

OFFICIAL RECORD OF PROCEEDINGS**Wednesday, 16 December 2020****The Council met at Eleven o'clock****MEMBERS PRESENT:**

THE PRESIDENT

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, G.B.M., G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, G.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, G.B.S., J.P.

THE HONOURABLE JEFFREY LAM KIN-FUNG, G.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, G.B.S., J.P.

THE HONOURABLE STARRY LEE WAI-KING, S.B.S., J.P.

THE HONOURABLE CHAN HAK-KAN, B.B.S., J.P.

THE HONOURABLE CHAN KIN-POR, G.B.S., J.P.

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN, S.B.S., J.P.

THE HONOURABLE WONG KWOK-KIN, S.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

THE HONOURABLE PAUL TSE WAI-CHUN, J.P.

THE HONOURABLE MICHAEL TIEN PUK-SUN, B.B.S., J.P.

THE HONOURABLE STEVEN HO CHUN-YIN, B.B.S.

THE HONOURABLE FRANKIE YICK CHI-MING, S.B.S., J.P.

THE HONOURABLE YIU SI-WING, B.B.S.

THE HONOURABLE MA FUNG-KWOK, G.B.S., J.P.

THE HONOURABLE CHAN HAN-PAN, B.B.S., J.P.

THE HONOURABLE LEUNG CHE-CHEUNG, S.B.S., M.H., J.P.

THE HONOURABLE ALICE MAK MEI-KUEN, B.B.S., J.P.

THE HONOURABLE KWOK WAI-KEUNG, J.P.

THE HONOURABLE CHRISTOPHER CHEUNG WAH-FUNG, S.B.S., J.P.

THE HONOURABLE ELIZABETH QUAT, B.B.S., J.P.

THE HONOURABLE MARTIN LIAO CHEUNG-KONG, G.B.S., J.P.

THE HONOURABLE POON SIU-PING, B.B.S., M.H.

DR THE HONOURABLE CHIANG LAI-WAN, S.B.S., J.P.

IR DR THE HONOURABLE LO WAI-KWOK, S.B.S., M.H., J.P.

THE HONOURABLE CHUNG KWOK-PAN

THE HONOURABLE JIMMY NG WING-KA, B.B.S., J.P.

DR THE HONOURABLE JUNIUS HO KWAN-YIU, J.P.

THE HONOURABLE HOLDEN CHOW HO-DING

THE HONOURABLE SHIU KA-FAI, J.P.

THE HONOURABLE WILSON OR CHONG-SHING, M.H.

THE HONOURABLE YUNG HOI-YAN, J.P.

DR THE HONOURABLE PIERRE CHAN

THE HONOURABLE CHAN CHUN-YING, J.P.

THE HONOURABLE CHEUNG KWOK-KWAN, J.P.

THE HONOURABLE LUK CHUNG-HUNG, J.P.

THE HONOURABLE LAU KWOK-FAN, M.H.

THE HONOURABLE KENNETH LAU IP-KEUNG, B.B.S., M.H., J.P.

DR THE HONOURABLE CHENG CHUNG-TAI

THE HONOURABLE VINCENT CHENG WING-SHUN, M.H., J.P.

THE HONOURABLE TONY TSE WAI-CHUEN, B.B.S., J.P.

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE MATTHEW CHEUNG KIN-CHUNG, G.B.M., G.B.S.,
J.P.

CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE TERESA CHENG YEUK-WAH, G.B.S., S.C., J.P.
SECRETARY FOR JUSTICE

DR THE HONOURABLE LAW CHI-KWONG, G.B.S., J.P.
SECRETARY FOR LABOUR AND WELFARE

THE HONOURABLE JOHN LEE KA-CHIU, S.B.S., P.D.S.M., J.P.
SECRETARY FOR SECURITY

THE HONOURABLE FRANK CHAN FAN, J.P.
SECRETARY FOR TRANSPORT AND HOUSING

PROF THE HONOURABLE SOPHIA CHAN SIU-CHEE, J.P.
SECRETARY FOR FOOD AND HEALTH

CLERK IN ATTENDANCE:

MR KENNETH CHEN WEI-ON, S.B.S., SECRETARY GENERAL

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members to the Chamber.

(After the summoning bell had been rung, a number of Members entered the Chamber)

LAYING OF PAPERS ON THE TABLE OF THE COUNCIL

The following papers were laid on the table under Rule 21(2) of the Rules of Procedure:

Subsidiary Legislation	<i>Legal Notice No.</i>
Pharmacy and Poisons (Amendment) (No. 5) Regulation 2020.....	252 of 2020
Ferry Services (The "Star" Ferry Company, Limited) (Determination of Fares) (Amendment) Order 2020	253 of 2020
Wild Animals Protection Ordinance (Amendment of Schedule 6) Notice 2020	254 of 2020

Other Papers

Lotteries Fund

The Accounts of the Fund 2019-20 (including Report of the Director of Audit)

Insurance Authority

Annual Report 2019-20 (including Financial Statements and Independent Auditor's Report)

Queen Elizabeth Foundation for the Mentally Handicapped

Report and Accounts 2019-2020 (including Report of the Director of Audit)

Equal Opportunities Commission

Annual Report 2019/20 (including Financial Statements and Independent Auditor's Report)

Hong Kong Tourism Board

Annual Report 2019/20 (including Independent Auditor's Report and Financial Statements)

Social Work Training Fund

Fifty-Ninth Annual Report by the Trustee for the year ending on 31 March 2020 (including Financial Statements and Report of the Director of Audit)

The Hospital Authority Public-Private Partnership Fund

Financial Statements and Independent Auditor's Report for the year ended 31 March 2020

Hospital Authority

Annual Report 2019-2020 (including Independent Auditor's Report and Audited Financial Statements)

Samaritan Fund

Report on the Fund, Financial Statements and Report of the Director of Audit for the year ended 31 March 2020

Ocean Park Corporation

Annual Report 2019-2020 (including Auditor's Report and Financial Statements)

The Government Minute in response to the Annual Report of The Ombudsman 2020

The Commissioner on Interception of Communications and Surveillance

Annual Report 2019 to the Chief Executive (together with a statement under section 49(4) of the Interception of Communications and Surveillance Ordinance (Cap. 589))

Police Welfare Fund

Annual Report 2019/2020 (including Financial Statements and Report of the Director of Audit for the year ended 31 March 2020)

The Police Children's Education Trust and the Police Education and Welfare Trust

Annual Report 2019/2020 (including Financial Statements and Report of the Director of Audit for the year ended 31 March 2020)

Report No. 6/20-21 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

ADDRESS

PRESIDENT (in Cantonese): Address. The Chief Secretary for Administration will address the Council on "The Government Minute in response to the Annual Report of The Ombudsman 2020".

The Government Minute in response to the Annual Report of The Ombudsman 2020

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, the Annual Report of The Ombudsman 2020 ("Annual Report") was submitted to the Legislative Council on 8 July this year. Today, I submit the Government Minute ("GM") responding to the recommendations as set out in the Annual Report.

This is the first Annual Report prepared by The Ombudsman, Ms Winnie CHIU. In 2019-2020, the total number of complaints received by the Office of The Ombudsman ("the Office") increased to as high as nearly 20 000 cases, almost quadrupling the figure from the previous year and representing an all-time high, resulting in an unprecedented workload. Despite the immense work pressure, the Office was able to handle smoothly public complaints in an impartial and efficient manner.

In the Annual Report, The Ombudsman summed up 10 direct investigation and 240 full investigation cases, making a total of 177 recommendations. GM has responded to all the recommendations made by The Ombudsman. I am pleased to see that government departments and relevant public bodies have accepted the vast majority of the recommendations and have taken or are taking follow-up action. Among all the cases, there is only one case for which some of

the recommendations were not accepted. The relevant department has already provided detailed supplementary information to The Ombudsman, explaining its reasons and providing detailed responses in GM.

I note that The Ombudsman's Review section of the Annual Report highlighted the importance of direct investigation as a useful tool for the Office to look into systematic issues and foster positive changes in public administration. The Government full agrees with this view. In addition to investigating public complaints, The Ombudsman has time and again exercised the statutory power to initiate direct investigation into problems involving systemic flaws or maladministration of significant public interest. The Ombudsman looked at various issues of community concern from a wider perspective and recommended comprehensive and systematic solutions, with a view to promoting proactive cross-departmental coordination and collaboration.

The Ombudsman has already initiated eight direct investigations in the first nine months of 2020-2021, looking into such matters as the Government's mechanism for monitoring vaccines provided by private healthcare facilities, and the management and effectiveness of waste separation bins. We look forward to receiving the valuable advice and recommendations of The Ombudsman from the above investigations, and the bureaux and departments concerned will continue to work closely with the Office to improvement public administration.

On access to information, the number of requests for information received by government departments has continued to rise in recent years. In 2019-2020, over 9 300 requests for information made under the Code on Access to Information ("the Code") were received from members of the public, representing an increase of over 20% as compared to the previous year's figure. Requests for information not made under the Code were numerous. Since the promulgation of the Code, all the information requested has been provided in 94% of the cases while part of the information requested has been provided in 3% of the cases.

The Ombudsman also pointed out in the Annual Report that the Office received 100 complaints concerning non-compliance with the Code during the year, which is also a record high. Yet, in comparison with the total number of requests handled by government departments or public bodies last year as I have just mentioned, the complaints account for only about 1% of the total figure. We appreciate that public expectations for access to information are rising. As such, in spite of the large number of requests received, government departments

will continue to strengthen staff training, so as to increase civil servants' understanding of the Code and enable them to handle each request with a positive attitude in accordance with the Code.

I would like to express my gratitude to The Ombudsman and her professional team for their unstinting efforts in identifying the cruxes of complicated and cross-departmental problems. Through its independent, fair and impartial investigations as well as positive interactions and communication with departments, the Office has redressed grievances by smoothly addressing issues arising from maladministration in the public sector. As always, the Government will continue to support fully The Ombudsman's important work and ensure effective implementation of all improvement measures. We will also step up our proactive efforts in raising the overall quality and standard of public administration in Hong Kong.

Thank you, President.

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. First question.

Anti-epidemic measures

1. **DR CHIANG LAI-WAN** (in Cantonese): *President, with a new wave of outbreak of the Coronavirus Disease 2019 epidemic coming inexorably last month, the numbers of confirmed patients and cases with unknown sources of infection have both surged sharply to record highs. Regarding the anti-epidemic measures, will the Government inform this Council:*

- (1) *as there are views that mandatory universal testing helps identify most of the asymptomatic infected persons and cut the transmission chain, thereby ameliorating the epidemic, under what circumstances that the Government will consider implementing mandatory universal testing;*
- (2) *given that at present, quite a number of members of the public have been infected allegedly due to attending private meal gatherings or parties, whether the Government will enact legislation to extend to*

private premises the stipulations concerning the prohibition on group gathering and the infection control measures for the catering industry; if so, of the details; if not, the reasons for that; and

- (3) *whether it will follow the health code system implemented in Mainland cities by restricting those who are unable to produce a digital health code for verifying their health conditions from entering certain types of premises or taking public transport; if so, of the details; if not, the reasons for that?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, in consultation with the Innovation and Technology Bureau, my consolidated reply to the question raised by Dr CHIANG Lai-wan is as follows:

The World Health Organization ("WHO") and health experts around the globe have pointed out that COVID-19 will not vanish without an effective treatment method and vaccine. In fact, even if we start vaccination next year, the vaccine will not be able to completely prevent the spread of the virus in a short period of time. Therefore, targeted and strategic virus testing is still an important element of anti-epidemic efforts.

The HKSAR must stand in solidarity to fight against COVID-19 and anti-epidemic efforts must be all-rounded. In accordance with the principle of "preventing the importation of cases and the spreading of virus in the community", we must incorporate disease prevention and control and infection management into the day-to-day operations of society. With regards to preventing the importation of cases, we have implemented a series of enhanced measures for border control, including the implementation of designated quarantine hotels and transport, strengthening the testing arrangements for inbound travellers, as well as overall tightening of management of persons exempted from compulsory quarantine. To prevent the spreading of the virus in the community, we have been upholding the principle of "early identification, early isolation and early treatment", implementing anti-epidemic measures such as virus testing, contact tracing and social distancing, with a view to preventing the spread of the virus in the community.

Regarding the strategy for virus testing, as pointed out by WHO, testing should be targeted, and in particular be provided for targeted groups with outbreaks. As such, specified persons of high risk are required to undergo

compulsory testing on a mandatory basis, targeted groups are arranged to undergo testing on an obligatory basis, and we also encourage members of the public to undergo testing on a voluntary basis. To tie in with the above strategy, the Government has been stepping up surveillance and testing efforts in a multi-pronged approach, and the current maximum daily testing capacity of public and private laboratories has been substantially increased to approximately 100 000 tests per day (the testing capacity without sample pooling). Through various channels of specimen collection, it is estimated that samples can be collected from 80 000 members of the public for testing each day.

In the past month (i.e. 15 November to yesterday), the Government conducted a total of 940 000 virus tests on a mandatory basis, an obligatory basis and a voluntary basis. For testing on a mandatory basis, from 21 November (upon commencement of compulsory testing for specified premises) to 13 December, more than 75 600 persons received free compulsory testing at community testing centres ("CTCs"), of which 143 samples tested preliminarily positive (0.19%), demonstrating the effectiveness of compulsory testing. On the other hand, from 28 November (upon commencement of compulsory testing for symptomatic persons) to 9 December, more than 17 000 symptomatic persons were issued a written direction to undergo compulsory testing by private medical practitioners, of which more than 90 positive cases were recorded (0.5%). In view of recent small-scale outbreaks in some estates or buildings or public health considerations, the Government has issued compulsory testing notices and set up mobile specimen collection stations on site to facilitate testing by residents on a need basis. For testing on an obligatory basis, a daily average of over 5 000 tests were carried out under testing for targeted groups in the past month, with the positive rate being 0.01%. For testing on a voluntary basis, from 15 November (upon service commencement of CTCs) to 13 December, more than 140 000 persons were provided self-paid testing service at CTCs, of which 309 samples tested preliminarily positive (0.22%). We also arrange to provide free testing services through mobile specimen collection stations and specimen bottle distribution point in districts with a number of confirmed COVID-19 cases, with a view to facilitating and encouraging residents of the districts or individuals who perceive themselves as having a higher risk of exposure to undergo testing. From 23 November to 13 December, the Government had set up a total of 13 mobile specimen collection stations or specimen bottle distribution point, which provided testing service for a total of about 91 200 persons, of which 104 samples tested preliminarily positive (0.11%).

All in all, the Government implements a risk-based and precision-guided testing strategy through testing measures in the three above aspects, with a view to cutting the transmission chains as soon as possible.

On whether "population-wide mandatory testing" should be conducted, it is not an effective anti-epidemic measure and it is also not feasible under the current situation in Hong Kong to conduct population-wide mandatory testing, the implementation of which would necessitate comprehensive lockdown, which would however cause disruptions to the normal operation of Hong Kong and the daily lives of citizens. We are of the view that the present precision-guided anti-epidemic measures which focus primarily on mandatory testing for people of high-risk groups, complemented by broadened and more convenient voluntary testing for the public, constitute a more appropriate strategy.

The epidemic situation in Hong Kong has deteriorated in recent days. The number of newly confirmed cases stands high every day, including a considerable number of cases with unknown sources and involving different clusters. The situation is worrying. Having regard to the relevant development, the Government has put in place very stringent social distancing measures. The relevant measures are in align with or even more stringent than those implemented during the peak of the third wave epidemic in July and August this year. However, in the past weeks, there were still a lot of people on the streets and social gatherings. We wish to stress that, same as other anti-epidemic work related to public health, solely relying on the Government to put in place restrictions and requirements through legislation is insufficient for achieving the effect of quickly suppressing the epidemic. We appeal to the general public to cooperate and be self-disciplined, and to temporarily hold off social activities at this crucial time. If the number of people on the streets does not show signs of significant decrease within a short period of time, we do not rule out the need to introduce new legislation to further regulate social activities and gatherings for protecting public health.

In addition, to encourage the public to keep a more precise record of their whereabouts, and to tap technology to combat the pandemic, the Government launched the "LeaveHomeSafe" exposure notification mobile app on 16 November. It aims to provide a convenient digital tool for members of the public to record travel records under the new normal, thereby increasing the vigilance and self-protection awareness of the public. At the same time, the Government announced on 24 November that all persons responsible for carrying

on catering businesses providing dine-in services and scheduled premises must apply for a "LeaveHomeSafe" venue QR code from the Government under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F).

President, a multi-pronged and science-based approach is instrumental to fighting against COVID-19 successfully. Universal compulsory testing, without pairing with a comprehensive lockdown and with members of the public continuing to be engaged in various social activities, is not an effective anti-epidemic measure and cannot eradicate the virus. The Government has also consulted the four experts who unanimously disagreed with introducing universal compulsory testing in Hong Kong. There is no silver bullet for fighting against the epidemic. Thorough implementation of multi-pronged measures to achieve "preventing the importation of cases and the spreading of virus in the community" is the key to effective epidemic control.

DR CHIANG LAI-WAN (in Cantonese): *President, the Secretary says universal compulsory testing is not an effective anti-epidemic measure; and if it is to be implemented, it must be paired with a comprehensive lockdown, but then a lockdown will disrupt the normal operation of Hong Kong and the daily lives of citizens. I only wish to tell the Secretary that in addition to the Mainland, many other places in the world have implemented different levels of lockdown. The Secretary says a lockdown will disrupt the daily lives of citizens. But the epidemic has persisted for almost one year now. It has already disrupted the daily lives of citizens and the operation of the entire community. The Secretary talked much about how to prevent the importation of cases just now in her reply. Actually, the present situation is that imported cases have kept coming from outside and the virus has kept spreading inside. As for the existing measures, it is obvious that there is still room for improvement.*

In the fourth wave of the epidemic, there are still a few hundred cases with an unknown source of infection. According to the Secretary just now, the Government has been adopting a targeted testing strategy, in a bid to achieve virus testing on a mandatory basis, an obligatory basis and a voluntary basis. But there are now a few hundred cases with an unknown source of infection. How is the Government going to conduct the testing? Besides, the Police arrested 30-odd sex workers today. It is estimated that they might have contacts with over 3 000 patrons over the recent period. If some of them are suspected of

being infected with COVID-19, how is the Secretary going to find these people and attain her principle of conducting testing on a mandatory basis and an obligatory basis?

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, actually, the adoption of our three major strategies, i.e. conducting virus testing on a mandatory basis, an obligatory basis and a voluntary basis, has helped to substantially increase the testing capacity. When the Centre for Health Protection ("CHP") discovered the cases from the dancing and singing groups at the start of the outbreak, CHP immediately issued compulsory testing orders to those who had visited the premises concerned and the persons concerned were required under the law to undergo compulsory testing.

Regarding the sex workers or the other related premises which Dr CHIANG Lai-wan just mentioned, I wish to say that first of all, law enforcement is surely very important. Second, Members can see that we immediately issued compulsory testing notices in response to different situations and set up specimen collection stations at the related places to facilitate compulsory testing by the public. And at a later stage, when people wished to undergo testing on a voluntary basis, they could go to specimen bottle distributed points to collect bottles for testing or go to the mobile specimen collection stations and the community testing centres to undergo testing. And of course, we will keep track of the overall situation and continue to strengthen the services at the community testing centres, mobile specimen collection stations and specimen bottle distribution points under the existing measures.

DR PIERRE CHAN (in Cantonese): *Morning, I wish to talk about the second page of the Secretary's main reply in which she said that in view of the fact that the streets were still crowded with people, the authorities did not rule out introducing new legislation to further regulate social activities and gatherings, so as to protect public health. I wish to say that people are paying close attention to how to revive the economy. If no more confirmed local case is found, we can revive our domestic economy and resume our normal Christmas celebration and normal daily lives, as in the cases of Taiwan and Macao where book fairs are held, and football matches are conducted. This is my first point.*

Two problems have caught my attention. First, the implementation details of the policies are not watertight. Quarantine exemption, hotel quarantine and home quarantine have been implemented for almost one year, but the authorities are still tightening the measures continually, showing that they are not good enough. Second, it is about law enforcement. Some ordinances are found unenforceable. Even if the Government continues to introduce new legislation, it will not be able to solve the problem. I wish to ask the Secretary a question. It has been reported that the authorities have not taken actions after receiving reports of people not wearing masks in yacht parties, hotel parties and other activities. How will the authorities tackle this problem? If the existing legislation is ineffective, is it that the authorities will only keep on introducing new legislation when the old legislation fails? This approach is actually punishing us. Can the Secretary tell us why the authorities still insist on introducing new legislation that cannot be enforced?

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, the Government can impose control and regulation by way of introducing new legislation or step up prosecution or law enforcement actions under existing ordinances. Actually, both are equally important. Regarding the strengthening of enforcement actions, the Police or the enforcement officers concerned have been stepping up their enforcement efforts pursuant to the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G), the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F), the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I), or even the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J).

Members can look at to the number of prosecutions. In fact, since we kick-started our anti-epidemic efforts, the authorities concerned have been taking enforcement actions. Of course, some violations may still be found in different places. First, in relation to yacht parties mentioned by Dr CHAN just now, we have added a reporting hotline managed by the Police and asked the Marine Police to strengthen patrol, and we also have other reporting hotlines in place. On the other hand, we have increased the penalties. As we all know, the penalties under Cap. 599G and Cap. 599I have been increased from a fine of \$2,000 to \$5,000 to strengthen deterrence. In fact, the authorities concerned have issued almost 100 penalty notices since we increased the penalties. So, we will continue to strengthen enforcement in this respect.

PRESIDENT (in Cantonese): Dr Pierre CHAN, which part of your supplementary question has not been answered?

DR PIERRE CHAN (in Cantonese): *As I just mentioned, it has been reported that ... and another Policy Bureau has also answered a question on this issue ... that people reported violations to the authorities, but the authorities failed to issue any penalty notices after patrol. That is why I say Cap. 599 ...*

PRESIDENT (in Cantonese): Dr Pierre CHAN, you have pointed out the part of your supplementary question that has not been answered. Please sit down.

Secretary, do you have anything to add?

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, regarding the issuance of penalty notices, our enforcement officers will try their best to enforce the law. On receipt of a report, they will conduct investigation and then issue penalty notices if warranted, or even initiate prosecution.

MR LAU KWOK-FAN (in Cantonese): *President, we have already spent one year on fighting against the epidemic. But what are the results? The epidemic remains volatile. The Government seems to be very determined in combating the epidemic, but it has been overcautious in taking actions.*

In fact, the examples of the Mainland and Macao tell us that universal compulsory testing and the health code can successfully curb the epidemic and reduce the epidemic cases to zero. It is true that the SAR Government has conducted some testing and launched the "LeaveHomeSafe" programme, but it has given people the impression that the Government is not decisive and comprehensive enough in taking actions.

I wish to ask the Secretary a question. The "LeaveHomeSafe" programme that has been launched is actually similar to the health code. Apart from using the programme for crossing the boundary when the boundary reopens, we can also use it within Hong Kong. Does the SAR Government have the courage to

do so? Can it act more strongly? The programme only exists in name. People can choose whether or not to use it, and basically, most people do not use it. I thus hope that the SAR Government can undertake to require all restaurants and public venues to compulsorily install the "LeaveHomeSafe" programme QR code and require people to compulsorily scan the "LeaveHomeSafe" venue QR codes for entry into these restaurants or public venues. I hope that by so doing, these venues or restaurants can resume their normal operation and people can go back to their normal lives. If not, with so many cases every day being ...

PRESIDENT (in Cantonese): Mr LAU Kwok-fan, you have already put your supplementary question.

Secretary, please reply.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, I thank Mr LAU Kwok-fan for his supplementary question.

The "LeaveHomeSafe" programme and the health code are two different concepts and measures. The "LeaveHomeSafe" programme is now included under Cap. 599F. All scheduled premises under Cap. 599F are required to install the "LeaveHomeSafe" venue QR codes. The Innovation and Technology Bureau has launched massive public education on the benefits and helpful information they can obtain if they install the "LeaveHomeSafe" mobile app. App users will be immediately notified if they have been at a venue visited by a confirmed COVID-19 patient, so that they can note their own physical and health conditions and choose to undergo testing.

After the launch of the "LeaveHomeSafe" programme, should the Government require all people to compulsorily download the programme and order restaurants to forbid people who do not scan the QR code from entry? This is a rather complicated issue. Hence, the first step for now is to require all scheduled premises and government organizations to display the "LeaveHomeSafe" venue QR code. According to the data of the Innovation and Technology Bureau, the number of downloads has been on the increase.

The health code is another matter. We discussed this matter with the Mainland some time ago. Those who have tested negative for the COVID-19 virus can upload the result to their health code and then cross the boundary. So, it is mainly used for crossing the boundary.

PRESIDENT (in Cantonese): Second question.

Proposal to split the Transport and Housing Bureau

2. **MR FRANKIE YICK** (in Cantonese): *The Transport and Housing Bureau oversees two major policy areas concerning the dwellings for and movements of the public, which means that the Bureau needs to formulate housing policies and implement measures for resolving housing issues, and formulate transport policies in relation to air services, land and maritime transport, as well as logistics development, with a view to reinforcing the status of Hong Kong as a premier transportation and logistics hub in Asia as well as an international maritime centre. In view of the heavy workload of the Bureau, there have been voices in society suggesting that the Bureau should be split into two Policy Bureaux. Besides, as the Chief Executive stated in the 2018 Policy Address, she agreed that there was such a need, and the Government would conduct a study on how to implement the suggestion. In this connection, will the Government inform this Council of the scope of the study, the proposals under consideration, the progress made so far, and the timetable for implementing the proposal concerned?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, the Government is aware that some members of the public are of the view that the Transport and Housing Bureau ("THB") is overburdened and should be split into two Policy Bureaux. We appreciate that transport and housing are both key policy areas that concern livelihood issues. The suggestion of splitting THB is intended to enable the Government to better focus and consolidate its resources on taking forward policies and initiatives relating to transport, land and housing. In fact, the current-term Government has, since its assumption of office, adopted an innovative mindset and come up with various concrete, viable and pragmatic initiatives that seek to make Hong Kong a better connected and more liveable city.

On the transport front, THB is committed to implementing transport infrastructure projects. Among other projects, the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link and the Hong Kong-Zhuhai-Macao Bridge were commissioned in 2018, strengthening Hong Kong's connection with the Greater Bay Area and the rest of the country. In addition, the Central-Wan Chai Bypass and Island Eastern Corridor Link commissioned last year, together with the Tuen Mun-Chek Lap Kok Tunnel to be commissioned shortly, would help improve Hong Kong's strategic road network.

THB also strives to reinforce Hong Kong's status as an international aviation, maritime and logistics hub. We have been actively expanding our intermodal transport network and enhancing the air cargo handling capacity of the Hong Kong International Airport. The third runway and the entire Three-Runway System will be commissioned as planned in 2022 and in 2024 respectively. THB has implemented various measures over the past few years with a view to enhancing Hong Kong's position as international maritime centre. It has also strengthened and promoted cooperation with international maritime bodies, leading to the establishment of the first-ever overseas branch of The International Chamber of Shipping in Hong Kong in 2018, and the designation of Hong Kong by the Baltic and International Maritime Council as the fourth arbitration venue in its maritime contract this year. THB also enacted the Inland Revenue (Amendment) (Ship Leasing Tax Concessions) Ordinance 2020 and set up regional offices of the Hong Kong Shipping Registry in London, Singapore and Shanghai to provide support services to Hong Kong registered ships.

THB also endeavours to provide the public with comprehensive and affordable public transport services. It has launched the non-means tested Public Transport Fare Subsidy Scheme and has increased the subsidy rate and raised the monthly subsidy cap since this year to further alleviate commuters' fare burden.

With a view to creating a pedestrian-friendly environment, THB has been actively promoting the "Walk in HK" policy to encourage citizens to walk more. To further facilitate the public to commute, THB also implements the "Universal Accessibility" Programme to install barrier-free access facilities at walkways. In addition, we have been pressing ahead with "Smart Mobility", gradually implementing the Free-flow Tolling System, and taking forward six pilot projects on automated parking systems, etc.

As regards housing policy, THB seeks to increase housing supply. In the past three years, THB, with the full support of the Hong Kong Housing Authority and Hong Kong Housing Society ("HKHS"), has been enhancing our housing policy and implementing new measures. These include raising the share of public housing in new housing supply from 60% to 70%; delinking the selling prices of subsidized sale flats from market prices and setting the prices at an affordable level; regularizing the Green Form Subsidised Home Ownership Scheme and White Form Secondary Market Scheme, and introducing Starter Homes for Hong Kong Residents pilot projects in order to enrich the housing ladder; as well as revising the land premium arrangement for subsidized housing projects of HKHS to enable the provision of more public housing by HKHS, etc.

Furthermore, we have been facilitating the development of transitional housing in order to relieve the hardship of people living in inadequate housing before the housing supply is in place. Our target is to provide 15 000 units in the coming three years. THB is also studying the feasibility of introducing tenancy control on subdivided units in a proactive manner.

In view of the tight supply of land for housing development, THB closely collaborates with other Policy Bureaux and departments with a view to increasing the land supply for public and private housing. The Government has identified 330 hectares of land which, after going through all the statutory and administrative procedures, can meet the demand for public housing units in the coming 10 years.

President, the Government of the Hong Kong Special Administrative Region keeps an open mind in principle on proposals to revamp the Government's organization structure. Over the years, it has paid heed to public views on the issue, reviewed from time to time the policy responsibilities, functions and objectives of various bureaux, and reorganized the government's organization structure in view of the needs and actual circumstances. This is to ensure the proper use of resources to better support the policy objectives of the Chief Executive and the development needs of the community. Shortly after the assumption of office, the current-term Government has already completed two organizational changes by transferring the Efficiency Unit to the Innovation and Technology Bureau and the Legal Aid Department to the Chief Secretary for Administration's Office.

Reorganization of Policy Bureaux is an important subject that entails complicated considerations as well as intricate preparation and legislative work. The process takes time and cannot be completed in haste. At present, the COVID-19 epidemic situation in Hong Kong is rather severe and worrying. Our top priority is to make an all-out effort to implement the anti-epidemic measures to suppress the epidemic so that Hong Kong can resume normal as soon as possible. When the epidemic is over, the Government will focus on reviving our economy and relaunching Hong Kong. We will also take forward the various initiatives on the Government's agenda and announced in the Policy Address, including seizing the tremendous opportunities offered by the Greater Bay Area development, to bring benefits and convenience to the public and revitalize our economy. All of these are indeed the prime tasks of the current-term Government in its remaining term of 18 months.

The Government will continue to listen to views from all sectors on how to enhance the work efficiency of THB.

MR FRANKIE YICK (in Cantonese): *We do know that members of the public are so concerned about housing and transport issues, but THB has yet another essential duty, namely taking care of the shipping logistics sector. As you know, Hong Kong's trade and logistics sectors account for about 20% of our GDP and employs about 770 000 people, the situation of local shipping logistics industry has been deteriorating over the past one decade or two and become a real cause of concern. Therefore, the sectors that I represent hope that the Government will expeditiously split THB in order to pool together resources for expediting the formulation of policies for ensuring the sustainable development of the shipping logistics industry as one of our four major pillar industries.*

I am now going to quote the Chief Secretary for Administration's reply to the same question at the Legislative Council meeting on 14 November 2018, which is as follows: Firstly, the Chief Executive has indicated earlier that she agreed to working in this very direction of splitting THB, and the Government ...

PRESIDENT (in Cantonese): Mr Frankie YICK, please state direct your supplementary question instead of repeating the contents of the Government's previous reply.

