

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 25 May 2022

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

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

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

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

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

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

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

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

THE HONOURABLE KWOK WAI-KEUNG, J.P.

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

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

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

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 YUNG HOI-YAN, J.P.

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., J.P.

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

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

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

THE HONOURABLE DOREEN KONG YUK-FOON

THE HONOURABLE CHU KWOK-KEUNG

THE HONOURABLE STANLEY LI SAI-WING, M.H.

DR THE HONOURABLE HOEY SIMON LEE, M.H., J.P.

THE HONOURABLE ROBERT LEE WAI-WANG

THE HONOURABLE DOMINIC LEE TSZ-KING

IR THE HONOURABLE LEE CHUN-KEUNG

DR THE HONOURABLE TIK CHI-YUEN, S.B.S., J.P.

THE HONOURABLE STANLEY NG CHAU-PEI, S.B.S.

DR THE HONOURABLE JOHNNY NG KIT-CHONG, M.H.

THE HONOURABLE CHAU SIU-CHUNG

DR THE HONOURABLE CHOW MAN-KONG

DR THE HONOURABLE DAVID LAM TZIT-YUEN

THE HONOURABLE LAM CHUN-SING

THE HONOURABLE LAM SO-WAI

THE HONOURABLE NIXIE LAM LAM

PROF THE HONOURABLE NELSON LAM CHI-YUEN, J.P.

DR THE HONOURABLE DENNIS LAM SHUN-CHIU, J.P.

THE HONOURABLE LAM SAN-KEUNG, J.P.

THE HONOURABLE ANDREW LAM SIU-LO, S.B.S., J.P.

THE HONOURABLE DUNCAN CHIU

THE HONOURABLE YIU PAK-LEUNG, M.H.

DR THE HONOURABLE WENDY HONG WEN

PROF THE HONOURABLE SUN DONG

THE HONOURABLE DENNIS LEUNG TSZ-WING, M.H.

THE HONOURABLE LEUNG MAN-KWONG, M.H.

THE HONOURABLE EDWARD LEUNG HEI

THE HONOURABLE KENNETH LEUNG YUK-WAI, J.P.

THE HONOURABLE CHAN YUET-MING

THE HONOURABLE ROCK CHEN CHUNG-NIN, S.B.S., J.P.

THE HONOURABLE CHAN PUI-LEUNG

THE HONOURABLE CHAN YUNG, B.B.S., J.P.

THE HONOURABLE SUNNY TAN

THE HONOURABLE JUDY CHAN KAPUI, M.H.

THE HONOURABLE MAGGIE CHAN MAN-KI, M.H., J.P.

IR THE HONOURABLE CHAN SIU-HUNG, J.P.

THE HONOURABLE CHAN HOI-YAN

THE HONOURABLE JOEPHY CHAN WING-YAN

THE HONOURABLE CHAN HOK-FUNG, M.H., J.P.

IR THE HONOURABLE GARY ZHANG XINYU

THE HONOURABLE LILLIAN KWOK LING-LAI

THE HONOURABLE BENSON LUK HON-MAN

DR THE HONOURABLE STEPHEN WONG YUEN-SHAN

DR THE HONOURABLE KENNEDY WONG YING-HO, B.B.S., J.P.

THE HONOURABLE EDMUND WONG CHUN-SEK

THE HONOURABLE KINGSLEY WONG KWOK, B.B.S., J.P.

THE HONOURABLE YANG WING-KIT

REVD CANON THE HONOURABLE PETER DOUGLAS KOON HO-MING,
B.B.S.

THE HONOURABLE TANG FEI, M.H.

THE HONOURABLE TANG KA-PIU, B.B.S., J.P.

THE HONOURABLE LAI TUNG-KWOK, G.B.S., I.D.S.M., J.P.

PROF THE HONOURABLE LAU CHI-PANG, B.B.S., J.P.

THE HONOURABLE KENNETH FOK KAI-KONG, J.P.

THE HONOURABLE LOUIS LOONG HON-BIU

THE HONOURABLE NGAN MAN-YU

THE HONOURABLE CARMEN KAN WAI-MUN

DR THE HONOURABLE TAN YUEHENG, J.P.

THE HONOURABLE SO CHEUNG-WING, S.B.S., J.P.

THE HONOURABLE YIM KONG

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE WONG KAM-SING, G.B.S., J.P.
SECRETARY FOR THE ENVIRONMENT

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

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

THE HONOURABLE KEVIN YEUNG YUN-HUNG, J.P.
SECRETARY FOR EDUCATION

THE HONOURABLE ALFRED SIT WING-HANG, J.P.
SECRETARY FOR INNOVATION AND TECHNOLOGY

THE HONOURABLE CHRISTOPHER HUI CHING-YU, J.P.
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

MR SONNY AU CHI-KWONG, P.D.S.M., J.P.
UNDER SECRETARY FOR SECURITY

DR CHOI YUK-LIN, J.P.
UNDER SECRETARY FOR EDUCATION

DR RAYMOND SO WAI-MAN, B.B.S., J.P.
UNDER SECRETARY FOR TRANSPORT AND HOUSING

MR HO KAI-MING, J.P.
UNDER SECRETARY FOR LABOUR AND WELFARE

CLERKS IN ATTENDANCE:

MS DORA WAI, DEPUTY SECRETARY GENERAL

MS ANITA SIT, ASSISTANT SECRETARY GENERAL

MS AMY YU, ASSISTANT SECRETARY GENERAL

MS MIRANDA HON, ASSISTANT SECRETARY GENERAL

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>
Shipping and Port Control (Amendment) Regulation 2022	70 of 2022
Port Control (Cargo Working Areas) (Amendment) Regulation 2022.....	71 of 2022
Port Control (Cargo Working Areas) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022.....	72 of 2022
Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2022	73 of 2022
Road Traffic (Registration and Licensing of Vehicles) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022	74 of 2022
Road Traffic Ordinance (Amendment of Schedule 3) Order 2022	75 of 2022
Hong Kong Air Navigation (Fees) (Amendment) Regulation 2022.....	76 of 2022
Hong Kong Air Navigation (Fees) (Amendment) Regulation 2020 (Amendment) Regulation 2022	77 of 2022
Marine Fish Culture (Amendment) Regulation 2022.....	78 of 2022
Public Health (Animals and Birds) (Licensing of Livestock Keeping) (Amendment) Regulation 2022	79 of 2022

Public Health (Animals and Birds) (Licensing of Livestock Keeping) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022	80 of 2022
Sewage Services (Trade Effluent Surcharge) (Amendment) Regulation 2022.....	81 of 2022
Mines (Safety) (Amendment) Regulation 2022.....	82 of 2022
Mines (Safety) (Amendment) Regulation 2020 (Amendment) Regulation 2022.....	83 of 2022
Dangerous Goods (Control) (Amendment) (No. 2) Regulation 2022	84 of 2022
Dangerous Goods (Shipping) Regulation 2012 (Amendment) Regulation 2022.....	85 of 2022
Dangerous Goods (Government Explosives Depots) (Amendment) Regulation 2022.....	86 of 2022
Building (Minor Works) (Fees) (Amendment) Regulation 2022	87 of 2022
Building (Minor Works) (Fees) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022	88 of 2022
Electricity (Registration) (Amendment) Regulation 2022.....	89 of 2022
Electricity (Registration) (Amendment) Regulation 2020 (Amendment) Regulation 2022	90 of 2022
Karaoke Establishments (Fees) (Amendment) Regulation 2022	91 of 2022
Karaoke Establishments (Fees) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022	92 of 2022

Travel Agents (Amendment) Regulation 2022	93 of 2022
Travel Agents (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022....	94 of 2022
Merchant Shipping (Local Vessels) (Fees) (Amendment) Regulation 2022.....	95 of 2022
Merchant Shipping (Local Vessels) (Fees) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022.....	96 of 2022
Road Traffic (Public Service Vehicles) (Amendment) Regulation 2022.....	97 of 2022
Road Traffic (Public Service Vehicles) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022.....	98 of 2022
Dutiable Commodities (Liquor Licences) (Fees) (Amendment) Regulation 2022	99 of 2022
Dutiable Commodities (Liquor Licences) (Fees) (Amendment) (Fee Concessions) Regulation 2019 (Amendment) Regulation 2022	100 of 2022
Places of Public Entertainment (Fee Concessions) (Amendment) Regulation 2022	101 of 2022
Construction Workers Registration (Fees) (Amendment) Regulation 2022.....	102 of 2022
Road Traffic (Public Service Vehicles) (Amendment of Schedule 5) Regulation 2022.....	103 of 2022
International Organizations (Privileges and Immunities) (World Intellectual Property Organization) Order ...	104 of 2022
Air Passenger Departure Tax Ordinance (Amendment of Second Schedule) Order 2022.....	105 of 2022

Declaration of Mental Hospital (Consolidation) (Amendment) Order 2022.....	106 of 2022
Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2022	107 of 2022
Employees Retraining Ordinance (Amendment of Schedule 2) Notice 2022.....	108 of 2022
Social Workers Registration Ordinance (Amendment of Schedule 2) Notice 2022.....	109 of 2022
Waste Disposal (Prescribed Signs for Refuse Collection Points and Specified Bins) Notice	110 of 2022
Waste Disposal (Prescribed Sign for Waste Vehicles in Government Service) Notice.....	111 of 2022
Waste Disposal (Prescribed Sign for Waste Vehicles in Private Use (with Compactor)) Notice	112 of 2022
Waste Disposal (Specified Requirements for Designated Bag and Designated Label) Notice	113 of 2022
Waste Disposal (Charging for Municipal Solid Waste) (Amendment) Ordinance 2021 (Commencement) Notice 2022	114 of 2022

Other Papers

Securities and Futures Commission
Approved Budget of Income and Expenditure for the financial year
2022/2023

Report of changes made to the approved Estimates of Expenditure during
the third quarter of 2021-22
Public Finance Ordinance: Section 8(8)(b)

Report No. 8/2022 of the House Committee on Consideration of Subsidiary
Legislation and Other Instruments

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. First question.

