

Legislative Council

Agenda

Wednesday 28 April 2021 at 11:30 am
(or immediately after the Chief Executive's Question Time
to be held at 11:00 am that day)

I. Laying of Papers on the Table of the Council

2 items of subsidiary legislation and 8 other papers to be laid on the Table of the Council set out in Appendix 1

II. Written Questions

Members to ask 22 questions for written replies

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

III. Government Bills

Second Reading (debate to resume) (response by public officers), consideration by committee of the whole Council and Third Reading

1. Appropriation Bill 2021 : Financial Secretary

Second Reading (debate to resume) (response by public officers)

Other attending public officers : Secretary for Labour and Welfare
Secretary for Transport and Housing
Secretary for Development
Secretary for Innovation and Technology
Secretary for Financial Services and the Treasury

Consideration by committee of the whole Council

Other attending public officers : Chief Secretary for Administration
Secretary for Justice
Secretary for the Environment
Secretary for Labour and Welfare
Secretary for Security
Secretary for Transport and
Housing
Secretary for Food and Health
Secretary for Commerce and
Economic Development
Secretary for Development
Secretary for Education
Secretary for the Civil Service
Secretary for Innovation and
Technology
Secretary for Constitutional and
Mainland Affairs
Secretary for Home Affairs
Secretary for Financial Services
and the Treasury
Under Secretary for the
Environment
Under Secretary for Security
Under Secretary for Development
Under Secretary for Innovation
and Technology
Under Secretary for Education
Under Secretary for Commerce
and Economic Development
Under Secretary for Food and
Health
Under Secretary for Financial
Services and the Treasury
Under Secretary for Home Affairs
Under Secretary for Transport and
Housing
Under Secretary for Labour and
Welfare

(Debate and voting arrangements set out in LC Paper No. CB(3) 501/20-21 issued on 26 April 2021)

Second Reading (debate to resume), consideration by committee of the whole Council and Third Reading

2. Air Pollution Control (Amendment) Bill 2021 : Secretary for the Environment
3. Employees' Compensation (Amendment) Bill 2021 : Secretary for Labour and Welfare
4. Immigration (Amendment) Bill 2020 : Secretary for Security

Amendment mover : Secretary for Security
(Amendments set out in LC Paper No. CB(3) 480/20-21 issued on 20 April 2021)

(Debate and voting arrangements set out in LC Paper No. CB(3) 502/20-21 issued on 26 April 2021)

5. Road Traffic (Amendment) Bill 2021 : Secretary for Food and Health
6. Inland Revenue (Amendment) (Tax Concessions for Carried Interest) Bill 2021 : Secretary for Financial Services and the Treasury
7. Revenue (Tax Concessions) Bill 2021 : Secretary for Financial Services and the Treasury

Clerk to the Legislative Council

Council meeting of 28 April 2021

Laying of Papers on the Table of the Council

Subsidiary legislation	Legal Notice No.
-------------------------------	-------------------------

- | | |
|---|------------|
| 1. <u>Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 2) Regulation 2021</u> | 52 of 2021 |
| 2. <u>Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 3) Regulation 2021</u> | 53 of 2021 |

Other papers

3. Report No. 76 of the Director of Audit on the results of value for money audits - March 2021
(to be presented by the President of the Legislative Council)
4. Hong Kong Rotary Club Students' Loan Fund Financial Statements for the year ended 31 August 2020 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
5. Sing Tao Charitable Foundation Students' Loan Fund Financial Statements for the year ended 31 August 2020 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
6. Research Endowment Fund Financial Statements for the year ended 31 August 2020 (including Report of the Director of Audit)
(to be presented by Secretary for Education)
7. Report of the Bills Committee on Employees' Compensation (Amendment) Bill 2021
(to be presented by Hon LUK Chung-hung, Chairman of the Bills Committee)
8. Report of the Bills Committee on Immigration (Amendment) Bill 2020
(to be presented by Hon Elizabeth QUAT, Chairman of the Bills Committee)

9. Report of the Bills Committee on Road Traffic (Amendment) Bill 2021
(to be presented by Hon CHAN Hak-kan, Chairman of the Bills Committee)

10. Report of the Bills Committee on Inland Revenue (Amendment) (Tax Concessions for Carried Interest) Bill 2021
(to be presented by Hon CHEUNG Kwok-kwan, Chairman of the Bills Committee)

