there were a number of confirmed cases of Severe Acute Respiratory Syndrome. On the other hand, a multidisciplinary team of a local university has obtained sponsorship and support by the Government to conduct sample tests on domestic sewage for the COVID-19 virus. In this connection, will the Government inform this Council:

- (1) whether it knows the up-to-date number of residential buildings from which sewage samples have been collected to date by the aforesaid team and, among the samples collected, the number of those that were tested positive for the COVID-19 virus; of the follow-up actions taken by the team in respect of the latter;
- (2) whether the Government will consider extending the scope of sample collection to all residential buildings in the territory, so as to help the Government comprehensively assess the situation of the epidemic; if so, of the details; if not, the reasons for that; and
- (3) as it has been reported that the Buildings Department will introduce legislative amendments in respect of the design of drainage pipes of newly constructed buildings, including requiring floor U-shaped water traps to adopt a design that will prevent them from drying up, and the use of different main drainage for units on upper and lower floors to reduce the risks of cross-infection of diseases, of the details of the legislative amendments and the legislative timetable?

Question 9
(For written reply)

(Translation)

Uses of divested shopping centres in public rental housing estates

Hon CHEUNG Kwok-kwan to ask:

It has been reported that two shopping centres, which are located in Tin Wan Estate in Aberdeen and Hing Man Estate in Chai Wan and have been divested by the Hong Kong Housing Authority, were rented out in the year before last and last year respectively to international schools for use as school premises. Due to the substantial reduction in the area of shops catering for people's daily living, residents of the public rental housing ("PRH") estates concerned not only have to travel a long distance to purchase daily necessities but also are left with fewer shopping choices, causing much inconvenience to their daily lives. In this connection, will the Government inform this Council:

- (1) of the names, addresses and types (e.g. Direct Subsidy Scheme and private) of kindergartens, primary schools and secondary schools whose school premises are currently located in the shopping centres of PRH estates;
- (2) whether the Education Bureau, when vetting and approving in future applications for registration of schools whose premises are located in the shopping centres of PRH estates, will include "if putting the relevant premises to such a use will cause inconvenience to the residents of the PRH estates concerned in their purchase of daily necessities" as one of its considerations;
- (3) whether the current land leases of the various divested shopping centres of PRH estates have specified the maximum percentage of area in the gross floor area allowed for non-livelihood related uses (e.g. school premises and residential care homes for the elderly); and
- (4) of the new policies or measures put in place to ensure that residents of PRH estates can purchase daily necessities near their homes and have more choices?

Question 10
(For written reply)

(Translation)

Locally produced face masks

Hon CHAN Han-pan to ask:

It has been reported that there are more than 200 local manufacturers producing a large quantity of face masks (“masks”) every day, resulting in an oversupply situation. Currently, there are about 50 million masks in the market the sale of which is sluggish. Regarding locally produced masks, will the Government inform this Council:

- (1) whether it knows, in respect of the manufacturers subsidized under the Local Mask Production Subsidy Scheme, (i) the volume of masks produced by them in each of the past three months and (ii) their current stock of masks (set out by name of manufacturer in a table); whether the Government has procured masks from other local manufacturers; if so, of the details; if not, the reasons for that, and whether it will consider doing so;
- (2) whether it knows the current number of local manufacturers the masks produced by which meet the requirements of the American Society for Testing and Materials F2100 Level 1 to Level 3 Standards or similar international standards, and set out, by name of manufacturer, (i) the volume of masks produced by them in each of the past three months and (ii) their current stock of masks; and
- (3) whether it will consider helping the mask manufacturers mentioned in (2) to explore overseas markets, and taking this opportunity to invigorate the local manufacturing industry; if so, of the details and timetable; if not, the reasons for that?

Question 11
(For written reply)

(Translation)

Inspection of drainage pipes

Hon KWOK Wai-keung to ask:

In October last year, the Hong Kong Housing Authority (“HA”) commenced the Drainage Inspection Programme (“DIP”) to inspect the above-ground communal drainage pipes of its 1 575 public rental housing (“PRH”) blocks. The Housing Department (“HD”) set up a supplementary task force (“task force”) comprising 87 staff members to carry out the relevant work, and anticipated that the whole programme would take 18 months to complete. It has been reported that since the outbreak of the Coronavirus Disease 2019 (“COVID-19”) epidemic, multiple confirmed cases have been found in a number of buildings, and some of such cases involved flats on different floors but facing the same direction, and COVID-19 virus has been detected in the sewage of some PRH blocks. As such, members of the public are very worried about the epidemic spreading through the sewerage systems of buildings. In this connection, will the Government inform this Council:

- (1) whether HD will increase the manpower of the task force so as to expeditiously complete DIP;
- (2) of the latest progress of DIP, including the up-to-date numbers of PRH blocks and flats identified to have the problem of sewage pipe leakage;
- (3) as HA has indicated that it will accord priority to inspecting the drainage pipes of those housing estates or blocks with COVID-19 confirmed cases, and the order of inspection of other housing estates will depend on factors such as the percentage of the number of their elderly tenants in the total number of tenants, as well as the age of the blocks and their drainage leakage/backflow records, whether HA will expeditiously release the inspection timetable of the various housing estates/blocks, so as to enhance transparency;
- (4) given that among the blocks covered by DIP, 975 blocks (involving 410 000 flats) have the main drainage stacks located inside the flats, whether the staff members of the task force will enter all such flats to conduct inspection; whether the scope of the inspection and repair works covers the connection pipes between the main drainage stacks and the toilets inside the flats; and
- (5) given that the Government engaged consultancy firms last year to proactively inspect the external drainage pipes of the private

residential or composite buildings (including subsidized sale housing blocks) exceeding three storeys in height across the territory, in order to reduce the risk of the epidemic spreading, of the latest progress of the relevant work?

Question 12
(For written reply)

(Translation)

General out-patient services provided by the Hospital Authority

Dr Hon Priscilla LEUNG to ask:

Currently, three District Council Districts, namely Sham Shui Po, Yau Tsim Mong and Kowloon City, have a total population of about 1.16 million. However, among the general out-patient (“GOP”) clinics provided by the Hospital Authority (“HA”) in these districts, only one (i.e. the Yau Ma Tei Jockey Club General Out-patient Clinic (“Yau Ma Tei Clinic”)) provides GOP services in the evening and on Sundays and public holidays (“non-office hours”). As such, those residents of these districts who need to seek consultation during non-office hours but are unable to secure an appointment under the quotas of Yau Ma Tei Clinic have to seek consultation at GOP clinics in other districts, accident and emergency departments of public hospitals or private clinics. The situation has shown no improvement since I raised a relevant question in 2016. In this connection, will the Government inform this Council:

- (1) whether it knows the respective annual attendances of Yau Ma Tei Clinic from 2016 to 2020 (i) during the daytime from Mondays to Saturdays and (ii) during non-office hours; whether HA has assessed if the consultation services currently provided by the Clinic during non-office hours can meet the demand;
- (2) whether it will revise the Hong Kong Planning Standards and Guidelines to stipulate in detail that the following planning standard applies to all hours of the day: one general clinic/health centre to be provided for every 100 000 persons;
- (3) whether it knows if HA will consider afresh making arrangements to enable the GOP clinics in Sham Shui Po and Kowloon City districts to provide GOP services during non-office hours; and
- (4) of the progress made by the authorities in the development of the following three primary care facilities: the construction of a community health centre (“CHC”) complex at the original site of the Shek Kip Mei Health Centre, the provision of a GOP clinic in the Treasury Building in Cheung Sha Wan, and the provision of a CHC at the ex-Mongkok Market site; as the Government indicated in February 2016 that HA would consider at a later stage whether to provide non-office hours GOP services in the three facilities upon commissioning, of the outcome of HA’s consideration?

Question 13
(For written reply)

(Translation)

Reprovisioning of brownfield operations and
development of the logistics industry

Hon Alice MAK to ask:

The Government has reserved a total of 72 hectares of land in Hung Shui Kiu/Ha Tsuen (“HSK/HT”) and Yuen Long South New Development Areas (“NDAs”) for the development of multi-storey buildings (“MSBs”) and modern logistics facilities for the reprovisioning of the brownfield operations affected by development projects. Regarding the reprovisioning of brownfield operations and the development of the logistics industry, will the Government inform this Council:

- (1) whether it knows the progress of the market sounding exercise, conducted by the consultant commissioned by the Government, on the development and operation models of MSBs (including the consultation work carried out and the number of submissions received by the consultant so far), as well as the preliminary findings of the exercise;
- (2) of the latest timetable for the development of MSBs and modern logistics facilities, as well as the relevant role of the Government;
- (3) of the progress of reprovisioning the brownfield operations in HSK/HT NDA, and the assistance provided by the Government to the operators concerned; the number of brownfield operations which have been reprovisioned so far, and the site area so vacated;
- (4) whether the Government will consider afresh offering the “one-on-one” reprovisioning arrangements, so as to speed up the reprovisioning of brownfield operations and the land consolidation, as well as consider allocating idle government sites for temporary storage of the large machinery and heavy vehicles used in those operations; and
- (5) whether the Government has made plans in the light of the direction of development of Hong Kong’s logistics industry when it develops MSBs and modern logistics facilities in the aforesaid two NDAs; whether it will, by drawing reference from Singapore’s experience in developing her logistics hub (including the model for allotment of land in the industrial parks by the statutory body concerned), develop modern logistics hubs in the west and the north-west of the New Territories; if so, of the details?

Question 14
(For written reply)

(Translation)

Facilitating the architectural and engineering sectors
to start business and practise in the Greater Bay Area

Hon Tony TSE to ask:

The Mainland authorities implemented on the 1st of this month the Interim Guidelines for the Management of Hong Kong Engineering Construction Consultant Enterprises and Professionals Starting Business and Practising in the Guangdong-Hong Kong-Macao Greater Bay Area Cities (“the Interim Guidelines”). According to the Interim Guidelines, consultant firms included in the List of Consultants of the Architectural and Associated Consultants Selection Board of the Architectural Services Department or the List of Consultants of the Engineering and Associated Consultants Selection Board of the Civil Engineering and Development Department of the Hong Kong Government, as well as professionals registered with the relevant professional registration boards in Hong Kong, may directly provide services in the Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area (“Greater Bay Area”) by obtaining equivalent qualifications on the Mainland through putting on records. However, some members of the sectors have relayed that quite a number of eligible enterprises and professionals do not understand and are not even aware of the measure, and the Government has neither set up an enquiry hotline nor provided relevant information on the Internet. Moreover, quite a number of consultant firms which are small in scale, have been established for a short period or have undertaken few government projects are not on the aforesaid two Lists, and hence are unable to benefit. In this connection, will the Government inform this Council:

- (1) whether it will step up efforts to publicize and explain to the architectural and engineering sectors the Interim Guidelines as well as other measures which are conducive to their development in the Greater Bay Area, and assist them in going through the relevant formalities with the Mainland authorities; and
- (2) whether it will suitably relax the eligibility requirements for inclusion in the aforesaid two Lists or add a sub-group of small and medium enterprises and start-ups to the aforesaid two Lists, so as to allow more consultant firms to benefit from the Interim Guidelines?

Question 15
(For written reply)

(Translation)

The Love Upgrading Special Scheme

Hon Vincent CHENG to ask:

Entrusted by the Government, the Employees Retraining Board (“ERB”) launched in October 2019 the first tranche of the Love Upgrading Special Scheme (“the Scheme”) to provide employees affected by the economic downturn with two to three months’ integrated training so as to assist them in upgrading their skills and pursuing self-enhancement, with a view to their re-entering the employment market expeditiously. ERB launched the second and third tranches of the Scheme in July last year and in January this year respectively. Under the Scheme, each trainee may attend up to four training courses. Trainees who have completed a course with an attendance rate of 60% may be disbursed a special allowance. The amount of allowance payable monthly to each trainee is subject to a ceiling, which was initially set at \$4,000 and increased to \$5,800 in May 2020. In this connection, will the Government inform this Council:

- (1) whether it knows, in respect of (a) the first tranche and (b) the second tranche of the Scheme, the respective (i) numbers of trainees who completed the courses, (ii) highest, lowest and median amounts of special allowance disbursed to such trainees, and (iii) numbers and percentages of trainees, among those to whom special allowance was disbursed, who were disbursed an amount of allowance that reached the monthly ceiling for at least one month (set out in a table);
- (2) whether it has reviewed the effectiveness of the Scheme and conducted a questionnaire survey on the trainees who have completed the courses (including looking into their levels of satisfaction with the Scheme/courses); if so, of the details and the findings; if not, the reasons for that;
- (3) given that eligible trainees who have completed full-time vocational skills courses under the Scheme may be provided with follow-up placement services (including employment counselling, job referral and placement follow-up) for three to six months, whether it knows how such services have helped the trainees under the first and second tranches of the Scheme successfully secure employment, including the number of trainees who have found a job as a result of the services;