Strengthening information security

1. **DR JOHNNY NG** (in Cantonese): *It has been reported that due to geopolitical changes, certain foreign governments often impose sanctions on the Chinese Government, including cutting off the export of certain technological products to China and banning China's use of such products. There are even hackers in western countries waiting for opportunities to launch cyberattacks on China in attempts to affect the operation of the Chinese Government and related organizations, and Hong Kong may also be affected. On strengthening information security in Hong Kong, will the Government inform this Council:*

- (1) *whether it has assessed the impacts of the aforesaid restrictions imposed on technological products and cyberattacks on the information security (including computer systems and applications) of various government departments, and what plans are in place to strengthen the information system security and incident response capability of various government departments, so as to ensure that their operation and services are not affected;*
- (2) *how it detects and blocks foreign hackers' intrusions and attacks targeting the computer systems of various government departments, and whether it will formulate relevant management, technical and security mechanisms; and*
- (3) *given that cyberattacks may undermine the operation of critical information infrastructure, causing chaos to the daily lives of members of the public and bringing about economic impacts, whether the Government will regulate the cyber security standards for such infrastructure, and require infrastructure operators to assume greater cyber security responsibilities?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): President, I am grateful to the question raised by Dr Johnny NG. The Government attaches great importance to information security, including cyber security. We have been tackling information security issues through a multi-pronged strategy to mitigate the risks brought by cyber threats. Bureaux and departments (“B/Ds”) actively implement multiple layers of security measures to monitor, detect and block potential malicious attacks on their information systems and networks, and take commensurate measures promptly to ensure the security of the Government’s systems and data. We also closely collaborate with related organizations and departments to enhance the overall defence capability and resilience of Hong Kong against cyberattacks, and strive to build Hong Kong into a safe and secure smart city.

Having consulted the Security Bureau, my reply to the questions raised by Dr Johnny NG is as follows:

(1) and (2)

The Government has been closely monitoring the trends of cyberattacks and the associated security threats around the world to ensure the continuity of normal operation of the Government’s systems and services.

In procuring information technology (“IT”) equipment products, government departments place high importance to the relevant security standards and the support services offered by the suppliers in addition to functionality and compatibility. Moreover, we also remind departments to procure IT and communication products from diverse sources so as to manage the risks of potential restrictions imposed on technology products.

In light of targeted and organized cyberattacks on a global scale, the Office of the Government Chief Information Officer (“OGCIO”) has formulated a comprehensive set of Government IT Security Policy and Guidelines (“Policy and Guidelines”), which are reviewed and updated regularly with reference to the latest international standards and industry best practices. All B/Ds must abide strictly by the Policy and Guidelines to ensure the security of government data and information systems. OGCIO also regularly conducts compliance

audits for B/Ds to ensure the compliance of their information systems with relevant security requirements.

On the technical aspect, the Government commits itself to the overall information security measures to respond to all types of cyber security threats. Leveraging on modern cloud technologies, the Government launched the Next Generation Government Private Cloud Infrastructure Platform in September 2020 to provide a more secure, reliable and scalable infrastructure for the digital government services of different departments. The platform has so far supported over 350 digital government services. At present, the government websites and systems have adopted multiple layers of security measures including data encryption, firewalls, content delivery networks, scrubbing function, intrusion detection and prevention systems against distributed denial of service (“DDoS”), anti-malware software, endpoint protection solutions and real-time monitoring tools, to detect, block and tackle different types of security threats. In addition, the Government also implements spam filtering systems to tackle malicious email attacks.

On the other hand, in order to respond to emergency incidents effectively, OGCIO has established the Government Computer Emergency Response Team Hong Kong to assist and coordinate departments in handling the work of computer emergency response and incidents. OGCIO also organizes the Inter-departmental Cyber Security Drill annually to strengthen the capability of government departments in defending and responding to cyber security incidents.

Meanwhile, the Government attaches great importance to the cooperation and information sharing with the Mainland and other regions on cyber security in order to respond to the cyber security threats in a prompt and timely manner. OGCIO has also joined the Forum of Incident Response and Security Teams and the Asia Pacific Computer Emergency Response Team, etc. and is working closely with the National Computer Network Emergency Response Technical Team/Coordination Centre of China on exchanges, cooperation and notifications of cyber security intelligence. We also actively participate in related activities organized by these organizations.

- (3) A safe business environment is crucial for fostering economic development, prosperity and stability. Critical infrastructures are of great significance to the normal operation of the society. If the information systems, information networks or computer systems of the critical infrastructures are being disrupted or sabotaged, the normal operation of their main facilities may be affected, and will seriously jeopardize the economy, people's livelihood, public safety and even national security.

The increase in cyberattacks in recent years has brought substantial challenges to the cyber security of critical infrastructures around the world. Currently, Hong Kong does not have specific legal requirements on the cyber security of critical infrastructures. Therefore, in addition to industry best practices as well as guidelines and requirements on cyber security imposed by individual regulatory authorities, the Government is currently making preparatory work to clearly define the cyber security obligations of operators of critical infrastructures through legislation, with a view to strengthening the cyber security of critical infrastructure in Hong Kong. In formulating relevant cyber security standards, reference will also be made to standards adopted by other jurisdictions and around the world. The Government intends to launch a public consultation exercise by the end of this year.

Thank you again for the question of Dr Johnny NG. I am eagerly looking forward to more exchange and cooperation with Legislative Council Members in promoting and strengthening the information security of Hong Kong together. Thank you, President.

DR JOHNNY NG (in Cantonese): *President, I would like to thank the Secretary for his reply. I wish to ask a question: in respect of the restrictions on the use of technological products, how will the SAR Government prevent foreign countries from banning or cutting off the supply of the computer operating systems and applications of various B/Ds from being? To give an example, does the Government regularly assess the international situation and make contingency and backup plans to avoid disruption or even suspension of government operation and public services? Thank you.*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): Thank you, President. We have not been notified by any B/D that foreign countries have banned or cut off the supply of their computer operating systems or applications. We have been keeping a close eye and watch on the development of international situation to ensure the sustained, normal operation of government systems and services.

It has been the Government's procurement policy to obtain goods and services at good value for money through fair, transparent and competitive procedures. In procuring information and communication technology ("ICT") products and services, including those procured through OGCIO's Standing Offer Agreement for the Supply of Network Products and Server Systems ("SOA"), the Government will make reference to and adopt international and industry standards, and clearly set out the requirements for the protection of information systems and data assets to ensure that the products and services can safeguard the Government's information systems and cyber security. In drawing up SOA, OGCIO mainly considered product functionality, compatibility, relevant technical and security standards, as well as the support provided by the suppliers. Moreover, departments have also been reminded to procure their ICT products from different sources to diversify the risks.

In fact, with the rapid development of information technology ("IT") in our country, the products we have procured include a wide selection of those developed by our country. Huawei, Lenovo and H3C Technologies, for example, are all highly competent companies that are also very well-established in Hong Kong. Therefore, when procuring such products, there is sufficient supply to ensure that the selected products offer both compatibility and adequate security protection. Thank you, President and thank you, Dr NG.

MR CHAN HOK-FUNG (in Cantonese): *Thank you, President. I would like to ask the Bureau that, in the light of the great power game, the United States imposes sanctions on Hong Kong to exert pressure on China. This will gradually become a common practice which affects the use of Western products, especially spare parts, warranty and maintenance or even software upgrades, in Hong Kong. In this connection, I wish to ask: has the SAR Government formulated standards or guidelines for facilities, equipment and software with higher security risks,*

including the setting up of servers in Hong Kong and the use of products from local research and development or Mainland researches, so as to ensure that government operation will not be affected by the sanctions?

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese):

Thank you, Mr CHAN. In practice, under the Government's procurement policy, we will, as Mr CHAN has reminded us, discern the market landscape and even international relations to ensure that the products used by the HKSAR Government carry sufficient compatibility and that we are adequately prepared. However, to date, we have not been notified by any B/D that foreign countries have banned or cut off the supply of their IT or computer operating systems, but we will closely monitor the situation.

In addition, our SOA already adequately specifies the requirements for security and aftercare support. In the case of any change, sufficient compatibility will enable us to switch to other products in which we have confidence, so as to ensure the normal operation of the Government. Thank you, President and thank you, Mr CHAN.

MR LUK CHUNG-HUNG (in Cantonese): *Thank you, President. Regrettably, the Government's reply failed to convince us that it has prepared ahead for a rainy day regarding this problem. As we all know, in view of geopolitical instability, Western countries, led by the United States, have been suppressing our country by all conceivable and extreme means, and can readily find reasons to cut off the supply of our IT products. Moreover, information security is a crucial aspect of national security. In this connection, I would like to ask the Government whether it will try out ... I said "try out" because it takes time to convert the systems. Will the Government try out domestic or made-in-Hong Kong open-source systems, such as Huawei's HarmonyOS, Union Tech's Unity Operating System and Kylin? The Government should try them out in certain areas, with a view to tackling possible risks in the future, instead of just uttering the empty words "we will be prepared" now. Preparations are made not out of lip service but through assessment. How can assessment be made? How can assessment be made without trying things out? Thank you, President.*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I thank Mr LUK for his supplementary question. Throughout the process, the Government has made preparations as Mr LUK has suggested. Concerning the many different IT infrastructures, we have comprehensively considered various security risks before purchasing products. Of course, under “one country, two systems”, as the most international city in the country, Hong Kong will no doubt consider how to include different kinds of best products worldwide. However, I would like to stress that, among the various considerations, the stability of government services, as well as Hong Kong’s public safety or even national security, are of paramount importance. Therefore, I seek Honourable Members’ understanding that we have absolutely made preparations and also implemented the relevant measures to ensure that the security of infrastructures in Hong Kong are reasonably safeguarded.