22 questions to be asked at the Council meeting of 28 April 2021

Questions for written replies		Subject matters	Public officers to reply
1	Hon Steven HO	<u>Allocation mechanism of ward offices under Housing Department</u>	Secretary for Transport and Housing
2	Hon WONG Ting-kwong	<u>Ventilation requirement for dine-in catering premises</u>	Secretary for Food and Health
3	Hon LAU Kwok-fan	<u>Revenues from stamp duties and land premiums</u>	Secretary for Financial Services and the Treasury
4	Hon Martin LIAO	<u>Protection of online personal data privacy</u>	Secretary for Constitutional and Mainland Affairs
5	Hon Starry LEE	<u>Compulsory testing</u>	Secretary for Food and Health
6	Hon CHEUNG Kwok-kwan	<u>Protecting Hong Kong people who purchase properties outside Hong Kong</u>	Secretary for Transport and Housing
7	Hon Frankie YICK	<u>Promoting the development of the maritime and port industries</u>	Secretary for Transport and Housing
8	Ir Dr Hon LO Wai-kwok	<u>Maintaining Hong Kong's status and competitiveness in the international community</u>	Secretary for Commerce and Economic Development
9	Hon YIU Si-wing	<u>Growing of plants of ornamental value</u>	Secretary for Commerce and Economic Development
10	Dr Hon CHIANG Lai-wan	<u>Mental health services</u>	Secretary for Food and Health
11	Hon WONG Kwok-kin	<u>Premium payment for subsidized sale housing flats</u>	Secretary for Transport and Housing
12	Hon Wilson OR	<u>Combating illegal smoking</u>	Secretary for Food and Health
13	Hon LEUNG Che-cheung	<u>Cultivating a sense of belonging towards the country and a sense of national identity among students</u>	Secretary for Education
14	Hon Jimmy NG	<u>Charging facilities for electric vehicles</u>	Secretary for the Environment
15	Hon Vincent CHENG	<u>Handling online shopping complaints and disputes</u>	Secretary for Commerce and Economic Development
16	Hon LUK Chung-hung	<u>Macroeconomic data of Hong Kong</u>	Secretary for Financial Services and the Treasury
17	Hon CHAN Han-pan	<u>Anti-epidemic measures</u>	Secretary for Food and Health
18	Hon Holden CHOW	<u>Indecency offences</u>	Secretary for Security
19	Hon CHAN Chun-ying	<u>Enhancing Hong Kong's status as an international financial centre</u>	Secretary for Financial Services and the Treasury
20	Hon Paul TSE	<u>Traffic congestion problems in Kwun Tong</u>	Secretary for Development
21	Hon Tony TSE	<u>Extension of land leases</u>	Secretary for Development
22	Hon Alice MAK	<u>Communal facilities relating to subsidized sale housing</u>	Secretary for Transport and Housing

Question 1
(For written reply)

(Translation)

Allocation mechanism of ward offices under Housing Department

Hon Steven HO to ask:

At present, Legislative Council (“LegCo”) Members and District Council (“DC”) members may apply for leasing flats in housing estates and courts under the Housing Department (“HD”) for use as members’ offices (“ward offices”). Under the current mechanism, HD allocates ward offices according to the following four categories of priority: DC member returned by the DC constituency in which the flat is located, other DC members of the DC district in which the flat is located, LegCo Members returned by the LegCo geographical constituency in which the flat is located (“directly elected Members”), and LegCo Members returned by LegCo functional constituencies (“Members returned by FCs”). DC members may lease one ward office with a maximum area of 35 square metres, and LegCo Members may lease multiple ward offices with an aggregate area not exceeding 140 square metres. In December 2019, the Office of The Ombudsman (“the Office”) released a direct investigation report entitled Allocation Mechanism of Ward Offices under Housing Department (“the Report”), which pointed out the deficiencies of the allocation mechanism. For example, when a vacant ward office is available for application, a directly elected Member who has successfully leased another ward office in the district still enjoys priority over a Member returned by FC who has not been allocated any ward office. Regarding the allocation mechanism of ward offices, will the Government inform this Council:

- (1) as the Report showed that the leasing rate of ward offices exceeded 96% as at 31 May 2019, of (i) the number of ward offices leased to the Member who had leased the most ward offices then, and (ii) whether all ward offices were then leased out without competition;
- (2) as it was stated in the Report that HD had sought views separately from Members of different political parties on the proposal of priority allocation of ward offices to those Members who had not been allocated any ward office, but quite a number of Members have relayed to me that HD staff have never sought their views, of the details of the views collection exercise (including the dates on which views were sought, the number of Members of each priority category from whom views were sought, and the information provided to these Members);

- (3) given that HD assigns the lowest allocation priority to Members returned by FCs on grounds that there is no restriction on constituencies for such Members when they apply for leasing ward offices, and that they have the most choices and may lease multiple offices, but there have been views that there is a need for some Members returned by FCs to maintain close contact with members of the public in certain districts, and yet HD may not have ward offices available for lease in such districts that meet the requirements, whether HD will review the allocation priority of such Members;
- (4) although the Report stated that upon commencement of the last term of DCs and the current term of LegCo, the success rate of Members returned by FCs (who belong to the fourth priority category) being allocated ward offices was higher than those of the second and third priority categories, there have been views that such situation was only due to the lower proportion of Members returned by FCs applying for allocation of ward offices (i.e. 12 Members out of 35), whether the Government has gained an understanding as to whether the relatively small number of Members of that priority category applying for allocation of ward offices was due to their being accorded the lowest allocation priority and the poor quality of the remaining ward offices available for them to choose; and
- (5) given that in the light of the recommendations of the Office, HD has revised the arrangements for leasing ward offices to Members under joint tenancies by categorizing joint tenants of ward offices into primary and secondary tenants, and stipulated that if the primary tenant is not re-elected or terminates the tenancy before it expires, the secondary tenant may retain the ward office until the end of his/her term provided that the aggregate area of the ward offices leased to him/her does not exceed his/her maximum entitlement, whether the Government has studied if such practice will reduce the chance of Members returned by FCs to apply for a ward office successfully?