MR FRANKIE YICK (in Cantonese): *President, I will state my question shortly. I am grateful that the Chief Secretary for Administration has spent a lot of time writing the two-page reply, but he has not answered my question. My main question is rather simple, and referring to his main reply, I would like to confirm with him whether the Government has given up keeping its promise.*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, I thank Mr YICK for voicing his concerns. First of all, I have to clarify that the Government is highly concerned about the development of the logistics sector, of which the maritime industry plays a prominent part. As Mr YICK has just mentioned, it is also among our pillar industries. Therefore, the Chief Executive also said earlier in Beijing that the maritime industry in the Greater Bay Area plays a rather important role. We will work with Zhuhai airport for the purpose of achieving both internal and external circulation. With the strong collaboration between the two, Hong Kong's position as a logistics hub will be further consolidated in the future, thereby enhancing the development of the maritime industry.

On the front of sea transport, we have also made a lot of efforts. I have also mentioned in my main reply just now that we have been working with a number of international organizations. This shows that we did have worked to strengthen our external ties. The promise made by the Chief Executive in 2018 is very clear-cut, but as Members are aware, reorganization takes time. We are left with no choice given that Hong Kong was hit by two major events in the past two years, that is, as you know, the first being the social incidents throughout the previous year. In view of the social unrest and turmoil, we needed to focus on public security issues back then, where restoring sound law and order was at the top of our agenda. Hence, Members should understand that it was what we ought to focus on and deal with at that time.

Unfortunately, just as the so-called social incidents began to gradually die down, Hong Kong was hit by the coronavirus pandemic and we had to devote all our energy to fighting the pandemic. And so, Members should have the understanding that it is not that we did not want to proceed with the splitting of THB in the past two years but rather, as a matter of fact, it was necessary to devote our time to the fight against the pandemic. It is because reorganization is not a simple matter and we cannot just split THB straight away since many policies have to be strategized afresh. No matter which Policy Bureau is made

to take over the duties split out, its workload will inevitably increase. Yet, the creation of a new Policy Bureau would entail staff recruitment and resource allocation. Moreover, we would need to go through various procedures in the Legislative Council, including introducing legislative amendments.

In fact, we have not forgotten this matter, but we do have to prioritize our work, and I hope that you will understand that we have never lost sight of matters as important as this. We attach equal importance to Members' areas of concern (e.g. home affairs, external affairs and transport issues). We hope that you will understand that we will also work on offering travel concessions (e.g. MTR fare concessions) to the public. We still have 18 months to go and we can make a fresh start again upon overcoming the pandemic. During this period, we will certainly review our work to see if there is room for improvement and do our best as far as we can.

Besides, THB has seen new development on various fronts under the leadership of Secretary Frank CHAN. For example, the third runway of the airport should be operational by 2022 and the entire Three-Runway System will be fully commissioned in 2024. All these will be implemented according to our timetable. By the end of this year—the Tuen Mun-Chek Lap Kok tunnel will be one of the world's major works projects and, as you will know, we are using the world's largest tunnel boring machine in the boring process, which is something that many people may not be aware of. In future, the journeys from the entire Tin Shui Wai area, New Territories North and New Territories West to the airport will be shortened, which will facilitate employment while reducing travel time by 20 minutes.

This series of projects stands for our investment in infrastructure, and so Members do not have to worry. Although reorganization is temporarily delayed, our policy formulation will not be compromised in any way, particularly in terms of maritime transport and logistics, which are our top priorities.

MR ABRAHAM SHEK (in Cantonese): *President, I agree with the Secretary's written reply. THB is facing great difficulties right now but fortunately, we still have Secretary Frank CHAN who is working very hard to cope with such complex and challenging tasks. Here, I would like to express my recognition of his efforts.*

However, the focus is not on reforming THB but on reforming the policies of the Hong Kong Government. How we deal with matters concerning the housing and transport sectors is a long-term planning and should tie in with the development of the Greater Bay Area. On the transport front, say, are we still going to allow the MTR Corporation Limited ("MTRCL") to fleece Hong Kong people by increasing its fares every year? We are talking about the 5 million daily MTR trips. Given the onerous workload of THB at present, I want to ask if the Government will consider privatizing MTRCL so that the people of Hong Kong—3 million to 5 million MTR trips per day—will not be forced to accept its annual fare increases and that all elderly people aged between 60 and 65 are entitled to travelling by MTR at concessionary fares. This is my first question.

Second, as regards housing, will the Government reconsider making use of the two sites proposed by LEUNG Chun-ying to provide some tens of thousands of housing units? Anyway, this is far better than looking for land everywhere or using part of the golf course for housing production purpose. Thus, we should really consider LEUNG Chun-ying's proposal.

PRESIDENT (in Cantonese): Mr Abraham SHEK, the two supplementary questions that you raised are not related to the main question. Will the Secretary for Transport and Housing give a brief response then?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): I thank Mr Abraham SHEK for his questions. I trust that we are all very concerned about the operation of MTRCL and the Government has repeatedly made it clear that we are very concerned about MTRCL's monitoring work and day-to-day operation. Hence, we will set up an independent railway department to follow up on the quality, works progress and construction costs of its new railway projects.

As to MTR fares, I believe Mr SHEK is well aware that a fare adjustment mechanism was put in place when the rail merger took place in 2007 and the mechanism has statutory effect. Of course, in addition to the fare adjustment mechanism, the Government will also perform its functions through the board of MTRCL to make the latter a quality public transport operator serving Hong Kong in line with the public's expectations and ideas as far as possible.

Regarding land use—President, there is one more point—I wonder if Members have paid attention to this year's policy address, which also mentions that a redevelopment project will be carried out in Siu Ho Wan where more than 20 000 housing units will be provided in future. Therefore, what Mr SHEK has just said is already underway. Apart from the project in Siu Ho Wan, other work is also in progress.

MS ALICE MAK (in Cantonese): *Last time, President, Secretary Caspar TSUI remarked in response to the social comments (on his posting on the Internet an article about his eating sweet soup during the outbreak of a fire) that there was no conflict in multitasking. I would like to ask the Secretary: Is it true that the current-term Government, its officials and officials appointed under the accountability system are all multitasking? If so, then just as what Mr Frankie YICK has said, the first two pages of the Secretary's two-and-a-half-page main reply are actually "promotional" in nature, where his genuine reply is laid out in the remaining half page, that is, the Government would not proceed with the split. According to the Government, the reason for not doing so is that the Government has to do its utmost to combat the pandemic first and then deal with the revitalization of local economy in the aftermath. In other words, the Government just would not do so.*

Yet, did his colleague not indicate that the Government was multitasking? Why can the Government not deal also with housing supply and transport issues while fighting the pandemic at the same time? Why do these problems still remain unresolved after all these years? Why are there always cost overruns and delays in transport infrastructure projects? Is the Government handling only one single task at the moment? Then it is single-tasking rather than multitasking, right? If so, members of the public just cannot help feeling frightened because the Government is doing such a poor job in the fight against the pandemic despite that it is only handling one single task at a time. How discouraging this is! This really worries us.

Can the Chief Secretary for Administration tell us whether all that the Government is doing right now is fighting the pandemic only while ignoring everything else? People would be really worried if this was the case and the results were far from satisfactory.

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): I thank Ms MAK for her supplementary question and comments. Our colleagues are not just handling one single task at a time but are coping with diversified tasks, that is, "multitasking". We are so used to keeping several "balls" rolling at the same time.

However, what I am talking about is the overall situation. We really need to concentrate on fighting the pandemic and bring it under control as soon as possible so that we can resume normal life and resume cross-boundary travel. This is our top priority, which is not just one single task but quite a complex one, where coordination between different departments/bureaux is required in accomplishing this task as it has to be done as a whole while we are coping with various jobs in parallel.

Of course, we will never belittle the importance of these two major areas because of what was said above. These areas consist of a number of key elements. Housing is a very important area which is related to so many problems in Hong Kong, such as poverty. We must regard it as a top priority and continue to work on it.

For example, we have now identified over 300 hectares of land which will, at least, help meet our public housing needs in the next 10 years. We are on track working step by step and will not give up in any case. In addition, the Government will provide 15 000 transitional housing units over the next three years to accommodate 15 000 households. At the very least, this will help alleviate the current situation.

On the transport front, as I have told just now, we have been working in accordance with our timetable. We are not letting up our efforts on our projects, such as the construction of the third airport runway. In the 18 months ahead, we will have to get the economy moving again upon containing the pandemic. This calls for a holistic approach, including making efforts both internally and externally (e.g. conducting external promotion).

Indeed, it takes time and effort to get Hong Kong back on its feet, and we should all work together towards this goal. We will continue to, along the way, listen to Members' views on how to do our best in terms of the work in these two areas, and we will definitely not let the current situation deter us from doing our job. We will adopt a simple good way to enhance the housing and transport portfolios if we find one. Thus, you can rest assured that we will never give up on improving the efficiency of policy implementation.

MR YIU SI-WING (in Cantonese): *President, the Chief Secretary for Administration remarked in his main reply that due to the complex issues involved, the Government's priority at the moment is to do its utmost to prevent as well as contain the pandemic so as to stop it from spreading and then focus on reviving the local economy in the aftermath. I do agree with him on this.*

In fact, THB is facing a lot of transport problems at present. We know that Hong Kong is facing huge difficulties in terms of sea, land and air transport, and the future economic recovery of Hong Kong will require the support of sea, land and air transport. In this connection, I would like to ask Secretary Frank CHAN whether the Government will, in near term or in the future, discuss with the relevant operators of air, land or sea transport the provision of support to them in light of the difficulties they are currently facing? What is the Government's plan for the future recovery of Hong Kong's economy, under which a consensus among the people can be reached during the recovery period so that the objective of reviving the economy can be achieved?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, I thank Mr YIU for his supplementary question. At this time of the serious pandemic, it is of utmost importance to preserve our strengths. We must ensure that we can retain Hong Kong's existing talent at the very core. To this end, therefore, we have deliberately rendered considerable support to local air and cross-boundary transport sectors through our funding schemes previously launched. Moreover, we will keep a close eye on the situation and make appropriate arrangements in due course.

PRESIDENT (in Cantonese): Third question.

Administration of the estate of the late Mrs Nina WANG

3. **DR PRISCILLA LEUNG** (in Cantonese): *President, the Court of Final Appeal handed down a judgment on 18 May 2015, which held that the Chinachem Charitable Foundation ("the Foundation") was to hold the estate of the late Mrs Nina WANG ("the estate") as a trustee, rather than receiving the estate as an unconditional absolute gift; moreover, the Secretary for Justice ("SJ") and the Foundation's Board of Governors were required to formulate an administration*

scheme for the estate, including the establishment of a supervisory managing organization, to ensure that the estate would be used for charitable purposes in accordance with the testamentary intention of Mrs WANG. Nevertheless, it has been over five years since the judgment was handed down, but the supervisory managing organization has yet to be established and the estate is still under the administration of the interim administrators of the estate appointed by the Court ("the administrators"). It has been reported that the administrators collect from the estate a fee as high as \$60 million per annum. In this connection, will the Government inform this Council:

- (1) whether it knows the total current value of the estate, the total amount of fees charged by the administrators and relevant parties since 2012, as well as the amount appropriated from the estate for charitable purposes in each of the past three years;*
- (2) how SJ, as the protector of charities, monitors if the expenses for the estate are reasonable and necessary, so as to ensure that the estate will not be gnawed by the exorbitant management fees, thus causing a significant reduction in its resources that may be used for charitable purposes; and*
- (3) whether SJ will request the Foundation to expedite its handling of the matters relating to the establishment of the supervisory managing organization, so that the estate may expeditiously be used for charitable purposes, including helping members of the public affected by the epidemic?*

SECRETARY FOR JUSTICE (in Cantonese): President, in relation to the estate of the late Mrs Nina WANG ("the Estate"), I provided a detailed written response to a relevant question at the Legislative Council on 29 May 2019 about the latest developments regarding the scheme of administration ("the Scheme") and the work of the interim administrators. The Secretary for Justice ("SJ"), as the protector of charities, is necessarily a party to charity proceedings and represents the beneficial interest or objects of the charity. The relevant legal proceedings could be taken forward in a reasonable time only with the cooperation of all parties, but not just SJ as necessarily a party to charity proceedings, and their active follow-up with the Court's directions and orders.

The role of SJ is to protect charitable interests but charities are generally allowed to operate autonomously under their own governing articles and in accordance with their own rules or regulations. Except otherwise prescribed by law or ordered by the Court, the charity may operate autonomously and decide the manner in which the public is to be informed about its operation. SJ does not participate in a charity's decision and arrangement to make donations to others for charitable purposes, and has no power to direct any charity to make donations.

In relation to Dr Priscilla LEUNG's questions, I now reply as follows:

(1) and (2)

The Department of Justice ("DoJ") has all along been paying close attention to the interim administrators' work in managing and preserving the Estate, and take such follow-up actions as may be appropriate.

In relation to the information about the Estate, DoJ has sought updates from the parties concerned. With their consent, information which can be disclosed is set out below:

The core assets of the Estate comprise the assets of the companies in the Chinachem Group. Based on the relevant unaudited combined management accounts, as at 30 September 2020, the Chinachem Group has a net asset value of about HK\$141 billion. According to the judgment of the Court of Final Appeal dated 18 May 2015 ("the CFA judgment"), the Chinachem Group was valued in 2012 at over HK\$82 billion.

On the other hand, during the period from 2018 to 2020 (up till 30 November 2020), the Chinachem Group has in each year made donations for charitable purposes to different charities and other entities at the aggregate sum of over HK\$26.6 million. During the aforesaid period, the annual donations made were about HK\$5.5 million, HK\$11.65 million and HK\$9.45 million respectively.

The fees of the interim administrators have been prescribed by the Court in the Appointment Order and are subject to the Court's scrutiny. As the relevant order was made at a hearing not open to

public, without the Court's order for disclosure, we are not in a position to disclose such information. DoJ will continue to follow up as appropriate so as to ensure that the interim administrators' fees are maintained at a reasonable level.

- (3) As stated in my preamble, although SJ, as the protector of charities, is necessarily a party to charity proceedings and represents the beneficial interest or objects of the charity, except otherwise prescribed by law or ordered by the Court, charities are generally allowed to operate autonomously under their own governing articles and in accordance with their own rules or regulations, and decide the manner in which the public is to be informed about its operation. Hence, even when the Court has approved the Scheme and appointed members to the supervising managing organization, SJ has no power to direct the Chinachem Charitable Foundation Limited ("the Foundation") or the Chinachem Group to make donations for charitable purposes, including providing assistance to citizens affected by the epidemic.

DoJ has been actively following up the blueprint of the Scheme as laid down in the CFA judgment on 18 May 2015, and has provided recommendations therein. DoJ has been in contact with the Foundation's responsible persons to discuss the detailed arrangements of the Scheme, with a view to completing the relevant tasks as soon as possible. DoJ had made an application to the Court on 29 March 2019 in respect of the relevant matters in order to seek the Court's determination or directions for DoJ to proceed to complete the remaining tasks. The Court held the first directions hearing on 13 June 2019. The Foundation, being one of the parties to the proceedings, was originally directed to file its affirmation by 31 October of the same year. As a result of the Foundation's failure to file the relevant affirmation after a few extensions of deadline, DoJ made an application to the Court on 6 May 2020, requesting the Foundation to file its affirmation. At another hearing on 26 May 2020, the Court ordered that unless the Foundation could file an affirmation within 56 days, it would be debarred from filing evidence so that the proceedings could continue to progress. The Foundation eventually filed its affirmation on 17 July 2020. The interim administrators filed their relevant affirmations on

7 December 2020 after a few extensions of deadline. At present, the next step is for the Foundation to file its affirmation(s) in reply. After the Foundation's filing of its affirmation(s) in reply, DoJ shall file its affirmation(s) in reply. Upon the completion of evidence, the Court will hold another directions hearing on 26 May 2021.

I must point out that DoJ has all along been acting expeditiously in the relevant legal proceedings. DoJ will continue to closely follow up in order to ensure the early preparation and implementation of the Scheme, and to handle the Estate in accordance with the wishes of the late Mrs Nina WANG.

We will also actively follow up the detailed arrangements for the implementation of the will, including handling the court proceedings already commenced and closely monitoring the management and preservation of the Estate with a view to protecting and safeguarding the relevant charitable interest.

DR PRISCILLA LEUNG (in Cantonese): *President, the Secretary stated in the main reply that they would "take such follow-up actions as may be appropriate", and I consider it very appropriate now to follow up on the matter because the Chinachem Charitable Foundation's handling of the Estate has become an issue of wide public concern.*

President, I would like to seek the Secretary's reply to the following question: While the will in question is an extraordinary one, what the Secretary referred to just now is the general situation. The will is extraordinary in the sense that the trustees nominated by Mrs Nina WANG involve not only DoJ but also the State Council and the United Nations. Such being the case, apart from the circumstances under which DoJ, as mentioned just now, is not in a position under the laws of Hong Kong to disclose information without the Court's order for disclosure, has the Secretary ever got in touch with the State Council or the Premier of the State Council on the implementation of the will? According to news reports, the Foundation has reported to the State Council and said that the country was interested in becoming a member to the supervising managing organization.

The Secretary mentioned in her reply that she was not in a position to disclose the relevant information without the Court's order for disclosure, and that the Chinachem Group had made donations at an aggregate sum of \$26.6 million, but I wonder if these donations were made by the Foundation. Moreover, it has been reported that while the sum donated for charitable purposes was only \$5 million, the fees collected by the administrators of the Estate could be as high as \$60 million. This has indeed failed to live up to the expectations of Mrs Nina WANG and the public towards DoJ in monitoring the management of the huge asset. Instead of handling the issue in a general manner, I think the matter should be dealt with more stringently.

Have the administrators charged exorbitant management fees? We cannot let the money be exhausted secretly in this way. I also wish that the Secretary could clarify whether the Foundation has made donations for charitable purposes, because she has only stated in the main reply that the Chinachem Group had done so, but there is no clear indication that the donations were made by the Foundation. Has the Foundation ever donated a single penny? Instead of having all the money eaten away by the fees charged by the administrators, how much money has actually been used for charitable purposes?

SECRETARY FOR JUSTICE (in Cantonese): I thank the Member for the supplementary question, and will respond in several aspects. First of all, the supervising managing organization of the Estate must be composed of the Secretary-General of the United Nations, the Premier of the People's Republic of China Government as well as the Chief Executive of the Hong Kong Special Administrative Region. Hence, in this connection, an application has been made to the Court on 21 May this year for discussion of the issue. However, more importantly, we have to deal with the proceedings concerning the scheme of administration first. DoJ has in fact made an application in respect of the scheme in March last year (i.e. 2019), but very regrettably, the Chinachem Charitable Foundation has taken another nine months to file its affirmation, while the interim administrators of the Estate have taken another three months to file their affirmations, and more time was also needed to process the filing of some other affirmations. It is therefore hoped that when another hearing is held on 26 May next year, we can deal with the relevant proceedings in respect of the scheme of administration as soon as possible. Upon completion of such proceedings, matters concerning the establishment of the supervising managing organization can then be settled clearly, automatically and logically.

As for how to manage the fees of \$60 million charged by the interim administrators, we will keep monitoring the fees level since the administrators are required to produce receipts of their service charges for scrutiny by SJ (i.e. I myself) with the help of colleagues in DoJ, and both SJ and the Foundation have the right to express views on or monitor the details set out in the receipts produced. DoJ will monitor whether the services provided are necessary and the time taken is reasonable, and the hourly charges have also been determined by the Court in an order. However, as the relevant order was made at a hearing not open to public, we are not in a position to and should not disclose such information. Yet, after perusing the relevant information, we will decide whether an application should be made to the Court for taxation of the fees. Hence, in this connection, we have all along been monitoring the fees level in accordance with the established criteria.

With regard to the amount of money used for charitable purposes, as I have mentioned just now in the main reply, we have provided the information contained therein to Members according to the best of our knowledge. Therefore, in relation to the donations made for charitable purposes, according to the information to our actual knowledge, an aggregate sum of about \$26.6 million has been used as I mentioned before, and this is the response I can give in this respect for the time being. As for the contents of some news reports, I do not wish to respond here because I want to base my reply solely on the actual facts to our knowledge. Please excuse me for not replying to the part concerning media reports.

DR PRISCILLA LEUNG (in Cantonese): *President, the Secretary has not answered my question. The State Council ...*

PRESIDENT (in Cantonese): Dr Priscilla LEUNG, you have raised a number of questions, and the Secretary has already spent much time replying to them. Dr LEUNG, please sit down.

DR PRISCILLA LEUNG (in Cantonese): *I am just trying to raise a follow-up question ...*

PRESIDENT (in Cantonese): Dr LEUNG, you have already raised your supplementary question. Members cannot ask another supplementary question on the reply given to a supplementary question they have already raised.

Mr Abraham SHEK, please raise your supplementary question.

MR ABRAHAM SHEK (in Cantonese): *President, judging from the reply given by the Secretary, I can see that she is really subject to many constraints. I wonder if it has ever occurred to her that under the special circumstances at the moment, Members of this Council will be ready to accede to whatever requests made by her. If the Secretary considers it necessary to amend the law, so as to act in accordance with the wishes of the late Mrs Nina WANG and set up an unemployment fund for the people of Hong Kong, especially the unemployed and underemployed, out of the Estate valued at over \$140 billion, we will be more than willing to support such proposed legislative amendments. This is the first point I would like to make.*

Secondly, has the Secretary considered replacing the interim administrators once every year or once every two years? I say so because it is indeed not possible to let them collect \$60 million from the Estate every year when comparatively speaking, only a mere sum of \$5 million has been used for charitable purposes. Such arrangements are simply unacceptable and absolutely weird.

I therefore hope that SJ will introduce legislative amendments for the establishment of an unemployment fund. We should let Foundation do what the Government is reluctant to do.

SECRETARY FOR JUSTICE (in Cantonese): Under the current situation, as the matter involves a judgment handed down by the Court of Final Appeal in 2015, we must act in accordance with the judgment. As for whether it is possible to, specifically speaking, alter the present arrangements through the introduction of legislative amendments, I think it is rather difficult to give a direct reply at the moment and advise whether we should take such a course of action or not. However, we have indeed done our best to follow up on the matter, and have continued to follow up on the applications made to the Court. I hope we will be able to handle the matter without further delay.

Regarding the issue raised by the Member in respect of the interim administrators, it can be noted from public information that the Chinachem Charitable Foundation filed a lawsuit against the interim administrators in June this year, and this is the information open to the public. As for other litigation information not open to the public, I am not in a position to discuss here.

As far as the work of the interim administrators is concerned, we do be concerned about whether their performance is up to the required standards, because the interim administrators, as "officers of the court", are appointed by the Court, they are subject to the Court's supervision and are required to submit reports to the Court once every three months. SJ and the Chinachem Charitable Foundation may also peruse such periodical reports to further understand the matters concerned. An application will also be made to the Court should we consider it necessary to do so. As the interim administrators are appointed by the Court, the case will have to be brought to the Court if we wish to pursue the suggestion made by the Member just now.

PRESIDENT (in Cantonese): Mr Abraham SHEK, which part of your supplementary question has not been answered?

MR ABRAHAM SHEK (in Cantonese): *The Secretary has not answered my supplementary question. It is neither desirable nor appropriate to bring this urgent matter to the Court, and I am actually asking the Secretary to propose the enactment of a new piece of legislation, rather than relying on the existing law as she has mentioned just now ...*

PRESIDENT (in Cantonese): Mr Abraham SHEK, you have already pointed out the part of your supplementary question which has not been answered.

Secretary, will you consider enacting a new piece of legislation?

SECRETARY FOR JUSTICE (in Cantonese): We will keep reviewing the need to follow up on the work of updating the existing ordinances. I can recall that as far as charities are concerned, the Law Reform Commission of Hong Kong

submitted a relevant report some years ago, but I cannot remember the year of submission. Together with the relevant bureaux, we will continue our work in this regard.

MR JEFFREY LAM (in Cantonese): *President, Mrs Nina WANG whom I know had always loved and supported Hong Kong passionately. Hong Kong is now faced with unprecedented challenges caused by the COVID-19 epidemic, many small and medium enterprises and people are in dire straits, with a lot of families struggling to keep their heads above the water. Mrs Nina WANG would definitely find the situation heartbreaking and she would surely lend a helping hand at once.*

The Secretary pointed out in the main reply that DoJ had made an application to the Court, but had to wait until May next year when the case would finally be heard. As the Secretary also stated just now that they had all along been acting expeditiously, can she strive to address the pressing needs of the public by adopting extraordinary measures at an extraordinary time, and ask the Court to fix an earlier date for hearing the case? What we are talking about is life-saving money that the people desperately need, and I earnestly hope that the Estate can be used for rendering assistance to the general public as soon as possible, thereby fulfilling the wishes of the late Mrs Nina WANG.

SECRETARY FOR JUSTICE (in Cantonese): I thank the Member very much for his views, and I also earnestly hope that we can handle the matter expeditiously. I would like to add that we will still not be able to commence substantive proceedings for the case in May 2021, because the hearing to be conducted then will very regrettably be another directions hearing.

I agree very much with the Member's views and do hope to commence substantive proceedings as soon as possible. However, once the legal proceedings have begun, the Court can conduct no substantive proceedings when one party or all other parties have not yet filed their affirmations. Hence, very regrettably, there is nothing we can do now except waiting until May next year, when a date will hopefully be fixed for conducting substantive proceedings. I very much hope to handle the matter expeditiously, and this is also a very clear instruction that I have given to my colleagues.

PRESIDENT (in Cantonese): Fourth question.

Freezing the bank accounts of members of the public

4. **DR CHENG CHUNG-TAI** (in Cantonese): *It has been reported that a Hong Kong resident who had been admitted to bail pending trial discovered, after announcing outside Hong Kong that he had gone on exile, that the deposits of several million dollars in several bank accounts belonging to himself and his family members had all been frozen, but some of such bank accounts were unfrozen one day later. The Police subsequently acknowledged that they had frozen a deposit of \$850,000 of an absconding Hong Kong resident. Some members of the public have queried that the aforesaid practice of the Police may have violated the provision of the Basic Law regarding protection of private properties, and dealt a blow to the public's confidence in Hong Kong's financial system, thereby undermining Hong Kong's status as an international financial centre. In this connection, will the Government inform this Council:*

- (1) *whether the law enforcement agencies may, without any restraint order issued by the court, direct banks to freeze the deposits in the accounts of any person who has allegedly broken the law; if so, of the legal basis;*
- (2) *under what circumstances the law enforcement agencies will unfreeze frozen deposits within a short period of time; and*
- (3) *whether it is a standing practice of the Police to freeze the assets of absconders and their families; if so, how the Government ensures that such practice will not undermine the confidence of the international community in Hong Kong's financial system?*

SECRETARY FOR SECURITY (in Cantonese): President, effective freezing of suspected crime proceeds to stop criminals from benefiting from crimes or continuing to use the funds for illegal purposes is an important measure to fight money laundering. One of the main objectives of the relevant mechanism is to protect victims' assets from falling into the hands of criminals. Unfortunately, the mechanism has been smeared, by some people for political purposes, as abuse of powers and responsibilities. I must solemnly refute such political smear which is wrong and misleading.

The person being referred to in the question is an absconder who has openly jumped bail, with foreign politicians having publicly confessed that they had rendered assistance to him in making up a false itinerary so that he could deceive the court for granting approval. An offender who fabricates false reasons and lies to the court in an attempt to abscond adds to the severity of his crime. Escaping from court trial by jumping bail and running away after breaking the law, and using such self-deluding excuse of the so-called "going into exile" to shift his responsibility and deceive others, are shameful and hypocritical acts of a coward. Members of the public should strongly condemn such malevolent acts which are contempt of the rule of law and undermine justice. Persons who are wanted for prosecution of offences and have absconded from Hong Kong are fugitive offenders. The Hong Kong Special Administrative Region Government will hold them criminally responsible and make them face the sanctions of the law.

My reply to the various parts of the question is set out below:

- (1) Under sections 25 and 25A of the Organized and Serious Crimes Ordinance (Cap. 455) and the Drug Trafficking (Recovery of Proceeds) Ordinance (Cap. 405), a person, including a bank, commits an offence, i.e. money laundering offence, if he or she deals with any property, knowing or having reasonable grounds to believe (including when being alerted or notified by law enforcement agencies ("LEAs")) that the property represents the crime proceeds of an indictable offence (such as fraud involving embezzlement of funds raised through crowdfunding, drug trafficking and illegal gambling operations). The person is liable to a fine of \$5 million and imprisonment for 14 years. The law also provides for the obligation of the person or bank concerned to file a "suspicious transaction report", and stipulates the confidentiality requirements which prohibit the disclosure of matters prejudicial to investigation.

The alert or notification of the banks concerned by LEAs must be based on reasonable suspicion, such as there being activities of the account different from the holder's purported business, irregular transfers, frequent cash transactions in large amounts, large sums of money flowing abnormally from corporate accounts to personal accounts, etc.

Actions to freeze suspicious assets must be decisive, swift and effective, otherwise the crime proceeds may dissipate quickly. One common example is telephone deception in which elderly victims are cheated out of their property, where freezing swindlers' bank accounts could help to intercept and recover the money concerned so to alleviate the victims' loss. It is both necessary and right for banks to freeze suspected crime proceeds in accordance with the law for the prevention of money laundering, thereby complying with the law and carrying out their duties. We should affirm and support banks' obvious and rightful fulfilment of their statutory obligations in anti-money laundering.

Actions taken by LEAs must target acts of money laundering, and have nothing to do with the political background of the persons involved. Actions against other associated accounts must also be made on the ground that the transactions concerned are suspected money laundering activities, and whether such accounts belong to family members or acquaintances of the persons involved is irrelevant. Any person who is dissatisfied with the freezing of his or her property may resort to litigations in court, including claiming compensation.

- (2) As regards the reports mentioned in the question, it has been the Government's position not to comment on individual cases, especially as the reports concerned were based on accounts of a person who lied openly. But generally speaking, when investigations by LEAs have revealed that the property is no longer suspicious, LEAs would notify the banks and give consent to them to continue dealing with the property concerned.

(THE PRESIDENT'S DEPUTY, MS STARRY LEE, took the Chair)

- (3) The mechanism for freezing suspected crime proceeds in Hong Kong complies with international requirements and has won international recognition. Hong Kong is a member of the Financial Action Task Force ("FATF"), an intergovernmental anti-money laundering organization the membership of which covers around 40 major

economies in the world, including China, the United Kingdom, the United States, Australia, Singapore, etc. Members of FATF have the responsibility to take effective measures to freeze, seize and confiscate crime proceeds; and prevent the dealing, transfer or disposal of property subject to confiscation. As pointed out in FATF's evaluation report on Hong Kong published last year, Hong Kong's mechanism facilitates the tracing of fund flows and detection of crime networks by LEAs, and plays an important role in combating fraud and deception crimes, preventing the illegal dissipation of assets, confiscating crime proceeds, etc. From 2014 to 2019, suspicious assets with a total value of around HK\$1.8 billion had been frozen and subsequently confiscated pursuant to court orders.

Freezing suspected crime proceeds for combating money laundering and organized crimes is a measure recognized and adopted internationally. Combating money laundering effectively not only is an important measure to fight organized crimes but also reinforces Hong Kong's status and reputation as a financial centre. The actions taken by the Police in this case targeted suspected money laundering. While jumping bail and absconding are illegal and constitute contempt of court's order, they were not the grounds of freezing property in this case. Therefore, the premise of this question is wrong. Those who seek to glorify the committal of crimes and malevolent acts of absconding, or give support, recognition or encouragement to them, should be strongly condemned. People who slander Hong Kong's effective anti-money laundering system for political reasons are indeed those who undermine Hong Kong's financial system.