MS CARMEN KAN (in Cantonese): *Thank you, President. Last week, on national security grounds, the Canadian Government followed the United Kingdom and the United States in announcing that Canadian telecommunications services companies would be banned from using new 5G equipment and services provided by the two major communications equipment manufacturers and suppliers of our country. Existing equipment must also be removed by the deadline.*

May I ask the Secretary whether there are any national security risks associated with the use of communications equipment? Is there regular assessment on national security risks regarding the use of foreign equipment? Do we have professionals in this field? Thank you, President.

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I thank Ms KAN for her supplementary question. The Government has put in place a requirement in the overall information security arrangements and that is regular audits, which cover a very extensive area. However, as Ms KAN has just said, owing to certain international developments, we will attach greater importance to information security in Hong Kong, especially that of the Government. Therefore, as I mentioned in my reply to Mr LUK’s supplementary question, apart from making preparations, in the course of implementation, we will also take into account the impact of different products on the stability, sustainability and even security of public services.

That said, I must stress: How can the best balance be struck in the overall development? A balance is essential for safeguarding Hong Kong's information security while still sourcing a wide range of world-class services for Hong Kong, the most international city under "one country, two systems".

MR KENNETH LAU (in Cantonese): *President, with the rapid IT development, there have been increasingly frequent cyberattacks that come in all shapes and forms against individuals, enterprises, societies and countries around the world, which pose a great threat to the economy, people's livelihood, public order, business environment and even national security of Hong Kong. It is necessary for the SAR Government to strengthen its information security defensive capability to protect Hong Kong's cyber security and preventing it from becoming a vulnerability in national security.*

I wish to ask: How will the Government, while preparing for the legislation on cyber security, protect the cyber privacy of the public? In particular, how can the acts of doxing occurring on overseas platforms be regulated?

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I thank Mr LAU for his supplementary question. With the rapid IT development, the country has made great achievements in respect of legislation on cyber security protection. To give examples, the country promulgated a cyber security law as early as in 2016, and in April 2021, the regulation for safe protection of critical information infrastructure was passed. During the process, the HKSAR Government has also kept abreast of our country's developments in this respect. That is why I have mentioned in my main reply that the Security Bureau has already carried out information security enhancement work on certain critical infrastructures.

I would like to ask Under Secretary AU to supplement the reply.

PRESIDENT (in Cantonese): Under Secretary for Security, please reply.

UNDER SECRETARY FOR SECURITY (in Cantonese): Thank you, President and thank you, Mr LAU. In fact, under the purview of the Security Bureau, we have already stepped up our internal preparatory work for the enactment of cyber security legislation. In the run-up to the enactment, we will focus on the following seven areas. Firstly, a preventive management regime should be established for critical infrastructures. Secondly, a cyber security plan should be devised. Thirdly, security assessments should be regularly conducted. Fourthly, a comprehensive incident response plan should be put in place. Fifthly, frequent drills should be conducted. Sixthly, there should be resilience. And lastly, there should be a prompt notification mechanism.

After formulating the relevant strategies and policies, we intend to consult the Council and the public by the end of this year. Thank you, President.

IR CHAN SIU-HUNG (in Cantonese): *Thank you, President. I am pleased to see that the Government is making preparations for the enactment of specific legislation on the cyber security of critical infrastructures. Critical infrastructures cover public service facilities and utility facilities. I understand that, to effectively respond to emergency incidents, the Government has established the Government Computer Emergency Response Team Hong Kong under OGCIO.*

I would like to ask questions about the relevant work. How can the annual Inter-departmental Cyber Security Drill organized by OGCIO, in addition to strengthening the capability of government departments in defending and responding to cyber security incidents, cover public utilities? Also, how can corresponding arrangements be made for utility services before the enactment of the relevant legislation? Thank you, President.

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I thank Mr CHAN for his supplementary question. As Mr CHAN has said, Hong Kong already has in place a system for information security and cyber security to assist local enterprises and individuals in defending themselves, including the Hong Kong Computer Emergency Response Team Coordination Centre (“HKCERT”) Mr CHAN has mentioned. And the Hong Kong Internet Registration Corporation Limited will also provide support services for small and medium enterprises registered under the “.hk” domain name. Of course, the system also involves

different government departments, including the Hong Kong Police Force (“HKPF”). As regards the cyber security of information security, colleagues of HKPF provides a lot of assistance and support for OGCIO.

One of HKCERT’s functions is to liaise with the world, including organizations in our country, for early detection of potential vulnerabilities in information or networks. We can draw reference from incidents occurring both overseas and in our own country so that we can prepare ahead of time. When we receive such information, our coordination centre will analyse it in a timely manner and disseminate it to different organizations so that they can get prepared. Simply put, this is a joint prevention and control in the area of cyber security, enabling Hong Kong’s cyber security to reach the world-leading standards.

Of course, throughout this process, I consider that we need to make further improvements. We can see that our country has made great achievements in the cyber security law or the legislation on the protection of infrastructure cyber security, as mentioned earlier. Accordingly, colleagues in the Security Bureau have been gearing up for the consultation with Honourable Members at the end of this year, so as to better accomplish cyber security of critical infrastructures through legislation. Thank you, President.

PRESIDENT (in Cantonese): Second question.

Regulation of online fundraising activities

2. **MS JOEPHY CHAN** (in Cantonese): *Thank you, President. There are comments pointing out that currently, offline fundraising activities (e.g. flag sales and lottery ticket sales) may only be carried out after the applications have been vetted and approved by the relevant government departments. However, there is no dedicated legislation and government departments that regulate fundraising activities carried out online, resulting in a situation that fundraising activities are regulated if they are conducted offline but are not regulated if conducted online. It has been reported that during the riots in 2019, there were even people who conducted online fundraising for organizing illegal activities that endangered national security. In this connection, will the Government inform this Council:*

- (1) *whether it has compiled statistics on the number of online fundraising activities allegedly carried out for Hong Kong affairs in each of the past three years and, among such activities, the respective numbers of those launched via crowdfunding platforms and the social media accounts of individuals/organizations; of the total amount of funds raised in such fundraising activities, and the number of activities the organizers of which had made public the amounts of funds raised and their accounts on expenses;*
- (2) *whether the Government will consider establishing a standardized regulatory mechanism for various types of online and offline fundraising activities; if so, when the Government plans to submit the relevant proposals to this Council; and*
- (3) *as it is learnt that some people carried out public fundraising under the guise of selling things (e.g. meal vouchers and gifts), how the Government prevents those fundraising activities which evade regulation by adopting this approach (especially those adopting an online approach)?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, first, I thank Ms Joephy CHAN for raising this question, giving us an opportunity to explain the approach of the Government in regulating crowdfunding activities.

Any funds raised, transferred and used, whether through Internet or physical means, must abide by the law. If any person or entity engages in illegal acts, such as money laundering, fraud, theft, acts and activities that endanger national security, or incite, aid, abet or provide pecuniary or other financial assistance or property for other persons to commit offences endangering national security, he or she would be subject to criminal liability, including fine and imprisonment, in accordance with the Organized and Serious Crimes Ordinance (Cap. 455), the Drug Trafficking (Recovery of Proceeds) Ordinance (Cap. 405), the Theft Ordinance (Cap. 210), the Crimes Ordinance (Cap. 200) and the Hong Kong National Security Law. In addition, financial services-related activities involving an offer to the public for purchase of securities or money lending are regulated respectively by the

Securities and Futures Ordinance (Cap. 571), the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) and the Money Lenders Ordinance (Cap. 163).

We however note that many online crowdfunding activities of diverse purposes and nature have emerged in Hong Kong in recent years, as mentioned by Ms Joephy CHAN. While we have the law specified above, we do not have a dedicated legislation or government department or regulatory authority to deal specifically with the various kinds of online crowdfunding activities.

In this connection, I remarked last month that the Government has been reviewing the regulation of crowdfunding in order to provide clearer regulatory requirements, and to strengthen the transparency and accountability of crowdfunding activities, with a view to preventing illegal acts and protecting public interests. We plan to conduct a public consultation within this year which will cover the specific contents of the future regulatory framework, including the scope of crowdfunding activities to be regulated, regulatory requirements applicable to different types of crowdfunding activities such as whether application, registration, disclosure and account auditing, is required for the platform and fundraiser of crowdfunding activities, as well as the corresponding legislative work, regulatory agencies and enforcement arrangement.

Regarding Ms Joephy CHAN's question, in consultation with the Security Bureau, my reply is as follows:

- (1) As it is now not always necessary to make prior application before the conduct of online crowdfunding activities, the Government does not possess a complete set of data in this aspect. However, the law enforcement agencies, in light of the actual circumstances, have constantly been monitoring the situation for any illicit fundraising activities and taking appropriate enforcement actions. For example, in the past three years, the Police have investigated and made arrests for those who were suspected of using funds gathered from online crowdfunding for illegal activities such as money laundering and fraud. In these cases, the arrested persons were suspected of using the proceeds raised from online crowdfunding for purposes different from the proclaimed purposes, and instead for personal consumption, investment and entertainment; or raising funds by impersonating

social welfare and educational institutions. The Government will continue to combat the illegal use of proceeds raised from online crowdfunding.