Question 2
(For written reply)

(Translation)

Ventilation requirement for dine-in catering premises

Hon WONG Ting-kwong to ask:

To reduce the risk of the Coronavirus Disease 2019 spreading in catering premises, the Government announced on the 17th of last month that the seating areas of dine-in catering premises must be in compliance with the following requirement on or before the 30th of this month: (1) fresh air change per hour therein must be at six times or above, or (2) air purifiers meeting the specified specifications have been installed. Quite a number of catering business operators (“the operators”) have relayed to me that as they lack the knowledge about ventilation and air purifiers, they can hardly complete the ventilation works concerned and obtain a certificate of compliance issued by a registered specialist contractor (ventilation works category) (“contractor”) within such a short time. The expenditure to be incurred for complying with the requirement will also aggravate their already heavy financial burden. In this connection, will the Government inform this Council:

- (1) whether it will publish, for reference by the operators, the ranges of the fees to be charged by a contractor for (i) undertaking the works concerned and (ii) issuing the certificate; if so, of the details; if not, the reasons for that;
- (2) whether it will expeditiously provide subsidies and technical support for the operators, so as to facilitate their compliance with the requirement; if so, of the details; if not, the reasons for that; and
- (3) whether it will exercise discretion to provide a grace period for the operators or postpone the commencement date of the requirement; if so, of the details; if not, the reasons for that?

Question 3
(For written reply)

(Translation)

Revenues from stamp duties and land premiums

Hon LAU Kwok-fan to ask:

Regarding the revenues from stamp duties and land premiums, will the Government inform this Council, in each of the past five financial years:

- (1) of the respective total amounts of stamp duties charged on agreements for sale, conveyances on sale or leases of (i) residential properties and (ii) non-residential properties, as well as the respective percentages of such amounts in the total government revenue for that year; if a breakdown of the stamp duty for these two types of properties is not available, whether it will compile such statistics, so as to enhance the transparency of government revenue;
- (2) of the respective total amounts of stamp duties charged from the (i) Buyer's Stamp Duty, (ii) Special Stamp Duty and (iii) ad valorem stamp duty at the rates at Scale 1; and
- (3) of the total amount of revenue from land premiums and its percentage in the total government revenue for that year?

Question 4
(For written reply)

(Translation)

Protection of online personal data privacy

Hon Martin LIAO to ask:

It has been reported that the personal data of some 500 million users worldwide of LinkedIn, an employment-oriented community networking platform, have recently been scraped and sold, and the social media platform Facebook was hacked last year, resulting in the personal data of its over 500 million users worldwide (of which nearly 3 million were Hong Kong people) being stolen and made public. The Office of the Privacy Commissioner for Personal Data, Hong Kong (“PCPD”) indicated earlier on that it had written to the operator of the former to seek clarifications, and to the operator of the latter to initiate a compliance check on the relevant incident. On the other hand, in recent years quite a number of people have engaged in online “doxxing”, i.e. making public on the Internet (especially on social media) the personal data so obtained. In this connection, will the Government inform this Council:

- (1) whether it knows (i) the progress made by PCPD on its follow-up work/compliance check on the aforesaid two incidents, and (ii) the remedial measures taken by the operators concerned;
- (2) whether it knows if PCPD has assessed the effectiveness of the Guidance on Protecting Personal Data Privacy in the Use of Social Media and Instant Messaging Apps which PCPD issued early this month, and what relevant public education and publicity activities that PCPD has scheduled for the coming year (e.g. holding seminars);
- (3) given that PCPD refers personal data security incidents involving criminal elements (e.g. “access to computer with criminal or dishonest intent”) to the Police for investigation, whether it knows if PCPD will refer the aforesaid two incidents to the Police for investigation; as the two incidents reportedly involved acts of stealing data by hackers outside Hong Kong, how PCPD and the Police deal with acts of infringements of Hong Kong residents’ privacy by people outside Hong Kong; and
- (4) given that the Government is currently working jointly with PCPD on amending the Personal Data (Privacy) Ordinance (Cap. 486), including criminalizing the acts of doxxing and empowering the Privacy Commissioner for Personal Data to undertake investigation and prosecution work in respect of doxxing incidents, of the related preliminary proposals?

Question 5
(For written reply)

(Translation)

Compulsory testing

Hon Starry LEE to ask:

The Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) has been implemented since 15 November 2020 to cope with the Coronavirus Disease 2019 (“COVID-19”) epidemic. The Government may invoke the Regulation to issue compulsory testing notices (“CTNs”) requiring the relevant groups or persons to undergo compulsory COVID-19 testing by a specified deadline. Moreover, the Government may delineate “restricted areas” and make restriction-testing declarations (“RTDs”) requiring that all persons within the restricted areas stay in their premises and undergo compulsory COVID-19 testing in accordance with the Government’s arrangement, and they may leave only after the test results have mostly been ascertained. In this connection, will the Government inform this Council, since November last year:

- (1) of the number of CTNs issued by the Government, the total number of persons who underwent compulsory COVID-19 testing as required under CTNs and, among them, the number of those confirmed to have contracted COVID-19;
- (2) of the number of law enforcement operations conducted by the Government to check whether the persons concerned had complied with the requirements of CTNs; the number of persons found during such operations to have breached the requirements, and the number of fixed penalty notices (“FPNs”) issued to them;
- (3) of the number of restricted areas delineated by the Government, the number of persons within such areas who underwent the testing and, among them, the number of those confirmed to have contracted COVID-19; and
- (4) of the number of law enforcement operations conducted by the Government to check whether the persons within the restricted areas had complied with the requirements of RTDs; the number of persons found during such operations to have breached the requirements, and the number of FPNs issued to them?