DR CHENG CHUNG-TAI (in Cantonese): *Deputy President, John LEE's reply is muddled with disinformation to blatantly muddy the waters. In the case of the person concerned, even if he is involved in the so-called "absconding from bail", it is a completely different story from money laundering, which the Secretary has accused him of and frozen his accounts for. In fact, even though he was on bail at the moment of his arrest, it had nothing to do with the so-called offence of money laundering, which was fabricated afterwards.*

As mentioned in part (2) of my main question, regarding this individual case, how would the Secretary explain why the accounts of the person concerned were unfrozen after being frozen for two days? The Secretary said that he would not comment on an individual case. If it is an individual case, can the Government publicly promise that it will not happen again? If the Government is unable to make such a promise, it should explain to the public the foundation of rule of law and the legal grounds based on which the authorities froze the accounts of all his family members for two days? Otherwise, the ostensible narrative of freezing is just a tool for political suppression.

DEPUTY PRESIDENT (in Cantonese): Dr CHENG Chung-tai, you have already put your supplementary question.

Secretary, please answer.

SECRETARY FOR SECURITY (in Cantonese): Deputy President, Dr CHENG Chung-tai is exactly the one who is muddying the waters. My main reply is very clear unless he has not read the text or listened to what I said ...

(Dr CHENG Chung-tai spoke loudly from his seat)

DEPUTY PRESIDENT (in Cantonese): Dr CHENG Chung-tai, please stop speaking. The Secretary now has the floor for an answer. Please stop speaking.

Secretary, please continue with your answer.

(Dr CHENG Chung-tai continued to speak loudly from his seat and asked the Secretary for Security to withdraw his remarks)

DEPUTY PRESIDENT (in Cantonese): Dr CHENG Chung-tai, please stop speaking.

SECRETARY FOR SECURITY (in Cantonese): I will not withdraw my remarks, because I only said that he did not read the text. I said that there were two possibilities for that, the first being that he did not read the text and the second being that he did not listen to what I said. If he claims to have read the text, and listened to what I said as well, then it is fine.

First off, I have made it very clear that the reason for the current freeze is precisely that person's act of money laundering. The official in charge of the case made it very clear at the press conference the other day that it was because he had misappropriated a sum of \$850,000. This is the first point. Evidently, we have frozen the accounts on the grounds that he laundered money, as the main reply has clearly pointed out—I urge Dr CHENG to please take a closer look at it. I have also made it clear that the freeze and his absconding from bail are two different matters. Even though it is very wrong to abscond from bail and we will hold the responsible to account for his liability, this is not the reason for the current freeze. Is Dr CHENG muddying the waters? My main reply has already answered the query that he raised again. This is the first point.

Secondly, I do not think it necessary for us to spend time having a discussion based on the remarks of someone who often tells lies. The official in charge of the case indicated at the press conference that the Police had taken only one action in the said freezing operation, which was to ask the bank to freeze the sum of \$850,000. As regards the relevant circumstances, if the person concerned thinks there is anything wrong, why does he not come back to give a brief account of it? We will definitely welcome such a move. After absconding from bail, he even tried to delude himself and others by saying that he would do something or other in foreign countries. The best way to make things clear is for him to come back to Hong Kong and make a clean breast of everything, and he can alternatively hire a lawyer to do it on his behalf, right? However, we will definitely hold the responsible to account for his liability. If I have to make a statement, here is my statement: if anyone absconds from bail, we will definitely hold them to account for his liability; if anyone is engaged in or suspected of money laundering in Hong Kong and we need to freeze the money involved, we will definitely act in accordance with the law and hold them to account for his liability. This is a solemn statement by the Government.

DR CHENG CHUNG-TAI (in Cantonese): *The Secretary has not answered part (2) of my main question. If this case was an isolated incident, what was the legal procedure involved?*

DEPUTY PRESIDENT (in Cantonese): Dr CHENG Chung-tai, you have already pointed out the part of your supplementary question that has not been answered.

Secretary, do you have anything to add?

SECRETARY FOR SECURITY (in Cantonese): Dr CHENG Chung-tai has again failed to read my main reply. Just like the first point I made, he has not given it a read. I urge him to please re-read part (1) of the main reply, which explains the legal basis that if any person, including Dr CHENG Chung-tai, finds that certain assets being handled by them may be involved in money laundering (i.e. the assets may be proceeds of crime), they also have an obligation to stop handling the assets and file a suspicious transaction report. This applies to anyone, not just banks. Therefore, if Dr CHENG has such assets in a bank, he needs to declare them, otherwise he is also considered breaking the law. Is this not the legal basis? It is clearly written here, so it is imperative to read the text.

MR CHAN HAK-KAN (in Cantonese): *Deputy President, one of the purposes of the National Security Law for Hong Kong is to combat collusion with and funding from foreign powers, and as I understand it, many of such offences involve foreign banks and funds.*

Could the Secretary advise us whether the existing legislation and police actions against money laundering can keep up with the requirements of the National Security Law for Hong Kong? For example, are the three existing ordinances, namely the Organized and Serious Crimes Ordinance, the Drug Trafficking (Recovery of Proceeds) Ordinance and the Mutual Legal Assistance in Criminal Matters Ordinance, facilitative for the National Security Law for Hong Kong in dealing with money laundering and foreign-funded political activities?

SECRETARY FOR SECURITY (in Cantonese): Of these three pieces of legislation, the first one, namely the Organized and Serious Crimes Ordinance, can deal with them; the second one, which is related to drug trafficking and called

the Drug Trafficking (Recovery of Proceeds) Ordinance, can also deal with them; and so can the third one, of course, because it involves what we have signed with foreign countries, such as some agreements on mutual legal assistance in criminal matters.

To begin with, in the event of a violation of the National Security Law for Hong Kong not necessarily involving drugs, we will not invoke the Drug Trafficking (Recovery of Proceeds) Ordinance. However, the Organized and Serious Crimes Ordinance provides, as I also mentioned in my main reply, that the offence must be an indictable offence, which means that, in principle, if a case can be tried in the District Court, the offence concerned is an indictable offence. Certainly, the same must be true for cases tried in the High Court. The offences under the National Security Law for Hong Kong are definitely indictable offences, so the Organized and Serious Crimes Ordinance can certainly be invoked to deal with them.

In fact, under the National Security Law for Hong Kong, we have laid down some rules, which also state that we may take all measures that are allowed to apply under the general laws of Hong Kong, including freezing the crime proceeds of the persons concerned and the funds they obtained previously for criminal purposes.

To put it in a nutshell, if the financing of terrorist activities, for example, serves the purpose of violating the National Security Law for Hong Kong, we can freeze the relevant funds. Alternatively, if the funds are proceeds from engaging in offences that endanger national security, such as in the case of someone in a foreign country providing \$1 million for a certain activity that endangers national security, we can also freeze that sum of funds for endangering national security. Therefore, we have plenty of legal means.

MR STEVEN HO (in Cantonese): *Deputy President, part (3) of Dr CHENG Chung-tai's main question has specifically mentioned the person who absconded from bail, as well as his family. The appellations as they stand are indeed muddying the waters, as the Secretary put it. As far as absconding from bail is concerned, even if someone is suspected of assault, they may be put on bail, so absconding from bail is not one of the reasons for freezing assets.*

However, I wish to seek clarity by asking questions and the SAR Government really needs to come forward with an explanation. The so-called "proceeds of crime from money laundering", a term in current use, is actually very broad in meaning. The content of the National Security Law for Hong Kong, which came into effect on 1 July, has not adapted itself to this new era, as demonstrated by the fact that this so-called "world-class villain of the piece", upon arriving abroad, did not merely talk generally about the so-called issue of dirty money, but claimed to feel safer upon bringing all his family members abroad and followed on with a declaration of war against our country. This act has obviously violated the National Security Law for Hong Kong, but the legal procedure is so unclear that only today has the SAR Government suspended his salary and allowances as a District Council member. This is why the continued use of old legislation for legal procedure may not be able to solve the current problem.

Therefore, I would like to ask: following the commencement of the National Security Law for Hong Kong, is the SAR Government still invoking the old so-called money laundering-related laws to deal with the operation of the funds in the Hong Kong accounts of these "world-class villains of the piece" while they are messing with China and Hong Kong from foreign countries? Can the Government be more determined to establish a faster channel to identify the nature of those who have declared war on China or claimed other justifications, so that there is a basis for freezing all their funds in Hong Kong? Now that, in foreign countries, there are bills to sanction Hong Kong, as they so claim, I wonder if the Secretary's salary is paid in cash. Deputy President, if others can behave that way, why is there still someone of this sort in the Council to defend them?

DEPUTY PRESIDENT (in Cantonese): Mr Steven HO, you have already put your supplementary question. Please stop speaking.

Secretary, do you have anything to add?

SECRETARY FOR SECURITY (in Cantonese): Deputy President, as I mentioned in my earlier reply to Mr CHAN Hak-kan's supplementary question, there are two channels to freeze funds that endanger national security. After the enactment of the National Security Law for Hong Kong, we swiftly passed some

rules with legal force, stipulating that we can freeze any money obtained through financing for the purpose of endangering national security, as well as proceeds from crimes committed in violation of national security. There is no lack of clarity in the words. Besides, we can also invoke existing powers, including those under the Organized and Serious Crimes Ordinance. In other words, in our fight against national security-related offences, we can actually not only exercise our powers under conventional legislation, but also freeze the relevant financing money as well as the proceeds of crime arising from violation of national security, as detailed in the implementation rules for the National Security Law for Hong Kong, so there are newly added powers to deal with the aforesaid situation.

Secondly, if we need to freeze any asset, we believe that Hong Kong's current mechanism has always been effective for that purpose. We are also confident that, using the current mechanism ... In addition to being vested with those powers, we need a mechanism to exercise them. Why is the current mechanism effective? Firstly, as I said earlier, FATF praised Hong Kong's current mechanism after examining it. If I may, I would like to talk about several aspects of Hong Kong's current mechanism praised by the organization. In the areas of prosecution and conviction, they considered that Hong Kong demonstrated an ability to prosecute all forms of money laundering and had a high conviction rate. This was one of the comments FATF made about Hong Kong after examining a number of countries. Secondly, they said that, with a good understanding of the preventive measures against money laundering, Hong Kong's financial institutions had fully discharged their obligations in thorough compliance with the relevant requirements. In addition, they mentioned that the Hong Kong Special Administration Region ("HKSAR") rendered high-quality assistance in a timely manner in terms of international cooperation. Moreover, after examining 27 countries/regions, they categorized them into two tiers, one of which was "fair" and hence needed more rigorous follow-up, while the other was considered satisfactory and in need of general follow-up, as they called it—of course, general follow-up is necessary because all mechanisms are subject to their constant examination—and HKSAR fell into the category for general follow-up. In fact, out of the 27 countries/regions, only eight managed to make this achievement, and Hong Kong is one of them.

Therefore, I have full confidence in our mechanism for freezing these assets, and even for confiscating them in the future.

DEPUTY PRESIDENT (in Cantonese): Fifth question.

Government public transport fare concession scheme

5. **MR CHAN HAK-KAN** (in Cantonese): *Deputy President, the Government announced in January this year that the eligible age of the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("the Concession Scheme") would be lowered from 65 to 60. The Chief Executive indicated in November that the Government had largely completed the assessment, and on the premise of combating and preventing abuse effectively, it would include the funding required for the measure in the Budget for the next financial year with a view to implementing the measure progressively. In this connection, will the Government inform this Council:*

- (1) *of the latest progress of the implementation of the measure; the estimated recurrent expenditure to be incurred in each of the first three years of implementing the measure, and the percentages of administrative cost in such expenditures;*
- (2) *whether it has estimated the public expenditure incurred since January this year as a result of the Concession Scheme being abused; of the number of Elder Octopus cards currently in active use, and whether this number matches the number of elderly people who travel frequently; and*
- (3) *of the number of suspected cases of abuse of the Concession Scheme uncovered since January this year as a result of the site monitoring surveys conducted by the Transport Department ("TD"); given that TD uncovered only 11 such cases last year, whether it has reviewed if law enforcement by TD was perfunctory, and what new measures it will take to prevent the Concession Scheme from being abused?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("S\$2 Scheme") has been

implemented since 2012 with the policy objective of building a caring and inclusive society in Hong Kong by enabling the elderly aged 65 or above and eligible persons with disabilities to travel on designated public transport modes at a concessionary fare of \$2 per trip. The Government reimburses specified Public Transport Operators ("PTOs") the actual applicable fares charged by them minus the uniform flat rate of \$2 per trip paid by an eligible beneficiary on an accountable basis. The services of these specified PTOs currently being covered by the \$2 Scheme include general Mass Transit Railway ("MTR") lines, general franchised bus services, regular franchised and licensed ferry routes and green minibus services.

In respect of Member's detailed questions, my reply is as follows:

- (1) Since the \$2 Scheme was introduced in 2012, the number of the elderly aged 65 or above has increased from 980 000 to 1.32 million in 2019, representing an increase of about 35%. Having considered the trend of an ageing population in Hong Kong, the Government expects the number of the elderly aged 65 or above to rise further to more than 1.75 million by 2025. At the same time, the recurrent expenditure for reimbursing the PTOs under the \$2 Scheme reached \$1,300 million in 2019-2020, or 5.7 times over 2012. As the Chief Executive stated earlier, the livelihood initiatives announced by her in early 2020, including the one to lower the eligible age of the \$2 Scheme from 65 to 60, were proposed on the premise that they are fiscally affordable by the Government. The Chief Executive also made it clear that the implementation timetable for the initiative would be announced upon completion of the comprehensive review of the \$2 Scheme. Hence, it is necessary for the Government to consider carefully, upon receipt of the consultant's report, the feasibility, detailed arrangements, timing of implementation, financial assessment and so on of the proposed improvement measures. The Chief Executive already mentioned in her Policy Address announced on 25 November 2020 that the Government has largely completed the internal assessment, and on the premise of being able to combat and prevent abuse effectively, we will include the required funding in the 2021-2022 Budget with a view to progressive implementation within that financial year.

- (2) Currently, elderly persons aged 65 or above are able to use anonymous Elder Octopus cards or personalized Octopus cards to enjoy benefits under the \$2 Scheme. According to available information, in 2019, about 3.6 million anonymous Elder Octopus cards and 0.4 million personalized Octopus cards that were in the possession of elderly persons aged 65 or above had been used within past three years and the number of cards increases by about 0.35 million per year, whilst there were only 1.32 million elderly aged 65 or above in 2019 and the annual increase of the elderly reaching 65 is only around 50 000. Given the trend of an ageing population in Hong Kong, the public expenditure for the \$2 Scheme is expected to increase substantially. Hence, the Government needs to consider seriously effective measures to prevent abuses of the \$2 Scheme in order to ensure that public funds are used properly. The Government conducted a comprehensive review of the \$2 Scheme, which aims to assess the effectiveness and fiscal sustainability of the \$2 Scheme, and to examine it in detail having regard to our ageing demographic trend, operation of public transport, effectiveness of anti-abuse measures, public aspirations and the Government's overall fiscal affordability, etc.
- (3) To strengthen anti-abuse efforts of the \$2 Scheme, the Transport Department ("TD") has asked the PTOs to step up ticket inspection and passenger identity verification, and has proactively arranged site monitoring surveys on the usage of the \$2 Scheme. Should there be any ineligible passengers found travelling at the concessionary fare, they will be required by the PTOs to pay a surcharge and/or the shortfall. Depending on the circumstances, the PTOs may prosecute or refer individual cases to the Police for follow-up actions. During the TD's site monitoring surveys, there were 143, 185 and 11 suspected abuse cases found in 2017, 2018 and 2019 respectively. The number of suspected abuse cases found in 2019 was less than those in the previous years as the monitoring surveys conducted in the MTR were severely disrupted by the social incidents in the second half of the year.

MR CHAN HAK-KAN (in Cantonese): *Deputy President, it is due to the abuses of the \$2 Scheme that the Government has been delaying the extension of this Scheme to those aged between 60 and 64. After hearing the reply from the*

Secretary, I learn that the situation seems to be rather outrageous. But it is most outrageous that the Secretary has done nothing to plug the loopholes when he has been cognizant of the abuses for so many years.

While there are only 1.3 million elderly persons concerned, there are as many as 3.6 million anonymous Elder Octopus cards but merely 100-odd cases of abuse resulted in prosecutions each year. In the annual expenditure of \$1.3 billion, how much has been wasted? During the implementation of the \$2 Scheme in these eight years, how come the Secretary did not tell us about the abuses until now? Without plugging the policy loopholes, the Secretary tells us that the \$2 Scheme cannot be extended to more elderly persons because of the abuses as well as the heavy fiscal burden. The Government is putting the cart before the horse and is shirking its responsibility outright.

After giving a long answer, the Secretary has failed to tell me when the eligible age of the \$2 Scheme will be formally lowered from 65 to 60. Can the Secretary tell us in which month or which quarter of the next financial year this measure will be launched? Deputy President, the Secretary only needs to simply tell us which month.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, as the Chief Executive has mentioned, we hope that we will implement the measure progressively in the next financial year.

As we also know, one of the ways to deal with abuses is the issuance of personalized Octopus cards. Since there are nearly 600 000 people aged between 60 and 64 in Hong Kong, the issuance of personalized Octopus cards to them will take some time. The measure will only be implemented after most of these 600 000 people have applied for personalized Octopus cards, and it should be able to be launched progressively in the next financial year.

MR MICHAEL TIEN (in Cantonese): *Secretary, the Financial Secretary says in his blog that the recurrent expenditure of the Government in 2020-2021 is estimated to be nearly \$500 billion, and in terms of the \$2 Scheme alone, the expenditure will be as high as \$6 billion if the eligible age is lowered from 65 to 60. I believe that this astronomical figure is the cause for the Government to be flip-flopping on this measure when it always says that careful consideration is*

warranted despite its wish to launch it. And then a certain Member of the Executive Council has also some queries about the cost-effectiveness of this measure. I asked the Financial Secretary at a meeting how this figure of \$6 billion was arrived at. He replied that this figure was given to him by the Secretary for Labour and Welfare and advised me to ask the Secretary.

According to the Secretary, there were 1.32 million elderly aged 65 or above in 2019 and the related expenditure of the Government was \$1.3 billion. Given that the number of people aged between 60 and 64 is only about 500 000 to 600 000 in Hong Kong, the expenditure involved should only be half of \$1.3 billion, i.e. \$600 million to \$700 million. I suppose that these people are younger and healthier and thus their number of rides is doubled, the related expenditure will only be \$1.3 billion at the most, rather than \$6 billion. I would like the Secretary to respond how this figure of \$6 billion was arrived at.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, in July this year, we provided a figure to Members at the Legislative Council meeting that in 2025-2026, if people aged between 60 and 64 can also enjoy the transport concession, the overall expenditure, taking into account inflation or the utilization rate estimated at that time, will roughly be \$7 billion. This figure can be found from the record of proceedings.

However, concerning the supplementary question of Mr TIEN, as we are also aware that people aged between 60 and 64 are far more active than those aged 65 or above, the figure was not arrived at with such simple rules of arithmetic.

DEPUTY PRESIDENT (in Cantonese): Mr Michael TIEN, which part of your supplementary question has not been answered?

MR MICHAEL TIEN (in Cantonese): *May I ask the Secretary to provide a written reply on how that \$6 billion was arrived at? Because I find it rather problematic ...*

DEPUTY PRESIDENT (in Cantonese): Mr Michael TIEN, you have already pointed out the part of your supplementary question which has not been answered.

MR MICHAEL TIEN (in Cantonese): ... *If the Government's estimation totally fails to convince Members of the Legislative Council ...*

DEPUTY PRESIDENT (in Cantonese): In this session, Members can only point out the part of the supplementary question which has not been answered. Mr TIEN, please sit down.

Secretary, are you willing to provide a written reply on how the figure of \$6 billion was arrived at?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, Members may refer to the related reply given by the Government in July in which there was already a clear explanation.

DEPUTY PRESIDENT (in Cantonese): The Secretary may, on his own initiative, communicate with Mr Michael TIEN and other Members.

Mr Vincent CHENG, please raise your supplementary question.

MR VINCENT CHENG (in Cantonese): *Deputy President, I believe the Secretary also remembers his earlier statement that the extension of the \$2 Scheme to people aged between 60 and 64, including seeking approval of the funding application from the Legislative Council and starting off the application procedure, could hopefully be commenced by the end of this year. But now it seems that everything has to be postponed.*

Secretary, this topic has already been raised for our discussion for a very long time. Mr CHAN Hak-kan and I are definitely not dissatisfied with the main reply of the Secretary. While there are at present only 1.32 million elderly persons, there are as many as 4 million Elder Octopus cards, including the

personalized Octopus cards. This has been a loophole created by the Government over the years, but now this loophole, for which the Government and the Octopus Cards Limited or someone else should be responsible, is being used to punish the elderly persons aged between 60 and 64. The Secretary did not answer a part of Mr CHAN Hak-kan's question earlier. Since the Chief Executive has said that the funding required for the measure would be included in the Budget for the next financial year with a view to implementing the measure progressively within that financial year, can the Secretary undertake clearly that the measure will surely be implemented in a certain period of time or a certain month next year? Can this be done before July next year?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, I just gave a clear reply on the arrangement and the timetable. As regards the last part of Member's supplementary question, I believe that the measure would not be fully implemented before July next year.

MRS REGINA IP (in Cantonese): Deputy President, apart from the \$2 Scheme, the Government actually also has two transport related concessionary schemes, and one of them is the Public Transport Fare Subsidy Scheme ("the Subsidy Scheme") which was launched in January 2019. Its concession is even enhanced this year to the effect that only after a person has spent over \$200 on public transport, he can collect the fare subsidy by tapping his Octopus card against certain devices. Some colleagues in my office told me that they could collect a few hundred dollars of subsidy per month. The other scheme is the Work Incentive Transport Subsidy ("WITS") Scheme which was launched in 2011. The WITS Scheme is designed for low-income persons.

In fact, quite a number of people aged between 60 and 65 or above 65 are still working. Recently, when I was distributing some materials in Happy Valley, I met a female cleaning worker who was 75 years old. In other words, by using Octopus cards, many elderly persons can get a few hundred dollars of subsidy per month. Or apart from applying for the WITS Scheme, they can still collect the fare subsidy by tapping their Octopus cards. Why does the Government provide more than one type of welfare of similar nature? How is the Secretary going to deal with those people who may be enjoying double or triple benefits?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, I have previously answered this question in a meeting of the Legislative Council, and I will try to reiterate my answer here. I believe that those elderly persons under the \$2 Scheme have a very low chance of being able to enjoy the Subsidy Scheme, because they only need to pay \$2 per trip. In order to enjoy the Subsidy Scheme, they need to spend over \$400 on public transport, meaning that they have to take more than 200 rides in public transport per month or six to seven rides per day. Therefore, although it is not impossible for them to enjoy both benefits, the chance is really minimal. What the Member said earlier is correct. The WITS Scheme does not have any restriction on age, and thus some WITS recipients may be enjoying double benefits. We will pay attention to and look into this issue.

MR PAUL TSE (in Cantonese): *Deputy President, according to part (a) of the Secretary's main reply, the initiative to lower the eligible age of the \$2 Scheme from 65 to 60, which was announced by the Chief Executive in early 2020, was proposed on the main premise that it is fiscally affordable by the Government. When the Chief Executive delivered the Policy Address in November this year, she no longer talked about the main premise, but only the premise of being able to prevent abuse. In terms of abuse, we understand that there are 3.6 million anonymous Elder Octopus cards plus 0.4 million personalized Octopus cards that are in the possession of elderly persons aged 65 or above, totalling 4 million Elder Octopus cards. However, some elderly persons are in possession of several cards. Ms Pamela PECK also has several Elder Octopus cards which are not frequently used.*

Concerning the prosecution figures provided by the Government, in part (c) of the main reply, the Secretary mentions that there were 143, 185 and 11 suspected abuse cases found in 2017, 2018 and 2019 respectively, and I understand why there were only 11 cases found last year. But what was the actual number of prosecutions? The number of suspected cases is different from that of prosecutions. In this regard, is money really the obstacle to the Government, or is the Government only taking the abuse as an excuse?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, as regards the last part of the supplementary question, we neither have any excuse nor factor in our consideration in this respect. As the Government, we must deal with the expenditure of the measure which is a very substantial sum, and we also need to consider the question of sustainability. We are dealing with it in a very serious manner and we are not making use of any excuse.

MR MICHAEL TIEN (in Cantonese): *I have checked the information that the Secretary asked me to read earlier. He has said that the expenditure of the \$2 Scheme is at present \$1.3 billion, and in 2025-2026, if the Scheme is extended to people aged between 60 and 64, with the factor of inflation also taken into account, the expenditure will be as high as \$6 billion to \$7 billion. Nevertheless, the Financial Secretary mentions in his blog that in 2020-2021, when the eligible age of the Scheme is lowered from 65 to 60, an expenditure of \$6 billion will be incurred. If the expenditure concerned is \$6 billion in 2020, it is not possible that the expenditure will also be \$6 billion in 2025.*

Besides, the Financial Secretary also mentions that the expenditure figure of \$6 billion in 2020-2021 was provided by the Secretary. In that case, is \$6 billion just mentioned by the Secretary the amount of expenditure in 2025 or in the current financial year? This will give the community an impression that if the Scheme is extended to people aged between 60 and 64, a lot more public money will be incurred. I would like to ask how many hundred millions of dollars will additionally be needed if the eligible age of the Scheme is lowered from 65 to 60 in this financial year. I am asking about the amount of expenditure in this financial year, because the measure will be implemented next year. Then how much will be incurred in estimation? I am only asking about this figure.

DEPUTY PRESIDENT (in Cantonese): Mr Michael TIEN, you have already raised your supplementary question.

Secretary, please answer.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, after we have finished the work concerned, we will certainly make public the estimated figures. We will surely do whatever we promise Members. As regards which figure is more accurate, Members can refer to the relevant record of proceedings of the Legislative Council in July this year.

DEPUTY PRESIDENT (in Cantonese): Mr Michael TIEN, which part of your supplementary question has not been answered?

(Mr Michael TIEN stood up and spoke, but the microphone was not yet switched on)

DEPUTY PRESIDENT (in Cantonese): Mr Michael TIEN, please point out again the part of your supplementary question which has not been answered.

MR MICHAEL TIEN (in Cantonese): *May I ask the Secretary that according to his estimation, if people aged between 60 and 64 can also benefit from the \$2 Scheme, how many hundred millions of dollars will have to be additionally incurred upon the implementation of this measure next year? I want to make this clear because the community thinks that an additional subsidy of \$6 billion will be needed.*

DEPUTY PRESIDENT (in Cantonese): Mr Michael TIEN, you have already pointed out the part of your supplementary question which has not been answered.

Secretary, Mr TIEN asked about the figure in a certain specific year. Could you provide a specific and accurate answer?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, if I could provide the figure concerned to Members today, I would have told Members. But as I pointed out just now, the answer given in July this year is an accurate answer.

MR PAUL TSE (in Cantonese): *Deputy President, the figures that I mentioned earlier were actually the numbers of suspected abuse cases found during TD's site monitoring surveys, and the numbers were very small. Apart from these figures, I have also asked—if the Secretary does not have the information today, I hope that he can supply the information in future—about the numbers of prosecutions which were really instituted over the past three years. Besides, in addition to TD's site monitoring surveys, has the Government received any figures from other PTOs? If not, given the small numbers, on what basis did the authorities review and examine the \$2 Scheme, and even decide whether the extension of the \$2 Scheme should be shelved or postponed because of the abuses?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): *Firstly, I need to reiterate that we do not procrastinate the measure using any reason or excuse. However, in regard to any possible misuse or abuse of public money, as the Government, we will also seriously deal with it and look for rational ways to reduce such possibilities. I have some figures on hand which were the numbers of prosecutions over the past three years. But these figures are only provided by the MTR Corporation Limited ("MTRCL") as other PTOs do not keep the relevant figures. During these three years, the numbers of prosecutions provided by MTRCL were 21, 25 and 8 respectively. In the same period—we should know that the number of prosecutions may be different from that of convictions—there were 28, 17 and 21 convictions respectively over the past three years.*

MR VINCENT CHENG (in Cantonese): *Deputy President, I am extremely dissatisfied with the answer just given by the Secretary that the eligible age of the Scheme cannot be formally lowered from 65 to 60 before July next year. In fact, the discussion on the \$2 Scheme does not start only at this moment. This topic has been under discussion for a very long period of time. And basically, we should not wait until this moment to discuss such issues as plugging the loopholes and tackling various related problems. Can the Secretary explain in detail why this measure cannot be implemented before July next year? I would ask him to give an account to the public on the reasons concerned.*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, as Members are also aware, in the face of any major initiative, especially when a substantial sum of public money is involved, in the course of the entire decision-making process, we also need to listen to different views and have to consider various suggestions and approaches, and it takes time to deal with these various views. After we have made the final decision on the details, we will naturally announce them to the public.

Nonetheless, as I mentioned when answering the supplementary question of another Member earlier, when we really start the work concerned, we will first of all need to make some adjustments to certain systems. We will then need to issue some personalized Octopus cards, and 600 000 personalized Octopus cards will be issued on the first batch. Hence, in terms of the timetable, from the commencement of the work at present until a decision is hammered out, and then to the adjustment of the systems and the issuance of 600 000 personalized Octopus cards, I cannot see that the work concerned can be completed within seven or eight months.

DEPUTY PRESIDENT (in Cantonese): Last oral question.

Problem of illegal parking

6. **MR CHUNG KWOK-PAN** (in Cantonese): *Deputy President, some members of the public have pointed out that the problem of illegal parking in various districts throughout Hong Kong has become serious since the eruption of the disturbances arising from the opposition to the proposed legislative amendments in June last year. Illegal parking not only causes traffic obstruction but also jeopardizes the safety of pedestrians. Even though the Police have recently stepped up efforts in combating illegal parking, the situation has not been improved significantly. Such members of the public consider that this situation is related to the weakening of the law-abiding awareness of Hong Kong people. In this connection, will the Government inform this Council:*

- (1) *of the number of fixed penalty notices issued by the Police in each month between June and November this year in respect of illegally parked vehicles, with a breakdown by police region; how such figures compare with the relevant figures of the same periods in the past three years;*

- (2) *of the respective numbers of complaints about illegal parking received from members of the public by the Police and the Transport Department in each month of the past three years and, among them, the numbers of those not handled immediately by the Police; whether there is a significant difference between the relevant figures of last year and the respective figures of the two years before last year; and*
- (3) *of the new measures to be taken by the authorities to combat illegal parking and enhance the awareness of motorists of complying with traffic regulations?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, illegal parking not only causes traffic obstruction but also poses danger to other road users. Hence, the Hong Kong Police Force ("the Police") all along pays much attention to the problem of illegal parking and treats violations that cause traffic congestion as one of the selected traffic enforcement priorities. For drivers who commit traffic offences and cause traffic obstruction, the Police will issue warnings or summonses, or even tow away the vehicles concerned. The Police also strives to enhance through publicity and education the awareness of road users towards the importance of complying with traffic regulations.

(THE PRESIDENT resumed the Chair)

After consulting the Police and the Transport Department ("TD"), I now give a reply to the various parts of Mr CHUNG Kwok-pan's question as follows:

- (1) On enforcement against illegal parking in accordance with the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237), the Police issued a total of almost 1.2 million fixed penalty notices ("FPNs") against illegal parking between June and October 2020, that is about 200 000 to 250 000 FPNs against illegal parking per month, representing an increase of 40% and 200% as compared with the number of FPNs issued during the same period in 2018 and 2019 respectively.

The numbers of FPNs issued by the Police in 2018, 2019 and the first 10 months of 2020 against illegal parking, with breakdowns by police region and by month, are tabulated at Annex 1. The Police is still compiling the relevant enforcement statistics for November 2020.

- (2) In 2018, 2019 and the first 10 months of 2020, the Police received on average about 18 000, 17 000 and 18 000 complaints respectively from members of the public each month in respect of traffic obstruction and illegal parking. The detailed statistics, with a breakdown by month, are tabulated at Annex 2. As the Police does not maintain records on the time taken for arriving at the scene to handle individual illegal parking cases, no such information can be provided. Generally speaking, the Police will endeavour to handle public complaints about illegal parking and traffic obstruction as soon as practicable in the light of the actual circumstances.