- (2) At present, physical fundraising activities are subject to certain regulations. For instance, a permit must be obtained from the Director of Social Welfare or the Secretary for Home Affairs, depending on whether the fundraising activity is charitable or non-charitable in nature, in accordance with section 4(17) of the Summary Offences Ordinance (Cap. 228). In addition, the Government has implemented a series of administrative measures over the years to enhance the transparency of charitable fundraising activities, safeguard the interests of donors, etc.

When formulating our proposal on the regulatory framework for online crowdfunding activities, we will make appropriate reference to the above existing measures, and consider the relationship between the regulatory arrangements for fundraising and crowdfunding activities conducted in different modes and the consistency of the measures, and protect the public interest. The public consultation we plan to conduct this year will cover these issues.

- (3) There are four common types of crowdfunding activities. In addition to the financial-related ones such as equity crowdfunding and peer-to-peer lending, there are also crowdfunding activities which Ms Joephy CHAN is concerned about, including donation-based crowdfunding, whereby funds are raised for making donations to charitable activities or other causes such as making donations for political activities; and reward or pre-sale-based crowdfunding, whereby fundraisers provide goods or services in return for funds provided by contributors. The above four types of online crowdfunding activities fall under the scope of our review, and we will put forward corresponding regulatory recommendations in the public consultation later this year to avoid any person making use of fraudulent crowdfunding activities for potentially illegal purposes.

Thank you, President.

MS JOEPHY CHAN (in Cantonese): *President, fundraising activities suspected of violating the law, such as “Thousand Parents” organized by the online radio host “Giggs” and the “612 Non-humanitarian Riot Fund”, made use of online crowdfunding. Moreover, they involved the Hong Kong National Security Law. Will the authorities consider referring fundraising activities to the National Security Department for vetting and approval, so as to deter people or organizations from raising funds by means of crowdfunding for activities that endanger national security? Thank you, President.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. Actually, regarding what Ms CHAN mentioned just now, as we can see from the main question, the whole issue is relatively complicated and diverse. Certainly, what she asked just now, i.e. who should be responsible for enforcement under the overall regulatory framework, is in fact part of our overall review. Members may note that in the overall review of the framework, we have taken various aspects into account. The first one is whether we currently have a legal framework in place, including the existing financial regulations and those in other areas as introduced by me earlier. Another question is about who should be responsible for enforcement on top of such regulations. These are actually within the scope of our review. Hence, in this regard, I hope Members will give us some time. We will strive to complete the internal study by the third quarter of this year, and then release the public consultation paper in the fourth quarter. Thank you, President.

MS ALICE MAK (in Cantonese): *President, I raised my question on crowdfunding for the first time in early 2020, and I have raised such a question several more times afterwards. I guess this is the third or fourth time we have brought up the issue of crowdfunding in the oral question session in the Legislative Council. However, the Government’s reply has been basically the same. This time the only slight difference is that the Secretary said that consultation would be conducted later this year. May I ask the Secretary, since he already knows—the Under Secretary for Security is also present, sitting beside him—over the past period, so many people have raised funds for crimes through crowdfunding, why does he still just talk about consultation instead of taking action today? If the authorities conduct such consultation again, when will the legislation be enacted?*

When will action be taken? Moreover, during the course of consultation and legislation, will the authorities ask the Security Bureau what problems they are facing in law enforcement? And how will enforcement actions be carried out during this period while we are waiting for the consultation and legislation? Can the Secretary speed up his work?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. In fact, I have replied at a number of meetings in respect of the direction or question raised by the Member just now. I have all along stated that the existing arrangement is not to leave everything unregulated, but some aspects can be improved and enhanced. Hence, this time we have taken this measure and communicated closely with the colleagues in the Security Bureau, with a view to examining what specific and existing practical circumstances need to be considered in the whole matter. Members may note, as I have mentioned in the main reply earlier, from the front-end and back-end perspective, certain fundraising activities are subject to front-end registration requirements, such as those imposed on physical fundraising activities, while others, including financial activities, are also regulated accordingly, for example, by the Securities and Futures Ordinance. Nevertheless, regarding the concern about online crowdfunding expressed by Members just now, there are indeed situations where more or better efforts are needed. For this reason, this time we have taken the initiative to conduct a review which has, to a certain extent, addressed the concern expressed by various Members all along. During this process, we have been working closely with the Security Bureau. In the meantime, while the review is now underway, the relevant enforcement work is actually still ongoing. In this connection, perhaps let me ask the Under Secretary for Security to brief us about it.

PRESIDENT (in Cantonese): Under Secretary for Security, please reply.

UNDER SECRETARY FOR SECURITY (in Cantonese): Thank you, President. President, as mentioned by the Secretary for Financial Services and the Treasury just now, during the legislative process, the Security Bureau has in fact been fully involved and provided advice. Regarding the front-end and back-end issues of law enforcement mentioned by the Secretary just now, here I can tell Members that

during the riots or investigation of cases on endangering national security, we have fully utilized the power conferred on us by the existing laws which have been mentioned in the main reply, including the Hong Kong National Security Law. As far as the Hong Kong National Security Law is concerned, there are in fact three cases which, after our investigation, were found to involve online crowdfunding, and the funds obtained by crowdfunding were suspected to be used for crimes endangering national security.

In addition, regarding the crimes of money laundering, fraud and theft mentioned in the main reply, during the investigation of the cases of riots, we found that there were at least five suspected cases of misappropriation of funds obtained by crowdfunding to achieve such criminal purposes. In the course of law enforcement, the National Security Department or other law enforcement departments of the Police Force will strive to bring these criminals to justice with unflagging efforts. Thank you, President.

MR DUNCAN CHIU (in Cantonese): *President, I remember that about seven or eight years ago, I set up the Hong Kong Crowdfunding Association with some friends from the legal and technology sectors. It seems Ms QUAT had participated too. At that time we already actively promoted the legislation and regulation of crowdfunding. As a matter of fact, to technology enterprises and start-ups, crowdfunding is a very important means of fundraising. In the international arena, there are many different standards. What we mentioned just now is mainly about products, equity, debt and charitable activities, and there are also many laws to follow. For example, the Mainland introduced the Administrative Measures on Private Equity Crowdfunding Financing in 2014 and issued quite a number of licences. Among them was the well-known LU. In the United States, OBAMA introduced the Jumpstart Our Business Startups Act (JOBS Act) in 2015, which explicitly regulates the types of platforms which are allowed to operate, as well as who may invest, the scope of investment, restrictions, etc., thus giving considerable protection for public interest.*

Yet regrettably, in Hong Kong, many different reports have been written over the years, including research reports written by the University of Hong Kong and some foreign institutions, and they were submitted to different departments. However, since the Hong Kong Financial Services Development Council released

a research report in 2017, there has been no more news about it. So I am glad that we can raise this issue again this time, in order to prevent people from abusing or using the name of crowdfunding to raise funds illegally. We are already a few years late and have missed the golden opportunity, and we have also missed a number of opportunities for large platforms to conduct relevant business in Hong Kong, but since there are a lot of discussions and documents, I wish to urge the Government to expeditiously take forward the relevant work and introduce legislation to regulate the business of crowdfunding platforms. Thank you, President.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): I thank the Member for his views. Actually, our stance and direction are quite consistent.

The first point is about the importance of this matter, which consists of several aspects. First, currently, we have the relevant legislation in place, but there are still some deficiencies. For this reason, during our review, on the one hand, it is necessary to examine both the gaps which need to be filled and the consistency with other relevant laws. On the other hand, we should draw reference from international experience, as mentioned by the Member just now. We will thus consider all these in a holistic manner. This is the first point.

Apart from the essence of this issue, the second point is about the timing. In fact, what Members are concerned about is our main concern too. Therefore, we are now working at full steam. A preliminary study is already in progress. Our goal is to complete the study in Q3 (the third quarter) and release the consultation paper in Q4 (the fourth quarter) for discussion in society. Thank you, President.

DR TAN YUEHENG (in Putonghua): *Thank you, President. In my view, crowdfunding should be monitored. An ordinance on the administration of public fundraising platforms should be formulated to regulate fundraising activities on online platforms, and administrative measures on public fundraising platforms should be promulgated and implemented. As for online fundraising by individuals and social groups, apart from monitoring the social platforms on the front of information technology, transactions in bank accounts should also be*

monitored at the level of financial management, from the perspective of anti-money laundering and anti-terrorist financing, and from the view of suspicious transactions. Moreover, fundraising activities exceeding a certain scale and number of participants will amount to deposit-taking which falls under financial activities, and all financial activities should be licensed and subject to regulation. Therefore, may I ask the Government whether it has communicated with the financial regulators and financial licensees on their cooperation, and whether it has studied including such activities in the regulation of licensees? Thank you.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Putonghua): I thank the Member for his supplementary question. In fact, when we conduct the internal study, as the Member said, we need to take into account many aspects, including the impact of laws and regulations on financial institutions and how to interface with them. So, in this regard, Members may look at the direction and focus of our work in the next step. In my opinion, the first point is whether the crowdfunding platform needs to be licensed or registered in the initial stage. This is also part of our entire review.

Apart from registration and licensing in the initial stage as mentioned just now, there is also the fundraiser. I believe this is the part Dr TAN is concerned about, since the role of fundraiser is played through the bank. The question of whether crowdfunding activities warrant registration is also part of our entire review.

The third point is how to establish a reporting system to identify and report suspicious transactions after completion of the review. So, basically, we adopt a “through-train” approach, in that registration and licensing in the initial stage, registration and permission for fund raisers in the middle stage, and the subsequent reporting and ongoing requirements will all be designed in our consultation. Thank you, President.