Question 6
(For written reply)

(Translation)

Protecting Hong Kong people who purchase properties outside Hong Kong

Hon CHEUNG Kwok-kwan to ask:

It has been reported that Hong Kong people purchasing properties outside Hong Kong (in countries such as the United Kingdom, Australia, Canada and Thailand) has become a common phenomenon in recent years. Last year, the Estate Agents Authority received 66 complaints about the sale of properties outside Hong Kong, which is a tenfold surge from the six complaints received in the year before last. On protecting Hong Kong people who purchase properties outside Hong Kong, will the Government inform this Council:

- (1) of the number of complaints, received by the authorities in each of the past five years, about uncompleted properties which had become default property developments in the end, and the total amount of losses involved, with a breakdown by the country/region in which such properties were located;
- (2) whether it will consider afresh enacting legislation to regulate the practices of selling in Hong Kong properties outside Hong Kong (including the contents of advertisements), and to prohibit persons who are neither licensed estate agents nor licensed salespersons from engaging in estate agency work for properties outside Hong Kong;
- (3) as there has been an upward trend of complaints about purchases of properties outside Hong Kong in recent years, whether the authorities will consider establishing communication and cooperation mechanisms with the relevant regulatory authorities in those countries/regions in which the properties are hot commodities for Hong Kong people, so as to protect the rights and interests of Hong Kong people who have purchased properties therein; and
- (4) whether the authorities will step up publicity efforts to remind members of the public about matters requiring attention and common traps to avoid when they purchase properties outside Hong Kong, so as to avoid falling prey to frauds?

Question 7
(For written reply)

(Translation)

Promoting the development of the maritime and port industries

Hon Frankie YICK to ask:

Hong Kong's overall ranking in the 2020 Xinhua-Baltic International Shipping Centre Development Index Report has fallen from the second place of the preceding year to the fourth place. Some members of the maritime industry have pointed out that although the 2017 Policy Address proposed to promote and facilitate the development of Hong Kong's maritime services and the Government successively introduced tax concessions for the ship leasing and marine insurance industries in the 2020-2021 financial year, the Government's efforts to promote Hong Kong's maritime industry are still inadequate when compared with competitors. On the contrary, Singapore, which continues to top the list in the aforesaid report, announced last month that it would increase the subsidies provided to the local small and medium enterprises ("SMEs") engaging in maritime technology business, and is committed to developing the maritime industry. In this connection, will the Government inform this Council:

- (1) of the achievements of the Government's work in the past three years on attracting maritime enterprises to establish their bases in Hong Kong (including the increase in the number and the scope of business of such enterprises, as well as the number of new jobs and the economic benefits brought to Hong Kong); whether it has set any target for its work in the future (e.g. attracting a certain number of maritime enterprises to establish their bases in Hong Kong in the coming decade);
- (2) given that the Government is studying the provision of tax concessions to commercial principals of the maritime industry (e.g. ship management companies, ship brokers and ship agents) to attract them to establish their bases in Hong Kong, thereby promoting the development of high value-added maritime services, of the progress of the relevant study and the timetable for implementing the relevant proposals; whether, apart from tax concessions, the Government will consider, by making reference to the practice of the Singapore Government, providing subsidies to SMEs of the maritime industry; if so, of the details; if not, the reasons for that; and

- (3) as some members of the maritime industry have pointed out that the maritime and port industries are one of the important pillars of the Hong Kong economy, but the existing relevant policies are rather fragmented, lacking a set of complete and target-oriented policies, whether the Government will establish a statutory authority with decision-making and enforcement powers to formulate a long-term development blueprint for Hong Kong's maritime and port industries; if so, of the details; if not, the reasons for that?

Question 8
(For written reply)

(Translation)

Maintaining Hong Kong's status and competitiveness
in the international community

Ir Dr Hon LO Wai-kwok to ask:

The National People's Congress made decisions, in May last year and March this year respectively, on implementing the National Security Law for Hong Kong in the Hong Kong Special Administrative Region ("SAR") and improving the electoral system of SAR. The governments of certain western countries have alleged the relevant decisions to be in violation of the "one country, two systems" and the Basic Law, and imposed sanctions on certain SAR Government officials and organizations. In this connection, will the Government inform this Council:

- (1) whether it has taken measures to refute the allegation, including explaining to government offices of foreign states in Hong Kong, the International Monetary Fund, international rating agencies, Hong Kong's major trading partners and chambers of commerce that such move of the Central Authorities has plugged loopholes of SAR's system, which can ensure the steadfast and successful implementation of "one country, two systems"; if so, of the details; if not, the reasons for that;
- (2) of its new thinking on enhancing Hong Kong's capability of responding to the complex and volatile international political and economic environment, and better seizing the opportunities of post-pandemic economic development; and
- (3) given that Hong Kong has been implementing a low and simple tax regime, what strategies the Government has put in place to deal with the situation where governments of various countries, in response to the recent appeal of the United States Government, jointly set a uniform minimum rate of corporate profits tax that is applicable to multinational companies, so as to prevent Hong Kong's competitiveness from being undermined?

Question 9
(For written reply)

(Translation)

Growing of plants of ornamental value

Hon YIU Si-wing to ask:

Some members of the tourism industry have pointed out that quite a number of famous tourist hotspots around the globe have attractions showcasing spectacular scenery of beautiful blooms. During flower viewing seasons, the tourism sectors in those places launch promotional activities in a pro-active manner and have attracted tourists from various places (with quite a number of them being residents of Hong Kong) to visit those hotspots. Contrarily, local residents and visitors to Hong Kong in general have little knowledge of the growing of flowers and other plants of ornamental value in various districts of Hong Kong. In this connection, will the Government inform this Council:

- (1) whether it will compile a flora map to promote flower beds of a considerable scale across the territory to facilitate members of the public as well as tourists to visit them in the right seasons for appreciation and photo-taking;
- (2) whether it will grow more flowers and plants of ornamental value in various districts of Hong Kong to increase the attractiveness of Hong Kong to tourists; if so, of the species of plants to be grown; if not, the reasons for that; and
- (3) whether it will deploy additional manpower to enhance efforts on planning and caring of the landscapes in various districts; if so, of the details; if not, the reasons for that?