During the above mentioned period, TD received on average 23, 82 and 170 complaints respectively from members of the public each month about illegal parking. The detailed figures, with a breakdown by month, are tabulated at Annex 3. All relevant complaints have been referred to the Police for follow-up actions as appropriate.

As identical complaints may be received by TD and the Police at the same time, there may be double-counting in the numbers of complaints received by the two departments.

- (3) In order to further combat illegal parking, in May 2019, the Police revised the guidelines on issuing FPNs against illegal parking. Enforcement officers may issue an FPN to an illegally parked vehicle every 30 minutes (instead of 2 hours previously) if the vehicle concerned is parked at a restricted zone and left unattended or is deliberately parked illegally causing traffic obstruction. In case there are vehicles parked on roads posing safety hazards or causing serious traffic obstruction, enforcement officers will tow away the vehicles concerned in addition to issuing FPNs.

Besides, the Police has assisted frontline enforcement officers to enhance enforcement effectiveness through the application of technology. Since April 2020, the Police has launched a pilot scheme on electronic FPNs ("the Pilot Scheme") in all police districts over the territory. Under the Pilot Scheme, frontline enforcement officers process data on illegally parked vehicles via their mobile devices and instantly print out FPNs by portable printers in order to reduce human errors in issuing handwritten FPNs, thereby enhancing the overall enforcement accuracy. To facilitate the Pilot Scheme, TD has issued vehicle licences with an encrypted QR code since April 2020. By now, there are about 600 000 vehicle licences with an encrypted QR code printed thereon so as to facilitate frontline enforcement officers' extraction of vehicle information. The Police is now exploring the expansion of the Pilot Scheme to cover also the traffic offences under the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) such as illegal stopping of vehicles at bus stops and picking up/setting down passengers or loading/unloading goods in restricted zone.

Separately, under the Fixed Penalty (Traffic Contraventions) Ordinance, the Police should affix an FPN on the vehicle concerned or deliver the FPN personally to the person in charge of the vehicle concerned. To further enhance enforcement efficiency, we are studying in collaboration with the Police amendments to the relevant legislation so as to expand the means for serving FPNs, including by electronic means.

To strengthen motorists' law-abiding awareness, the Police will continue to collaborate with TD and the Road Safety Council to enhance publicity and education through various channels, such as government websites, the Road Safety Council's social media platform, Announcements in the Public Interest on radio, the Road Safety Bulletin and posters, so as to remind the public to observe traffic regulations, enhance road safety and improve the illegal parking situation.

**Number of Fixed Penalty Notices Issued by the Police against Illegal Parking
from 2018 to 2020**

Month	Police Region																	
	Hong Kong Island			Kowloon East			Kowloon West			New Territories South			New Territories North			Total		
	2018	2019	2020 (Jan-Oct)	2018	2019	2020 (Jan-Oct)	2018	2019	2020 (Jan-Oct)	2018	2019	2020 (Jan-Oct)	2018	2019	2020 (Jan-Oct)	2018	2019	2020 (Jan-Oct)
Jan	33 703	34 422	25 912	27 400	33 555	23 192	44 835	46 342	26 630	30 592	38 529	23 262	33 408	31 280	27 108	169 938	184 128	126 104
Feb	30 503	30 408	34 158	26 977	27 972	27 335	35 874	38 713	34 777	29 106	34 098	28 900	29 326	28 163	40 408	151 786	159 354	165 578
Mar	31 886	34 024	48 135	29 362	30 790	38 548	43 306	48 130	50 295	30 932	37 244	43 221	33 579	29 919	36 473	169 065	180 107	216 672
Apr	30 311	28 292	51 290	29 180	29 998	41 170	41 217	43 686	49 266	28 922	32 514	49 984	29 689	29 200	38 901	159 319	163 690	230 611
May	33 343	30 571	49 519	31 333	29 865	38 189	43 583	45 558	48 874	29 874	34 060	37 177	32 331	31 701	36 186	170 464	171 755	209 945
Jun	31 517	20 329	47 157	28 484	19 727	37 788	43 939	24 028	51 693	28 357	24 093	29 741	30 427	23 203	41 451	162 724	111 380	207 830
Jul	32 999	21 431	57 043	30 758	15 645	44 689	44 673	19 864	65 447	30 772	29 742	42 616	32 035	19 976	39 586	171 237	106 658	249 381
Aug	32 754	16 436	57 075	29 888	11 197	44 530	43 891	12 874	57 442	34 358	14 986	51 197	29 444	6 367	38 030	170 335	61 860	248 274
Sep	31 501	17 165	55 178	23 582	11 209	41 982	41 225	14 096	53 941	36 846	10 559	51 622	29 036	7 437	38 227	162 190	60 466	240 950
Oct	31 736	17 389	57 154	31 416	11 526	43 558	44 653	11 901	57 944	40 286	12 117	44 790	31 722	10 862	40 816	179 813	63 795	244 262
Nov	30 841	15 866	N.A.	30 052	12 623	N.A.	45 960	12 133	N.A.	38 244	12 036	N.A.	31 362	10 712	N.A.	176 459	63 430	N.A.
Dec	34 102	20 816	N.A.	33 536	17 323	N.A.	41 686	22 224	N.A.	38 686	16 694	N.A.	32 173	21 064	N.A.	183 183	98 121	N.A.
Total	385 196	287 149	482 621	351 968	251 430	380 981	517 842	339 549	496 309	396 975	296 732	402 510	374 532	249 884	377 186	2 026 513	1 424 744	2 139 607

Note: The figures of 2020 above are provisional figures. The Police is still compiling relevant enforcement statistics for November 2020.

Annex 2

Number of Public Complaints on Traffic Obstruction and Illegal Parking
Received by the Police from 2018 to 2020

<i>Month</i>	<i>2018</i>	<i>2019</i>	<i>2020</i> <i>(January to October)</i>
January	18 408	20 482	17 891
February	15 125	16 262	14 899
March	16 524	19 448	17 999
April	17 904	15 881	16 940
May	19 086	18 008	17 767
June	19 317	16 241	20 580
July	18 508	16 320	18 916
August	18 134	12 906	17 644
September	18 926	15 835	18 421
October	19 295	15 174	20 458
November	20 356	14 072	N.A.
December	19 313	17 963	N.A.
Total	220 896	198 592	181 515
Monthly Average	18 408	16 549	18 152

Annex 3

Number of Public Complaints on Illegal Parking Received by
TD from 2018 to 2020

<i>Month</i>	<i>2018</i>	<i>2019</i>	<i>2020</i> <i>(January to October)</i>
January	24	32	138*
February	18	24	14
March	20	34	19
April	21	30	20
May	22	31	49
June	21	26	27
July	25	15	22
August	27	20	25

<i>Month</i>	<i>2018</i>	<i>2019</i>	<i>2020</i> <i>(January to October)</i>
September	19	24	791*
October	26	37	596*
November	28	18	N.A.
December	25	690*	N.A.
Total	276	981	1 701
Monthly Average	23	82	170

Note:

- * TD notes that an individual complainant has lodged numerous complaints in respect of the same district in the same month, resulting in a significant increase in the number of complaints in that month.

MR CHUNG KWOK-PAN (in Cantonese): *President, it can be seen from the relevant figures that since August last year, there have been only 60 000 or so cases where FPNs were issued each month thereafter. We understand that due to the social incident, many police officers have been deployed to handle it, and this is why the Police is unable to deal with traffic problems as usual. While social order has improved to a certain extent, and I know that the Police has also enforced the law, the Secretary may still notice the prevalence of illegal parking if he visits local communities—I believe he seldom does so. Streets marked with a single or double yellow line or even those with four traffic lanes are virtually left with only one lane because of double parking on the streets. All this is very serious, and traffic congestion has ensued in many places.*

Besides, I have also noticed these days that even though police officers on police patrol vehicles are well aware of illegal parking in the course of patrol, they will simply drive past the area without alighting from the vehicle and issuing any FPNs. May I ask how the authorities will restore traffic back to normal and prevent the mess now?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, many thanks to Mr CHUNG for his supplementary question.

If Members read Annex 1, they will see that colleagues from the Police have worked very hard on the problem of illegal parking. Just now, Mr CHUNG said ... Since April 2020—since March, actually—the number of

FPNs issued each month has increased from 200 000 to 250 000 on average. If computation is done on the basis of the whole year, then the first 10 months of 2020 have already seen the issuance of 2.13 million FPNs, with a monthly average of 210 000. If the figures for the two months that followed are added to it, the total number of FPNs issued in 2020—suppose the situation remains unchanged—will be as many as 2.5 million, which is one fourth, or 500 000, higher than the figure for 2018. All this can show the devoted efforts of our law enforcement teams.

Sometimes, Members may see that when certain police officers or police vehicles pass an area with serious illegal parking, they nonetheless do not take any actions against those illegally parked vehicles or their owners. I believe those police officers or police vehicles passing the area are probably on their way to deal with some more important tasks at the time. So, I hope Members can understand this.

Certainly, I can also tell Members that the number of Traffic Wardens responsible for traffic law enforcement has risen by some 60 over the past few years, an increase of nearly 20% over the previous establishment. I believe that with the concerted efforts of police officers and Traffic Wardens, and also with the use of technology and the arrangements I have just mentioned, the incidence of illegal parking can be significantly reduced, and it will also encourage a law-abiding awareness among people.

MR TOMMY CHEUNG (in Cantonese): *President, discussions on this problem have actually been held in this Council for quite some time, especially by Mr Frankie YICK who is sitting behind me.*

I wish to raise this supplementary question with the Secretary. In Central, several car parks providing large numbers of parking spaces are about to be demolished (such as the Rumsey Street Car Park) or have already been demolished over these few years. But after their redevelopment, the Government has not required the provision of a corresponding number of parking spaces in the relevant buildings. At the time, we criticized the Government's strategy, thinking that its mindset was that after all parking spaces were removed, Hong Kong people would buy fewer cars because no parking spaces would be available for parking their cars.

Similarly, the streets in the vicinity of my home are often parked with many heavy trucks. But I will not blame the Police and say that it is slow in issuing FPNs. Why? Frankly, in my view, the Government has never devoted any vigorous efforts to increasing the supply of parking spaces for trucks and private cars. Also, I do not believe Hong Kong people will break the law knowingly.

May I ask whether the Secretary will consider the idea of expeditiously increasing the provision of parking spaces in various districts for trucks or private cars, so that vehicle owners may park their vehicles in parking lots without having to park them on the streets?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese):
President, many thanks to Mr CHEUNG for his views.

Speaking of the arrangements for parking spaces, we understand that during a considerable period of time that has just passed, the growth in the number of vehicles has far exceeded that of parking spaces. And due to the constraints imposed by the Hong Kong Planning Standards and Guidelines, the discrepancy between the number of vehicles and that of parking spaces has likewise widened during all this time. We are aware of this, so we already explained here in the legislature earlier that we would adopt a "single site, multiple use" approach and such measures as increasing the provision of roadside parking spaces on the streets and allowing school buses to park on school campuses during non-school hours.

Under the "single site, multiple use" approach, we have identified suitable "Government, Institution and Community" facilities to provide public parking spaces and about 5 000 parking spaces are expected to be provided in the future. Besides, when the Hong Kong Housing Authority builds public housing, it will, as far as possible, adopt the relevant maximum number in accordance with the Hong Kong Planning Standards and Guidelines as a means to increase the provision of parking spaces.

But we must make one point clear here: The supply of parking spaces in Hong Kong mainly aims to cater for business or commercial vehicles because these vehicles have economic benefits and contributions to Hong Kong society. As for parking spaces for private cars, where appropriate, we will try to complement their supply as far as possible. On this premise, we will increase

the provision of parking spaces under the approach I have just mentioned. But at the same time, we do not wish to induce those people who will otherwise take public transport to switch to drive their own vehicles. So, our hope is to strike a balance in this regard. Speaking of parking space supply, we are doing our jobs in accordance with the existing policy and the arrangements in place, which include six pilot projects involving automated parking systems. We have granted a short-term tenancy for the project in Tsuen Wan and the relevant car park, which will be equipped with an automated parking system, will commence operation next year. With such arrangements under a multi-pronged approach, we hope to achieve a progressive increase in the number of parking spaces for private or commercial vehicles in the days to come.

MR TOMMY CHEUNG (in Cantonese): *President, the Secretary has not addressed my supplementary question.*

PRESIDENT (in Cantonese): Mr Tommy CHEUNG, which part of your supplementary question has not been answered?

MR TOMMY CHEUNG (in Cantonese): *The Secretary has not answered the part concerning existing car parks in my supplementary question. For instance, the Murray Road Multi-storey Car Park has now been demolished, so will the Rumsey Street Car Park. Will the authorities provide any parking spaces after their redevelopment? On the question about parking spaces for container trucks, the Secretary has not given a reply either. Why is there a lack of parking lots for container trucks?*

PRESIDENT (in Cantonese): Mr Tommy CHEUNG, your supplementary question concerns the issue of whether the authorities will provide more parking spaces. I think the Secretary has already given a reply. Please sit down.

MR CHEUNG KWOK-KWAN (in Cantonese): *President, the problem of illegal parking has honestly intensified over recent years, especially on certain major carriageways such as Java Road in North Point on Hong Kong Island. The problem of illegal parking has recurred literally every day. For example,*

due to the parking of vehicles on both sides of the road and also double parking, this four-lane road is left with only one lane. For this reason, traffic congestion is very serious.

I will not blame the Police and say that its enforcement is slack because illegally parked vehicles are like "flies buzzing around a horse tail", in the sense that when police officers appear, such vehicles will go away, but after police officers have left, the illegal parking of vehicles will occur again. The crux of the problem is whether the Government will introduce any new measures.

From the Secretary's main reply, I notice that the Government is now promoting the Pilot Scheme. But as stated in the Secretary's reply, the Pilot Scheme aims to avoid errors in issuing FPNs that may otherwise enable vehicle owners to get away without having to pay any fine in the end. The focus of the Pilot Scheme is on the subsequent liability for illegal parking, and it is of no help at all to resolving the prevailing problem of illegal parking on the streets.

May I ask whether the Secretary will consider the application of electronic technologies, such as installing devices like "sky eyes" at black spots on major carriageways, as a means to enable law enforcement agencies to also issue FPNs after the illegally parked vehicles have left? Only by so doing can we produce a huge deterrent effect on motorists involved in illegal parking and offer a long-term solution to the problem of illegal parking on the streets. May I ask whether the Secretary has any plans in this regard?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese):
President, many thanks to Mr CHEUNG for his supplementary question.

Hong Kong is a place upholding the rule of law. It is already an offence to park any vehicles outside a designated parking space on any side of a road in Hong Kong, regardless of whether a double or single yellow line is marked on it or not. So, the most important of all is a law-abiding awareness among people.

First, we must strengthen publicity and education to make motorists or vehicle owners in Hong Kong to abide by the law when parking their vehicles. But after all, there are bound to be some who will commit the act of illegal parking. In view of this, we must take enforcement actions and enhance the

intensity of such actions, the penalties and even efficiency, in order to produce a deterrent effect. Third, increasing the supply of parking spaces is certainly an arrangement that may alleviate the problem. We will follow up all this.

Just now, an Honourable Member talked about the demolition of certain car parks. Actually, speaking of the whole arrangement for ancillary facilities, TD will require the principals of the relevant projects to complement the provision of parking spaces where appropriate in the original sites or new projects nearby. Therefore, during the demolition and redevelopment of a multi-storey car park, a certain quantity of parking spaces will be provided by some nearby projects to complement the supply. Besides, the parking space technologies I mentioned earlier may likewise help to increase the provision of parking spaces. We may even adopt mobile parking spaces if traffic safety will not be compromised.

Basically, on the application of technology to enforce the provisions in Cap. 237 or Cap. 240 as mentioned by Mr CHEUNG just now, I can say that the Police is joining hands with us to conduct a detailed study, so as to ascertain how technology (such as electronic means) can be applied in serving FPNs. We are exploring all such options. But Members should understand that the enforcement process also involves personal privacy considerations. While studying any amendments to the relevant laws and the introduction of technologies, we will also cater for people's concerns.

We have heard Mr CHEUNG's views, and we are now conducting studies. But I also wish to give a brief clarification here, in the hope of catering for Members' expectations.

PRESIDENT (in Cantonese): Oral questions end here.

WRITTEN ANSWERS TO QUESTIONS

Hillside escalators and elevators

7. **MR MICHAEL TIEN** (in Chinese): *President, in 2009, the Government established a mechanism for assessing proposals on hillside escalator links and elevator systems ("HEL") ("the assessment mechanism"). Upon completion of*

initial screening and scoring for the proposals received then, the Government decided to take forward 18 of such proposals ("first-batch projects"). In 2017, the Government announced that a consultancy study would be conducted to review and improve the assessment mechanism, and by then the Government received a total of 114 HEL proposals. The Government indicated at the end of 2019 that it planned, by 2020, to complete the scoring for those 114 proposals and determine the projects for priority implementation. However, most of the first-batch projects have yet to be implemented. Quite a number of members of the public look forward to an early implementation of such projects and proposals, to spare them the toil of climbing up long steep roads or stairs of more than a hundred steps every day. In this connection, will the Government inform this Council:

- (1) of the latest state of implementation of the first-batch projects;*
- (2) whether it has completed the work of initial screening and scoring for the aforesaid 114 proposals and determining the projects for priority implementation; if so, of the details; if not, the expected completion date;*
- (3) whether it has plans to take on more HEL proposals within the coming three years; if so, of the details; if not, the reasons for that; and*
- (4) given that among the scoring criteria, the maximum score for the item of "number of beneficiaries and target" is 60, and the maximum scores for the two criteria under it, i.e. "expected daily pedestrian flow of the proposed HEL" and "proportion of 65 year-old or above population and whether there is any hospital/rehabilitation centre/nursing home in the beneficial catchment", are 40 and 20 respectively, but there are views that these two criteria should be given equal weighting (i.e. each to have a maximum score of 30), so as to adequately address the needs of the elderly and mobility impaired persons, whether the Government will adopt this suggestion; if so, of the details; if not, the reasons for that?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, my reply to the various parts of Mr Michael TIEN's question is as follows:

- (1) Of the 18 projects assessed under the previous assessment mechanism established in 2009, 5 have been completed and are open for public use, 3 are currently under construction, while 10 are at various stages of planning, investigation and design. The latest progress of the 18 projects is set out at the Annex.
- (2) Based on the revised mechanism, the consultant engaged by the Transport Department ("TD") carried out initial screening, shortlisting and prioritization of the 114 proposals on hillside escalator links and elevator systems ("HEL") received over the past few years. TD is consulting the relevant District Councils on the assessment results so as to finalize the first batch of projects for implementation.
- (3) With regard to the new HEL proposals raised by members of the public, it takes time for the consultant to gather information, conduct preliminary technical assessment and draw up preliminary alignments for these new proposals. To avoid delay to the implementation of first batch of proposals, TD will, after finalizing the first batch of projects for implementation, conduct review on and follow up on the new proposals along with those that have not been included in the first batch in due course.
- (4) In consideration of the needs of the elderly and people with impaired mobility, the revised assessment mechanism has, compared with the mechanism established in 2009, increased the scoring weighting of 65 year-old or above population in the beneficial catchment from 5 to 20, and taken into account "whether there is any hospital/rehabilitation centre/nursing home", so that the proposed HEL can facilitate the elderly and those in need to commute. If necessary, we will consider whether the assessment mechanism is to be further revised.

Progress of Proposals on Hillside Escalator Links and Elevator Systems
(as at 15 December 2020)

<i>Rank</i>	<i>Proposal</i>	<i>Progress</i>
1	Pedestrian Link at Tsz Wan Shan (Completed)	The pedestrian link was implemented under the Shatin to Central Link project and involved 15 facilities. The construction works commenced in July 2012. The pedestrian link has been completed and open for public use since October 2017.
2	Braemar Hill Pedestrian Link	The Highways Department ("HyD") gazetted the project on 28 June 2019 under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), with the notice of authorization gazetted in August 2020. HyD is at the final stage of detailed design and plans to seek funding approval from the Legislative Council in 2021.
3	Lift and Pedestrian Walkway System at Cheung Hang Estate, Tsing Yi (Completed)	The construction works commenced in February 2017. The lift at Tsing Yi Road West as well as the lift and pedestrian walkway system at Tsing Yu Street were open for public use in August 2019 and February 2020 respectively.
4	Escalator Link and Pedestrian Walkway System at Pound Lane	HyD consulted the Central and Western District Council ("C&WDC") and held a public forum on the refined proposal in 2015. In view of the diverse views received and the many issues involved, HyD will review the project and consult the C&WDC again on the project in due course.
5	Lift and Pedestrian Walkway System between Kwai Shing Circuit and Hing Shing Road	The construction works commenced in June 2017. The main works are scheduled for completion in the first quarter of 2021.
6	Lift and Pedestrian Walkway System between Castle Peak Road and Kung Yip Street	Advance ground investigation works commenced in January 2019. The main works commenced in December 2019 for scheduled completion in the second quarter of 2023.

<i>Rank</i>	<i>Proposal</i>	<i>Progress</i>
7	Lift and Pedestrian Walkway System between Lai Cho Road and Wah Yiu Road	HyD consulted and obtained the support from relevant stakeholders in March 2019 on a proposed pedestrian walkway by Housing Department to replace the Lift and Pedestrian Walkway System between Lai Cho Road and Wah Yiu Road. HyD consulted the Traffic and Transport Committee of Kwai Tsing District Council on the proposed replacement on 13 June 2019. The Committee moved an ad hoc motion to request HyD to retain the original Lift and Pedestrian Walkway System between Lai Cho Road and Wah Yiu Road. After considering the recommendation of the Committee, TD requested HyD to continue the investigation study and preliminary design of the Lift and Pedestrian Walkway System between Lai Cho Road and Wah Yiu Road for further consideration.
8	Pedestrian Link near Chuk Yuen North Estate	HyD consulted the Traffic and Transport Committee of the Wong Tai Sin District Council on various preliminary designs during the period from 2015 to 2018, and obtained the Members' support in general for the Elevated Scheme in 2018. However, there were objections from local schools and residents subsequently. Taking into account the views of various parties, the Government worked out a Simplified Scheme and conducted preliminary consultation. However, the opinions of the local stakeholders are still divided. HyD will continue to liaise with relevant stakeholders with a view to seeking a consensus in the community before consulting the District Council.
9	Lift and Pedestrian Walkway System at Waterloo Hill (Completed)	The construction works commenced in December 2016 and the facility has been open for public use since November 2019.

<i>Rank</i>	<i>Proposal</i>	<i>Progress</i>
10	Lift and Pedestrian Walkway System between Lai King Hill Road and Lai Cho Road	It was revealed in the preliminary technical feasibility study that the project involved two dangerous private slopes. The owners of the slopes completed the repair works for the slopes in February 2018. HyD then continued the preliminary technical feasibility study for the project and it was completed in 2019. HyD has engaged a consultancy on 25 November this year, and will consult the Kwai Tsing District Council and relevant stakeholders on the proposed design and project progress in due course.
11	Lift and Pedestrian Walkway System between Tai Wo Hau Road and Wo Tong Tsui Street	The advance works for diversion of utilities commenced in January 2018 and were completed in January 2019. The main works commenced in February 2019 for scheduled completion in the fourth quarter of 2021.
12	Lift and Pedestrian Walkway System at Kung Lok Road ⁽¹⁾	<p>As the original alignment option (i.e. the Luen On Street alignment) needed to span across private lots and was in close proximity to existing buildings, HyD consulted the residents nearby and stakeholders in the fourth quarter of 2018. The majority of the opinions suggested revising the alignment of the project by constructing a lift system in the land lot of Kung Lok Road Playground and Kwun Tong Garden Estate to connect Kung Lok Road and Ngau Tau Kok Road (i.e. the Kung Lok Road alignment). HyD had repeatedly discussed the Kung Lok Road alignment with the relevant stakeholders, including the Hong Kong Housing Society and the affected residents, and obtained agreement in principle from all parties.</p> <p>HyD is currently working on the preliminary planning for the Kung Lok Road alignment option and is conducting preliminary technical feasibility study which is scheduled for completion in March 2021.</p>

<i>Rank</i>	<i>Proposal</i>	<i>Progress</i>
13	Yuet Wah Street Pedestrian Linkage (Completed)	To tie in with the Kwun Tong Town Centre Redevelopment, the Civil Engineering and Development Department commenced this project in April 2013. The Linkage has been completed and open for public use since October 2015.
14 (same ranking)	Pedestrian Walkway System between Po Lam Road North and Po Hong Road in Tseung Kwan O ⁽²⁾	The preliminary technical feasibility study has been completed and the project is considered technically feasible. HyD has commissioned an engineering consultant in September 2019 to carry out the investigation and preliminary design.
14 (same ranking)	Lift and Pedestrian Walkway System between Lai King Hill Road and Princess Margaret Hospital (Completed)	The Hospital Authority commenced the works in November 2015. The works have been completed and the facility has been open for public use since January 2017.
16	Lift and Pedestrian Walkway System between Saddle Ridge Garden and Sai Sha Road	<p>HyD commissioned an engineering consultant in April 2019 to carry out the investigation and preliminary design.</p> <p>HyD consulted and obtained support from the owner's corporation of Saddle Ridge Garden and the Traffic and Transport Committee of the Sha Tin District Council in April 2020.</p> <p>The proposed works will be carried out on the Government land maintained by the owners of Saddle Ridge Garden. As soon as the related land issues are resolved, the project scheme will be gazetted under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). The gazettal work is scheduled to be carried out in early 2021.</p>

<i>Rank</i>	<i>Proposal</i>	<i>Progress</i>
17	Lift and Pedestrian Walkway System between Hing Shing Road and Tai Wo Hau Road	The preliminary technical feasibility study has been completed and the project is considered technically feasible. HyD commissioned an engineering consultant in April 2019 to carry out the investigation and preliminary design.
18	Escalator Link System between Sha Tin Sui Wo Court and MTR Fo Tan Station	The scope of the project was finalized in mid-July 2019. The preliminary technical feasibility study has been completed and the project is considered technically feasible. HyD is in the process of commissioning an engineering consultant to carry out the investigation and preliminary design. It is targeted to award the consultancy contract in the first quarter of 2021.

Notes:

- (1) The project was formerly known as "Lift and Pedestrian Walkway System at Luen On Street".
- (2) The project was formerly known as "Escalator Link System between Hong Sing Garden and Po Hong Road".

The "LeaveHomeSafe" mobile application

8. **MR WONG KWOK-KIN** (in Chinese): *President, to help the epidemiological tracing work in respect of the Coronavirus Disease 2019 epidemic, the Government launched, on the 16th of last month, a mobile application named "LeaveHomeSafe" ("the app") for voluntary download and use by members of the public. Later on, the Government required all catering businesses and scheduled premises under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) opening for business to apply for a LeaveHomeSafe venue QR code ("QR code") from the Government before the 3rd of this month, and to display the QR code at a conspicuous position at the entrance of the premises within two working days upon receipt of the QR code. In this connection, will the Government inform this Council:*

- (1) *of the current number of premises issued with a QR code, as well as the number of downloads of the app; whether it has estimated the number of people who have used the app;*
- (2) *whether it will enhance the functions of the app, including sending automatic push notifications to users when they enter premises where a QR code has been displayed, so as to remind them to scan the QR code to record their whereabouts;*
- (3) *whether it will develop other tracing tools for free use by those people who do not use smartphones (e.g. the elderly and the poverty stricken); and*
- (4) *whether it will make download and use of the app mandatory for members of the public and introduce relevant penalties, with a view to enhancing the effectiveness of the anti-epidemic efforts?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Chinese):
President, in consultation with the Food the Health Bureau, our reply to the various parts of the question is as follows:

- (1) The Government launched the "LeaveHomeSafe" mobile app on 16 November 2020, providing a convenient digital tool for members of the public to record the time of their visits to different venues and taxi rides. After downloading the mobile app, members of the public can use the app immediately without the need to register any personal information. The app does not have any tracking function, and venue check-in data will be encrypted and saved on users' mobile phones only. Such data will not be uploaded to the Government or any other systems, and will be erased automatically after 31 days to safeguard personal privacy of the residents. As of 15 December, the app recorded more than 370 000 downloads. Since users' visit records are only stored in their own mobile phones, we do not have any statistics on the use of the app by relevant users.

As at 15 December, over 64 000 public and private venues have participated in the scheme to display venue QR code for members of the public to scan and record their visits, of which about 13 000 are public venues and about 51 000 are private venues.

- (2) In response to the views from the public, industry and those from different sectors of the society over the past few weeks, the Office of the Government Chief Information Officer announced three new functions on 11 December to enhance the "LeaveHomeSafe" mobile app:
- review of personal visit records: visit records are added to the mobile app for the user to review;
 - auto check-out: apart from using the "Leave" button, the user can also choose the new auto check-out function to check out of a venue automatically at a pre-set time; and
 - simplified steps for entering different venues: after scanning venue QR code, a user no longer needs to click the "Leave" button before moving to a different venue. Instead, the user can scan another venue QR code directly.
- (3) Contact tracing is fundamental to the efforts in preventing further spread of the virus. The Government has been adopting multi-pronged measures in this regard, including amending the law to empower authorized officers to require a person to provide or disclose information relevant to the handling of the public health emergency, and making arrangements for public officers to be seconded to the contact tracing team, in order to strengthen the work of tracing close contacts of confirmed cases. Moreover, the Food and Health Bureau, together with the Innovation and Technology Bureau and other relevant departments, are developing an internal information platform specifically designed for contact tracing. The platform aims to link up various relevant departments, agencies and existing information systems for centrally and electronically collecting information needed for contact tracing, so as to streamline the procedures for information collection, input and sharing, which are mainly conducted manually at the moment. This will help speed up the Department of Health's work in tracing contacts, conducting testing and arranging quarantine or medical surveillance for such contacts.
- (4) On 24 November 2020, the Government gazetted the directions and specification under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation

(Cap. 599F) to require all persons responsible for carrying on catering businesses and scheduled premises that are open must apply for a "LeaveHomeSafe" venue QR code from the Government on or before 2 December, and display the QR code obtained at the entrance to the premises or at a conspicuous position within two working days upon receipt. Persons responsible for carrying on catering businesses and managers of scheduled premises that contravene the statutory requirements under Cap. 599F would have committed a criminal offence, subject to a maximum fine of \$50,000 and imprisonment for six months.

The Government will review various epidemic control measures from time to time, having regard to the development of the epidemic situation and announce the latest arrangements as appropriate.

Closed roads in south Lantau

9. **MR WILSON OR** (in Chinese): *President, the Government has designated the roads in south Lantau as closed roads. Any person must possess a valid Lantau Closed Road Permit ("LCRP") before he/she may drive a vehicle onto those roads. Some residents in south Lantau have pointed out that the Transport Department ("TD") currently issues a maximum of only one LCRP for each residential or commercial unit in south Lantau, which has caused inconvenience to them. In this connection, will the Government inform this Council:*

- (1) *of the justifications for designating the roads in south Lantau as closed roads; when the Government made such a decision, and since when the roads in south Lantau have been designated as closed roads;*
- (2) *of the current number of LCRPs issued by TD, with a breakdown by vehicle class;*
- (3) *as some residents in south Lantau have pointed out that the leases for some pieces of land in south Lantau sold by the Government stipulate that a newly built residential unit in south Lantau with a total area of over 2 200 square feet must be provided with at least two car parking spaces, of the justifications for TD issuing a*

maximum of only one LCRP for each residential unit; whether TD will consider issuing more than one LCRP for each residential unit; and

- (4) *whether it will open up the roads in south Lantau progressively to cater for the development needs of south Lantau?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, currently, the roads on South Lantau are designated as closed roads. All vehicles travelling on the closed roads on Lantau have to possess valid Lantau Closed Road Permits ("LCRPs") issued by the Transport Department ("TD"), and drivers of the vehicles concerned shall comply with the conditions stated in the LCRPs and the relevant approval letters.