MR CHAN CHUN-YING (in Cantonese): *Thank you, President. I fully support regulating crowdfunding activities, and I am glad that the Bureau will conduct public consultation. However, some crowdfunding activities of an emergency nature, such as those for seeking medical treatment, are very urgent. Some members of the public are thus worried that if such activities require registration*

or prior permission, the process will take time, and this will affect the administration of timely treatment. Therefore, may I ask whether the Government, in considering the introduction of legislation for regulation, will provide for an exemption mechanism in respect of crowdfunding activities which are specifically aimed at providing emergency assistance, and at the same time formulate measures to prevent abuse? Thank you.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. As a matter of fact, similar charitable activities for providing emergency assistance, for which Mr CHAN expressed his concern just now, are nothing new in Hong Kong because such activities are also carried out through physical means. As I have mentioned in the main reply earlier, physical fundraising activities are subject to the registration system under the Director of Social Welfare or the Secretary for Home Affairs, depending on whether the activities are charitable in nature. Therefore, if the focus is now on online activities, we need to consider how we can put forward a system which is both feasible and consistent with the existing laws and regulations.

As for the bigger issue, I believe that Mr CHAN will definitely be concerned about the social, economic and other impacts of this system after its introduction. This is something we need to consider and also the reason why we have to take time to conduct a study. We will publish the consultation paper as soon as possible for discussion by the market within this year. Thank you, President.

MR CHAN HOK-FUNG (in Cantonese): *Thank you, President. Let us look at the monitoring of public fundraising activities in different places around the world. In general, there are three main types of risks which warrant management and control. The first one to be addressed is platform risks, including insolvency, sudden termination of operation, use of the raised funds for other purposes and misuse of personal data. The second one is asymmetric information risks; and the third one is the risk that illegal activities are being conducted. Has the Bureau actually drawn reference from other common law jurisdictions? Is there anything worthy of reference in their practices?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. In fact, the Member has just put it most correctly. When we conduct the review, we absolutely cannot work behind closed doors. We must look at the situations abroad. As a matter of fact, there are many different approaches in foreign countries. For example, in respect of crowdfunding which involves investment elements, including equity, or relates to finance, very often they will handle the matter from the risk perspective by assessing whether there are such risks against money laundering or terrorist financing.

On the other hand, apart from the so-called risk prevention, it also involves investment development. As another Member has said earlier, regarding the conduct of crowdfunding in Hong Kong in the future, many countries, including the United States and the United Kingdom, have legislation directed at such crowdfunding, thereby fostering the development of a regulatory model.

Apart from the investment type mentioned by me just now, which involve both risk prevention and development, there is also a type of crowdfunding the funding nature of which is purely donation-based. It may be related to charity. As a matter of fact, with regard to charity, some countries even have a dedicated commissioner responsible for monitoring charitable affairs. Hence, this actually covers multifarious aspects which are different in each place. Certainly, when considering our own direction, we must take into account our unique local circumstances as well as the existing legal framework, and how we can achieve consistency while reaching our desired objectives. We will thoroughly ponder on all of these. Thank you, President.

PRESIDENT (in Cantonese): Third question.

Basic Law Test for newly-appointed teachers

3. **MR CHEUNG KWOK-KWAN** (in Cantonese): *President, the Chief Executive announced in the 2021 Policy Address that starting from the 2022-2023 school year, newly-appointed regular teachers in public sector schools are required to pass the Basic Law Test (“BLT”) in order to be considered for appointment. In this connection, will the Government inform this Council:*

- (1) *whether it will make public the number of teachers who obtained a pass in the first round of BLT held in January this year; if so, of such number, together with a breakdown by type of newly-appointed regular teachers (i.e. newly-joined teachers, and in-service teachers who were changing schools or switching to a regular teaching post), as well as the respective percentages of that number of passed teachers in the number of teachers who sat for BLT and in the number of teachers in public sector schools across the territory;*
- (2) *of the number, in the second round of BLT held this month, of those teachers who re-sat BLT as they had not obtained a pass in the first round of BLT, and when the Government will announce the results of this round of BLT; and*
- (3) *as some members of the education sector have relayed that May to July each year is the peak season for schools to conduct teachers recruitment, whether it has assessed if the two rounds of BLT conducted so far by the Government for teachers could meet the demand of schools; if it has assessed and the outcome is in the negative, whether it will consider immediately arranging additional BLT sessions and allowing teachers to submit their BLT results later on, so as to help schools rationalize the procedure for teachers recruitment; if so, of the details; if not, the reasons for that?*

SECRETARY FOR EDUCATION (in Cantonese): President, the Basic Law is the constitutional document for the Hong Kong Special Administrative Region (“HKSAR”) which enshrines the basic policies of the People’s Republic of China regarding Hong Kong, provides a solid constitutional basis for the implementation of the concept of “one country, two systems” and the various systems in HKSAR. It is closely related to our daily lives. The Basic Law has been a key element of the school curriculum. Students learn the related concept and its importance through diverse learning experience within and beyond the classroom. Besides, the words and deeds of teachers have a far-reaching impact on students’ growth. Teachers should be committed to nurturing students into quality citizens with a sense of social responsibility and national identity, an affection for Hong Kong as well as an international perspective. In this regard, teachers should have a correct

understanding of the Basic Law so that they could enlighten students and help them correctly understand the constitutional status of Hong Kong and develop positive attitudes towards the Basic Law and “one country, two systems”. We require teachers to have a clear understanding of the Basic Law, and make it one of the entry requirements for teachers.

Starting from the 2022-2023 school year, regular teachers in public sector schools are required to pass the designated Basic Law Tests (“BLT”) before they could be considered for appointment. This requirement is applicable to newly appointed regular teachers including newly-joined teachers, teachers changing schools, teachers switching to a regular teaching post from a teaching post outside the approved establishment and monthly-paid temporary teachers. Designated BLT include BLT organized by the Education Bureau (“EDB”) and the Civil Service Bureau (“CSB”), as well as the Basic Law and National Security Law Test (“BLNST”) newly introduced by CSB in June 2022.

Our reply to Mr CHEUNG Kwok-kwan’s question is as follows:

(1) and (2)

To tie in with the above requirement, EDB conducted two rounds of BLT on a pilot basis. The first round was held on 8 January 2022 with around 5 400 applicants. Around 4 200 candidates sat for the test and the attendance rate was about 80%. Over 70% of the attendees obtained a pass result in the test, which was similar to the results of BLT conducted by CSB. The second round of BLT, originally scheduled to be held in late February, was postponed to 21 May in light of the severe epidemic situation. There were around 9 100 applicants and the attendance rate was about 80%. We are now speeding up the marking and checking processes and it is expected that the test results will be issued to candidates starting from late May to early June.

The objective of organizing the two rounds of BLT is to help teachers who plan to join a school and those changing schools in the public school sector in the 2022-2023 school year to fulfil the relevant requirement. The test results will be recognized regardless of which

rounds of BLT the candidates joined or whether they joined the second round after failing to obtain a pass result in the first round. Therefore, relevant data analyses on candidates of these two rounds of test are not conducted.

Persons who join the above BLT are required to possess a bachelor's degree or are to-be graduates with equivalent qualifications. However, there is no requirement that they must be newly-joined teachers or teachers changing schools. In fact, we do not have data on whether they will apply for joining a school or changing schools, or whether they have successfully joined a school or changed schools. Firstly, most schools have not started their recruitment exercise for the 2022-2023 school year. More importantly, it is not meaningful to provide such data as whether candidates of BLT will apply for joining a school or changing schools and whether their applications are successful depend on a number of factors. Currently, BLT requirement is only applicable to newly-appointed teachers within the approved establishment in public sector schools. As candidates who obtain a pass result may not necessarily join a school or change schools, it is not appropriate to compare the number of candidates passing the test with the number of teachers in all public sector schools in Hong Kong.

EDB will consolidate the experience gained from the pilot tests, review in detail the relevant arrangements, including the mode of the test and the content of the test, and draw up the arrangements for the 2023-2024 school year and thereafter.

- (3) EDB issued a circular to schools and a press release to the public on 11 November 2021 announcing the above BLT requirement and relevant arrangements. The arrangements for the second round test were also announced through press releases on 20 January, 10 February and 11 April 2022. The above documents are also uploaded onto EDB web page. When announcing the details of the second round test, we have clearly specified that it would be the last round of BLT organized by EDB in this school year. As the test was postponed to 21 May due to the epidemic, application was reopened.

For each round of application, while it was specified that the number of places was limited, we have arranged more test centres to provide more places to meet the needs of all the teachers. In the end, all applications were accepted. In other words, EDB has announced clearly the test arrangements on many occasions and provided sufficient opportunities and places for interested applicants. Teachers who wish to change their working environment have been provided with ample opportunities to thoroughly consider if they would take the test. The two rounds of the test accepted a total of around 14 500 applications and the number of attendees is about 11 480. In addition, if persons who wish to join a public sector school or to change school have obtained a pass result in a BLT conducted by CSB or BLNST it organized from June 2022 will be considered to have met the relevant requirement. We expect that schools should not have recruitment difficulties due to BLT requirement. If there are special situations of individual schools, we will consider on a case-by-case basis.

Thank you, President.

MR CHEUNG KWOK-KWAN (in Cantonese): *President, according to the Bureau's existing arrangements, starting from the next school year, all newly-appointed regular teachers and monthly-paid temporary teachers in public sector schools are required to pass the test before they could be considered for appointment. However, at this stage, it appears that this requirement is not applicable to daily rated supply teachers, teachers employed under the Native-speaking English Teacher Scheme and teachers who are remunerated with cash grants.*

I would like to ask the Bureau, will it consider progressively extending this requirement to other schools in the future, such as schools joining the Direct Subsidy Scheme ("DSS"), kindergartens joining the kindergarten education scheme and teachers in other schools? Thank you, President.