Question 10
(For written reply)

(Translation)

Mental health services

Dr Hon CHIANG Lai-wan to ask:

It has been reported that a survey conducted early this year interviewed 2 700-odd members of the public. The survey findings show that, after experiencing the Coronavirus Disease 2019 epidemic and complying with the various social distancing measures for more than one year, about 20% to 30% of the respondents suffered from moderate to severe emotional disturbances, and about 40% of them felt isolated. On the other hand, some parents have indicated that during class suspension for schools implemented on a number of occasions last year, they had to spend more energy on taking care of their children and assisting them in learning at home, which made them feel very stressful. At the end of last year, a parent committed suicide and died allegedly due to problems in teaching her child to do homework. Regarding mental health services, will the Government inform this Council:

- (1) whether it has conducted any survey on how the mental health of members of the public has been affected by the epidemic; if so, of the findings;
- (2) of the number of attempted or fatal suicide cases reported last year which were suspected to be related to the emotional disturbances caused by the epidemic, as well as the details of such cases, including the number, age and gender of the persons concerned, and whether they were unemployed (if so, how long they had been unemployed);
- (3) whether it knows the following information about the mental health services (including in-patient services) under the Hospital Authority (“HA”) in each of the past five years:
 - (i) the total number of patients and, among them, the number of those who were patients with severe mental illness,
 - (ii) the attendance at the psychiatric specialist outpatient clinics, and
 - (iii) the respective numbers of psychiatric doctors, psychiatric nurses, clinical psychologists and occupational therapists;

- (4) whether it has assessed if the demand for the mental health services under HA will increase in the coming year due to the epidemic; if it has assessed and the outcome is in the affirmative, whether the Government will allocate additional resources to HA for recruiting more healthcare personnel;
- (5) whether it knows the latest progress of HA's current application of information technology in HA's mental health services for providing tele-consultation services;
- (6) whether it will allocate additional resources to social welfare organizations for enhancing mental health tele-support services;
- (7) whether it will establish an online emotional support platform for the provision of emotional support services by professional counsellors to members of the public suffering from emotional disturbances; if so, of the details; if not, the reasons for that; and
- (8) whether, in the coming year, the Government will enhance mental health support measures for different target groups (e.g. students, parents and healthcare personnel); if so, of the details; if not, the reasons for that?

- (4) whether it knows, in respect of each of the housing courts put up for sale by HKHS, the District Council district to which it belongs, the year in which it was put up for sale, and the numbers of premium-paid flats currently and in each of the past five years (set out by subsidized sale housing schemes (namely (i) the Flat-for-Sale Scheme, (ii) subsidized sale flat projects, and (iii) the Sandwich Class Housing Scheme) respectively in tables of the same format as Table 2);
- (5) as The Hong Kong Mortgage Corporation Limited has launched the Premium Loan Guarantee Scheme and the Premium Loan Insurance Scheme to assist the relevant owners in paying premiums, of the respective (i) numbers of applications received and (ii) total amounts of the loans granted, in respect of the two Schemes in each of the past five years; and
- (6) as there are views that the Government should consider (i) allowing owners of flats with premiums unpaid to pay the premiums by instalments, i.e. to determine the time and payment rate according to the market situation and their own financial means, and (ii) introducing a mechanism under which an owner may choose to adopt either the market value of his/her flat at the time when his/her relevant application is processed or that during the various instalment periods for the calculation of the premium amount for his/her flat, whether the Government has studied such proposals in depth; if so, of the details; if not, the measures in place to enhance the premium payment arrangements?

Question 12
(For written reply)

(Translation)

Combating illegal smoking

Hon Wilson OR to ask:

Under the Smoking (Public Health) Ordinance (Cap. 371), no person shall smoke in a no smoking area, and no smoking areas include the indoor areas of premises such as bars and restaurants. It has been reported that in recent years, quite a number of bars, restaurants and private clubs have provided waterpipes for smoking by customers in order to solicit business, and have not stopped their customers from smoking illegally on their premises. In this connection, will the Government inform this Council:

- (1) whether it has compiled statistics on the current number of various types of premises providing waterpipes to their customers; if so, of the details; if not, the reasons for that;
- (2) of (i) the number of inspections of bars, restaurants, party rooms and private clubs conducted, and (ii) the number of prosecutions instituted by invoking the provisions on smoking-related offences under Cap. 371, by the Tobacco and Alcohol Control Office (“TACO”) of the Department of Health in each of the past five years, with a breakdown by the offence involved, type of premises and District Council district;
- (3) whether it has taken targeted measures at the premises where illegal smoking is prevalent, e.g. by listing such premises as black spots for smoking offences and stepping up law enforcement efforts there, as well as sending officers there to distribute promotional materials on smoking ban;
- (4) given that for the first time, a bar and a staff member of it were convicted of and fined last month for aiding and abetting its/his customers to smoke a waterpipe in a no smoking area, whether TACO will step up the relevant law enforcement efforts; and
- (5) whether it will study amending Cap. 371 to stipulate that the person-in-charge of premises who knowingly does not stop any customer from smoking in a no smoking area of his/her premises commits an offence?