After consulting TD, my reply to the various parts of Mr Wilson OR's question is as follows:

- (1) Given the Government's designation of South Lantau as a nature conservation area, since the 1970s, the roads on South Lantau have been designated as 24-hour closed roads in order to control the number of vehicles entering South Lantau.
- (2) In 2019, TD issued a total of about 23 100 LCRPs, including long-term permits and temporary permits. The breakdown of the number of LCRPs by class of vehicles is tabulated below:

<i>Class of Vehicles</i>	<i>Number of Permits</i>
Private cars	About 15 000 (65%)
Light goods vehicles	About 3 000 (13%)
Public transport vehicles (e.g. taxis, franchised buses and non-franchised buses)	About 2 000 (9%)
Medium/heavy goods vehicles and special purpose vehicles	About 1 400 (6%)
Motorcycles	About 700 (3%)
Other types of vehicles (e.g. government vehicles)	About 1 000 (4%)

Note:

Figures in brackets denote the proportion out of the total number of permits.

- (3) All along, TD approves and issues LCRPs having regard to the genuine needs of the applicants to enter the closed roads and in accordance with the established policy. Residents on South Lantau can drive their vehicles issued with LCRPs to access the closed roads including Tung Chung Road, South Lantau Road, etc. On the consideration of environmental protection and nature conservation on South Lantau, each residential flat on South Lantau can be issued with one LCRP at present. This arrangement has already taken into account the transportation needs of families in general.

Regarding parking spaces, the development projects on South Lantau will provide the required number of parking spaces in accordance with the Hong Kong Planning Standards and Guidelines. If a resident of South Lantau owns more than one vehicle, those vehicles will have to share the same LCRP, i.e. only one of the vehicles specified in the LCRP will be allowed to enter the closed roads at any time. This arrangement has also been drawn up in the light of the development and planning principle applicable to South Lantau.

- (4) In the 2015 Policy Address, the then Chief Executive announced that the Government would conduct a review on the arrangements of the closed roads on Lantau and the issuance of LCRPs to cope with the short-term economic and social development on Lantau. After balancing the need to implement relaxation measures and such relevant factors as the prevailing planning intention of preserving South Lantau as a nature conservation area and the capacities of the ancillary tourism facilities, TD put forward a proposal in mid-2015 to increase the maximum number of tour coaches permitted to enter South Lantau from 30 to 50 per day and to allow 50 private cars to enter the closed roads on South Lantau per day from Mondays to Fridays (except public holidays) for recreational and leisure purposes. In the light of the views gauged from relevant stakeholders during consultation, TD decided to implement the relevant measures by phases. Arrangements for the first phase included increasing the maximum number of tour coaches permitted to enter South Lantau from 30 to 40 per day starting from December 2015; and providing a daily quota of 25 for private cars to enter

closed roads on South Lantau from Mondays to Fridays (except public holidays) under the Driving on Lantau Island Scheme ("DLS") starting from 26 February 2016.

With continuous improvement of the traffic conditions and road facilities on South Lantau, TD has recently reviewed the implementation of the first phase of DLS and is exploring the feasibility of implementing the second phase of DLS having regard to the utilization of quotas, public demand, conditions of roads and transport facilities on South Lantau as well as environmental concerns.

Developing local tourism products

10. **MR CHAN HAN-PAN** (in Chinese): *President, in the Development Blueprint for Hong Kong's Tourism Industry published by the Government in 2017, one of the four development strategies is to nurture and develop tourism products and initiatives with local and international characteristics. The five-year implementation goals under this strategy include developing green tourism and facilitating the development of local historical and heritage, cultural and creative tourism. In this connection, will the Government inform this Council:*

- (1) *of the latest progress and the effectiveness of the various short and medium term measures implemented for achieving the aforesaid goals;*
- (2) *as inbound visitors to Hong Kong have virtually disappeared due to the Coronavirus Disease 2019 epidemic, whether the authorities will step up efforts to develop local tourism products targeting at Hong Kong people, in order to support the tourism industry; if so, of the details; if not, the reasons for that; and*
- (3) *whether the authorities have plans to develop leisure farms as a tourism product and provide the following support: (i) streamlining the application procedure for the relevant licences and the*

construction of farm structures to be used for receiving visitors, and facilitating such applications, as well as (ii) assisting such farms in promoting their signature local agricultural produce among members of the public; if so, of the details and timetable; if not, the reasons for that?

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): President, tourism is a pillar industry in Hong Kong. The current-term Government published the Development Blueprint for Hong Kong's Tourism Industry in 2017 setting a clear vision and mission for the tourism industry, which is to press ahead with the development of Hong Kong into a world-class premier tourism destination with a view to ensuring the balanced, healthy and sustainable development of the industry. Accordingly, four development strategies have been mapped out as the backbone of the development blueprint for formulating and implementing various short-, medium- to long-term tourism initiatives and measures in a holistic and orderly manner.

In response to the questions raised by Mr CHAN Han-pan, in consultation with the Food and Health Bureau, my reply is as follows:

- (1) Commerce and Economic Development Bureau published the Development Blueprint for Hong Kong's Tourism Industry in 2017 ("the Blueprint"). Following the Blueprint, we have developed various products and initiatives in respect of green, heritage, cultural and creative tourism. Their latest progress and effectiveness are as follows:

Green Tourism

Government has been promoting green tourism and actively exploring the development of new green attractions following the principles of nature conservation and sustainable development.

In collaboration with the Agriculture, Fisheries and Conservation Department ("AFCD"), the Tourism Commission ("TC") has been enhancing the tourism supporting facilities of some hiking trails

within country parks which are popular and with tourism appeal from 2018-2019 to 2022-2023. The enhancement works include improvement to existing hiking trail network, control of soil erosion at the trails, enhancement of vegetation coverage, addition of lookout points, enrichment of visitor information and enhancement of cleansing services, etc. The overall enhancement works are expected to be completed in the fourth quarter of 2022.

AFCD also launched the enhanced thematic website in December 2019 to provide detailed information on hiking trails and green attractions to enrich visitors' experience. As at end November 2020, there have been more than 1.32 million pageviews at the enhanced "Enjoy Hiking" thematic website.

TC, in collaboration with AFCD and the Civil Engineering and Development Department ("CEDD"), also plans to develop a hiking hub in Lantau by improving the facilities of the Ngong Ping Nature Centre to complement the enhancement of the hiking trails nearby. Besides, TC, in collaboration with AFCD and the Architectural Services Department, is conducting a preliminary planning study on the proposal to develop Pak Tam Chung into a green tourism hub; and will upgrade the facilities of the Hong Kong Wetland Park in cooperation with AFCD, etc.

To enhance the land transport services to the Hong Kong UNESCO Global Geopark ("Geopark"), the Transport Department has approved a new franchised bus route and enhanced green minibus service. For water transport, the kaito ferry service has been enhanced with increased service frequency and introduction of new route. In addition, TC, in collaboration with CEDD, will implement face-lifting works at the Ma Liu Shui Ferry Pier and Yim Tin Tsai Pier which are the gateways to the Geopark.

For the promotion of green tourism, the Hong Kong Tourism Board ("HKTB") actively promotes, Hong Kong's nature-based green tourism products and countryside landscapes covering the Geopark, hiking trails and itineraries featuring the outlying islands, as well as

guided tours and green tourism products organized by the travel trade or other organizations, through the "Great Outdoors Hong Kong" platform during hiking season. To support the travel trade to develop in-depth green tourism products, HKTB also launched the Pilot Scheme to Promote In-depth Green Tourism from January 2018 to March 2019, during which a total of five green tourism products were subsidized.

Meanwhile, TC has earlier launched the Green Lifestyle Local Tour Incentive Scheme to encourage travel agents to organize green lifestyle local tours, for the public to enjoy nature and experience green lifestyles.

Cultural, Heritage and Creative Tourism

The Government has been taking forward various projects of cultural, heritage and creative tourism with different themes in different districts. HKTB also strives to promote various traditional festive activities rich in local characteristics.

On cultural and heritage tourism, TC completed the revitalization of Dr Sun Yat-sen Historical Trail in Central and Sheung Wan in April 2018. Together with the "Tai Kwun" (Central Police Station Compound), PMQ and the adjacent tourism spots, the Central and Western District has been developed into a new hub of heritage, cultural and creative tourism, offering creative and in-depth travel experience to visitors. HKTB also promotes activities with distinctive local characteristic, for example the Tai Hang Fire Dragon Dance, for visitors to experience Hong Kong's local culture. Besides, HKTB also rolled out "Old Town Central" and "Hong Kong Neighbourhoods—Sham Shui Po" in April 2017 and September 2018 respectively to further promote in-depth local tourism.

In January 2018, HKTB launched the Pilot Scheme for Characteristic Local Tourism Events to provide funding support for arts, cultural, festivals, dining or sports events with Hong Kong's local characteristics and unique attributes. Supported events

include the Yu Lan Cultural Festival 2018 and the Apleichau Hung Shing Culture Festival 2019. With a view to supporting more local characteristic events with tourism appeal, HKTB revamped the Pilot Scheme's conditions and terms in 2020 for enhancing its attractiveness.

In 2019, TC launched the "Yim Tin Tsai Arts Festival", which is a three year pilot arts cum cultural, heritage and green tourism project organized in Yim Tin Tsai, Sai Kung. The first event "Yim Tin Tsai Arts Festival 2019" was held from 30 November to 29 December 2019. During the event period, the number of visitors and participants of related activities in Yim Tin Tsai was over 22 000, whereas the number of visitors to Visitor Centre cum Exhibition Hall and participants of activities in Sai Kung Town was over 39 000. After the first event, some of the artworks showcased have become permanent exhibits for visitors' appreciation. TC is now preparing for the implementation of the next phase of event and will announce the details in due course.

TC will also upgrade the facilities of the Wong Nai Chung Gap Trail with a view to enhancing its appeal as a heritage and green tourism attraction and visitors' experience. The works are expected to commence in the fourth quarter of 2021.

With the phased opening of various art and cultural facilities in Hong Kong, including the Xiqu Centre opened in early 2019, the Hong Kong Museum of Art re-opened in November 2019, and the museums to be completed in the pipeline in the West Kowloon Cultural District, these facilities will become new important tourism attractions. In addition, the annual business exhibitions featuring design, culture and arts, spearheaded by the "Business of Design Week", have also become a new initiative attracting tourists in recent years.

On creative tourism, TC is partnering with the School of Creative Media, City University of Hong Kong to take forward the project in bringing back to life the history of individual landmarks of Hong

Kong by using augmented reality and creative multimedia technology through mobile application to enable visitors to understand the historical landscape and community culture of places rich in history and culture, thereby enhancing their experience in Hong Kong. The project is tentatively scheduled for launching in Tsim Sha Tsui and Central areas in the first quarter of 2021.

TC, the Hong Kong Design Centre and the Hong Kong Comics & Animation Federation have been in collaboration to launch the three-year creative tourism project, "Design District Hong Kong", which comprises various place making artworks and creative tourism events to enhance the appeal of Wan Chai and Sham Shui Po Districts. During 2018 to 2020, various activities were rolled out under the project, including display of more than 50 pieces of design art works at different locations in Wan Chai and Causeway Bay, and hosting of two fashion street events in Sham Shui Po so as to enrich the creative atmosphere, activate the public space and showcase local cultural lives.

- (2) In view of the pandemic, visitors could not visit Hong Kong, and Hong Kong people have not been able to travel abroad at the moment. With both inbound and outbound travel essentially in a stalemate, HKTB rolled out the "Holiday@Home" promotional campaign in mid-June 2020 to encourage Hong Kong people to be the tourists of their own city to boost local consumption and to reinvigorate the local atmosphere before the full resumption of inbound travel, while conveying positive messages to our source markets and increasing visitors' confidence in visiting Hong Kong in the future.

In addition to the various in-depth local tour itineraries introduced in the campaign to encourage Hong Kong people to discover points of interests and lesser-known experiences, HKTB also rolled out a Free Tour programme in late October under which consumers can redeem a free tour upon spending HK\$800 at local retail and dining outlets. For each participant in the free tours, HKTB provides a subsidy of \$500 to the organizing travel agent. 10 000 quotas have been fully enrolled.

In view of the recent development of COVID-19 epidemic, the Government has further tightened various social distancing measures and also removed the conditional exemption for local group tours under the group gathering restrictions. HKTB has suspended the Free Tour programme. The remaining tours will be rescheduled when the epidemic stabilizes.

HKTB will continue to leverage the one-stop "Holiday@Home" platform to provide information on local travel consumption and tactical offers.

As stated above, TC has earlier launched the Green Lifestyle Local Tour Incentive Scheme and enhanced the Scheme, including increasing the amount of cash incentive per tour participant and the quota of tour participants for each travel agent to apply for cash incentives, as well as extending the application deadline for the Scheme to March 2021, so as to extend support to the travel agents and related practitioners and encourage travel agents to develop and organize green lifestyle local tours.

- (3) AFCD has all along been promoting "leisure farming" as an auxiliary activity related to agriculture to enable farmers to increase their income, market their produce and reach out to potential customers. These leisure farms are principally engaged in commercial crop production. They also provide farming-related leisure activities such as guided farm walk and other ancillary activities, including on-farm sale of fresh produce and related products. In general, conducting crop production and related activities on agricultural land does not require a licence. If construction of farm structures is required, AFCD has been providing one-stop service to assist farmers to make application to the relevant departments.

At present, there are over 130 leisure farms in Hong Kong. AFCD has produced an interactive web page and a mobile application to provide information on these farms to promote leisure farming and facilitate the public to make visit. In addition, AFCD has been working closely with the industry (including local agricultural associations, the Vegetable Marketing Organization ("VMO"), etc.) to actively promote local agricultural products to the public and the

food catering industry through different events and exhibitions such as Farmfest, Local Organic Watermelon Festival, Hong Kong Flower Show, Food Expo, and so on.

On marketing, VMO has been promoting a diverse range of local vegetables and providing information of local farms to the public and the food catering industry, including supermarket chains and high-end restaurants, through electronic media and advertisement.

Reduction of waste

11. **MR KWOK WAI-KEUNG** (in Chinese): *President, under the impacts of the epidemic, most members of the public have in recent months dined out less frequently and made takeaway orders instead, resulting in a surge in the use of disposable paper and plastic tableware. Such tableware, which is difficult to degrade naturally, has been discarded as household waste, putting a heavy burden on the ecological environment. In this connection, will the Government inform this Council:*

- (1) *whether it has studied imposing regulation on disposable tableware in respect of the materials used, its use etc., for instance, requiring restaurants to use tableware made of naturally degradable materials only;*
- (2) *whether any policy is currently in place to properly deal with discarded disposable tableware; if so, of the details; if not, the reasons for that;*
- (3) *whether it has studied the difficulties that may be encountered in implementing a disposable tableware recycling scheme; and*
- (4) *whether it has evaluated the effectiveness of the measures, which are currently implemented by the Government in support of the recycling industry, on creating jobs; whether it will further promote the development of the recycling industry (such as launching a disposable tableware recycling scheme) in order to reduce the quantity of discarded waste and create more employment opportunities?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President, my reply to the various parts of the question raised by Mr KWOK Wai-keung is as follows:

- (1) The Government has been committed to promoting the "Disposable-Free" culture by stepping up publicity and education efforts to progressively change public behaviour. We understand that to avoid going out and maintain social distancing amid the epidemic, members of the public will choose more to order takeaways and use disposable tableware. In view of this, the Environmental Protection Department ("EPD") and the Environmental Campaign Committee have put forward a number of promotion initiatives since March this year. Through various platforms such as tram and bus bodies, bus and railway stations, outdoor advertisements, news and social media online platforms and mobile applications, etc., we appeal to the public to fight the epidemic, and at the same time to minimize the use of disposable tableware.

Moreover, the catering sector has made efforts in promoting the "Plastic-and-Disposable-Free" culture. Many restaurants and takeaway platforms have already implemented relevant green measures to reduce the use of disposable tableware, such as not distributing tableware by default. Some takeaway platforms even set "no tableware" as the default option to facilitate customers to "skip tableware".

We will also continue to proactively cooperate with the catering sector and other stakeholders by encouraging restaurants to adopt various measures to enhance waste management and reduce the use of disposable plastic tableware. These measures include providing customers with reusable tableware, welcoming customers to bring their own food/beverage containers for their takeaways, etc. If the use of disposable tableware is unavoidable, more environmentally friendly tableware made of non-plastic materials such as paper or plant-fibre should be used instead of disposable plastic ones to help reduce plastic pollution.

Plastics are difficult to decompose naturally and the process is also lengthy. We are conducting a study on the feasibility, scope and mechanism of controlling or banning disposable plastic tableware,

with a view to formulating a suitable strategy for Hong Kong. We will consult the public and the catering sector in 2021 on the recommendations of the consultancy study to map out the way forward.

(2) and (3)

Used disposable tableware is mostly contaminated with food residues and grease, and hence not suitable for recycling unless thoroughly cleaned beforehand. Otherwise, it will contaminate other recyclables collected and affect their quality, and may even cause environmental hygiene problems during storage. Therefore, the Government on one hand encourages the catering sector and members of the public to treasure our resources and minimize the use of disposable items including plastic tableware, and at the same time strives to promote the participation by all in source separation of waste and clean recycling. This can help reduce the chance of recyclables being contaminated or mixed with large amount of materials that are not suitable for recycling, thereby facilitating the subsequent recycling process and identification of outlets for the recyclables.

To strengthen on-site support for recycling, EPD has set up the Green Outreach to provide outreaching services, encouraging and assisting members of the public to practise source separation of waste and clean recycling, as well as disseminating the latest information on waste management to the community. We also launched the "Reduce and Recycle 2.0" Campaign in mid-2020. Apart from educating the public on different types of recyclables to facilitate waste reduction at source, the Campaign also promotes the newly enhanced community recycling network comprising 9 Recycling Stations (formerly known as Community Green Stations), 22 Recycling Stores, and over 100 Recycling Spots which operate regularly at designated locations. These collection outlets accept various types of common recyclables. Members of the public can practise the green living concept of "Save More, Recycle More" by taking clean recyclables including takeaway plastic tableware and containers to the community recycling network for recycling.

Furthermore, to complement public education, promote behavioural and habitual changes and improve recovery rate of waste plastics, EPD has also commenced a waste plastics recycling pilot scheme progressively in three districts (Eastern District, Kwun Tong and Sha Tin) since January 2020 collecting all types of plastic recyclables from non-commercial and non-industrial sources for proper treatment. A wide range of plastic recyclables would be collected including plastic containers, plastic tableware and plastic straws, etc.

- (4) The Government has been adopting a multi-pronged approach to support the development of the recycling industry, including implementation of producer responsibility schemes, development and operation of recycling facilities, establishment of the \$1 billion Recycling Fund, the EcoPark and the short-term tenancy sites for use by the recycling industry, enhancement of the community recycling network and betterment of publicity and public education, etc. Resources have been allocated to enhance source separation of waste and clean recycling to raise the overall quality and quantity of recyclable materials for a more sustainable recycling industry. The above measures have achieved considerable results supporting the employment of more than 1 000 recycling practitioners directly or indirectly. We still need to further promote waste reduction, in which the municipal solid waste charging is an important part of the waste management strategy.

The Environment Bureau is also taking various new environmental protection measures to support Green Recovery, such as expanding the recycling network in all 18 districts in Hong Kong, implementing territory-wide waste paper collection service contracts, implementing pilot schemes to provide free collection services of waste plastics from non-commercial and non-industrial sources, and food waste from some government and public organizations, schools and private housing estates. This can continuously improve local recycling and also create green jobs and economic opportunities. It is anticipated that as a result, hundreds of more jobs will be created for the recycling industry.

Assistance for the sectors of sports, performing arts, culture and publication

12. **MR MA FUNG-KWOK** (in Chinese): *President, on the assistance for the sectors of sports, performing arts, culture and publication by the Government amid the epidemic, will the Government inform this Council:*

(1) *of the latest implementation situation of the following support measures introduced under the Anti-epidemic Fund, including (a) the number of applications received, (b) the number of applications approved, (c) the main reasons for rejecting some applications, (d) the total amount of subsidy disbursed, and (e) the current balance of the commitment (set out in tables of the same format as the table below):*

(A) *the Arts and Culture Sector Subsidy Scheme under the first round of support measures,*

(B) *the following measures under the second round of support measures:*

(i) *the relief subsidy disbursed to providers of interest classes at schools,*

(ii) *the one-off Grant disbursed to registered sports coaches,*

(iii) *the Amusement Game Centres Subsidy Scheme,*

(iv) *the Fitness Centre Subsidy Scheme,*

(v) *the Places of Amusement Licence Holders Subsidy Scheme,*

(vi) *the Place of Public Entertainment Licence Holder Subsidy Scheme,*

(vii) *the Sports and Recreational Sites Subsidy Scheme,*

(viii) *the relief grants provided to the freelance workers hired by subvented non-governmental welfare organizations to provide training and coaching for service users,*

(ix) *the relief provided to creative industries, and*

(x) *the subsidy provided to operators of Revitalizing Historic Buildings Through Partnership Scheme, PMQ and Fly the Flyover Operation, and*

- (C) *the following measures under the third round of support measures (including the measures in (i) to (vii) above):*
- (viii) *the Sports Premises Subsidy Scheme,*
 - (ix) *the Scheme on Relief Grants for Interest Class Instructors Hired by Subvented Non-governmental Welfare Organizations,*
 - (x) *the Arts and Culture Sector Subsidy Scheme—Subsidy to individual arts practitioners and freelancers,*
 - (xi) *the Cinemas Subsidy Scheme,*
 - (xii) *the subsidy provided to the companies in the performing industry which organize pop concerts, and*
 - (xiii) *the Arts and Culture Sector Subsidy Scheme—Rental Support for Tenants of Arts Spaces and Jockey Club Creative Arts Centre;*

The round of support measures: _____

<i>Measure</i>	<i>(a)</i>	<i>(b)</i>	<i>(c)</i>	<i>(d)</i>	<i>(e)</i>

- (2) *whether it will consider making use of the balance of the commitment for the various measures to further enhance the support for the sectors; if so, of the details; if not, the reasons for that;*
- (3) *given that the Government has, upon considering a suggestion made by me, introduced the "Pyrotechnics and Special Effects Operators Subsidy Scheme", under which a one-off subsidy is granted to eligible special effects operators and assistants, of the commitment of the scheme and the expected number of beneficiaries;*
- (4) *as the statistics released by the Census and Statistics Department in respect of the unemployment population for July to September this year have shown that the unemployment rate for the sectors of arts, entertainment and recreation was 11.4%, whether the figure included the unemployed freelancers of the sectors; if not, whether the Government grasps the unemployment situation of such persons, and of the measures in place to further support the practitioners of the sectors, in particular the freelancers;*

- (5) *whether it has reviewed and updated the strategies on assisting the sectors in recovering in the light of the development of the epidemic; if so, of the details; if not, the reasons for that; and*
- (6) *whether it will consider drawing reference from the practice of the Government on, after the Severe Acute Respiratory Syndrome epidemic in 2003, organizing a series of cultural and sports activities to help revive the vigour of society; if so, of the details, and whether it will consider according priority to cooperating with local arts and sports organizations in organizing the relevant activities?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President,

- (1) As at 4 December 2020, the implementation details of various schemes and measures under the three rounds of Anti-epidemic Fund ("AEF") for the sectors of sports, performing arts, culture and publication are set out at Annex. The information provided has consolidated inputs from the Home Affairs Bureau ("HAB"), Commercial and Economic Development Bureau ("CEDB"), Development Bureau, Education Bureau, Leisure and Cultural Services Department ("LCSD") and Social Welfare Department.
- (2) Unspent balance under the various assistance schemes of AEF will be returned to AEF for further deployment as decided by the AEF Steering Committee ("the Steering Committee"). In light of the new wave of epidemic, the Government has to further tighten social distancing measures, including closing the scheduled premises specified in the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F), in order to prevent crowds from gathering and therefore reduce the risks of spreading the virus. The Chief Executive said at the press conference on 8 December 2020 that the Government will consider assistance measures proactively in support of the industries hard hit by the new wave of epidemic. The Chief Secretary and Financial Secretary, along with the Bureau Secretaries concerned, will discuss with the relevant sectors the practical measures and financial amount concerned.

- (3) With the approval of the Steering Committee, CEDB launched the Pyrotechnics and Special Effects Operators Subsidy Scheme ("the Scheme") on 23 October 2020. The Scheme provides a one-off subsidy of \$7,500 to each eligible special effects operator ("SEO") and special effect assistant ("SEA") holding at least one valid licence within 2020 (between 1 January and 30 September 2020) issued under the Entertainment Special Effects Ordinance (Cap. 560) and its subsidiary legislation and who have not benefited from the Employment Support Scheme or any other sector-specific subsidy schemes under AEF. Same practitioners holding different types of SEO/SEA licences should only be eligible for a maximum subsidy amount of \$7,500. The estimated expenditure of the Scheme is around \$1.8 million.

The application was closed on 13 November 2020 with a total of 144 applications received. After vetting, 132 eligible applications were approved and all subsidy had been disbursed.

- (4) Sectoral unemployment rate statistics published by the Census and Statistics Department have covered all unemployed persons mainly engaged in the sector concerned before unemployment irrespective of their employment status before unemployment, including freelancers, self-employed persons, employees, employers and unpaid family workers.

Freelancers in the labour market (including the arts and culture sector and sports sector) may take up jobs in different industries. Taking into account their own circumstances, relevant freelancers may apply for different support schemes under AEF.

- (5) As the operation conditions of various sectors are different, the recovery strategies for individual sectors should be considered in the light of the circumstances. For the arts and culture sector, LCSD has implemented a measure to reduce the percentage levied on gross tickets proceeds by half (that is from 20% to 10%) at four performance venues, that is the Hong Kong Coliseum, the Queen Elizabeth Stadium, the Hong Kong Cultural Centre and the Hong

Kong City Hall. In order to benefit more hirers, the two-year discounted period will commence four months after the full seating capacity is resumed. Events held within the four-month grace period will also benefit from this measure. The Government hopes that this measure would provide incentive for the arts and culture organizations to stage large-scale programmes after the epidemic.

To assist different industries hard hit by the epidemic, the Government introduced the Job Creation Scheme under second round relief measures under AEF. Over 2 500 time-limited posts for 6 to 12 months are introduced in work areas and departments relating to culture, arts and leisure and recreation. These posts include both full-time and part-time posts. The expenditure involved is over \$350 million.

On sports, HAB supports the creation of 45 positions under the Job Creation Scheme for the Hong Kong Sports Institute ("HKSI") and relevant "national sports associations" for persons with disabilities to strengthen the training of athletes and administrative support. Around \$18.5 million has been allocated.

In addition, for major sports events which have been cancelled or postponed due to the epidemic, the Government has been in contact with relevant national sports associations to understand their situation and provide appropriate support and special direct subsidies to reduce their financial burden. We will calculate the subsidy amount based on the actual expenditure (such as venue charges paid and publicity expenses) incurred reasonably for the event concerned. The amount of subsidy will be capped at \$2 million for each event.

The Government will continue to give our full support for the preparation of Hong Kong athletes for the Tokyo Olympic Games and Paralympic Games. The Government has been assisting HKSI's operations so as to allow athletes to train under appropriate anti-epidemic measures to help safeguard the health of our athletes. In addition, due to the pandemic this year, our athletes lost their opportunities to attain sports results because most international

events were cancelled or postponed. Nevertheless, we will maintain the current athlete categories of elite athletes in 2021 so that the financial support to athletes will not be affected.

The Government also supports "national sports associations" in planning and organizing sports events provided that health conditions are safeguarded in the light of the development of the epidemic. This includes the assistance to the Hong Kong Football Association in its completion of the remaining fixtures of the Hong Kong Premier League ("HKPL") in the 2019-2020 football season from September to October this year by opening up some venues and providing subsidies to HKFA and HKPL clubs, including rental fees and match-related expenses.

As for the creative sectors, the Government has been providing support to projects conducive to the development of relevant sectors through the CreateSmart Initiative ("CSI") and Film Development Fund ("FDF"). The Chief Executive has proposed the injection of another \$1 billion into CSI in her recent Policy Address to sustain the development of creative industries. To address the specific needs of the local film sector, CEDB announced in mid-July 2020 that around \$260 million would be earmarked under FDF to implement five major measures to address the needs of different fields of the film industry, with a view to retaining talent and injecting fresh impetus into the sector.

- (6) At this stage, the most imminent task of the Government is to concentrate effort and resources to combat and contain the epidemic the soonest. The Government will keep in view the development of the epidemic, prepare and consider appropriate activities and measures that can promptly reinvigorate the economy after the epidemic. In fact, the Government has been adopting the "suppress and lift" strategy whereby anti-epidemic measures would be relaxed when the epidemic is eased with a view to maintaining normal life and economic activities.

Annex

(i) First round of AEF

	<i>Measures</i>	<i>Number of applications received</i> (a)	<i>Number of applications approved</i> (b)	<i>Main reasons for rejecting some applications</i> (c)	<i>Total amount of subsidy disbursed</i> (\$'0000) (d)	<i>Current balance of the commitment</i> (\$'0000) (e)
1	Arts and Culture Sector Subsidy Scheme ⁽¹⁾	Non-Hong Kong Arts Development Council ("HKADC") funded arts projects: 513 Individual arts practitioners: 4 728	HKADC funded arts projects: 158 ⁽²⁾ Individual arts practitioners: 3 351 ⁽³⁾	Not fulfilling the relevant eligibility criteria ⁽⁴⁾	12,626	1,094 ⁽⁵⁾

Notes:

- (1) HAB has launched the \$150 million "Arts and Culture Sector Subsidy Scheme" under AEF. The scheme include measures that require application and measures that does not require application.

For the measures that do not require application, HAB has disbursed funding to the relevant arts groups since 20 March 2020. The arts groups include the 9 major performing arts groups ("MPAGs"), 14 venue partners under LCSD, 33 grantees of the Arts Capacity Development Funding Scheme, the Hong Kong Arts Festival Society ("HKAFS"), the Hong Kong Maritime Museum, 87 tenants of the arts spaces of HKADC and 173 tenants of the Jockey Club Creative and Arts Village. These organizations are asked to utilize the subsidy to pay for its staff, contractors and freelances affected by the epidemic as far as possible.

HKADC has launched the "Support Scheme for the Arts & Cultural Sector" under the "Arts and Culture Sector Subsidy Scheme" to assist (a) grant recipients of HKADC's 2019-2020 Year Grant, Literary Arts Platform Project, Eminent Arts Group Scheme, (b) projects funded and commissioned by HKADC, (c) non-HKADC funded arts projects cancelled due to the epidemic and (d) individual arts practitioners with work cancelled due to the epidemic. HKADC will provide direct assistance to 451 arts groups and projects under categories (a) and (b). Non-HKADC funded arts projects (i.e. category (c)) and individual arts practitioners (i.e. category (d)) have to make application to HKADC in order to receive subsidies. The list above only includes the number of applications under categories (c) and (d). As for the "Cantonese Opera Sector Support Scheme" under the "Arts and Culture Sector Subsidy Scheme", HAB has entrusted the Chinese Artists Association of Hong Kong (Barwo) as the executing agent. Workers in the Cantonese opera sector can apply to Barwo, which handles the applications collectively. Barwo has disbursed subsidy to 320 affected performances, involving a total of 786 Cantonese opera practitioners.

- (2) This figure only includes the number of non-HKADC funded arts projects. It has not taken into account other groups/projects which are not required to apply. If all benefited groups/projects under the "Arts and Culture Sector Subsidy Scheme" are calculated, the number is 928 as at 4 December 2020.