- (4) of the reasons why trainees are encouraged under the Scheme to participate in cross-industry training; whether it has compiled statistics on the respective numbers and percentages of trainees, among the trainees under the second and third tranches of the Scheme, who have enrolled in cross-industry training courses; if so, of the details;
- (5) given that unemployed persons who dropped out of school or graduated on or after 10 June 2019 may participate in the Scheme, whether it knows the number of fresh graduates who have enrolled in the courses offered under the second tranche of the Scheme;
- (6) whether it knows, since the implementation of the Scheme, the respective top 10 courses with (i) the highest number of enrolment and (ii) the highest number of trainees who found a related job within the first three months upon completion of the training; and
- (7) whether the authorities will consider further raising the ceiling of the amount of the special allowance?

Question 16
(For written reply)

(Translation)

Relief measures

Hon Paul TSE to ask:

The latest unemployment rate announced by the Government has hit a record high in 16 years. A member of the public called in complaining to me in tears that he had been unemployed for more than half a year, and with little savings left and no way to borrow money, he could not buy additional warm clothes for his children in the harsh winter. His only remaining assets were the accrued benefits in his Mandatory Provident Fund (“MPF”) account (“accrued benefits”), but the authorities had refused to allow members of the public to make early withdrawal of their accrued benefits, rendering him unable to help himself. He denounced in anger that the Government’s attitude was like what is depicted by the saying that “behind the vermilion gates of the rich meat and wine are left to rot, while out on the streets lie the bones of the poor who have frozen to death”, which seriously reduces the room for survival of the grassroots. On the other hand, it has been reported that the Government Disciplined Services General Union and the Hong Kong Civil Servants General Union have in recent days, on the grounds that “civil servants have not been able to benefit from the Government’s anti-epidemic measures”, and “quite a number of grass-roots civil servants are facing financial pressure because their spouses and family members have become unemployed”, jointly sent a letter to the Financial Secretary (“FS”), requesting him to propose in the Budget to be published next month a measure of offering civil servants additional salaries tax concessions, so as to “boost the morale of civil servants and help the economy”. In this connection, will the Government inform this Council:

- (1) whether it has assessed if the demand raised by the aforesaid unions is fully justified;
- (2) as even civil servants who have employment protection can be under financial pressure because their family members have become unemployed, whether the Government will immediately assess if, in the face of the same epidemic situation, the financial pressure borne by employees of private enterprises who have no employment protection is much greater than that borne by civil servants, and if the financial “pain” referred to by FS which is being felt by such employees is much more severe and pressing than that being felt by civil servants;

- (3) as I urged the Government time and again in the past that in the light of the unprecedented economic blow dealt to members of the public during the epidemic, it should waive the payment of or substantially reduce the salaries tax payable by them and waive the payment of provisional tax, but the Government stated every time in its replies that members of the public who had difficulties in paying tax might, by providing to the Inland Revenue Department their estimated income/the causes for the reduction of income with relevant information, apply for the holding over of payment of part or the whole of the tax, whether the Government will maintain the same stance in responding to the demand of the aforesaid unions;
- (4) as quite a number of members of the public criticized after noting the Government's response mentioned in (3) that the officials concerned were "indifferent and apathetic", "detached from reality" and "ignorant about people's hardships" and only knew "playing with bureaucratic rhetoric", whether the Government will adopt a more pragmatic attitude to assess if the employers and employees of private organizations as well as small and medium enterprises have more pressing needs for being granted tax concessions (especially a waiver of payment of provisional tax);
- (5) whether it has assessed if allowing employees to make early withdrawal of part of their accrued benefits will substantively, in a timely manner and effectively alleviate the financial pain being felt by those who have been unemployed for many months, have suffered pay cuts and have been forced to take no pay leave, as well as benefit members of the aforesaid unions that have requested for additional salaries tax concessions, thereby truly "boosting the morale of civil servants and bolstering public confidence" and "helping the economy and allaying public anger"; if it has assessed, of the details; if not, whether it will immediately make such an assessment; and
- (6) as the aforesaid unions have mentioned that "the consumption desire of civil servants is theoretically stronger than that of anyone else", and "for every additional dollar spent by the Government on civil servants, the effectiveness for spurring economic growth that can be achieved will be the greatest", whether the Government has assessed, on the basis that the current average amount of accrued benefits of each MPF scheme member is around \$220,000, how much money may be injected into the Hong Kong economy and how much growth can be brought instantly by allowing MPF scheme members to withdraw no more than half of their accrued benefits, and if the relevant growth would be higher than that to be brought by offering tax concessions to civil servants alone?