Question 13
(For written reply)

(Translation)

Cultivating a sense of belonging towards the country
and a sense of national identity among students

Hon LEUNG Che-cheung to ask:

The Secretary for Education indicated last month that the Education Bureau (“EDB”) was cultivating among students a sense of belonging towards the country and a sense of national identity through multiple means, such as revising school curriculum, providing guidelines on teaching materials, and implementing extra-curricular activities. EDB will also distribute a set of books entitled *My Home is in China* to all primary and secondary schools in Hong Kong for use as teaching materials. In this connection, will the Government inform this Council:

- (1) how EDB ensures that teachers will make good use of the various means to help student foster correct values and acquire the relevant knowledge, as well as build up a strong sense of belonging towards the country and a strong sense of national identity;
- (2) whether EDB will gain an understanding, through inspections, of how teachers teach the relevant knowledge within and outside the classroom, so as to ensure that teachers use the teaching materials appropriately and accurately; and
- (3) whether EDB will formulate key performance indicators for evaluating the performance of teachers in the relevant educational work?

Question 14
(For written reply)

(Translation)

Charging facilities for electric vehicles

Hon Jimmy NG to ask:

To promote popularization of electric vehicles (“EVs”), the Government has formulated a series of policies and measures, including extending the EV public charging network and encouraging owners of private buildings to install EV charging facilities for the parking spaces in their buildings. In this connection, will the Government inform this Council:

- (1) given that the Government rolled out a three-year programme in 2019 with a view to installing by 2022 over 1 000 additional medium EV chargers in the public car parks under its management, of the latest progress of the programme and whether it anticipates that such target can be met;
- (2) given that public charging facilities for EVs are unevenly distributed across the various districts at present, e.g. there being 827 and 39 EV chargers in Kwun Tong and Tai Po districts respectively, with a twenty-fold difference between them, of the Government’s new measures to facilitate an even distribution of public charging facilities in the various districts;
- (3) given that there is a strong demand for quick charging facilities for EVs, whether the Government will set a growth target for the number of such facilities; if so, of the details; if not, the reasons for that;
- (4) as the Hong Kong Planning Standards and Guidelines stipulates that 30% of the private car parking spaces in public car parks will be equipped with EV chargers, whether it will explore raising the percentage; if so, of the details; if not, the reasons for that;
- (5) given that the Government is carrying out preparatory work for the fee charging arrangement for EV charging services in the car parks under its management, and it is anticipated that charging fees will be imposed from 2025, whether it has assessed if such arrangement will hinder the popularization of EVs; if it has not assessed, whether it will make such an assessment; if it has assessed, of the outcome;
- (6) given that in the first four months after the launch of the EV-charging at Home Subsidy Scheme in October last year, the Government received over 200 applications involving 60 000 parking spaces (i.e. being close to the target of the Scheme), of the number of applications approved by the Government so far and the

number of parking spaces involved; given the overwhelming public response to the Scheme, whether the Government will increase the funding allocated to the Scheme (which is \$2 billion); and

- (7) as the Environment Bureau is exploring the adjustment of the requirement for the installation of EV charging-enabling infrastructure in the car parks of new buildings so that such infrastructure will cover all parking spaces of new private buildings and provide the power supply needed for medium chargers, of the expected completion date of the relevant exploration and the initial ideas of the adjustment proposal?

Question 15
(For written reply)

(Translation)

Handling online shopping complaints and disputes

Hon Vincent CHENG to ask:

The Consumer Council (“the Council”) reached a collaboration agreement with the China Consumers’ Association (“CCA”) in November 2019 to expedite the handling of cross-boundary consumer complaints by the “Online Shopping Consumer Protection Express Platform” scheme under CCA. Under the scheme, upon receipt of cross-boundary consumer complaints involving the online traders participating in the scheme, the Council will, provided that the conditions prescribed by the scheme are met, upload the details of such complaints to the data system of the Platform to allow the online traders concerned to handle the complaints by directly contacting the complainants. The objective of the scheme is to assist consumers through a more effective channel and increase their success rate in reaching conciliation with the online traders concerned. Regarding the handling of online shopping complaints and disputes, will the Government inform this Council:

- (1) whether it knows the total number of complaints lodged by Hong Kong people and handled through the Platform since November 2019 and, among such complaints,
 - (a) the number of those in respect of which conciliation has been reached, with a tabulated breakdown by (i) type of complaints, (ii) the amount of money involved, and (iii) the solution agreed by both parties;
 - (b) the number of those in respect of which conciliation has not been reached, with a tabulated breakdown by (i) type of complaints, (ii) the amount of money involved, and (iii) the outcome/progress of the follow-up actions taken by the Council;
- (2) whether it knows if the Council has assessed the effectiveness of the aforesaid Platform in assisting in resolving relevant disputes; and
- (3) given that quite a number of members of the public in Hong Kong frequently shop online, how the Government, by enforcing the relevant legislation such as the Trade Descriptions Ordinance (Cap. 362) and the Sales of Goods Ordinance (Cap. 26), effectively handles acts of selling goods which do not match the descriptions or counterfeit goods and fraudulent acts relating to online shopping (especially cross-boundary online shopping)?