- (3) This figure only includes the beneficiaries under HKADC's "Support Scheme" without calculating other individual arts practitioners who did not need to apply. If all benefited individual arts practitioners (i.e. including the individual arts practitioners of the nine MPAGs, HKAFS, HKADC and Barwo) under the "Arts and Culture Sector Subsidy Scheme" are counted, the number is 5 727 as at 4 December 2020.
- (4) The relevant application eligibility is at <https://www.hkadc.org.hk/wp-content/uploads/NewsEvents_CallForApplication/20200121_SupportScheme/Documents/SupportSchemeEnhancedVer_ApplicationGuideline_ENG.pdf>.
- (5) The balance will be disbursed to HKADC for continuing implementing its "Support Scheme" and reserved for the Jockey Club Creative Arts Centre as rental waiver.

(ii) Second round of AEF

	<i>Measures</i>	<i>Number of applications received (a)</i>	<i>Number of applications approved (b)</i>	<i>Main reasons for rejecting some applications (c)</i>	<i>Total amount of subsidy disbursed (\$'0000) (d)</i>	<i>Current balance of the commitment (\$'0000) (e)</i>
1	Relief subsidy disbursed to providers of interest classes at school	24 052	23 998	38 repeated applications/16 ineligible applications	17,998.5	Nil
2	One-off Grant disbursed to registered sports coaches	11 252	8 496	Applicants are not sports coaches registered under National Sports Associations or recognized sports organizations Applications could not provide supporting documents showing that they have been coaching in the past year	6,372	3
3	Amusement Game Centres Subsidy Scheme	238	207	The reasons for rejecting the applications include the applicants are not eligible amusement game centre operators of the subsidy scheme	2,070	330

	<i>Measures</i>	<i>Number of applications received (a)</i>	<i>Number of applications approved (b)</i>	<i>Main reasons for rejecting some applications (c)</i>	<i>Total amount of subsidy disbursed (\$'0000) (d)</i>	<i>Current balance of the commitment (\$'0000) (e)</i>
4	Fitness Centre Subsidy Scheme	1 920	1 658	Not eligible for the scheme, such as the premises is not individually operated or used for fitness activities, etc.	16,580	20
5	Places of Amusement Licence Holders Subsidy Scheme	59	58	Not eligible for the scheme	580	Nil
6	Place of Public Entertainment Licence Holder Subsidy Scheme	Public entertainment licence: 175 Temporary public entertainment licence: 398	Public entertainment licence: 172 Temporary public entertainment licence: 350	The reasons for rejecting the applications include the applicants are not eligible licence holders under the subsidy scheme	2,420	82
7	Sports and Recreational Sites Subsidy Scheme	82	74	Not eligible for the scheme, such as the site is for office use only without sports and recreational facilities	740	60
8	Relief grants provided to the freelance workers hired by subvented non-governmental welfare organizations to provide training and coaching for service users	4 314	4 142	Applicants were not engaged or planned to be engaged by subvented welfare organizations/units Applicants were not instructors of interest classes	3,106.5	Nil

	<i>Measures</i>	<i>Number of applications received (a)</i>	<i>Number of applications approved (b)</i>	<i>Main reasons for rejecting some applications (c)</i>	<i>Total amount of subsidy disbursed (\$'0000) (d)</i>	<i>Current balance of the commitment (\$'0000) (e)</i>
				Applicants had applied for the relief grants administered by the Education Bureau or LCSD and the applications were approved		
9	Relief provided to creative industries					
	(a) Cinemas Subsidy Scheme	15 (covering 59 cinemas)	15 (covering 59 cinemas)	N/A	2,000	Nil
	(b) Financial Assistance to PMQ (i.e. subsidizing rental and fees of PMQ tenants from May to December 2020)	No need for application. All 107 tenants of PMQ are eligible		N/A	2,500	Nil
	(c) Printing and Publishing Sector Subsidy Scheme (i.e. subsidizing the participation fees of exhibitors of the next Hong Kong Book Fair)	No need for application. All exhibitors participating in the next Hong Kong Book Fair (currently scheduled for July 2021) are eligible.		N/A	Nil	4,000

	<i>Measures</i>	<i>Number of applications received (a)</i>	<i>Number of applications approved (b)</i>	<i>Main reasons for rejecting some applications (c)</i>	<i>Total amount of subsidy disbursed (\$'0000) (d)</i>	<i>Current balance of the commitment (\$'0000) (e)</i>
10	Subsidy provided to operators of Revitalizing Historic Buildings Through Partnership Scheme, PMQ and Fly the Flyover Operation	12	12	N/A	3,600	N/A

(iii) Third round of AEF

	<i>Measures</i>	<i>Number of applications received (a)</i>	<i>Number of applications approved (b)</i>	<i>Main reasons for rejecting some applications (c)</i>	<i>Total amount of subsidy disbursed (\$'0000) (d)</i>	<i>Current balance of the commitment (\$'0000) (e)</i>
1	Relief subsidy disbursed to providers of interest classes at school	22 267	15 221	3 repeated application	7,610.5	4,989.5
2	One-off Grant disbursed to registered sports coaches	10 160	As at 4 December 2020, 7 555 applications were approved. The vetting is still underway.	Applicants are not sports coaches registered under National Sports Associations or recognized sports organizations	3,777	723
3	Amusement Game Centres Subsidy Scheme	241	232	The reasons for rejecting the applications include the applicants are not eligible amusement game centre operators of the subsidy scheme	1,160	40

	<i>Measures</i>	<i>Number of applications received (a)</i>	<i>Number of applications approved (b)</i>	<i>Main reasons for rejecting some applications (c)</i>	<i>Total amount of subsidy disbursed (\$'0000) (d)</i>	<i>Current balance of the commitment (\$'0000) (e)</i>
4	Fitness Centre Subsidy Scheme	1 642	80	The applications are still under processing. There is no rejected application so far	400	8,150
5	Places of Amusement Licence Holders Subsidy Scheme	57	57	N/A	285	Nil
6	Place of Public Entertainment Licence Holder Subsidy Scheme	Public entertainment licence: 162 Temporary public entertainment licence: 323	Public entertainment licence: 148 Temporary public entertainment licence: 241	The reasons for rejecting the applications include the applicants are not eligible licence holders under the subsidy scheme	981	319
7	Sports and Recreational Sites Subsidy Scheme	74	73	Not eligible for the scheme, such as the site is for office use only	365	35
8	Sports Premises Subsidy Scheme	126	The application period for the Sports Premises Subsidy Scheme ended on 30 November 2020. As the applications are still under processing, relevant information is not available.			
9	Scheme on Relief Grants for Interest Class Instructors Hired by Subvented Non-governmental Welfare Organizations	2 445	2 183	No rejected application so far	1,091.5	1,908.5
10	Arts and Culture Sector Subsidy Scheme—Subsidy to individual arts practitioners and freelancers	No need for application. Individual arts practitioners and freelancers	N/A	N/A	2,093	207

	<i>Measures</i>	<i>Number of applications received (a)</i>	<i>Number of applications approved (b)</i>	<i>Main reasons for rejecting some applications (c)</i>	<i>Total amount of subsidy disbursed (\$'0000) (d)</i>	<i>Current balance of the commitment (\$'0000) (e)</i>
		approved under the first round of the AEF will each get a subsidy of \$5,000				
11	Cinemas Subsidy Scheme	16 (covering 61 cinemas)	14 (covering 59 cinemas)	Not eligible for the scheme (including not holding valid licence issued under the Places of Public Entertainment Ordinance (Cap. 172) and its subsidiary legislation; and having ceased operation before the application period)	965	Disbursement of subsidy is yet to be completed, hence actual saving for this scheme is to be confirmed
12	Subsidy provided to the companies in the performing industry which organize pop concerts ⁽⁶⁾	N/A	N/A	N/A	Nil	700
13	Arts and Culture Sector Subsidy Scheme—Rental Support for Tenants of Arts Spaces and Jockey Club Creative Arts Centre ⁽⁷⁾	No need for application. 87 tenants of the arts spaces run by HKADC and 173 tenants of the Jockey Club Creative Arts Centre are all eligible	N/A	N/A	N/A	Nil

Notes:

- (6) We are awaiting the Performing Industry Association (Hong Kong) Limited to disburse subsidy to the 70 eligible companies. The 70 eligible companies are those which organized pop concerts at designated venues (including the Hong Kong Coliseum, the Queen Elizabeth Stadium, the Kowloonbay International Trade and Exhibition Centre, the AsiaWorld-Expo, the Hong Kong Convention and Exhibition Centre, the MacPherson Stadium and the Southorn Stadium) in two of the years between 2017 and 2019.
- (7) A 75% rental waiver is provided to tenants of the arts spaces of HKADC and the Jockey Club Creative Arts Centre until March 2021.

Earn and Learn Pilot Scheme for Retail Industry

13. **MR LUK CHUNG-HUNG** (in Chinese): *President, a total of four runs of the Foundation Diploma ("FD") programme under the Earn and Learn Pilot Scheme for Retail Industry ("the Earn and Learn Scheme") were organized from 2014 to 2017. Regarding the implementation of the Earn and Learn Scheme since 2018, will the Government inform this Council whether it knows:*

- (1) *how many runs of the FD programme have been organized since 2018; in respect of each of such runs, (i) the number of enrollees, (ii) the number of dropouts (with a breakdown by reason for dropping out), (iii) the number of graduates, (iv) the date of graduation, and (v) the number of graduates who are still employed by the same employers during their training period;*
- (2) *the respective total numbers of positions offered by those employers participating in the Earn and Learn Scheme to the graduates of those runs subsequent to the fourth run of the FD programme; among such positions, the respective numbers of those with a monthly basic salary of (a) \$11,000 or more and (b) less than \$11,000, and among the latter, the respective numbers of positions with a monthly basic salary (i) of less than \$5,000, (ii) between \$5,000 and \$7,000, (iii) between \$7,001 and \$9,000, and (iv) of over \$9,000;*
- (3) *among the graduates of those runs subsequent to the fourth run of the FD programme, (i) the number of those who are still working in the retail industry (with a breakdown by the position they hold and the range to which their monthly salaries belong), and (ii) the number of those who have left the retail industry (with a breakdown by reason for leaving); and*

- (4) *the respective numbers of enrollees for and employers participating in the latest run of the FD programme; the results of a comparison between such numbers and the corresponding numbers of the first run?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): President, the Earn and Learn Pilot Scheme for the Retail Industry ("the Pilot Scheme") was launched in 2014 by the Vocational Training Council ("VTC") in partnership with the Hong Kong Retail Management Association. So far, the Pilot Scheme has offered a total of seven cohorts of the Diploma of Foundation Studies ("DFS")⁽¹⁾ programme which provide opportunities for Secondary Six graduates to attend classes on campus while acquiring retail work experience and receiving a government allowance of \$2,000 per month. Reply to the various parts of the question is as follows:

The first cohort of the DFS programme under the Pilot Scheme commenced in September 2014, with an intake of 255 student-workers employed by 20 companies. Under the Pilot Scheme, three cohorts of the DFS programme were offered since 2018, namely the fifth, sixth and seventh cohorts. The number of student-workers joining the Pilot Scheme has dropped significantly in recent years. Details are as follows:

The fifth cohort of the DFS programme commenced in September 2018, with an intake of 24 student-workers, of which 11 completed the programme in end February 2020 and the remaining 13 had dropped out. According to their feedback to VTC, the dropouts had left the programme for reasons including early engagement in full-time jobs in the retail or other sectors, opting for full-time studies instead, lack in capacity for coping with work and study concurrently and other personal reasons. According to the tracking survey of fifth cohort DFS student-workers who had completed the programme conducted by VTC in September this year (to which seven out of 11 graduates responded), four graduates were undertaking further studies and one was working outside the retail sector. The remaining two graduates were still considering their future paths.

(1) Foundation Diploma (FD) was renamed as Diploma of Foundation Studies (DFS) in 2016.

The sixth cohort of the DFS programme which commenced in September 2019 is still in progress, with nine student-workers enrolled. The latest cohort (i.e. the seventh cohort) of the DFS programme commenced in September 2020, with an intake of only four student-workers employed by two companies. In the meantime, the VTC offered two full-time government subsidized retail courses (i.e. Higher Diploma in Retail Innovation and Management and Diploma of Foundation Studies—Retail) in the current academic year. These courses are similar in nature to the programmes under the Pilot Scheme and about 120 students were enrolled in total.

Comparatively speaking, the number of student-workers joining the Pilot Scheme has dropped significantly in recent years and no students were enrolled in the corresponding Higher Diploma programme in the last two academic years, indicating that the full-time government subsidized course format is more popular with students, compared with that of the Pilot Scheme.

Considering that the student demand for the programmes under the Pilot Scheme has dropped significantly, we will stop accepting new applications for the Pilot Scheme from the 2021-2022 academic year onwards. Student-workers already enrolled under the Pilot Scheme will not be affected and could complete the programmes as originally planned.

The development of and ancillary facilities for Tung Chung

14. **MR HOLDEN CHOW** (in Chinese): *President, the Government is taking forward a number of public housing development projects in Tung Chung, so as to provide some 20 700 residential flats for accommodating 63 800 people. It is expected that such projects will be completed for intake one after another between 2024 and 2028. Besides, the Government is taking forward the Tung Chung New Town Extension project. In this connection, will the Government inform this Council:*

- (1) *as it is expected that Tung Chung East Station and Tung Chung West Station of the MTR Tung Chung Line ("TCL") Extension will not be completed until 2029 at the earliest, whether the Government will implement short-term traffic improvement measures, such as enhancing bus services, improving road networks and providing additional car parking spaces; whether it will expedite the implementation of the TCL Extension project;*

- (2) *given that the MTR Corporation Limited is carrying out signalling system upgrading works for TCL so as to increase the train frequency and carrying capacity, whether the Government knows the latest progress of such works;*
- (3) *of the latest progress of the construction works for Lantau Road P1, and the respective expected dates of completion and commissioning;*
- (4) *given that the feasibility study on Route 11 commenced by the Highways Department in 2018 includes exploration of the need to plan for the Tsing Yi-Lantau Link, of the progress of the exploration of the said Link;*
- (5) *whether it has, in view of the population growth in Tung Chung, formulated plans to enhance the (i) community services, (ii) education services and (iii) other public services in the district;*
- (6) *whether it will enhance the environmental mitigation measures for the Tung Chung New Town Extension project, such as regularly monitoring the air pollution, noise and other environmental problems that may be caused by the related works, so as to reduce the impacts of such works on nearby residents; and*
- (7) *whether the Government will, when implementing the housing construction project at Tung Chung Area 23 Phase 1, re-provision the community service units in the Tung Chung Community Services Complex located at that site?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, Tung Chung New Town Extension ("TCNTE") is one of the major development projects being taken forward by Government to increase the land supply over the next 10 years. It covers areas on the eastern and western flanks of the existing Tung Chung New Town. The 130 hectares reclamation works at Tung Chung East ("TCE") has been progressing well since its commencement in December 2017, and the first batch of reclaimed land (Area 99 and 100) was handed over to Hong Kong Housing Authority in March this year for public housing development. It is expected that a total of 10 000 public housing units will be made available in 2024. After conducting the technical assessment and revision of the public housing design, we will increase the development intensity of the overall

expansion plan. The number of residential units will be increased from 49 400 to 62 100 to accommodate about 184 000 new population. The newly added 12 700 units will all be public housing, and the public to private housing ratio will be adjusted to 72:28 accordingly.

Having consulted Transport and Housing Bureau ("THB") and other relevant departments, my consolidated reply to various parts of the question is as follows:

- (1) THB stated, the MTR Corporation Limited ("MTRCL") commenced the detailed planning and design of the Tung Chung Line ("TCL") Extension. Construction of the TCL Extension project is expected to commence in 2023, with the two new stations scheduled for completion in 2029. During the detailed planning and design stage, THB and Highways Department will examine the construction programme, construction and operating costs, and implementation timetable, including exploring the feasibility of expediting the progress.

The commuting need of the first batches of residents to TCNTE will be taken care of by the road networks (i.e. Roads L3 and L4 in the vicinity of Area 99 and 100, being the first batch public housing development for completion, scheduled for completion in 2024, as well as Road P1 (Tung Chung to Tai Ho Section) and the Tai Ho Interchange with both being scheduled for completion in 2026). We will seek funding approval with a view to commencing shortly the engineering study of Road P1 (Tai Ho to Sunny Bay Section) and completing its construction by 2030. In addition, there will be a total of five public transport interchanges ("PTIs") in TCNTE. Amongst them, three PTIs/bus termini will be provided in TCE, which are located at the Metro Core (Area 113) adjacent to the proposed TCE Station, and in the public housing developments in Area 99 and Area 133 respectively. As for Tung Chung West ("TCW"), there will be two PTIs, which are located adjacent to the proposed TCW Station and Shek Mun Kap Road respectively. In view of the future development in the district, THB and its departments responsible for the transport infrastructure will conduct regular review, and introduce suitable mitigation measures (e.g. widening of road junctions) timely to tie in with the population intake timetable.

In view of the population growth in the new town expansion in future, the Transport Department ("TD") will continue to closely monitor the change in passengers' demand and work with the bus companies to review the franchised bus services in the district in a timely manner. Besides, TD will consider adjusting and optimizing the existing franchised bus services by examining the proposals submitted by the companies under the annual Bus Route Planning Programme, in order to further enhance the public transport network of Tung Chung and facilitate residents to travel within the Tung Chung district as well as to various districts of Hong Kong Island, Kowloon and the New Territories from the New Town Extension Area.

Regarding the provision of car parking spaces, THB stated that the current policy is to accord priority to considering and meeting the parking demand of commercial vehicles, and to provide an appropriate number of private car parking spaces if the overall development permits, but at the same time not to encourage frequent users of public transport to opt for private cars in lieu of public transport so as to avoid aggravating the road traffic. In the light of the parking demand in Tung Chung and following the principle of "single site, multiple uses", the Government is planning to provide about 50 public parking spaces in the Joint-user Complex in Area 107, Tung Chung and about 80 public parking spaces in the public vehicle park at Area 99, Tung Chung respectively.

- (2) THB stated that MTRCL is upgrading the signalling systems of seven urban railway lines⁽¹⁾ by phases. Relevant works include installation of the infrastructure equipment and hardware (e.g. computer equipment, uninterrupted power supply, overhead lines and optical fibers, etc.). They also include furnishing trainsets with new equipment to tie in with the operation of the new signalling system. Among the seven lines, the signalling system upgrade of Tung Chung Line is still under planning. To tie in with the TCL Extension project, related replacement works of the signalling system would be carried out after completion of the project.

(1) Tsuen Wan Line, Island Line, Kwun Tong Line, Tseung Kwan O Line, Tung Chung Line and the Airport Express.

- (3) Road P1, of about 12 kilometres ("km") long in total, is divided into two sections including the one of about 2.5 km from Tung Chung to Tai Ho and the other of about 9.5 km from Tai Ho to Sunny Bay. We are now seeking PWSC's support on the funding application for taking forward the construction of the Tung Chung to Tai Ho Section and conducting the engineering study of Tai Ho to Sunny Bay Section. If the funding is eventually approved by Subject to funding approval, we target to complete the works for the Tung Chung to Tai Ho Section by 2026, and will strive to complete the construction of the remaining Tai Ho to Sunny Bay Section by 2030.
- (4) The Highways Department commissioned the Feasibility Study on Route 11 (Section between Yuen Long and North Lantau) in May 2018, covering a review on route alignment, assessments of the impact on the environment, traffic and other related aspects, assurance of technical feasibility, and formulation of the preliminary implementation strategy and programme, etc. At the same time, the opportunity is taken to ascertain whether is a need of planning Tsing Yi-Lantau Link and associated traffic proposals. The feasibility study is in its final stage; the Highways Department will in due course consult the Legislative Council, the relevant District Councils and stakeholders on the study findings, including the planning of Tsing Yi-Lantau Link.
- (5) In response to the aforementioned additional 12 700 residential units together with the population increase, the Development Bureau and the Planning Department have recently re-examined the planning of relevant community facilities with relevant Policy Bureaux and departments, including social welfare, education, medical care, public markets and recreational facilities, etc., to ensure adequate land reserved for the respective facilities to meet the needs of the existing and new population. We have made reference to the standards stipulated in the Hong Kong Planning Standards and Guidelines and the requirements of relevant departments during the process.

In terms of social welfare facilities, a multi-pronged approach, such as reserving space in public housing developments,⁽²⁾ requesting private developers to provide premises upon land disposal of residential and commercial sites, and developing welfare complex by government, etc., will be adopted to provide adequate spaces for different types of social welfare facilities including elderly, family and child welfare, youth and rehabilitation services.

As for educational facilities, the Education Bureau ("EDB") has all along been closely monitoring the primary and secondary school place supply and demand situation in the Islands District (including Tung Chung). EDB would review the need to commence school building project from time to time having taking into consideration the projected school-age population, enrolment situation of existing schools, and education policies. Sites have been reserved in Tung Chung New Town and its extension for different types of educational use. EDB has initiated the preparatory works for constructing an aided primary school and an aided secondary school in Area 89. The primary and secondary schools are planned for commencement in 2026 and 2027 respectively. EDB will continue to review the school building programmes in Tung Chung in view of enrolment situation of existing schools and education policies to ensure there are adequate school places to meet the demand.

In terms of medical care, we have reserved a piece of land adjacent to the North Lantau Hospital ("NLH") for the second phase hospital development. The construction of the Hospital Authority support services centre under stage 1 of phase 2 is currently underway. Under stage 2 of phase 2, preliminary planning reveals that the land is able to provide about 300 additional hospital beds, which will be taken forward under the Second Ten-year Hospital Development Plan. In addition, to meet the long-term demand for primary care services in the district, the Hospital Authority has reserved space in the second phase development of NLH for development/expansion of community health centre.

- (2) As announced in this year's Policy Address, about 5% of gross floor area in future public housing projects will be set aside for provision of social welfare facilities.

In respect of public market, as stated in the Chief Executive's 2018 Policy Address, the Government will construct a new public market at the lower floors of the proposed commercial development at Tung Chung Area 6 adjacent to the Tung Chung MTR Station. On the other hand, a site suitable for construction of public market has been identified in Area 133A to provide the public with more choices for fresh foods.

To enable relevant departments to implement the relevant facilities timely to tie with the population intake programme of TCNTE, the Sustainable Lantau Office of the Civil Engineering and Development Department has set up an inter-departmental working group chaired by the Head of the Office. Regular meetings with relevant bureaux/departments are held to ensure that they are kept up-to-date with the progress of the development projects, so that the relevant facilities could be implemented as scheduled.

- (6) The Director of Environmental Protection approved the environmental impact assessment ("EIA") report for TCNTE in 2016 and issued the environmental permit. According to the EIA report, the project will not have adverse impacts on the environment upon implementing the recommended mitigation measures. We will implement the mitigation measures and environmental monitoring and audit programme recommended in the approved EIA report and comply with the relevant conditions under the environmental permit. Key mitigation measures include construction of noise barriers and use of low noise road surfacing for roadworks. In addition, during the construction stage, we will request the contractors to regularly spray water and provide wheel washing facilities on sites to reduce the impact on the surrounding residents by dust; use quality powered mechanical equipment and protective noise barriers to control the noise generated during the progress of works; and transport waste by trucks with cover or enclosed containers.
- (7) The existing non-government organizations in Area 23, Tung Chung will move into a temporary site in Tung Chung Area 52 (adjacent to the Tung Chung New Development Pier) and the non-domestic

premises at G/F of Ching Yat House, Yat Tung Estate respectively to continue providing their services. We will complete the relevant relocation work before commencing the phase 1 site formation works in Tung Chung Area 23.

Distance Business Programme

15. **MR JIMMY NG** (in Chinese): *President, the Government has launched the "Distance Business Programme" under the Anti-epidemic Fund, with an aim to provide, through a fast-track processing approach, funding support for enterprises to adopt information technology solutions for developing distance business during the epidemic. Each enterprise can submit up to two applications and may receive funding of up to \$300,000 in total. Application for the Programme closed on 31 October this year. In this connection, will the Government inform this Council:*

- (1) *among the 38 572 applications received under the Programme, of the respective up-to-date numbers of those approved, the vetting and approval of which is still in progress, and rejected; the total amount of funding granted, and the average amount of funding for each successful application; of the number of enterprises which have both of their two applications approved;*
- (2) *of the number of enterprises which withdrew from the Programme after their applications had been approved; whether the authorities have taken the initiative to look into the reasons for their withdrawal and provide them with other support; if so, of the details;*
- (3) *given the unstable epidemic situation, whether the authorities will consider re-opening the Programme for application and allowing those enterprises which have submitted two applications to submit new applications; if so, of the details; if not, the reasons for that;*
- (4) *whether the authorities will consider regularizing the Programme and increasing the total amount of funding that each enterprise may be granted; if so, of the details; if not, the reasons for that;*

- (5) *whether the Secretariat of the Programme has honoured the performance pledge that the applicants will be informed of the relevant outcome within about 10 working days; if not, of the average time taken for vetting and approving each application; and*
- (6) *as it has been reported that it is difficult for calls to the Programme's enquiry hotline to get through, whether the authorities have looked into this issue and make improvement accordingly; if so, of the details?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Chinese): President, the Government has launched the Distance Business Programme ("the Programme") under the Anti-epidemic Fund to support enterprises to continue their business and provide services during the epidemic through the adoption of information technology solutions. The Innovation and Technology Commission ("ITC") is responsible for implementing the Programme, and the Hong Kong Productivity Council is the Secretariat of the Programme. Application was open from 18 May to 31 October 2020. The response was overwhelming with 38 572 applications received in total. Around 95% of the applications came from small and medium enterprises.

Our reply to the various parts of the question is as follows:

- (1) Of the 38 572 applications received, nearly 10 000 were submitted in the last week of October. As at 15 December, 28 038 applications have been processed, of which 25 930 were approved (including 3 010 enterprises with both of their applications approved), and 2 108 were rejected. We are processing the remaining applications. After excluding cases in which the enterprises did not accept the application results or provide relevant documents after their applications had been approved, the total funding involved is around \$1.4 billion, and the average approved funding amount is about \$60,000.
- (2) As at 15 December, 3 416 enterprises whose applications were approved did not accept the application results, or were considered to have withdrawn from the Programme as they did not submit requisite documents to the Secretariat before the deadline. As

enterprises can decide whether to accept the approved solutions according to their circumstances, we have not kept track of the reasons why individual enterprises withdrew from the Programme.

(3) and (4)

The Programme is a time-limited initiative introduced under the Anti-epidemic Fund. We do not plan to accept applications again or increase the funding ceiling for each enterprise. That said, the Technology Voucher Programme ("TVP"), a regular programme under the Innovation and Technology Fund, provides subsidies for enterprises to use technological services and solutions to improve productivity, or upgrade or transform their business processes.

Having regard to the operational experience and the industry's views, ITC has enhanced TVP earlier this year. At present, each eligible enterprise can receive a cumulative funding of up to \$600,000 to carry out a maximum of six projects. Each approved project can be funded up to three-quarters of the project cost, which means that the enterprise only has to contribute no less than a quarter of the project cost. We welcome applications from enterprises.

(5) and (6)

The original target of the Programme was to provide funding support for around 3 000 enterprises over a half-year application period. Hence, we anticipated that the Secretariat could complete the vetting of an application within 10 working days if all the required information and documents were submitted. In fact, the actual processing time depends primarily on the number of applications received, whether the information submitted by the applicant is complete, as well as the complexity of the projects. Since the launch of the Programme on 18 May, 5 200 applications were received in the first week, and the response from enterprises has been unexpectedly overwhelming. It takes time for the Secretariat to process the large volume of applications, and the Secretariat has then increased its manpower substantially to expedite the vetting process. Depending on the above factors, the time required for processing each application may vary and thus cannot be

generalized. With more manpower, the time for handling telephone enquiries has been considerably shortened, and most of the calls can be answered immediately or within one day.

Development of innovation and technology

16. **MR CHAN CHUN-YING** (in Chinese): *President, in October this year, the Fifth Plenary Session of the 19th Central Committee of CPC adopted the CPC Central Committee's Proposals for Formulating the Fourteenth Five-year Plan on National Economic and Social Development, which put forward "taking scientific and technological self-reliance and self-strengthening as a strategic support for national development". Moreover, it has been reported that the Deputy Director of the Office of the Central Economic and Financial Affairs Commission has recently indicated that, the Central Authorities will further support Hong Kong in reinforcing and enhancing its competitive advantages, and building an international centre for innovation and technology. In this connection, will the Government inform this Council:*

- (1) *whether it has formulated indicators for measuring if Hong Kong has been developed into an international centre for innovation and technology; if so, of the details, and how far the current situation of Hong Kong is from such indicators;*
- (2) *whether it has drawn up a timetable for developing Hong Kong into an international centre for innovation and technology; if so, of the details; if not, the reasons for that; and*
- (3) *as a market research institution has estimated that the global expenditure on digital transformation this year will rise to about \$10 trillion, representing a year-on-year increase of 10.4%, which has reflected that enterprises have been actively struggling for survival amid the epidemic through undergoing digital transformation, whether the Government has detailed plans to assist enterprises in speeding up their digital transformation, and facilitate the industrialization of their research and development outcomes; if so, of the details; if not, the reasons for that?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Chinese): President, the Communist Party of China Central Committee's Proposals for Formulating the Fourteenth Five-year Plan on National Economic and Social Development and the Long-Range Objectives Through the Year 2035 indicates clear support for Hong Kong to consolidate and enhance its competitive advantages in developing into an international innovation and technology ("I&T") hub. The current-term Government has been committed to promoting the development of I&T, with a view to injecting new impetus into the economy, improving people's quality of life, and creating quality jobs for young people.

Our reply to the various parts of the question is as follows:

(1) and (2)

Hong Kong, being the most international city in the Guangdong-Hong Kong-Macao Greater Bay Area ("GBA"), and even in China, is capable of developing into an international I&T hub. With our strong research and development ("R&D") capabilities, world-class universities, advantage as an international and market-oriented economy, robust legal system and intellectual property rights protection regime, etc., coupled with the Government's efforts in promoting I&T, Hong Kong is at an excellent opportunity to develop I&T.

Since the Chief Executive set forth eight major areas for developing I&T in the Policy Address delivered in October 2017, the Government has been investing over \$100 billion in promoting I&T development, and actively introducing measures on various areas with good progress.

Among others, on promoting technology research collaboration, we are pressing ahead with the development of the InnoHK research clusters, with a view to pooling top-notch researchers over the world to undertake collaborative research in Hong Kong, thereby developing Hong Kong as the global hub for research collaboration. The first two InnoHK research clusters are "Health@InnoHK" and "AIR@InnoHK", respectively focusing on healthcare technologies and artificial intelligence and robotics technologies. The first batch of R&D centres is expected to be set up in phases by the first quarter of next year.

We are also taking forward the development of the Hong Kong-Shenzhen Innovation and Technology Park ("HSITP") located in the Lok Ma Chau Loop in full swing. HSITP will become Hong Kong's largest-ever I&T platform, establishing a key base for cooperation in scientific research through converging the world's top-tier enterprises, R&D institutions and higher education institutions for exchange and collaboration with excellent research talent all over the world.

On pooling technology talent, apart from the various measures that nurture local talent, the Government provides a fast-track arrangement through the Technology Talent Admission Scheme launched in mid-2018 for the admission of overseas and Mainland technology talent to undertake R&D work in Hong Kong. The newly announced Policy Address also proposed to set up the Global STEM Professorship Scheme to strengthen our support for the local universities to attract world-renowned I&T scholars as well as their teams to work in Hong Kong. This will enhance Hong Kong's competitiveness in pooling global talent and enable local universities to scale new heights in STEM teaching and research.