Question 17
(For written reply)

(Translation)

Statistics and policies on residential mortgages

Hon CHAN Hak-kan to ask:

Regarding the statistics and policies on residential mortgages, will the Government inform this Council:

- (1) in respect of the mortgages (a) newly approved and (b) newly drawn down in each of the past three years, of the respective numbers of such cases as well as the total and average amounts of such loans, with a breakdown by type of property transactions (i.e. (i) primary market, (ii) secondary market and (iii) refinancing);
- (2) of the respective percentages of mortgage cases with a loan-to-value (“LTV”) ratio of (a) 60% and (b) over 60% to 90% in the total number of cases in each of the past three years, with a breakdown by (i) type of property transactions and (ii) the age group to which the borrowers belonged (i.e. aged 18 to 28, 29 to 38, 39 to 48, 49 to 58, and 59 or above);
- (3) among the mortgage cases in each of the past three years, of the respective percentages of those adopting (i) the Hong Kong Interbank Offered Rate (“HIBOR”), (ii) the Best Lending Rate (“BLR”) and (iii) fixed-rate loan schemes, and the relevant total amounts of money involved, together with a breakdown by type of property transactions;
- (4) of the number of outstanding mortgage cases and the total amount of money involved in each of the past three years, with a breakdown by property type (i.e. (i) subsidized housing and (ii) private housing);
- (5) in respect of those mortgages which were (a) delinquent for more than three months, (b) delinquent for more than six months and (c) written off ultimately, in each of the past three years, of the respective (i) numbers of such cases and their respective percentages in the total numbers, (ii) average amounts of arrears per case and (iii) total amounts of arrears, with a breakdown by property type;
- (6) given that the mortgage rates for subsidized housing are currently set with reference to BLR across the board, whether the authorities have plans, by drawing reference from the practice adopted for private residential mortgages, to allow borrowers of subsidized housing mortgages to opt for schemes adopting a mortgage rate set

with reference to HIBOR, so that they may select a suitable loan scheme in the light of their personal circumstances (e.g. interest rate expectations and ability to bear fluctuations in repayment amounts); if so, of the details; if not, the reasons for that; and

- (7) given that in recent years, more and more young people have become “slashies” (a term referring to a group of people who do not rely on a single and regular job for income, but earn irregular income by engaging in multiple occupations and taking up multiple identities), but it is learnt that quite a number of banks and the Hong Kong Mortgage Corporation Limited still adopt the conventional calculation method to assess the income levels of mortgage applicants and, as a result, the repayment ability of slashies is underestimated, hence making it difficult for them to apply for high LTV mortgages, whether the authorities have plans to review such calculation method and revise the relevant guidelines, so as to cater for changes in the labour market; if so, of the details; if not, the reasons for that?

Question 18
(For written reply)

(Translation)

Protection of online privacy

Hon Elizabeth QUAT to ask:

WhatsApp is a mobile application (“the App”) widely used by Hong Kong people for instant messaging. The App has recently issued a notice to its users requesting them to indicate whether they agree to the updated terms of service and privacy policy of the App (“new terms”), which include the following provision: the user agrees to share his/her user information with Facebook (“FB”), which is the owner of the App, and FB’s subsidiaries. In the event that the user has not indicated his/her consent by the deadline, he/she will not be able to continue using the App. A large number of users of the App have criticized that the new terms undermine the protection for their privacy, and that the App’s de facto forcing its users to accept the new terms is an abuse of its market power. Although the person-in-charge of the App has subsequently indicated that the new terms will only apply to business accounts and deferred the relevant deadline, the concerns of users are still not assuaged. On the other hand, the App’s users in the United Kingdom (“UK”) and the European Union (“EU”) are not affected by the new terms for the time being. In this connection, will the Government inform this Council:

- (1) whether it knows if the Office of the Privacy Commissioner for Personal Data (“PCPD”) has, upon review of the new terms, found the new terms to be in breach of the Personal Data (Privacy) Ordinance (Cap. 486) and related codes of practice/guidelines;
- (2) given that PCPD has written to FB and put forward some recommendations (including providing users who do not agree to the new terms with viable options that enable them to continue to use its service), whether it knows if PCPD has received a reply; if PCPD has, of the details;
- (3) whether it has studied if the App’s users in UK and EU not being affected by the new terms is attributable to the better protection provided by the privacy protection legislation in those places; if it has studied and the outcome is in the affirmative, whether it will, by making reference to such legislation, amend Cap. 486, in order to enhance the privacy protection for members of the public; if it will not, of the reasons for that and the alternatives available; and

- (4) whether it knows if PCPD has examined whether the messaging applications, social platforms and online media websites commonly used in Hong Kong have collected users' personal data excessively; if PCPD has, of the details; if not, the reasons for that?

Question 19
(For written reply)

(Translation)

Support measures under the Anti-epidemic Fund

Hon SHIU Ka-fai to ask:

Will the Government inform this Council of the latest implementation situation of, or the final figures on, the following support measures introduced under the Anti-epidemic Fund, including (a) the number of applications received, (b) the number of applications approved, and (c) the number of persons and employees (if any) benefited:

- (i) the Retail Sector Subsidy Scheme,
- (ii) the Convention and Exhibition Industry Subsidy Scheme,
- (iii) the provision of Subsidies to Live Marine Fish Wholesale Traders, Fishing Vessels with Mainland Deckhands and Wholesale Traders Operating in the Fresh Food Wholesale Markets,
- (iv) the Commercial Bathhouses Subsidy Scheme/Further Subsidy to Commercial Bathhouses,
- (v) the Fitness Centre Subsidy Scheme,
- (vi) the Place of Public Entertainment Licence Holder Subsidy Scheme,
- (vii) the Subsidy Scheme for Beauty Parlours, Massage Establishments and Party Rooms,
- (viii) the Subsidy Scheme for the Promotion of Contactless Payment in Public Markets, and
- (ix) the provision of subsidy to companies in the performing industry which organize pop concerts?

Question 20
(For written reply)

(Translation)

Handling of non-refoulement claims

Hon Elizabeth QUAT to ask:

It has been reported that the public expenditure in the past seven financial years on handling non-refoulement claims and related work exceeded \$6 billion, and the relevant estimated expenditure for the current financial year is as high as \$1,227 million, hitting a seven-year high. As at October last year, there were about 13 000 non-refoulement claimants (“claimants”) in Hong Kong. Among them, more than 8 000 claimants have lodged applications for leave for judicial review (“JR”) in relation to the results of their claims, and some claimants have even lodged appeals against the results of such applications. Some members of the public consider that the judicial proceedings and legal aid system have been abused, leading to wasteful spending of a considerable amount of public funds and aggravating the financial burden on the Government. In this connection, will the Government inform this Council:

- (1) whether it knows the number of applications for leave for JR received by the Judiciary from claimants in each of the past two years and the number of appeals lodged by claimants against the results of such applications;
- (2) of the respective numbers of legal aid applications from claimants received, approved and rejected by the Legal Aid Department in each of the past three years; if there were rejected applications, of the reasons for that; whether the Government has found abuses of the legal aid system by claimants; if so, of the proposals to resolve the problem;
- (3) given that under the legal aid system, the numbers of civil legal aid cases assigned to individual solicitors and counsels within the past 12 months are capped at 35 and 20 respectively, of the respective numbers of (i) solicitors and (ii) counsels, in each of the past three years, to whom non-refoulement claim cases were assigned within the past 12 months, with a breakdown by the range to which the number of cases belonged (set out in tables of the same format as the table below); the measures in place to prevent solicitors and counsels from being assigned too many non-refoulement claim cases, thus affecting their provision of services to local aided persons;

Year: _____

	Number of non-refoulement claim cases assigned						
	5 or below	6 to 10	11 to 15	16 to 20	21 to 25	26 to 30	31 to 35
(i)							
(ii)						(Not applicable)	

- (4) of the measures in place to prevent non-refoulement claim cases from being assigned to several certain solicitors or counsels in a concentrated manner, and the new measures in place to prevent the problem of champerty from occurring in those cases; and
- (5) given an upsurge of the number of cases related to non-refoulement claims in recent years, whether it knows if the Judiciary will consider setting up special courts to expedite the handling of case backlogs, so as to avoid the delay in the hearing of other civil cases; if the Judiciary will, of the details and timetable; if not, the reasons for that, and whether the Judiciary will consider extending the office hours of courts and making arrangements for courts to sit on Saturdays to conduct hearings?