Question 16
(For written reply)

(Translation)

Macroeconomic data of Hong Kong

Hon LUK Chung-hung to ask:

Regarding the macroeconomic data of Hong Kong, will the Government inform this Council:

- (1) of the (i) compensation of employees (“CoE”), (ii) gross operating surplus (“GOS”), (iii) ratio of CoE to Gross Domestic Product (“GDP”) (i.e. labour’s share of national income) and (iv) respective contributions of CoE and GOS to rate of change in nominal GDP in percentage-point, in each year from 2012 to 2020; and
- (2) when conducting a test by applying a time-series econometric model, how the changes in the labour’s share of national income in Hong Kong during the aforesaid period were affected by the following determinants: (i) trade openness, (ii) the size of public sector, (iii) the statutory minimum wage, (iv) the year-on-year growth in real GDP and (v) technological progress?

Question 17
(For written reply)

(Translation)

Anti-epidemic measures

Hon CHAN Han-pan to ask:

An expert on epidemiology has pointed out that while the fourth wave of the Coronavirus Disease 2019 (“COVID-19”) epidemic has become stable recently, there may still be silent transmission in the community. On the other hand, during holidays and weekends, everywhere in the street is packed with people, and members of the public have not maintained an appropriate social distance. Under such circumstances, the epidemic may rebound on a large scale at any time. In this connection, will the Government inform this Council:

- (1) whether it has drawn up a contingency plan for a large-scale rebound of the epidemic; if so, of the details; if not, the reasons for that;
- (2) whether it has plans to fully introduce COVID-19 rapid self-testing services to increase the testing capability; if not, of the reasons for that; if so, whether it will provide those categories of persons such as teachers, students and restaurant practitioners with free or subsidized services to encourage them to conduct testing on their own daily; and
- (3) given that currently some scheduled premises (such as bars and karaoke establishments) have not yet been allowed to resume business, whether the Government will consider relaxing the operation restrictions of such scheduled premises subject to the following conditions being met: operators of scheduled premises must arrange for their staff to undergo COVID-19 tests more frequently, and operators may only receive customers who have undergone COVID-19 rapid tests; if so, of the details; if not, the reasons for that?

Question 18
(For written reply)

(Translation)

Indecency offences

Hon Holden CHOW to ask:

It has been reported that earlier on, two video clips of an indecent nature were published on the Internet, which respectively showed two naked men engaging in sexual intercourse in an MTR train compartment, and another naked man masturbating in a train compartment. The persons captured in the clips and the publishers of the clips may have committed the offences under section 148 (Indecency in public) of the Crimes Ordinance (Cap. 200), and section 21 (Prohibition on publishing obscene articles) of the Control of Obscene and Indecent Articles Ordinance (Cap. 390), as well as the offence of “outraging public decency” under common law (collectively referred to as “indecent offences” below). Regarding indecent offences, will the Government inform this Council:

- (1) of the respective numbers of persons who were (a) prosecuted for and (b) convicted of the offences (i) of outraging public decency, (ii) under section 148 of Cap. 200, and (iii) under section 21 of Cap. 390, in each of the past five years; the lowest and highest penalties imposed on the convicted persons;
- (2) among the cases referred to in (1), of the number of those that occurred in MTR train compartments and on train platforms;
- (3) of the measures put in place in the past five years by the MTR Corporation Limited to prevent the occurrence of indecent offences within the precincts of MTR stations; and
- (4) of the new measures for combating indecent offences to be put in place by the Police in the coming three years, and whether such measures will include increasing the manpower for patrolling the black spots for such offences and stepping up publicity efforts; if so, of the details?

Question 19
(For written reply)

(Translation)

Enhancing Hong Kong's status as an international financial centre

Hon CHAN Chun-ying to ask:

The Z/Yen Partners in the United Kingdom and the China Development Institute in Shenzhen jointly published on 17 March this year the 29th edition of the Global Financial Centres Index Report. The overall global ranking of Hong Kong leaped from the sixth in the 27th edition and the fifth in the 28th edition to the fourth in the 29th edition of the Report. Furthermore, there was a mere one point difference between the overall ratings of the financial centres in the second to the fifth places in the overall ranking (namely London, Shanghai, Hong Kong and Singapore), indicating a very keen competition among them. Even though the overall ranking of Singapore was lower than that of Hong Kong, in respect of the five areas of competitiveness (i.e. business environment, reputation and general, human capital, financial sector development and infrastructure), which were formulated based on data, its rankings in the first four areas were higher than that of Hong Kong. With regard to enhancing Hong Kong's status as an international financial centre, will the Government inform this Council:

- (1) whether it has summed up the reasons for the leap in Hong Kong's ranking in the last two editions of the Report; if so, of the details; if not, the reasons for that;
- (2) whether it has conducted an analysis and comparison of the strengths and weaknesses of London, Shanghai, Singapore and Hong Kong in the aforesaid areas of competitiveness, and formulated plans for closing or widening the rating gaps between Hong Kong and those financial centres; if so, of the details; if not, the reasons for that; and
- (3) given that the Outline of the 14th Five-Year Plan for National Economic and Social Development of the People's Republic of China and the Long-Range Objectives Through the Year 2035 approved earlier by the National People's Congress has mentioned giving support to enhancing Hong Kong's status as an international financial centre, whether the Government has set objectives and formulated a roadmap in this respect; if so, of the details; if not, the reasons for that?