The Government monitors the progress of various I&T related measures through a number of key performance indicators ("KPIs"). The Policy Address delivered by the Chief Executive in October 2017 has mapped out concrete and clear directions for our I&T development. In 2017, the Innovation and Technology Bureau adopted KPIs put forward by the Advisory Committee on Innovation and Technology. For example, the Committee's report suggested that in 2020, the public sector expenditure on R&D, the number of start-ups and the amount of venture capital ("VC") investment should reach \$13.5 billion (at current prices), 2 500 and \$3 billion per year (at current prices) respectively. The local I&T sector has reached these targets ahead of time in 2018. The public sector expenditure on R&D increased from \$9.29 billion in 2014 to \$13.505 billion in 2018. The number of local start-ups increased from around 1 100 in 2014 to over 3 300 in 2020. The VC investment in Hong Kong increased from \$1.24 billion in 2014 to \$16.3 billion in 2018 and \$9.9 billion in 2019, representing an increase by 12 times and 7 times respectively.

Also, in 2018, the gross domestic expenditures on R&D ("GERD") (total of public and private sectors) of Hong Kong amounted to \$24.497 billion, representing an increase of 46% from 2014⁽¹⁾, while the GERD as a ratio to GDP in the same period has increased from 0.74 to 0.86. The Policy Address delivered in October 2017 also raised the target of relevant ratio to 1.5%. The number of R&D personnel increased from about 29 000 to nearly 34 000 in 2018. Local I&T companies have won awards time and again in international competitions, whereas a number of local enterprises have become "unicorns".

Hong Kong's performance in respect of I&T development was also recognized internationally. According to the rankings announced by the International Institute for Management Development, Switzerland this year, Hong Kong climbed from the 18th place to the 7th on ranking related to technological infrastructure. As for the ranking related to digital competitiveness, the global ranking of Hong Kong raised from the 11th to the 5th. The Digital Intelligence Index report jointly released by Mastercard and The Fletcher School at Tufts University of the United States found that Hong Kong has become one of the world's most digitally advanced economies, ranking second and third in the Asia-Pacific region and the world respectively.

Of course, we understand that I&T are developing rapidly and international competition has become increasingly fierce. The Government will continue to closely communicate and collaborate with stakeholders, with a view to creating favourable conditions for local I&T development and stepping towards the goal of becoming an international I&T hub. We will also review and update our KPIs in this regard from time to time.

- (3) Through various measures and funding schemes, the Government encourages different sectors and industries to apply technologies as well as assists enterprises in expediting digital transformation. The Technology Voucher Programme, launched in November 2016, subsidizes local enterprises to use technological services and

(1) Following international guidelines, the estimates of implicit user cost of R&D facilities has been included in the R&D expenditures as from the reference year of 2018.

solutions to improve productivity, or to upgrade and transform their business processes. Also, the Government launched the time-limited Distance Business Programme in May this year under the Anti-epidemic Fund to provide funding support for enterprises to adopt information technology solutions so as to continue to operate and provide services during the epidemic.

In addition, the Government also set up dedicated funds for targeted sectors. For instance, the Construction Innovation and Technology Fund and the Innovation and Technology Fund for Application in Elderly and Rehabilitation Care were set up respectively in 2018 in order to promote application of technology products in the construction sector as well as elderly and rehabilitation care units. In view that the integration of arts and I&T has become a new trend in arts development, the newly announced Policy Address proposed setting up a task force to formulate strategies and measures to develop and promote Art Tech, as well as encouraging the related sectors to apply for funding to implement projects that integrate technology and arts.

The Government attaches great importance to the commercialization and industrialization work of local R&D institutions and enterprises. We support the use of local technology products and services through various measures. Firstly, through the Public Sector Trial Scheme under the Innovation and Technology Fund, the Government supports all Policy Bureaux, departments and public organizations to try the R&D outcomes of local R&D institutions and technology companies, thereby facilitating the realization and commercialization of local R&D outcomes. In addition, the Office of the Government Chief Information Officer established the Smart Government Innovation Lab in April 2019 to drive wider adoption of I&T in government departments and invite industry players to assist departments in adopting various information technology solutions for improving public services, thereby creating more business opportunities for the local start-ups and small and medium enterprises.

Apart from the above, the local R&D Centres undertake industry-driven and market relevant R&D projects, and subsequently transfer the technology to the industry through contract research or

licensing arrangement. To further incentivize the commercialization of R&D results of the R&D Centres, since 2017-2018, the R&D Centres are allowed to retain the income for use in strategic activities, such as technology and market analyses, infrastructure building, staff development or experimental projects, etc.

The licensing regime for private columbaria

17. **MS ALICE MAK** (in Chinese): *President, in September this year, the Private Columbaria Licensing Board ("PCLB") specified 31 December this year as the deadline for submission of documents/information by applicants whose applications for the temporary suspension of liability ("TSOL") were under vetting and approval. It has been reported that as a majority of such applications have not attached all of the documents/information required, the relevant private columbaria (among which some are large-scale columbaria with a long history) may have to close down because they have failed to submit by the deadline the documents/information required, and a substantial quantity of ashes have to be disinterred by then. In this connection, will the Government inform this Council:*

- (1) *of the total number of TSOL applications received by PCLB and, among such applications, the respective current numbers of those which (i) have been approved, (ii) have been rejected, (iii) have been withdrawn and (iv) are under vetting and approval;*
- (2) *whether it has assessed the number of private columbaria with TSOL applications submitted that have to close down eventually, and the respective numbers of niches in such premises that (i) have not been sold, (ii) have been sold but ashes are not yet interred, and (iii) have ashes interred; if so, of the details; if not, the reasons for that;*
- (3) *in the event of the private columbaria mentioned in (2) closing down, how the Government (i) ensures proper placement of the ashes interred therein, so as to protect the consumer rights and interests of the niche buyers, and (ii) renders assistance to such buyers to ensure that they will not have nowhere to turn to for assistance; and*

- (4) *whether it has drawn up any contingency plan to handle the situation that a substantial quantity of ashes have to be relocated to other places for interring temporarily upon the closing down of the private columbaria mentioned in (2); if so, of the details; if not, the reasons for that?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, the Private Columbaria Ordinance (Cap. 630) ("the Ordinance") came into effect on 30 June 2017 after wide public discussion. The regulatory regime aims to ensure the private columbaria's compliance with the statutory and government requirements, enhance protection of consumer interests and foster the adoption of a sustainable mode of operation by private columbaria. Since its establishment in September 2017, the Private Columbaria Licensing Board ("PCLB") has been striving to implement the regulation of private columbaria. Applications for various specified instruments ("SIs") (i.e. licence, exemption or temporary suspension of liability ("TSOL")) are concerned with various aspects (including planning, land, building safety, fire safety, electrical and mechanical safety, right to use the premises, environmental protection, proposed plans, management plan, etc.). The progress of processing each SI application depends on the actual circumstances of the case, particularly on whether the private columbarium has complied with the requirements stipulated in the Ordinance and those specified by PCLB, and whether the applicant has submitted adequate documentary proof on compliance with those requirements.

My reply to the various parts of the question is as follows:

- (1) Since the enactment of the Ordinance, PCLB has received 162 TSOL applications and the private columbaria concerned have also applied for other SIs simultaneously. As at 30 November 2020, PCLB has approved in principle 9 TSOL applications (one of them is also given approval-in-principle for an exemption application). PCLB has also granted six licences, approved in principle two licence applications and refused 29 TSOL applications. The above approved/approval-in-principle cases involve 17 private columbaria (involving over 170 000 sold niches which approximately account for more than 30% of the total sold niches of private columbaria in Hong Kong). Besides, 15 TSOL applications have been withdrawn by the applicants. The above mentioned cases aside, PCLB is vetting 101 TSOL applications.

- (2) For a TSOL application, the columbarium concerned has to comply with the requirements on building safety, fire safety and electrical and mechanical safety as certified by qualified professionals, etc. With a view to urging submission of document/information by applicants and further expediting the processing of applications, PCLB has set 31 December 2020 as the deadline for submission of documents/information in respect of TSOL applications and notified all relevant applicants.

The deadline for submission of documents/information in respect of TSOL applications under vetting has not yet expired. The vetting work by the Private Columbaria Affairs Office ("PCAO") and other relevant departments is still underway. PCLB will determine the applications as soon as possible when the vetting is completed. It is premature to speculate the results of the applications at this stage.

- (3) and (4)

The detailed requirements regarding the arrangements for disposal of ashes in private columbaria are stipulated in the Ordinance. Regardless of the reasons for the cessation of operation of a private columbarium, its operator is obliged to dispose of the ashes interred in accordance with the requirements of the Ordinance. For a private columbarium which ceases operation, PCAO will explain to the operator the requirements of the Ordinance regarding the disposal of ashes and monitor the compliance of the ash disposal work by the operator with the requirements of the Ordinance, with a view to ensuring the proper return of the ashes to persons eligible for collection of the ashes. The Food and Environmental Hygiene Department ("FEHD") has also provided leaflets on the information of various means of disposal of ashes to operators for distribution to persons collecting the ashes.

The Government has reminded the public of their rights as consumers through publicity and education. When purchasing niches from private columbaria, people need to look into the details, for example, their rights and responsibility related to the use of the niches, how the operators will handle the interred ashes in case the

relevant private columbaria cease operation and are wound up, as well as the interests of the consumers affected (such as refund or compensation), etc.

In addition to private niches, consideration may also be given to interring the ashes of the deceased in public niches managed by FEHD or using its ash disposal services (such as placing additional sets of ashes in public niches and scattering ashes in a Garden of Remembrance or at sea). At the same time, the Government will continue to increase the supply of temporary ash storage facilities for the public to temporarily store the ashes of the deceased. FEHD has recently announced that it accepts applications for public niches at Tsang Tsui Columbarium in Tuen Mun all year round. Members of the public may visit the dedicated website "Regulation of Private Columbaria" <www.rpc.gov.hk> and FEHD's website for information pertaining to the various means of disposal of ashes.

Facilities in community halls and community centres

18. **DR PIERRE CHAN** (in Chinese): *President, quite a number of members of the public hope that the facilities in the community halls and community centres ("CHs/CCs") under the management of the Home Affairs Department ("HAD") can be put to optimal use, so that more community activities and activities for promoting inter-generational harmony can be held in such venues to promote a sense of community belonging as well as social and family harmony. In this connection, will the Government inform this Council:*

- (1) *of the following information about the conference rooms and multi-purpose halls (including stages) of CHs/CCs in each of the past three years: (i) their respective average monthly utilization rates, (ii) the average time taken to process each hiring application, (iii) the average time waited by each successful applicant for using such facilities, and (iv) the number of organizations which incurred demerit points as they had breached the terms and conditions for hiring such facilities, and the terms and conditions mainly breached by them, and set out such information in a table by District Council district and name of CH/CC;*

- (2) *given that a small number of District Offices ("DOs") permit, on a discretionary basis, individuals and commercial organizations to hire the facilities in CHs/CCs for organizing community-building activities (regardless of whether such individuals/organizations will make any profit out of the activities), but most DOs do not allow such individuals/organizations to hire those facilities, whether HAD will standardize the criteria for hiring facilities in CHs/CCs in various districts to permit individuals and commercial organizations to hire such facilities, so as to increase the variety of community activities available for residents' participation and, at the same time, increase the utilization rates of the facilities in CHs/CCs;*
- (3) *whether HAD will, by following the practice of some shopping malls, relax the terms and conditions of hire of and the management rules for the facilities in CHs/CCs to permit the entry of guide dogs, with a view to facilitating the use of such facilities and participation in activities by the visually impaired; and*
- (4) *given that the Leisure and Cultural Services Department has launched in six districts a trial scheme of Inclusive Park for Pets, in which the parks concerned are open for use by members of the public accompanied by their pets with a view to providing an inclusive environment for different users to use the park facilities, whether HAD will follow this practice and permit entry to CHs/CCs by members of the public accompanied by their pets, so as to respond to the needs of the community?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, our reply to the question is as follows:

- (1) (i) The usage rates of multi-purpose halls and conference rooms of community halls/community centres ("CHs/CCs") under the management of the Home Affairs Department from 2017 to 2019 are at Annex.
- (ii) and (iii)

District Offices ("DOs") will decide the booking arrangement of sessions of CHs/CCs by means of ballot. In general, DOs will inform an applicant of the outcome within 10 working

days after receipt of his/her application for individual sessions of facilities at CHs/CCs or conducting the ballot, where appropriate. For block bookings of facilities at CHs/CCs for a continuous period of up to three months, an applicant will be informed of the outcome within 21 working days after receipt of his/her application or conducting the ballot, where appropriate.

- (iv) The numbers of organizations served with demerit points for breaching the terms and conditions for hiring CH/CC facilities in the past three years are shown in the following table. The breaches mainly involve "number of participants below the minimum requirements", "failed to turn up" and "cancellation of allocated timeslot with insufficient advance notice before the date of the activity", etc.

<i>Year</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Number of organizations in breach of hiring terms and conditions	1 207	1 071	1 189

- (2) One of the main purposes of the hiring policy of CHs/CCs is to serve the general public as far as possible. At present, the majority of CHs/CCs mainly allow hiring by organizations, but not individuals or commercial organizations. In general, organizations have better ability in organizing larger events to facilitate and benefit more people. As the current arrangement has been effective all along, there is no plan at this stage to change the organization-based hiring policy.

- (3) and (4)

Starting from late 2014, guide dogs have been allowed to enter all CHs/CCs. However, in order to avoid causing disturbance and inconvenience to other users of CHs/CCs, animals, except guide dogs, are not allowed to enter CHs/CCs, unless prior approval from respective DOs has been obtained.

Annex

Usage Rates of Multi-purpose Halls in
Community Halls/Community Centres from 2017 to 2019

<i>District</i>	<i>Community Halls ("CHs")/ Community Centres ("CCs")</i>	<i>Usage Rate (%)</i>		
		<i>2017</i>	<i>2018</i>	<i>2019</i>
Central & Western	Sai Ying Pun Community Complex CH	60.1	67.6	71.9
	Western District CC	(1)		
Eastern	Aldrich Bay CH	81.6	80.3	79.5
	Causeway Bay CC	87.3	83.4	81.1
	Hing Wah CH	61.7	59.1	61.6
	North Point CH (opened in 2019)	-	-	83.7
	Quarry Bay CH	90.5	89.7	86.8
	Siu Sai Wan CH	84.0	87.4	89.7
	Yue Wan CH	66.1	74.9	72.1
Southern	Ap Lei Chau CH	49.8	57.8	67.1
	Lei Tung CH	76.9	80.7	81.9
	South Horizons Neighbourhood CC	93.7	95.4	96.7
	Stanley CH	39.1	37.4	31.3
	Wah Kwai CC	97.1	94.8	95.1
Wan Chai	Leighton Hill CH	64.4	68.3	62.8
Kowloon City	Hung Hom CH	81.2	86.9	85.0
	Kai Tak CH	71.4	79.0	78.3
Kwun Tong	Kai Yip CH	66.0	65.8	68.6
	Kwun Tong CC	66.3	68.1	66.9
	Lam Tin (East) CH	74.9	68.7	74.9
	Lam Tin (West) Estate CC	63.0	68.6	75.1
	Lok Wah Estate CC	83.4	86.8	88.3
	Sai Tso Wan Neighbourhood CC	66.7	70.4	72.5
	Sau Mau Ping (Central) Estate CC	Closed for redevelopment		
	Shun Lee Estate CC	56.5	58.6	65.2
	Yau Tong CH	89.5	89.4	89.1
Sham Shui Po	Cheung Sha Wan CC	79.1	73.9	77.6
	Lai Chi Kok CH	82.2	82.8	79.6
	Lai Kok CH	83.7	78.2	78.9
	Mei Foo CH	82.9	85.6	84.2
	Nam Cheong District CC	71.1	72.6	75.4
	Pak Tin CH	67.9	73.8	77.1
	Shek Kip Mei CH	84.9	82.0	85.9
	Tai Hang Tung CC	78.7	74.2	79.1

<i>District</i>	<i>Community Halls ("CHs")/ Community Centres ("CCs")</i>	<i>Usage Rate (%)</i>		
		<i>2017</i>	<i>2018</i>	<i>2019</i>
Wong Tai Sin	Choi Wan Estate CC	78.3	82.7	77.8
	Chuk Yuen Estate CC	87.4	85.9	85.4
	Fung Tak Estate CC	83.5	85.3	87.8
	Tung Tau CC	78.9	80.9	85.7
	Tsz Wan Shan (South) Estate CC	89.6	87.8	82.8
	Tsz Wan Shan CH	79.8	85.0	82.9
	Wong Tai Sin CC	92.4	92.2	92.5
Yau Tsim Mong	Henry G. Leong Yaumatei CC	74.1	68.2	68.2
	Mong Kok CH	73.4	74.7	73.9
Kwai Tsing	Cheung Ching Estate CC	68.4	66.3	69.8
	Cheung Fat Estate CC	82.4	81.0	76.6
	Cheung Hang CH	63.7	69.8	76.5
	Kwai Fong CH	96.0	93.0	95.5
	Kwai Shing CH	64.4	60.8	77.3
	Lai King CH	85.4	86.5	88.7
	Shek Lei CH	82.6	85.2	84.9
	Tai Wo Hau Estate CC	88.5	86.1	81.2
	Tsing Yi Estate CH	52.2	47.5	51.5
North	Cheung Wah CH	72.0	68.2	78.1
	Luen Wo Hui CH	77.9	71.5	73.5
	North District CC	(1)		
	Sha Tau Kok CH	26.6	22.7	19.7
	Ta Kwu Ling CH	15.8	22.1	13.9
	Wo Hing CH	75.3	75.7	78.4
Sai Kung	Hang Hau CH	83.8	83.2	86.2
	Kin Choi CH	80.2	77.2	86.7
	King Lam Neighbourhood CC	72.6	78.3	81.7
	Lohas Park CH	67.7	68.1	70.7
	Sai Kung Jockey Club Town Hall	75.8	71.6	77.2
	Sheung Tak CH	69.7	71.0	71.2
	Tsui Lam CH	65.9	69.4	64.1
Sha Tin	Chun Shek CH	93.9	86.9	88.9
	Heng On Estate CC	86.8	88.3	87.8
	Hin Keng Neighbourhood CC	85.2	87.8	85.0
	Kwong Yuen CH	96.9	96.2	95.8
	Lee On CH	93.6	89.9	92.9

<i>District</i>	<i>Community Halls ("CHs")/ Community Centres ("CCs")</i>	<i>Usage Rate (%)</i>		
		<i>2017</i>	<i>2018</i>	<i>2019</i>
	Lek Yuen CH	76.6	73.4	77.6
	Lung Hang Estate CC	91.0	88.0	88.7
	Mei Tin CH	90.9	89.9	92.0
	Pok Hong CH	92.8	88.1	88.8
	Sha Kok CH	93.4	91.3	90.9
	Sun Tin Wai CH	80.2	83.0	81.1
	Wo Che CH	80.4	76.0	71.2
	Yuen Chau Kok CH	67.4	75.9	77.9
Tai Po	Fu Heng Neighbourhood CC	57.4	57.3	55.0
	Fu Shin CH	72.8	74.9	73.2
	Kwong Fuk CH	73.2	75.1	70.7
	Tai Po CC	73.3	69.7	70.3
	Tai Wo Neighbourhood CC	67.1	67.1	69.4
	Tai Yuen CH	66.5	62.1	62.8
	Wan Tau Tong Neighbourhood CC	60.6	67.2	65.6
Tsuen Wan	Lei Muk Shue CH	71.5	61.3	59.2
	Princess Alexandra CC	80.4	77.4	74.1
	Shek Wai Kok CH	63.9	60.6	62.4
Tuen Mun	Butterfly Bay CC	77.7	77.8	79.2
	Kin Sang CH	67.0	66.6	67.1
	Leung King Estate CC	73.4	70.0	79.2
	Lung Yat CH	63.4	68.3	77.2
	On Ting/Yau Oi CC	78.0	79.0	77.3
	Shan King CH	79.5	86.4	86.4
	Tai Hing CH	65.9	71.5	73.8
	Tseng Choi Street CH	66.4	68.0	68.0
	Tuen Mun Town Centre CH	82.6	80.2	78.3
	Wu Shan Road CH	57.4	55.0	65.0
Yuen Long	Long Ping CH	68.6	68.6	70.7
	Tin Ching CH	92.6	90.3	87.5
	Tin Fai Road CH	85.0	84.2	84.2
	Tin Shui CC	81.9	79.8	80.5
	Tin Yiu CC	80.6	77.5	76.1
	Yuen Long Town East CH	66.3	69.8	72.7
Islands	Discovery Bay CH	60.0	56.6	60.5
	Tung Chung CH	75.4	76.4	73.3

Usage Rates of Conference Rooms in
Community Halls/Community Centres from 2017 to 2019

<i>District</i>	<i>Community Halls ("CHs")/ Community Centres ("CCs")</i>	<i>Usage Rate (%)</i>		
		<i>2017</i>	<i>2018</i>	<i>2019</i>
Central & Western	Sai Ying Pun Community Complex CH	18.9	24.6	20.3
	Western District CC	51.3	57.7	60.3
Eastern	Aldrich Bay CH	39.1	34.5	34.5
	Causeway Bay CC	64.8	68.6	64.3
	Hing Wah CH	(2)		
	North Point CH (opened in 2019)	-	-	54.2
	Quarry Bay CH	51.7	51.4	58.6
	Siu Sai Wan CH	17.3	15.5	21.5
	Yue Wan CH	(2)		
	Southern	Ap Lei Chau CH	22.6	25.7
Lei Tung CH		47.5	51.6	53.0
South Horizons Neighbourhood CC		68.7	70.9	71.9
Stanley CH		27.8	25.9	22.3
Wah Kwai CC		(2)		
Wan Chai	Leighton Hill CH	21.7	23.2	25.7
Kowloon City	Hung Hom CH	28.1	35.0	36.6
	Kai Tak CH	42.6	54.7	61.1
Kwun Tong	Kai Yip CH	16.3	18.9	15.3
	Kwun Tong CC	57.3	57.1	22.7
	Lam Tin (East) CH	10.1	9.1	8.1
	Lam Tin (West) Estate CC	(2)		
	Lok Wah Estate CC	40.3	36.5	39.0
	Sai Tso Wan Neighbourhood CC	27.6	33.7	47.5
	Sau Mau Ping (Central) Estate CC	Closed for redevelopment		
	Shun Lee Estate CC	25.1	21.2	23.4
	Yau Tong CH	48.5	52.6	52.3
Sham Shui Po	Cheung Sha Wan CC	(2)		
	Lai Chi Kok CH	39.5	43.1	43.0
	Lai Kok CH	13.9	19.2	27.0
	Mei Foo CH	54.2	62.6	59.0
	Nam Cheong District CC	35.7	38.0	37.0
	Pak Tin CH	27.3	25.4	48.0
	Shek Kip Mei CH	68.8	69.4	65.0
	Tai Hang Tung CC	(2)		

District	Community Halls ("CHs")/ Community Centres ("CCs")	Usage Rate (%)		
		2017	2018	2019
Wong Tai Sin	Choi Wan Estate CC	66.6	71.7	76.3
	Chuk Yuen Estate CC	66.4	67.2	67.5
	Fung Tak Estate CC	74.3	83.4	79.7
	Tung Tau CC	16.7	18.9	26.5
	Tsz Wan Shan (South) Estate CC	(2)		
	Tsz Wan Shan CH	(2)		
	Wong Tai Sin CC	85.8	86.0	87.3
Yau Tsim Mong	Henry G. Leong Yaumatei CC	58.5	50.9	49.4
	Mong Kok CH	35.2	39.2	33.4
Kwai Tsing	Cheung Ching Estate CC	(2)		
	Cheung Fat Estate CC	(2)		
	Cheung Hang CH	(2)		
	Kwai Fong CH	(2)		
	Kwai Shing CH	(2)		
	Lai King CH	(2)		
	Shek Lei CH	28.2	7.6	13.0
	Tai Wo Hau Estate CC	(2)		
	Tsing Yi Estate CH	(2)		
North	Cheung Wah CH	37.5	37.5	50.7
	Luen Wo Hui CH	54.2	48.9	47.7
	North District CC	40.9	41.9	44.3
	Sha Tau Kok CH	10.6	10.9	12.9
	Ta Kwu Ling CH	2.8	2.9	3.6
	Wo Hing CH	26.0	(3)	
Sai Kung	Hang Hau CH	49.1	43.2	44.3
	Kin Choi CH	40.7	44.3	48.8
	King Lam Neighbourhood CC	47.1	43.2	47.8
	Lohas Park CH	10.5	14.5	8.0
	Sai Kung Jockey Club Town Hall	(2)		
	Sheung Tak CH	26.1	25.3	27.2
	Tsui Lam CH	4.0	7.0	6.0
Sha Tin	Chun Shek CH	74.2	74.1	73.4
	Heng On Estate CC	67.7	68.3	68.6
	Hin Keng Neighbourhood CC	39.4	44.2	51.9
	Kwong Yuen CH	85.9	86.1	83.8
	Lee On CH	56.1	60.5	64.8

<i>District</i>	<i>Community Halls ("CHs")/ Community Centres ("CCs")</i>	<i>Usage Rate (%)</i>		
		<i>2017</i>	<i>2018</i>	<i>2019</i>
	Lek Yuen CH	63.8	64.7	63.0
	Lung Hang Estate CC	66.3	68.9	67.1
	Mei Tin CH	55.1	59.8	61.8
	Pok Hong CH	63.2	66.6	63.9
	Sha Kok CH	23.8	28.0	30.7
	Sun Tin Wai CH	70.7	68.3	65.7
	Wo Che CH	43.6	45.4	40.5
	Yuen Chau Kok CH	50.8	57.5	64.5
Tai Po	Fu Heng Neighbourhood CC	29.3	22.1	13.8
	Fu Shin CH	24.3	33.4	31.8
	Kwong Fuk CH	27.9	32.6	35.5
	Tai Po CC	32.3	37.7	29.3
	Tai Wo Neighbourhood CC	37.8	41.5	37.6
	Tai Yuen CH	29.3	29.8	31.1
	Wan Tau Tong Neighbourhood CC	30.3	32.5	34.2
Tsuen Wan	Lei Muk Shue CH	2.9	3.6	21.6
	Princess Alexandra CC	83.5	87.4	68.5
	Shek Wai Kok CH	(2)		
Tuen Mun	Butterfly Bay CC	68.7	60.6	51.3
	Kin Sang CH	42.5	39.4	41.8
	Leung King Estate CC	28.3	28.5	29.6
	Lung Yat CH	14.0	12.9	17.1
	On Ting/Yau Oi CC	59.8	54.0	44.4
	Shan King CH	79.7	83.3	80.4
	Tai Hing CH	20.8	20.0	23.1
	Tseng Choi Street CH	54.4	55.2	52.9
	Tuen Mun Town Centre CH	53.5	32.9	36.5
	Wu Shan Road CH	37.7	39.4	39.2
Yuen Long	Long Ping CH	49.0	45.8	50.9
	Tin Ching CH	(2)		
	Tin Fai Road CH	71.0	76.5	76.4
	Tin Shui CC	60.5	58.5	57.7
	Tin Yiu CC	49.9	58.0	60.4
	Yuen Long Town East CH	17.7	29.7	34.9
Islands	Discovery Bay CH	7.4	7.6	8.6
	Tung Chung CH	37.9	46.0	43.3

Notes:

- (1) No multi-purpose hall in the CC.
- (2) No conference room in the CH/CC.
- (3) The conference room concerned is designated for use as a self-study room throughout the year and does not accept booking by organizations.

Welfare and employment for the elderly

19. **MS ELIZABETH QUAT** (in Chinese): *President, in January this year, the Government announced that it would expand the "Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities" ("the Concession Scheme") by lowering the eligible age from 65 to 60, and it would amend the Old Age Living Allowance ("OALA") Scheme. Quite a number of members of the public have relayed that the Government, apart from improving the welfare for the elderly, should also encourage the elderly (especially persons aged 60 to 64 who are commonly known as "silver-age persons") to seek employment and participate in community services. In this connection, will the Government inform this Council:*

- (1) *as the Government indicated last month that it would include the funding needed for expanding the Concession Scheme in the Budget for the next financial year with a view to implementing the measure progressively, of the specific date for implementing the expanded Concession Scheme;*
- (2) *as the Government indicated that it would study issuing to persons aged 60 or above a Personalized Octopus Card embodied with the functions of a Senior Citizen Card issued by the Social Welfare Department, of the progress of the study and the implementation date of the relevant initiative;*
- (3) *as the Government indicated that it would (i) combine the Normal OALA (currently at \$2,770 per month) and the Higher OALA (currently at \$3,715 per month), (ii) standardize the monthly allowance at the Higher OALA rate, and (iii) raise the asset limits for applying for the allowance (to \$500,000 for a single elderly person and \$750,000 for a married elderly couple), of the implementation date(s) of these initiatives;*

- (4) *whether the Government will consider reducing by half the salaries tax rate for working people aged 60 or above, so as to encourage the elderly to continue working; if so, of the details; if not, the reasons for that;*
- (5) *given that quite a number of persons who are required to retire from their current positions upon reaching the age of 60 wish to take up employment again, engage in part-time work or even start their own businesses, whether the Government will (i) enact legislation relating to re-employment after retirement and rationalize the relevant arrangements of the Mandatory Provident Fund system, and (ii) introduce measures to encourage employers to offer more positions suitable for the elderly; if so, of the details; if not, the reasons for that; and*
- (6) *of the new measures in place to encourage silver-age persons to actively participate in neighbourhood mutual help, volunteer services as well as social affairs in the community?*

SECRETARY FOR LABOUR AND WELFARE (in Chinese): President, with longer average life expectancies and an improvement in the overall health quality in Hong Kong, more and more elderly persons are engaged in the labour market. In particular, the labour force participation rate of this age group of 60 to 64 has increased significantly over the past decade from 34% in 2009 to 47% in 2019. The number of employed persons has substantially increased more than double from about 110 000 in 2009 to 259 000 in 2019, far exceeding the 9% increase in the overall working population during the same period. These figures show that on the one hand, more and more people in this age group are still active in the labour market and on the other, more and more employers are willing to employ them.

The Government has all along provided elderly persons with suitable support according to their different physical and financial conditions, covering areas such as employment, cash assistance and more. In fact, the Government has all along adopted a multi-pronged strategy to strengthen training for elderly persons to meet their training and employment needs on the one hand, and provide diversified support services for job seekers, encourage employers to hire elderly persons and step up efforts in promoting friendly employment practices for elderly persons on the other.

Apart from encouraging elderly persons with the ability to work to join the labour market, the Government also attaches great importance to elderly persons who lack the means to make ends meet and those who are physically frail. We have endeavoured to render them tailor-made support in terms of cash assistance, as well as services in other relevant areas. Certainly, in view of the rapidly ageing population, the Government must exercise prudence in utilizing public coffers and provide pertinent support on the principle that it is rightly targeted.

In respect of Member's detailed questions, having consulted the Financial Services and the Treasury Bureau and the Home Affairs Bureau, my reply is as follows:

(1) and (2)

As the Chief Executive ("CE") stated earlier, the livelihood initiatives announced by her in early 2020, including lowering the eligible age of the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("the \$2 Scheme") from 65 to 60 and studying the possibility of issuing a personalized Octopus card that may also serve as the Senior Citizen Card to all elderly persons who are eligible under the \$2 Scheme, were proposed on the premise that they would be fiscally affordable by the Government. CE also made it clear that the implementation timetable for the initiative would be announced upon completion of the comprehensive review of the \$2 Scheme. The comprehensive review of the \$2 Scheme conducted by the Government covered assessments of the effectiveness and fiscal sustainability of the \$2 Scheme, and detailed analysis with regard to the ageing demographic trend in Hong Kong, operation of public transport, effectiveness of anti-abuse measures, public aspirations and Government's overall fiscal affordability, etc. It is necessary for the Government to consider carefully the feasibility, detailed arrangements, timing of implementation, financial assessment and so on of the proposed improvement measures. CE mentioned in her Policy Address announced on 25 November 2020 that the Government has largely completed the internal assessment, and on the premise of being able to combat and prevent abuse effectively, we will include the required funding in the 2021-2022 Budget with a view to progressive implementation within that financial year.