SECRETARY FOR EDUCATION (in Cantonese): Thank you, President. As mentioned by Mr CHEUNG, we have scheduled to conduct a review after conducting the two rounds of BLT in this year. The review will cover several aspects: First, the mode of the test. Should we continue with the mode of conducting BLT once a year, or should we adopt the mode of conducting two rounds of BLT every year? Second, the content of the test. For instance, CSB has introduced BLNST in the recruitment of civil servants. How should we keep the content abreast of the time and take follow-up actions accordingly? Third, the scope. Should we include even more schools, such as DSS schools or kindergartens receiving subsidies from us, which Mr CHEUNG has mentioned just now? All these are the issues that we will consider in our review, and the types of teachers may also be included. We are now talking about regular teachers, that is, teachers occupying a teacher post in the establishment of staff, as we call them. However, will daily rated supply teachers and teachers who are remunerated with cash grants be required to sit for the test in the future? We will consider this in detail in our review.

Nevertheless, overall speaking, our policy direction is to expand the scope of the test gradually, and we will expand both the types of schools and the types of teachers covered. But regarding the pace, we will proceed with it progressively in the light of the actual mode and content. Thank you, President.

MS LILLIAN KWOK (in Cantonese): *Thank you, President. Regarding BLT for teachers, we have received a lot of feedback from different non-Chinese teachers reflecting that they are extremely worried. It is because there are several schools in the education sector that mainly admit non-Chinese students. The passing rate of non-Chinese teachers in these schools in the test may be on the low side. May I ask whether the Bureau has the relevant figures? How many non-Chinese teachers have sat for this round of BLT? What is their passing rate? The second point ...*

PRESIDENT (in Cantonese): Ms Lillian KWOK, each Member may ask only one supplementary question at a time. Please sit down.

Secretary, please reply.

SECRETARY FOR EDUCATION (in Cantonese): We have not analysed the passing rate of the candidates in detail on the basis of to their background. With regard to non-Chinese speaking (“NCS”) persons, we may need more NCS persons or those who are familiar with the needs of NCS students to join the teaching profession. There are Chinese and English versions of the BLT paper. That means we can provide NCS persons with the English version if they need it. Therefore, language barrier should not be a consideration in determining whether they can sit for the test.

We introduce BLT because we have seen the importance of the Basic Law in education, and we have also seen the need to guide students to deepen their understanding of the Basic Law gradually. As such, although these teachers are teaching in schools with a relatively large number of NCS students or they are NCS teachers themselves, we require them, being regular teachers, to have a correct understanding of the Basic Law. But of course, if individual teachers or those who aspire to be teachers have failed the test for the time being, or if schools with relatively more NCS students need more NCS teachers but they experience difficulties in recruitment, as I have mentioned in the main reply, we can make some special considerations.

Yet, schools also employ teachers in a variety of ways, such as remunerating them with cash grants. If we have to provide some subsidies to take special care of NCS students, we would do so through providing cash grants as well. Very often, many schools also employ teachers through remunerating them with cash grants to help some NCS students. Therefore, I consider that there is adequate flexibility in the existing arrangements, which can assist these schools in employing sufficient qualified teachers to help these students.

MR BENSON LUK (in Cantonese): *Thank you, President. The Bureau has mentioned in the main reply that teachers should have a correct understanding of the Basic Law so that they could enlighten students and help them correctly understand the constitutional status of Hong Kong and develop positive attitudes towards “one country, two systems”. I strongly agree with this. That said, BLT organized by EDB has actually drawn reference from the arrangements of BLT organized by CSB, under which candidates are required to answer 15 multiple-choice questions within 20 minutes, and they will obtain a pass result*

by getting 8 questions correct. If getting eight questions correct could reflect that a candidate has a correct understanding of the Basic Law, it sounds extremely worrying whether this is a reasonable arrangement.

Secretary, by referring to the written test for driving licence organized by the Transport Department, which also lasts for 20 minutes, candidates have to answer 20 multiple-choice questions in 20 minutes, but they would only get a pass by answering 16 of them correctly. Therefore, President, I would like to ask, since teaching the Basic Law is such a solemn task, will the Bureau consider organizing another BLT with good quality and quantity for all education workers who are responsible for teaching duties in the future, so as to reflect that they really have a clear understanding of the Basic Law, and that they can indeed enlighten our students? Thank you, President.

SECRETARY FOR EDUCATION (in Cantonese): Thank you, President. The two rounds of BLT that we have held in this school year are actually organized with reference drawn from the arrangements currently adopted by CSB in the recruitment of civil servants. We have handled both the content of the test and the mode of the test by referring to CSB's arrangements. We believe that, as a pilot scheme, we can conduct the test in the fastest and most efficient manner by adopting such a mode. We have hence handled it with this mode. Therefore, as I have remarked earlier, we will consider in the review the content of the test, that is, what content of the Basic Law should be tested as well as the mode. As Mr LUK has mentioned just now, whether 15 questions are too few, whether more questions should be added, or whether the passing threshold should be raised, we can consider these issues in the review.

Nevertheless, I must point out that the existing requirement is the minimum basic requirement for newly-joined teachers. We have a new arrangement requiring newly-joined teachers to receive a 30-hour basic core training course when they take up the posts, which covers the content of the Constitution and the Basic Law. Therefore, we do not rely solely on the assessment of BLT to determine whether a candidate is capable of teaching or guiding students properly in the future. Instead, we have also placed strong emphasis on enabling teachers to have a better understanding of the Constitution, the Basic Law, "one country,

two systems”, as well as the constitutional status of the Basic Law and the Constitution in Hong Kong through training. We will continue with such work. Thank you, President.

MR CHU KWOK-KEUNG (in Cantonese): *Thank you, President. If we look at the matter from a more down-to-earth perspective, in fact, many principals have already predicted that their recruitment exercises will certainly be affected if another round of the test is not held, especially for some senior teachers or teachers with specific qualifications. This will affect the operation of teaching. Yet, the Bureau’s response is rather disappointing. I hope the Bureau will announce the details of exemption as soon as possible. Since the BLT result is only valid for one year, may I ask whether the Bureau will consider bringing it on par with the BLT for civil servants, so as to standardize the relevant practices? Thank you.*

SECRETARY FOR EDUCATION (in Cantonese): President, regarding our arrangement this time around, if Members could also look at it from a more down-to-earth perspective, since we know that most schools would conduct teachers recruitment between May and July, if we organize another round of BLT, how can schools recruit teachers in May, June and July? It is because even if the school has employed a teacher, it still does not know whether the teacher can get a pass in BLT. Therefore, we have made this arrangement as early as possible. In the past, 11 480 candidates have sat for the test, and we have announced at an early time—in November last year—that we would impose this requirement. From teachers’ point of view, they would have plenty of time for preparation if they intend to switch jobs or change schools. This being so, in the meantime, I do not think we will organize another BLT again within such a short period of time.

In addition, we will definitely not grant any exemption, given that this is the minimum basic requirement. It is impossible for us to exempt some teachers from the requirement of passing BLT simply because they have not prepared to sit for the test initially but then suddenly wish to take the test or switch jobs later on. If this is the case, it would be better for them to stay in the school that they are now teaching for one more year and wait until next year to take the test before switching jobs, since changing schools is not a must.

In the past, when schools employ teachers to teach different subjects, sometimes they would face greater difficulties in that it might be more difficult to employ teachers for some subjects such as physical education and music. However, schools would have established means to deal with it, such as using cash grants, etc. I believe schools have the ability to handle staff deployment issues or problems arising from the sudden vacancies of one or two teachers.

I have also mentioned in my main reply that if there are some very special situations of individual schools, we are willing to give special consideration in light of the school's situations. However, I must point out that BLT is our very basic requirement for teachers, and we would not grant any exemption or special consideration in the vast majority of cases. Of course, we are still willing to think for the schools and provide them with some flexibility. Thank you, President.

DR PRISCILLA LEUNG (in Cantonese): *President, my supplementary question is related to the last part of part (2) of the main reply, in which the Bureau has indicated that it could consider improving the mode of the test and the content of the test. I have also referred to the Bureau's sample questions. May I ask the Secretary, regarding the purpose of this test, do they hope that teachers-to-be really have a clear understanding of the Basic Law? It is because I have figured out that the mode of the test adopted by the Bureau only focuses on recitation and memorization without testing the candidates' understanding of "one country, two systems" at all. Therefore, I would like to ask the Secretary about this part. With respect to both the mode of the test and the content of the test in the future, can the Bureau abandon its spoon-feeding approach, i.e. setting only multiple-choice questions for candidates to choose among four incorrect answers and a correct one? Regarding the content, will more emphasis be placed on the meaning of "one country, two systems", the relationship between the Constitution and the Basic Law, as well as the relationship between the Central Government and local governments?*

SECRETARY FOR EDUCATION (in Cantonese): Thank you, President. We are willing to consider it, and as I have said in my reply earlier, this is the first step, it is our requirement for newly-joined teachers to have certain knowledge of the Basic Law. When handling this matter, we have applied the standards adopted by CSB in the recruitment of civil servants for the time being. Should we tighten the requirement on the standards applicable to teachers? It is because they are facing

the students and they will affect our next generation. We will give serious consideration in the review to be conducted subsequently, including the issues mentioned by Members a short while ago: What should be the focus of the content? How can assessments be made more effectively? Should there be more questions in the test? We will consider these issues, and we are willing to give thorough consideration to the points raised by Members just now after going back. Thank you, President.

PRESIDENT (in Cantonese): Fourth question.