Question 20
(For written reply)

(Translation)

Traffic congestion problems in Kwun Tong

Hon Paul TSE to ask:

It has been reported that the traffic congestion problems in Kwun Tong are acute at the roundabout at the junction of Hoi Yuen Road and Kwun Tong Road, on Kwun Tong Road, and in the Kwun Tong industrial area. It takes nine minutes during non-peak hours but 77 minutes during the evening peak hours for buses to complete a journey of departing from Kwun Tong Ferry Pier and arriving at the bus stop adjacent to Millennium City 5 via King Yip Street and Cha Kwo Ling Road, which is merely 1.7 kilometres in length, reflecting that the traffic along the aforesaid roads is almost paralyzed during peak hours. In addition, there have been views that the Energizing Kowloon East Office (“EKEO”) has been focusing solely on the development of commercial land lots to the neglect of the fact that a number of roads in the district have long reached their maximum capacity, resulting in the traffic congestion problems being aggravated. In this connection, will the Government inform this Council:

- (1) given that the Government had spent 13 years and more than \$92 million to study the proposal of constructing an Environmentally Friendly Linkage System for Kowloon East (which comprised an elevated monorail), which disappeared into obscurity, and that the Government announced in November last year its decision to abandon the construction of the monorail and provide, instead, additional bus/green minibus routes in the district, whether the Government has studied if that decision will make the situation even worse and further aggravate the traffic congestion problems on the aforesaid roads;
- (2) whether it will reverse the direction of traffic along Hing Yip Street and Hung To Road where the vehicular flow is relatively low, so as to reduce the number of vehicles turning from Shing Yip Street into Hoi Yuen Road, thereby alleviating the traffic congestion problems on Hoi Yuen Road;
- (3) whether it will step up prosecution efforts against vehicles illegally parked on roads in the Kwun Tong industrial area (covering Hing Yip Street, How Ming Street and Shing Yip Street), including the commissioning of the illegal parking monitoring system at smart lampposts expeditiously, and instructing the Police to take law enforcement actions round-the-clock; and

- (4) apart from the proposals mentioned in (2) and (3) for alleviating the traffic congestion in the district, of the practicable policies that EKEO and the relevant government departments have put in place to resolve the traffic congestion problems in the district?

Question 21
(For written reply)

(Translation)

Extension of land leases

Hon Tony TSE to ask:

In reply to a question raised by a Member of this Council on 27 November 2019, the Secretary for Development (“SDEV”) indicated that the Lands Department (“LandsD”) was collating information on all the land leases in Hong Kong expiring on or before 30 June 2047, and the collation exercise was expected to be completed by phases from 2021 onwards. SDEV also indicated that the LandsD would generally begin processing the extension of a land lease three years before its expiry, and LandsD was exploring whether there would be more streamlined procedures and more convenient means to effect the extension of land leases. Some members of the surveying sector have relayed that whether land leases can be extended in a smooth and timely manner and whether the Government will impose additional conditions on lease extension will have significant impacts on not only the rights and interests of the land owners concerned, but also the development, leasing and sale, redevelopment, as well as repair and maintenance arrangements for the land and properties concerned. They therefore hope that the Government processes the applications for extending the aforesaid land leases as early as possible and streamline the relevant procedures. In this connection, will the Government inform this Council:

- (1) of the respective numbers of land leases expiring within the coming (i) five years and (ii) six to 10 years, and the information on the lots involved, such as the user categorization and number of interests;
- (2) of (i) the respective numbers of applications for extending land leases received, approved and rejected by LandsD, with a breakdown of the number of approved applications by the term of lease extension and the conditions imposed (if any), (ii) the average time taken by LandsD to process an application, and (iii) the main reasons for LandsD rejecting some applications (if any), in the past five years;
- (3) of the latest progress of the exercise of collating information on land leases, and the respective expected completion dates of the entire exercise and its various phases; whether there have been delays in any phase of the exercise; if so, of the reasons for that;

- (4) whether the exploratory work on streamlining lease extension procedures has been completed; if so, of the details; if not, the latest progress, and the reasons why the work, which commenced more than one year ago, has not yet been completed; and
- (5) whether LandsD will consider (i) advancing the date on which it begins processing the extension of a land lease from three years to five years before expiry, and (ii) undertaking that under normal circumstances it will make a decision, within one year after the commencement of processing, on whether or not the lease will be extended so that the land owners concerned may formulate plans in advance for the development, leasing and sale, redevelopment, as well as repair and maintenance arrangements for the land and properties concerned, with a view to optimizing the use of precious land resources?

Question 22
(For written reply)

(Translation)

Communal facilities relating to subsidized sale housing

Hon Alice MAK to ask:

Earlier on, some residents of Ching Tai Court, a Home Ownership Scheme court, sought my assistance, saying that the salt water supply to the court was suspended due to the bursting of a section of a communal salt water main located within an adjoining Tenants Purchase Scheme estate. According to the record of the Water Supplies Department, the responsibility for the repair and maintenance of that section of salt water main rests with the Housing Department, rather than the owners of the court concerned as in general cases. In this connection, will the Government inform this Council:

- (1) of the current number of subsidized sale housing courts within which there are communal facilities (e.g. underground mains) not for the use of their respective residents, and set out, by name of housing court, the type of such communal facilities and the party responsible for the repair and maintenance of such facilities;
- (2) whether the sales information provided by the Hong Kong Housing Authority (“HA”) to prospective buyers of subsidized sale housing has set out (i) the presence or otherwise of communal facilities within the housing court concerned not for the use of its residents, (ii) the presence or otherwise of communal facilities outside that housing court for the use of its residents, and (iii) the parties which are responsible for the repair and maintenance of these two types of communal facilities; whether it is clear which parties are responsible for the repair and maintenance of such communal facilities; if not, whether HA will clarify with the relevant government departments; and
- (3) whether it will set up a dedicated fund to cover the repair and maintenance expenses of the communal facilities within subsidized sale housing courts which are not for the use of their respective residents; if not, of the reasons for that?