- (3) The Government announced in January 2020 the enhancements to the Old Age Living Allowance. As mentioned in the 2020 Policy Address Supplement announced by CE, in light of the financial implications of the enhancements, the timing of implementation will be reassessed. The Government will announce the arrangements at an appropriate juncture.
- (4) Generally speaking, the career choices of those who are employed or have the intention to enter the job market may be determined by a variety of factors. In terms of salaries tax, the Government taxes income at progressive rates, while offering generous allowances and deductions. In the year of assessment 2018-2019, the overall average effective salaries tax rate was just 8% before factoring in the one-off tax reductions. This represents a very light tax burden when compared with that imposed by other economies around the world and helps create a favourable employment environment for the entire labour force.
- (5) The Employment Ordinance is applicable to employees of different age groups. Through various publicity activities, the Labour Department ("LD") has all along been actively encouraging employers, having regard to the circumstances of their enterprises and staff, to adopt friendly employment practices for elderly persons and allow staff to extend their working life so that elderly persons who wish to work may stay in employment. As for pro-employment measures, LD implements the Employment Programme for the Elderly and Middle-aged ("EPEM") to encourage employers to hire the elderly and middle-aged and provide them with on-the-job training ("OJT") through provision of OJT allowance. In view of the deteriorating employment situation, LD raised the ceiling of the OJT allowance payable to employers under EPEM in September 2020. The maximum amount of OJT allowance payable to employers engaging job seekers aged 60 or above who are unemployed or have left the workforce is \$60,000 per employee. EPEM covers both full-time and part-time jobs. At the same time, LD launched a pilot scheme to encourage persons aged 60 or above to undergo and complete OJT under EPEM through the provision of a retention allowance, thereby stabilizing employment. Subject to the length of the OJT period, the maximum amount of retention

allowance that a full-time employee may receive is \$12,000. To encourage more employers to provide suitable vacancies for elderly job seekers, LD implements various measures, such as staging thematic large-scale job fairs for the elderly and middle-aged and district-based job fairs on part-time employment, strengthening its liaison with employers with recruitment needs to enhance job matching, organizing experience sharing sessions on employment of elderly persons with employers and establishing a dedicated web page on the Interactive Employment Service website, etc.

In respect of training, the Employees Retraining Board currently offers some 700 training courses covering "Vocational Skills", "Generic Skills" and "Innovation and Technology" of 28 trades, and provides training courses which gear towards the employment needs of persons aged 50 or above (such as "Tailor-made Course for Part-timers") and placement follow-up services, with a view to supporting mature persons with training and employment needs.

As regards Mandatory Provident Fund ("MPF") arrangements for retired persons who re-join the labour market, the Mandatory Provident Fund Schemes Ordinance (Cap. 485) requires employers to enrol their employees who are at least 18 but under 65 years of age (except for exempted persons) in an MPF scheme and make mandatory contributions for them. The protection under MPF system for those aged 60 to 64, who have withdrawn MPF contributions on the ground of early retirement but subsequently re-joined the labour force, would not be affected. In addition to mandatory contributions, both employers and employees can also consider making additional voluntary contributions to increase retirement savings for employees, including those who are aged 65 or above. Starting from 1 April 2019, eligible persons⁽¹⁾ may also open a tax-deductible voluntary contribution ("TVC") account to make TVC and enjoy tax deduction, which is subject to a deduction cap at \$60,000⁽²⁾ per year. There is no age limit for applying tax deductions under TVC.

- (1) It refers to members with contribution accounts or personal accounts of MPF schemes, or members of MPF Exempted Occupational Retirement Schemes.
- (2) This is an aggregate limit for both qualifying deferred annuity premiums and TVC.

- (6) The Government has introduced different types of community development services to encourage individuals to interact with others and promote self-reliance and mutual help in solving local issues. Through a wide range of group and community work activities, community development services also promote social relationship and cohesion among people of all ages in the community, and encourage their participation in solving local issues for the betterment of the community.

The Government has spared no effort in promoting volunteer services in different sectors of society, including students and youth, elderly and disabled as well as working persons, to manifest mutual love and respect and fulfil civic responsibility towards the common goal of developing a caring and harmonic community. Community organizations, schools, corporations and government departments etc. often arrange activities and volunteer service projects to encourage elderly's participation. Some of them have also established a system to recognize contributions of volunteers and encourage them to maintain active participation in voluntary work.

Assisting the vehicle repair trade in obtaining repair information and techniques

20. **MR FRANKIE YICK** (in Chinese): *President, it is learnt that with the extensive use of electronic components in diesel vehicles of Euro IV and post-Euro IV emission standards, it is necessary for the vehicle repair trade to obtain the checkers and software of the On Board Diagnostic systems developed by vehicle manufacturers for these vehicles as well as the data collected from tests conducted by the original manufacturers ("the software and hardware required for repair"), so as to effectively repair the major parts of these vehicles. Some members of the local vehicle repair trade have indicated that as vehicle repair workshops in general can hardly afford to purchase and keep the software and hardware required for repair for various vehicle models, vehicle owners can only send their vehicles in need of repair back to the repair workshops designated by vehicle dealers for repair and, in the absence of competition, the repair services provided by the latter not only have failed to meet market needs, but also charged a fee on the high side. This situation has resulted in an increase in the*

operating costs of the transport trade and a gradual shrinkage of the room for survival of the vehicle repair trade. In this connection, will the Government inform this Council:

- (1) whether it knows the number and percentage of vehicle repair workshops which closed down in each of the past five years and, among them, the number of those which closed down because they could not afford the software and hardware required for repair;*
- (2) as the European Union ("EU") has required vehicle manufacturers to ensure that independent repair operators have easy, restriction-free, and standardized access to information on the repair and maintenance of vehicles, and not to treat authorized dealers and repair workshops differently, whether the Government will require that local dealers of new vehicle models must, upon payment of a reasonable fee by members of the vehicle repair trade, provide the software and hardware required for repair; if so, of the details; if not, the reasons for that;*
- (3) as the Government indicated in its reply to my question on 17 February 2016 that the Government would follow the practice of EU to include in the legislation the requirement for vehicle manufacturers to open up repair techniques, of the progress of the legislative amendment exercise; whether it has taken the initiative to gain an understanding from the vehicle repair trade of the opening up of repair techniques by vehicle manufacturers; if so, of the details; if not, the reasons for that; and*
- (4) of the measures in place to assist the vehicle repair trade in keeping abreast of the latest vehicle repair information and techniques?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President, my responses to the questions raised by Mr Frankie YICK are as follows:

- (1) The Electrical and Mechanical Services Department ("EMSD") launched the Voluntary Registration Scheme for Vehicle Maintenance Workshops since July 2015. Currently, there are 2 053 registered vehicle maintenance workshops. In the past five years approximately, a total of 74 vehicle maintenance workshops

closed after registration. EMSD did not collect statistics on the reasons for the closure. For non-registered vehicle maintenance workshops, there are no relevant records.

(2) and (3)

The European Union has implemented the Euro VI vehicle emission standards since 2013 in which the relevant regulations require vehicle manufacturers to make available vehicle maintenance information to the public at a reasonable cost.

By legislative amendments, the emission standards for first registered vehicles were tightened in phases by vehicle classes to Euro VI since 1 July 2017 (except for diesel private cars, motor cycles and motor tricycles) in Hong Kong. Therefore, the vehicle manufacturers/authorized dealers are required to meet the requirements of Euro VI emission standards and make available vehicle maintenance information to the public at a reasonable cost. Currently, the vehicle manufacturers are providing various channels (e.g. web pages) for their customers to purchase the relevant information.

(4) The Environmental Protection Department ("EPD") has been collaborating with the Vocational Training Council ("VTC"), authorized dealers and vehicle repair trade in organizing seminars with a view to assisting the vehicle repair trade to upgrade their vehicle maintenance techniques. Most authorized dealers have been actively collaborating with EPD in sharing the maintenance information for the vehicles under their brands to the vehicle repair trade in the technical seminars on the maintenance of diesel commercial vehicles. This enables the trade to provide proper maintenance services to the vehicles beyond warranty.

Since 2015, EPD has organized 26 technical seminars on the maintenance of diesel commercial vehicles. The seminars were widely supported by the vehicle repair trade with a total turnout of 7 932 participants. In 2018, EPD also collaborated with VTC to deliver eight short courses on the maintenance of Euro VI diesel commercial vehicles and a total of 128 trainees completed the courses.

Flood prevention measures for villages

21. **MR CHAN HAK-KAN** (in Chinese): *President, with the continuous aggravation of global warming, extreme weather conditions have hit Hong Kong more frequently in recent years. During a number of severe rainstorms this year, serious flooding occurred in certain villages (including the following villages in New Territories East: Lo Wu Village, Ping Yeung Village and Lei Uk Village in Ta Kwu Ling; Cheung Uk Tei Village, Yue Kok Village, Shuen Wan Chim Uk Village, Shuen Wan Chan Uk Village, Wong Yue Tan Village and San Tau Kok Village in Tai Po; as well as Ha Tei Ha Village in Sha Tin), threatening the safety of villagers' lives and properties. Regarding flood prevention measures for villages, will the Government inform this Council:*

- (1) *of the follow-up actions taken by the relevant government departments in respect of the flooding problems in the aforesaid villages; whether they will roll out improvement measures; if so, of the timetables;*
- (2) *of the number of reports on flooding incidents in villages received by the Government since January this year, with a breakdown by District Council district; among such incidents, of the respective numbers of those the causes of which involved problems of (i) blockage of outfalls and (ii) inadequate flood relieving capacities of drainage channels; the details and progress of the follow-up actions taken in respect of such flooding incidents; the number of locations where the flooding problems have yet to be resolved and the relevant details; and*
- (3) *as the Government has recently proposed carrying out a number of district minor works projects so as to resolve the flooding problems in certain villages, but quite a number of villagers have relayed that funding approval for some of the projects (e.g. the project in San Tau Kok Village in Tai Po) has not been granted by the District Councils concerned after a protracted period of time, resulting in indefinite delay in their implementation, how the Government will resolve such problem; whether it will strengthen the Government's role in taking forward district works; if so, of the details; if not, the reasons for that?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, stormwater drainage facilities in the rural areas of the New Territories include natural stream courses, engineered channels and drains. In general, the Government and the relevant private owners are responsible for the construction and maintenance of the stormwater drainage facilities within their land lots according to their respective responsibilities.

Since 1994, the Drainage Services Department ("DSD") has been formulating and updating the Drainage Master Plan in stages for the New Territories and other major areas of the territory, and implementing a number of drainage improvement measures as planned. In the New Territories, DSD has completed a number of flood prevention works, including the river regulation works for the Kam Tin River, Shan Pui River, Shenzhen River, Ng Tung River, Sheung Yue River and Ping Yuen River, as well as the flood protection schemes for 27 low-lying villages.

Further, when a flooding report is received, DSD will deploy staff providing emergency support to help citizens clear blocked drains and draining excessive water, regardless of whether the affected area is on private or government land. DSD will also examine villages with past flooding records so as to formulate appropriate stormwater drainage improvement measures. Further, the Home Affairs Department ("HAD") will consider the villagers' requests for implementation of minor construction or improvement works to stormwater drainage facilities in villages under minor works programme.

Having consulted the relevant departments, I provide a reply to the three parts of Mr CHAN's question as follows:

- (1) According to the information of DSD and HAD, there were records of flooding at the 10 villages in the North District and Tai Po District in recent years mentioned by Mr CHAN. Among them, the flooding incidents in the Lo Wu Village, Yue Kok Village and Chan Uk Village were due to blockage of drains. Enhancement of the drainage clearance work could prevent recurrence of similar events. For the flooding incidents in the remaining 7 villages, the follow-up actions of the relevant government departments are listed below:

<i>Village</i>	<i>Follow-up action of recent years' flooding incidents</i>
Ping Yeung Village and Lee Uk Village	<p>In 2017, the North District Office completed the drainage improvement works at Ping Yeung Road, and the villagers of Ping Yeung Village put in place additional drains in the village.</p> <p>The North District Office is also actively exploring drainage improvement proposal with the villagers of the Lee Uk Village with a view to commencing the relevant works as soon as possible.</p> <p>DSD is planning to further train and improve the Ping Yuen River, which will help reduce the flood risk of the Ping Yeung Village and Lee Uk Village. The project is now in the planning and design stage, and DSD will commence the works as soon as possible.</p>
Chim Uk Village and Wong Yue Tan Village	<p>DSD laid additional drains in the areas near Chim Uk Village and Wong Yue Tan Village in 2020.</p>
Cheung Tei Village	<p>The Tai Po District Office is discussing with the local residents about the proposal of minor improvement works for certain river sections. If the local residents consent to the proposal, the relevant minor improvement works will be launched as soon as possible.</p>
San Tau Kok Village	<p>The Tai Po District Office is actively exploring with local residents about the proposal of enhancing the stormwater drainage facilities in the San Tau Kok Village in order to commence the works as soon as possible.</p>
Ha Tei Ha Village	<p>DSD and Tai Po District Office have strengthened the clearance works of drains and are actively exploring with local villagers with a view to formulating proposal to enhance the stormwater drainage facilities within the village.</p>

- (2) As at today, DSD and HAD received a total of 29 flooding incidents in rural areas this year. Among them, 16 incidents involved blockage of stormwater drainage facilities and 13 incidents involved insufficient drainage capacity of stormwater drainage facilities. Details are as follows:

<i>District council district</i>	<i>Number of flooding incidents in rural areas</i>	<i>Involving blockage of stormwater drainage facilities</i>	<i>Involving insufficient drainage capacity of stormwater drainage facilities</i>
Sai Kung	10	7	3
Tai Po	7	5	2
Yuen Long	4	2	2
Tsuen Wan	2	1	1
Islands	2	-	2
North	2	-	2
Tuen Mun	1	1	-
Sha Tin	1	-	1
Total	29	16	13

Among the 13 incidents involving insufficient drainage capacity, the improvement works for the stormwater drainage facilities of 5 incidents have been completed while improvements works for 2 incidents are in progress and are expected to be completed in 2022. The stormwater drainage facilities improvement works for the remaining 6 incidents are in the planning and design stage. DSD and relevant District Offices will commence the works as soon as possible.

- (3) HAD will conduct minor construction or improvement works to drainage facilities in rural villages through the minor works programme. If any stakeholder has different opinions and concerns about the projects, HAD will strive to explain the details of the works and arrange site visits as necessary to facilitate the implementation of works.

Regarding the progress of the San Tau Kok Village drainage improvement works, the relevant project was supported and approved by the District Facilities Management Committee of the Tai Po District Council on 12 September 2019. The Tai Po District Office is consulting the relevant government departments on the project. Further, since the scopes of some of the proposed works involve private lots, the Tai Po District Office will consult the affected private owners and obtain their consents with a view to expediting the implementation of the project. The Tai Po District Office will regularly report the progress of the project to the District Facilities Management Committee of the Tai Po District Council.

Primary healthcare services

22. **MR HOLDEN CHOW** (in Chinese): *President, to shift the emphasis of the present healthcare system and people's mindset from treatment-oriented to prevention-focused, the Government plans to set up full-fledged District Health Centres ("DHCs") or interim DHC Expresses of a smaller scale in all of the 18 districts across the territory, with a view to strengthening district-based primary healthcare services, as well as encouraging the public to maintain a healthy lifestyle and enhancing their capability in self-care and home care, thereby reducing the need for specialist services and hospitalization. In this connection, will the Government inform this Council:*

- (1) *of the respective numbers of members of Kwai Tsing DHC who have been provided with (i) basic health risk assessment and (ii) screening services for diabetes mellitus and hypertension, together with the number of patients with diabetes mellitus or hypertension who have been covered by the Chronic Disease Management Programme, since the DHC commenced operation in September last year;*
- (2) *of the respective current numbers of persons suffering from post-acute myocardial infarction, stroke and hip fracture who are receiving community rehabilitation services provided by Kwai Tsing DHC;*

- (3) *given that the Government plans to set up, within its current term, DHCs in seven districts (namely Kwai Tsing, Sham Shui Po, Wong Tai Sin, Tsuen Wan, Yuen Long, Tuen Mun and Southern District) and DHC Expresses in 11 districts, of the progress and other details of the work of setting up these facilities (including site selection), as well as the specific dates on which these facilities will be set up; and*
- (4) *whether it will consider expanding the scope of the disease screening services of DHCs to cover cervical cancer, breast cancer and colorectal cancer?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, my reply to the various parts of the question raised by Mr Holden CHOW is as follows:

- (1) and (2)

The Food and Health Bureau is committed to enhancing district-based primary healthcare services by setting up District Health Centres ("DHCs") throughout the territory progressively. The establishment of DHCs is a key step in a bid to shift the emphasis of the present healthcare system and people's mindset from treatment-oriented to prevention-focused.

DHC services focus on primary, secondary and tertiary prevention. DHC members identified as high-risk individuals through basic health risk assessments will be arranged to attend health risk management activities by care coordinators according to their assessment results and needs. Patients diagnosed with hypertension, diabetes mellitus or musculoskeletal disorder (including osteoarthritic knee pain and low back pain) may join the DHC Chronic Disease Management Programme developed by the Government based on reference clinical protocols. Meanwhile, the Community Rehabilitation Programme under DHC also provides support to patients who are referred by the Hospital Authority with history of stroke, hip fracture and/or myocardial infarction and have already completed their rehabilitation programmes at hospitals, whilst still in need of continuous care and rehabilitation in the community.

The first DHC in Kwai Tsing District commenced operation in September 2019. As at 30 September 2020, the Kwai Tsing DHC has 7 214 registered members. The attendances at relevant services/activities provided by the Kwai Tsing DHC are detailed below:

<i>Health Risk Assessment and Screening</i>	<i>Attendance</i>
Basic health risk assessment	6 586
Screening for diabetes mellitus/hypertension by network doctors	949

<i>Chronic Disease Management Programme</i>	<i>Number of Cases</i>
Diagnosed with diabetes mellitus/hypertension by network doctors	16
Joined the Chronic Disease Management Programme for patients diagnosed with diabetes mellitus/hypertension	16

<i>Community Rehabilitation Programme</i>	<i>Attendance</i>
Post-myocardial infarction	177
Hip fracture	77
Stroke	32

- (3) Following the service commencement of the first DHC in the Kwai Tsing District in September 2019, the Government has plans to set up DHCs in six districts within the term of current Government in a bid to enhance district-based primary healthcare services. In September this year, the Government entered into service contracts with operators of the Sham Shui Po ("SSP") and Wong Tai Sin ("WTS") DHCs, with commissioning dates scheduled in June 2021 and June 2022 respectively. The core centre of the SSP DHC will be located on the second floor of the retail facilities in Shek Kip Mei Estate Redevelopment Phase 6, and that of the WTS DHC at the Diamond Hill Public Housing Estates Phase 1 (Public Housing Development).

The other four DHCs will be set up in Southern District, Tsuen Wan, Tuen Mun and Yuen Long. The Government is actively identifying suitable rental premises for their core centres with a view to commissioning by the end of June 2022.

At the same time, with a view to commencing DHC Express services in 2021, we have just completed the invitation of proposals for providing DHC Express services in 11 districts which are currently under assessment. It is our target to set up DHCs or DHC Expresses in various scales in all 18 districts within the current-term Government with a view to establishing a prevention-focused primary healthcare system in the long run.

- (4) Currently, the Government has implemented cervical cancer and colorectal cancer screening programmes. In 2004, the Department of Health ("DH") launched the Cervical Screening Programme to encourage women to have regular screening so as to reduce the incidence and mortality rates of cervical cancer. Launched in September 2016, the Colorectal Cancer Screening Programme subsidizes asymptomatic Hong Kong residents to undergo screening in three phases. The first and second phases cover persons aged 61 to 75 and those aged 56 to 75 respectively. The third phase, commenced in January 2020, has further extended the coverage to those aged 50 to 75. Faecal Immunochemical Test screening is arranged for participants by enrolled primary care doctors.

Separately, based on the latest recommendations of the Cancer Expert Working Group on Cancer Prevention and Screening of the Cancer Co-ordinating Committee on breast cancer screening, the Government will adopt a risk-based approach for breast cancer screening. DH will provide breast cancer screening service for eligible women having regard to their risk of developing breast cancer.

DHC has been actively complementing the cancer screening programmes implemented by the Government. DHC provides basic health risk assessment for the members of the public which includes identification of risk factors associated with cancers. For members of the public who are eligible for participating the

territory-wide cervical cancer and colorectal cancer screening programmes, DHC will provide professional advice, coordination and referral to doctors enrolled under respective screening programmes for screening and enable them to receive early necessary treatment. In addition, DHC conducts health promotion on preventing risk factors associated with cancers, which includes unhealthy diet, inadequate exercise, alcohol consumption and smoking behaviour, etc. For persons identified with these risk factors, DHC also provides health programmes to help them mitigate these risky behaviours in order to stay healthy and lower their risk of cancer.

GOVERNMENT BILL

First Reading and Second Reading of Government Bill

First Reading of Government Bill

PRESIDENT (in Cantonese): Government Bill: First Reading.

IMMIGRATION (AMENDMENT) BILL 2020

CLERK (in Cantonese): Immigration (Amendment) Bill 2020.

Bill read the First time and ordered to be set down for Second Reading pursuant to Rule 53(3) of the Rules of Procedure.

Second Reading of Government Bill

PRESIDENT (in Cantonese): Government Bill: Second Reading.

IMMIGRATION (AMENDMENT) BILL 2020

SECRETARY FOR SECURITY (in Cantonese): President, I move the Second Reading of the Immigration (Amendment) Bill 2020 ("the Bill").

The Bill seeks to address various issues about non-refoulement claims more effectively, including enhancing the efficiency in screening by the Immigration Department ("ImmD") and preventing delaying tactics, improving the procedures and functions of the Torture Claims Appeal Board ("TCAB"), making improvements in relation to detention, and combating unlawful employment.

The Government has always been concerned about issues relating to non-refoulement claims, and has been determined to address them. Over the years, the Security Bureau and ImmD have implemented a number of measures for handling these issues, including combating at source the smuggling of illegal immigrants and overstaying; expediting the screening of claims and the handling of appeals by TCAB; expediting repatriation upon completion of screening; and meanwhile, stepping up law enforcement actions such as combating illegal workers.

The various measures have achieved some positive results, including:

- (a) the number of non-ethnic Chinese illegal immigrants ("NECIIs") has drastically dropped from the peak by 80% (from a monthly average of 318 in 2015 to 72 in 2019);
- (b) the average time for ImmD to handle a claim has been reduced by 60% (from the previous average of 25 weeks to 10 weeks at present);
- (c) the backlog of over 11 000 claims was basically cleared by ImmD at the beginning of 2019, with some 500 outstanding claims at present; and
- (d) the number of appeal cases pending handling by TCAB has decreased from the peak of over 6 500 to some 1 700 at the end of November 2020; and it is expected that TCAB can complete the handling of these remaining cases by the middle of next year at the earliest.

While the Government has made some progress in the handling of non-refoulement claims, there remain considerable challenges, including the presence of some 13 000 claimants or unsuccessful claimants who remain in Hong Kong due to different reasons as at end of November 2020. Among them,

more than 8 000 have filed applications for leave to apply for judicial review with the Court after their claims or appeals have been rejected respectively by ImmD and TCAB.

In addition, the screening of claims have been affected by the outbreak of the Coronavirus Disease 2019 pandemic. With the two organizations which provide publicly-funded legal assistance to claimants (i.e. Duty Lawyer Service and the Pilot Scheme Office for Provision of Publicly-funded Legal Assistance for Non-refoulement Claimants) implementing special work arrangements as necessary during the pandemic, only limited publicly-funded legal assistance is available, and the commencement of some screening procedures have thus been affected. Moreover, we have also noticed an increasing number of new claims received and an increasing number of NECIIs intercepted recently (from an average of some 50 cases per month in the first quarter of 2020 to some 145 cases in November 2020, and from the monthly average of 74 NECIIs in the first quarter of 2020 to 110 NECIIs in November 2020 respectively).

The rebound in the relevant figures has proved that the Government must act decisively to further improve the screening procedures to plug any possible loopholes by strengthening and rationalizing the existing legal framework, while, at the same time, stepping up measures in the interception of illegal immigrants at source, law enforcement, and repatriation and retention of claimants.

Regarding the overall policy on handling non-refoulement claims, the Government needs to ensure the efficient handling of claims and appeals on the one hand, whilst meeting the high standards of fairness required by law as set down by the Court. Also, we have to remove unsuccessful claimants from Hong Kong as soon as possible. To carry through this policy, the Bill contains a few important proposals which are summarized below:

- (a) enhancing efficiency in screening by ImmD and preventing delaying tactics (e.g. ImmD may direct a claimant to communicate in a language that ImmD reasonably considers the claimant is able to understand and communicate in), while improving procedures and functions of TCAB (e.g. TCAB may shorten the notice period for oral hearings from the present requirement of 28 days to less than 28 days where appropriate);

- (b) in order to ensure more efficient removal of unsuccessful claimants, setting out that once a claim has been rejected by ImmD, ImmD may commence liaison with relevant authorities for repatriation arrangements (such as applying for necessary travel documents) to enable ImmD to take early action even when there is an appeal pending handling by TCAB;
- (c) setting out some of the factors to be taken into account in deciding whether a period of detention is reasonable and lawful (e.g. whether any procedure is hindered directly or indirectly by the person being detained; and whether there are situations beyond the control of ImmD);
- (d) substantially increasing the penalties on employers of illegal immigrants, overstayers or visitors who were refused permission to land in Hong Kong from the current fine of \$350,000 and three years' imprisonment to a fine of \$500,000 and 10 years' imprisonment, so as to enhance the deterrent effect;
- (e) empowering the Secretary for Security to make regulations to provide for the supply to the Director of Immigration of information relating to the passengers and crew members of a carrier, thereby allowing faster passenger clearance at control points, enhancing the enforcement capability of ImmD and strengthening the measures for preventing potential claimants from heading to Hong Kong;
- (f) substantially increasing the fine for the offence which the owner of the aircraft and his agent shall be guilty of if a passenger arriving in Hong Kong in an aircraft does not have a valid travel document from level three (i.e. HK\$10,000) to level six (i.e. HK\$100,000); and
- (g) amending the Firearms and Ammunition Ordinance and the Weapons Ordinance to include the Immigration Service in the list exempted from the licence restrictions of the relevant Ordinances for possessing weapons, firearms and ammunition just like other disciplined services, thereby allowing ImmD to have more flexibility in staff deployment and capacity to conduct training on its own to enhance its capability in handling emergencies and taking enforcement actions at detention centres.

Another aspect of challenges facing Hong Kong regarding non-refoulement claims is the enormous backlog of applications for leave to apply for judicial review pending before the Court. In this connection, the Judiciary has made a number of amendments to the High Court Ordinance (Cap. 4), which include extending the use of a two-Judge bench of the Court of Appeal, and clarifying that a Judge in the Court of First Instance or the Court of Appeal has the power to dispose of cases on paper without physically "sitting" in court, with a view to streamlining the court procedures and facilitating the handling of cases. We will pay close attention to the situation and the results achieved.

President, after the passage of the Bill, its implementation will help prevent re-emergence of delaying tactics, expedite the overall screening work of the executive authorities, and provide a more solid legal basis for the necessary improvement and enhancement of various aspects such as removal, retention, interception of illegal immigrants at source and law enforcement.

I hope Members will support the Bill. President, I so submit.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the Immigration (Amendment) Bill 2020 be read the Second time.

In accordance with the Rules of Procedure, the Second Reading debate is adjourned and the Bill is referred to the House Committee.

MEMBERS' MOTIONS ON SUBSIDIARY LEGISLATION

PRESIDENT (in Cantonese): Members' motions on subsidiary legislation

Two proposed resolutions under the Interpretation and General Clauses Ordinance in relation to the extension of the period for amending subsidiary legislation.

First motion: To extend the period for amending the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 7) Regulation 2020 and the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 13) Regulation 2020, which were laid on the Table of this Council on 25 November 2020.

I call upon Dr CHIANG Lai-wan to speak and move the motion.

PROPOSED RESOLUTION TO EXTEND THE PERIOD FOR AMENDING SUBSIDIARY LEGISLATION (L.N. 222 AND L.N. 223 OF 2020)

DR CHIANG LAI-WAN (in Cantonese): President, in my capacity as Chairman of the Subcommittee, I move the motion standing in my name as printed on the Agenda.

At the meeting of the House Committee on 27 November 2020, Members agreed that the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 7) Regulation 2020 and the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 13) Regulation 2020, which were laid on the Table of this Council on 25 November 2020, should be studied by the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease. In order to allow the Subcommittee to have sufficient time for its scrutiny work, members agreed that I should move a motion to extend the period for amending the subsidiary legislation concerned to the Legislative Council meeting of 13 January 2021.

President, I implore Members to support this motion.

Dr CHIANG Lai-wan moved the following motion:

"RESOLVED that in relation to the—

- (a) Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 7) Regulation 2020, published in the Gazette as Legal Notice No. 222 of 2020; and
- (b) Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 13) Regulation 2020, published in the Gazette as Legal Notice No. 223 of 2020,

and laid on the table of the Legislative Council on 25 November 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 13 January 2021."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Dr CHIANG Lai-wan be passed. Does any Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Dr CHIANG Lai-wan be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority of each of the two groups of Members present, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections. I declare the motion passed.

PRESIDENT (in Cantonese): Second motion: To extend the period for amending the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 14) Regulation 2020, which was laid on the Table of this Council on 2 December 2020.

I call upon Dr CHIANG Lai-wan to speak and move the motion.

PROPOSED RESOLUTION TO EXTEND THE PERIOD FOR AMENDING SUBSIDIARY LEGISLATION (L.N. 235 OF 2020)

DR CHIANG LAI-WAN (in Cantonese): President, in my capacity as Chairman of the Subcommittee, I move the motion standing in my name as printed on the Agenda.

At the meeting of the House Committee on 4 December 2020, Members agreed that the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 14) Regulation 2020, which was laid on the Table of this Council on 2 December 2020, should be studied by the Subcommittee on Subsidiary Legislation Relating to the Prevention and Control of Disease. In order to allow the Subcommittee to have sufficient time for its scrutiny work, members agreed that I should move a motion to extend the period for amending the subsidiary legislation concerned to the Legislative Council meeting of 20 January 2021.

President, I urge Members to support this motion.

Dr CHIANG Lai-wan moved the following motion:

"RESOLVED that in relation to the Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 14) Regulation 2020, published in the Gazette as Legal Notice No. 235 of 2020, and laid on the table of the Legislative Council on 2 December 2020, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 20 January 2021."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Dr CHIANG Lai-wan be passed. Does any Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Dr CHIANG Lai-wan be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority of each of the two groups of Members present, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections. I declare the motion passed.

NEXT MEETING

PRESIDENT (in Cantonese): Fellow Members, this is the last Council meeting in this year. To this Council, Hong Kong, our country as well as the whole world, this is a year full of challenges. As this year is drawing to a close, I would like to give my best wishes to all of you that you will have a peaceful and joyous Christmas and New Year holiday with your families. Also, may I wish Hong Kong an early victory over the pandemic and good fortune after adversity, with prosperity in all sectors and harmony in society in the new year.

PRESIDENT (in Cantonese): I now adjourn the Council until 11:00 am on Wednesday, 6 January 2021.

Adjourned accordingly at 1:33 pm.