Promoting the development of Chinese medicine

4. **MR CHAN HAN-PAN** (in Cantonese): *President, the Chief Executive indicated in the 2018 Policy Address that Chinese medicine would be incorporated into the healthcare system in Hong Kong. However, there are views pointing out that there are currently only 10-odd Chinese Medicine Clinics cum Training and Research Centres in Hong Kong providing government-subsidized Chinese medicine out-patient services, and the Hospital Authority has not seen to actively integrate Chinese medicine into the healthcare system. In this connection, will the Government inform this Council:*

- (1) *whether specific measures are in place to expedite the popularization of Chinese medicine, including drawing reference from the practice of the Mainland to improve the legislation on and the system of Chinese medicine, establishing a Chinese Medicine Authority, introducing medical professional liability protection for Chinese medicine, and strengthening Chinese and Western medicine collaboration and the patient referral work in public hospitals;*
- (2) *as it has been reported that the leader of the Mainland Chinese medicine expert group of the Central Authorities suggested earlier on that Hong Kong should build up the strength of the Chinese medicine departments and improve the Chinese medicine management institutions to cope with large-scale epidemic outbreaks, whether the Government will consider formulating relevant policies to strengthen the role of the Chinese medicine sector in the anti-epidemic work; and*

- (3) *whether it will consider discussing with the Mainland the setting up of a mutual recognition system for registration of proprietary Chinese medicines (“pCms”), so as to promote the flow of pCms between the Mainland and Hong Kong?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, my consolidated reply to the various parts of the question raised by Mr CHAN Han-pan is as follows:

The Government has all along been promoting the development of Chinese medicine (“CM”) in Hong Kong. Further to the reaffirming of the positioning of CM in Hong Kong’s development of healthcare system in the 2018 Policy Address, we have been working on various fronts in a progressive manner.

As regards CM services, we have incorporated CM into the healthcare system through the government subsidizing defined CM services, which include three areas. Firstly, the 18 Chinese Medicine Clinics cum Training and Research Centres (“CMCTRs”), which operate on a tripartite collaboration model, have been providing government-subsidized outpatient services since 2020, while continuing to provide a variety of CM service choices to the public.

Secondly, to help gather experiences in the operation of integrated Chinese-Western medicine (“ICWM”) and CM inpatient services, the Hospital Authority (“HA”) has been providing government-subsidized ICWM treatment services to HA inpatients of selected disease areas. With our efforts in actively pressing ahead with the development of the services concerned, such services are currently provided at eight public hospitals, covering all seven hospital clusters. HA will continue to explore enhancing the services concerned by increasing the number of participating hospitals and selected diseases areas, as well as exploring the regularization of the services concerned.

Thirdly, the construction work and preparatory work for commissioning of Hong Kong’s first Chinese Medicine Hospital (“CMH”) has already been launched, with a view to commencing the provision of government-subsidized inpatient and outpatient services by phases starting from mid-2025. CMH will also establish a collaboration platform with service providers including CMCTRs, to strengthen collaboration in various areas such as service development, patient circulation and referral.

The aforementioned three components are complementary in terms of service scope, which will provide a comprehensive network for the delivery of government-subsidized CM services. The Government will continue to allocate more resources to promote the development of CM services.

Meanwhile, with the support of the Central Government and the Guangdong Provincial Government, we have been actively strengthening Hong Kong's role under the blueprint set out in the Construction Plan for the Chinese Medicine Highlands in the Guangdong-Hong Kong-Macao Greater Bay Area (2020-2025). Among others, Mainland public CM healthcare institutions, as pilot sites, started to recruit Hong Kong Chinese medicine practitioners ("CMPs") in 2021, enabling them to further their practice within the national healthcare system and nurturing more clinical talents for Hong Kong. As regards registration of pCms, Hong Kong registered traditional pCms for external use currently could be registered and sold in the Mainland through the streamlined procedures, enabling Hong Kong pCm manufacturers to expand their markets as well as creating favourable conditions for Hong Kong pCms to "go global" in the long run.

Regarding legislation and administrative structure, the prevailing Chinese Medicine Ordinance ("the Ordinance") has already provided the regulatory measures in relation to CM practice and CM drugs. The Chinese Medicine Regulatory Office of the Department of Health ("DH") is mainly responsible for implementing the regulatory matters under the Ordinance and providing support to the Chinese Medicine Council of Hong Kong. Over the years, the Government has been reviewing the prevailing legislative provisions and its implementation from time to time, making amendments as necessary. The Chinese Medicine Unit has been established under the Food and Health Bureau ("FHB") since 2018 to coordinate and promote the development of CM in Hong Kong at the policy level. The Chinese Medicine Development Fund ("CMDf") was also officially launched in mid-2019 to provide financial subsidies to CM sector to promote talent nurturing, research and publicity, in order to generate impetus for CM development in Hong Kong on all fronts.

During the COVID-19 epidemic, CM has played an important role through in-depth participation in the whole process of epidemic prevention, treatment and rehabilitation. On prevention, CM sector has been promoting anti-epidemic knowledge to the public through different means. To fully support CM sector, CMDf has expedited the handling and accorded priority to the vetting of subsidy items in relation to anti-epidemic work.

CM has also played an instrumental role in the multi-tiered triage system. HA has been implementing the Special CM Programme for COVID-19 In-patients since 2021 to allow ICWM to give full play to its strengths in anti-epidemic treatment. Meanwhile, the Government has also been stepping up the use of CM in various establishments such as community isolation facilities, holding centres and residential care homes for the elderly, as well as offering CM support to persons under isolation/quarantine and the general public through providing consultation and advice services, distributing anti-epidemic pCms, etc. The Government has also coordinated CM sector to mobilize its resources to take forward various work, including launching the “Fight the Virus Together—Chinese Medicine Telemedicine Scheme” through CMDF to subsidize CMPs to provide free-of-charge telemedicine services as well as dispensing and delivery of CM drugs.

CM has clear advantages in rehabilitation. HA launched in 2020 the Special CM Out-patient Programme for COVID-19 infected persons to provide free-of-charge CM rehabilitation services to patients who have been discharged from hospitals and persons who have completed isolation at CMCTRs.

The SAR Government has been grateful to the Central Government for sending the Mainland CM expert group to provide guidance during the fifth wave of the epidemic. During its visit, the expert group gained thorough understanding on the actual application of CM in Hong Kong’s anti-epidemic work, and provided valuable feedback to further enhancing Hong Kong’s CM anti-epidemic capabilities.

The Government will, on the basis of the recommendations put forth by the CM expert group, closely collaborate with stakeholders of CM sector to further widen the use and application of CM in Hong Kong, with a view to promoting the long-term development of CM in Hong Kong.

Thank you, President.

MR CHAN HAN-PAN (in Cantonese): *I would like to thank the Secretary for her detailed reply. She said that with active promotion and facilitation of the government-subsidized ICWM treatment services, eight hospitals have already offered ICWM treatment services. However, we should know that although we have spent over 20 years discussing the issue of ICWM and over 10 years*

discussing ICWM inpatient services, only 8 out of 41 hospitals have provided ICWM treatment services so far, showing how active the Government and HA are in promoting ICWM. This is the rhetorical question I would like to ask.

As a matter of fact, CM services not only cover the three specified types of diseases, namely stroke, low back pain and cancer, but there are also many other areas where ICWM can be implemented. However, the Government has been dawdling over the promotion of ICWM and HA has turned a blind eye to it as well. It is evident that development of CM services in Hong Kong is indeed very slow.

The Secretary also replied that the development of CM has long been promoted in a proactive manner. Yet, we notice that the Chinese Medicine Development Committee has rarely held meetings in the past few years since its establishment because the Secretary is very busy. As regards the Chinese Medicine Unit ...

PRESIDENT (in Cantonese): Mr CHAN Han-pan, please raise your supplementary question directly.

MR CHAN HAN-PAN (in Cantonese): *I would like to point out to the Secretary that the existing Chinese Medicine Unit is mainly responsible for enforcement matters, rather than conducting research and development. Now that the Mainland Chinese medicine expert group of the Central Authorities has suggested that relevant systems should be improved, why can I not suggest that the authorities should establish the Chinese Medicine Authority? Does it mean that as long as we express gratitude to the experts for their suggestions and indicate that discussion will be held with the industry, the structural problem of reinforcing the development of CM can be solved. Is it really not necessary to establish the Chinese Medicine Authority?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, I would like to thank Mr CHAN Han-pan for his supplementary question and comments. Perhaps let me explain that the work of the Chinese Medicine Unit does not only confine to regulation. It is DH that is mainly responsible for the regulatory matters and provides support to the Chinese Medicine Council of Hong Kong. Under FHB, the Chinese Medicine Unit is mainly responsible for handling matters

related to the overall development of CM. Of course, the Secretary of the Chinese Medicine Development Committee mentioned by Mr CHAN just now is also a colleague from the Chinese Medicine Unit.

Under the existing structure of FHB, apart from the Chinese Medicine Unit, there is also a coordination office for CMH, with another group of colleagues being tasked with facilitating the development of CMH. Therefore, whether it is about CMDF and CMDF-funded projects, and how the liaison with the industry is covered and how far the development of CM can go, I can tell Mr CHAN that the Bureau is keeping abreast of the situation on the one hand while making all-out efforts to facilitate the development on the other hand.

During the fight against the epidemic, we still held several meetings with the Chinese Medicine Development Committee. We have also actively supported and participated in a world congress of CM. These clearly show that the Government has been pressing ahead with the development of CM, both in respect of inpatient services and prevention work, as well as rehabilitation services under the anti-epidemic work.

We certainly hope that after the epidemic has stabilized, we can more actively take forward other regular developments, such as collaborating with the Greater Bay Area (“GBA”) to foster development, which we have just mentioned. In particular, when visiting Hong Kong during the fifth wave of the epidemic to provide guidance, CM experts offered us a lot of valuable advice. We, apart from getting hold of such advice, are also actively taking forward the matter. The main reply I gave just now may not have touched on many of our ongoing works, but we have been making progress in this regard. Thank you, President.