Question 21
(For written reply)

(Translation)

Combating job-hopping by foreign domestic helpers

Hon Starry LEE to ask:

To assist foreign domestic helpers (“FDHs”) and their employers in coping with the epidemic, the Government has, since 21 March last year, flexibly considered applications from FDHs for extending their limit of stay in Hong Kong as visitors, to facilitate their finding new employers in Hong Kong. To prevent FDHs from abusing that arrangement by prematurely terminating their employment contracts (“contracts”) for change of employers (commonly known as “job-hopping”), the Government announced on the 30th of last month that FDHs whose contracts have been prematurely terminated would no longer be allowed to apply for extension of their limit of stay in Hong Kong as visitors, and would be required to leave Hong Kong pursuant to the prevailing policy. However, some media have uncovered that some intermediaries have introduced cash awards to attract FDHs to use their intermediary services for changing employers: an FDH whose existing contract has been completed may be awarded \$2,000 and an FDH whose contract has been prematurely terminated may be awarded \$1,000. In this connection, will the Government inform this Council:

- (1) of the number of applications for extension of the limit of stay in Hong Kong as visitors received by the Immigration Department last year from FDHs whose contracts had been prematurely terminated;
- (2) of the number of complaints about intermediaries abetting FDHs or even providing incentives to encourage FDHs to job-hop received, and what follow-up actions were taken on them, by the authorities in the past three years; whether there are new measures and actions which can more effectively curb this kind of business practices; if so, of the details; and
- (3) whether it will include applicants’ previous immigration records and employment records in Hong Kong as factors for consideration when vetting and approving employment visa applications from FDHs, so as to further combat job-hopping and protect the rights and interests of employers of FDHs; if so, of the details; if not, the reasons for that?

Question 22
(For written reply)

(Translation)

Coronavirus Disease 2019 vaccination programmes

Dr Hon CHIANG Lai-wan to ask:

The Government has indicated earlier on that it made advance purchases of three vaccines for protecting against Coronavirus Disease 2019 (“COVID-19”) (“the vaccines”) for administration to all people in Hong Kong for free, and that the vaccination programmes are expected to commence next month at the earliest. In this connection, will the Government inform this Council:

- (1) apart from healthcare workers, the elderly and staff of residential care homes, whether the Government will include the following categories of persons in the priority vaccination groups:
 - (i) supporting staff in hospitals,
 - (ii) sample-taking personnel and laboratory staff involved in the COVID-19 virus testing,
 - (iii) staff of the Hong Kong Fire Services Department responsible for transferring persons under quarantine,
 - (iv) cleansing workers under the Government’s outsourced service contractors,
 - (v) officers from the disciplined services at immigration control points,
 - (vi) frontline personnel working in the airport,
 - (vii) personnel working in quarantine centres,
 - (viii) practitioners of the transport and logistics sectors, and
 - (ix) persons exempted from compulsory quarantine;
- (2) whether it will include Hong Kong students who need to travel to countries/regions with a medium or high epidemic risk in the priority vaccination groups, with a view to reducing their risks of contracting COVID-19 overseas;
- (3) given that the universal vaccination programme in Israel provides round-the-clock vaccination service and deploys vaccination caravans to provide vaccination service in remote areas, which made Israel’s vaccination rate reach 15.8% within two weeks, being the highest in the world, whether the Government will introduce similar arrangements so as to increase the vaccination rate;

- (4) as the findings of a survey indicate that quite a number of members of the public have adopted a wait-and-see attitude towards vaccination, whether the Government will consider providing incentives to encourage members of the public to receive vaccination;
- (5) given that members of the public may, to a certain extent, choose which vaccine to take, whether it has assessed if there will be a mismatch of demand and supply of the vaccines; if it has assessed and the outcome is in the affirmative, of the measures in place to ameliorate this problem and how it will handle the surplus vaccines; and
- (6) given that the Government will set up an indemnity fund to provide indemnities to members of the public who encounter severe adverse events after the administration of the vaccines, of the details of the fund?

Interpretation and General Clauses Ordinance

Resolution

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

Resolved that in relation to the Prevention and Control of Disease (Use of Vaccines) Regulation, published in the Gazette as Legal Notice No. 258 of 2020, and laid on the table of the Legislative Council on 6 January 2021, 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 24 February 2021.