MR KINGSLEY WONG (in Cantonese): *Thank you, President. I very much agree that concrete measures are needed to expedite the popularization of CM. In respect of Western medicine, the measure of using HK registered drugs and medical devices used in HK public hospitals in Guangdong-Hong Kong-Macao GBA has been implemented to introduce Hong Kong’s Western medicine and medical devices into the Mainland, for which Guangdong Provincial Medical Products Administration (“GDMPA”) has also implemented supporting policies. As regards CM, GDMPA has also streamlined the registration and approval procedures of introducing pCms for external use from Hong Kong and Macao. The first batch of Hong Kong pCms was also introduced to Zhongshan last week.*

However, like the Western medicine, the one-way introduction of Hong Kong medicine into the Mainland cannot benefit most of the Hong Kong people.

Two years ago, the Secretary attended the press conference on the Construction Plan for the Chinese Medicine Highlands in the Guangdong-Hong Kong-Macao Greater Bay Area (2020-2025). The development goal of this plan is that by 2022, the CM cooperation system in GBA will be basically established, and the institutional mechanism based on wide consultation, joint contribution and shared benefits will work smoothly.

May I ask about the work progress of the SAR Government in respect of the CM cooperation system in GBA? In particular, as regards the joint contribution and shared benefits, what benefits can Hong Kong people share from the cooperative development of CM? To put it simply, I would like to know what Hong Kong people can gain from the cooperative development of CM in GBA.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): Thank you, President, and thank Mr Kingsley WONG for his supplementary question. Mr WONG has correctly pointed out that we have earlier participated in the press conference on the Construction Plan for the Chinese Medicine Highlands in the Guangdong-Hong Kong-Macao Greater Bay Area (2020-2025) and received solid support from the National Administration of Traditional Chinese Medicine.

At that time, we proposed to take forward the framework mainly on two aspects, one of which was to explore how Hong Kong pCms could enter the GBA market. In this regard, we have announced on 31 December 2021 that three items of pCms for external use have been approved for sale in Mainland, and they are all registered in Hong Kong. As of April this year, a total of five quality traditional pCms for external use which have already hit the Hong Kong and Macao markets are also approved for sale in the Mainland through streamlined procedures and approval policies.

Regarding the second aspect, as mentioned by Mr WONG, what benefit will the public gain? It has to do with CM, because under the same framework, CMPs have obtained the approval to practise in public medical institutions in the Mainland, and about 10 CMPs in Hong Kong have been recruited to practise in the Mainland. On the one hand, this will help to provide services to the local people in the Mainland, and on the other hand, I believe this can also help to provide training for CMPs that Hong Kong needs in the future. Thank you, President.

MR LAM CHUN-SING (in Cantonese): *Thank you, President. The Government has previously provided a maximum of 10 free-of-charge sessions of CM treatment services to people who have infected with COVID-19, but many people are unable to make appointments, which may be due to manpower problems. It is also mentioned in the main reply that CMH in Tseung Kwan O will commence operation in 2025. I would like to ask whether the authorities have made a comprehensive assessment of CMPs and supported CM professions, such as massage, manipulative therapy and physiotherapy practitioners, as well as the demand for frontline personnel of CM services such as clinic assistants, so as to tie in with the training policy. Thank you, President.*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): I would like to thank the Member for his supplementary question. We have made assessments of various aspects when constructing the first CMH in Hong Kong, including the assessment of manpower as mentioned by the Member just now. This involves not only CMPs and their entire team, but also frontline personnel, CM nursing personnel and CM pharmacist, all of which we have made assessment on an ongoing basis. Certainly, the assessment has considered the number of beds and the development of specialist services in the hospital, such as the proportion of outpatient and specialist services, and the number of talents hence required.

As regards talent training or talent pool at present, CMDF established earlier has in fact earmarked funds for talent training for the future development and commissioning of CMHs. Yet, during the epidemic in the past two years or so, the work has been affected due to inability of local personnel to travel freely to the Mainland for training, as the relevant training programmes are mainly held in consultation with CMHs in the Mainland.

Therefore, although we have reserved resources for training, there are indeed some delays in time. However, when the Mainland CM experts came to Hong Kong recently, we discussed with them again and agreed that in the future, when the epidemic situation in Hong Kong becomes more stable, local personnel may go to different CMHs across the country to receive training. Besides, as we are getting more familiar with some CM experts coming to Hong Kong from Guangdong Province, local personnel can also go to CMHs in Guangdong Province to receive training.

As regards the number of personnel, we have also made an assessment. In some areas, relevant training programmes are not available in Hong Kong, thus we need to expend services and make plans. In this connection, some units and medical institutions have started working on this area. We will continue to take forward talent training programme according to the timetable, so as to smooth the way for the commissioning of CMH in 2025. Thank you, President.

IR LEE CHUN-KEUNG (in Cantonese): *Thank you, President. I would like to raise a supplementary question on the Chinese Medicine Unit. Many people in the CM sector have reflected that they do not know what the Chinese Medicine Unit is doing at present. For a long time, the Chinese Medicine Unit even has failed to help to facilitate the issue of a laboratory test report by a CMP. As far as I know, the Chinese Medicine Unit has only one consultant CMP, which means that the experts are led by laymen. In this connection, will the authorities arrange for more professionals to participate in the work and broaden the functions of the Chinese Medicine Unit, such as quality testing and certification of CM, with a view to promoting and coordinating the future development of CM industry?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): I thank Mr LEE for his supplementary question. In respect of the administrative structure, apart from the Chinese Medicine Unit as mentioned by Mr LEE and I just now, the Chinese Medicine Regulatory Office has also been established under DH to provide support to the Chinese Medicine Council of Hong Kong and take charge of the enforcement of CM laws and regulations in Hong Kong.

The Chinese Medicine Unit has been established since 2018. At the policy level, it is responsible for coordinating and facilitating the development of CM in Hong Kong, overseeing policies and resource deployment related to CM, as well as liaising and coordinating with stakeholders in the CMP and CM sectors. Apart from administrative work, policy formulation and legislation processing, we have also set up a Chinese Medicine Development Committee, which comprises a Practitioners Board and a Medicines Board, respectively headed by two highly experienced and eminent experts in CMP and CM sectors, and chaired by myself. We hold regular meetings to discuss and learn from their views, and have been working together on policy developments that are conducive to the development of CM.

We will make continuous efforts in promoting our work in this respect, strengthen our services and do a good job in the development of the three areas mentioned by me in the main reply just now. We understand that Members are concerned about the work in this respect, thus we will report the work of the Chinese Medicine Development Committee and the promotion of the development of CM as a whole on a regular basis. Thank you, President.

PRESIDENT (in Cantonese): Fifth question.

Promoting the development of innovation and technology

5. **MR TANG FEI** (in Cantonese): *President, the National 14th Five-Year Plan has expressed clear support for Hong Kong to develop into an international innovation and technology (“I&T”) hub. On promoting I&T development, will the Government inform this Council:*

- (1) *of the latest plans and measures put in place by the Government to achieve the goal of developing Hong Kong into an international I&T hub, and whether clear performance indicators have been formulated for the relevant work;*
- (2) *in respect of nurturing I&T talents, as there are views that currently STEM education (i.e. courses relating to science, technology, engineering and mathematics) is not an independent subject in local primary and secondary schools, which has resulted in problems of insufficient lesson time and difficulties in articulation into university programmes, whether the Government will improve the planning for STEM education in primary and secondary schools; if so, of the details and timetable; and*
- (3) *of the measures put in place by the Government in the past two years to deepen the I&T cooperation between the Mainland and Hong Kong (including facilitating Hong Kong’s young people to go to the Mainland for participating in I&T development), and the effectiveness of such measures?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): President, thank you very much for Mr TANG's question. Our reply to Mr TANG's question, having consulted the Education Bureau ("EDB"), is as follows:

- (1) Promulgated last year, the 14th Five-Year Plan ("the 14-5 Plan") supported Hong Kong to develop into an international innovation and technology ("I&T") hub. The Government has been attaching great importance to the development of I&T, and set out eight major areas in the 2017 Policy Address to develop I&T, formulated clear policies and put forward respective measures. In the same year, the Government has also adopted the recommendations of the Advisory Committee on Innovation and Technology to establish well-defined key performance indicators ("KPIs").

In the past five years, the current-term Government has unprecedentedly invested over \$150 billion to support I&T development. Various initiatives are gradually taking effect, and the overall I&T ecosystem is becoming more vibrant. For example, the gross domestic expenditure on research and development ("R&D") has increased by more than 45% in the past five years; the number of start-ups rose from around 1 500 in 2015 to around 4 000 in 2021; the venture capital investment substantially increased from \$3.4 billion to over \$40 billion during the period. We have also witnessed the birth of more than 10 unicorns in the same period. The flagship project, InnoHK research clusters, has successfully attracted over 30 world-renowned universities and research institutes to collaborate with local partners in setting up 28 research laboratories. Hong Kong also ranked first in Asia and second worldwide in the World Digital Competitiveness Ranking 2021.

In the 2021 Policy Address and 2022-2023 Budget, the Government has put forward a number of forward-looking and ground breaking initiatives. In terms of land supply, having regard to the continuous increase in Hong Kong's demand for land dedicated to scientific research and advance industries, the Government is continuing to increase infrastructure, including consolidating the Hong Kong-Shenzhen Innovation and Technology Park ("HSITP") in the Lok Ma Chau Loop and the areas around Lok Ma Chau/San Tin to form the San Tin Technopole, building landmark I&T facilities with

a scale comparable to Cyberport in Lau Fau Shan, reviving the Ma Liu Shui reclamation project, planning for the construction of the second Advanced Manufacturing Centre, etc.

As for talent, the Government has been adopting a multi-pronged approach to enlarging I&T talent pool through attracting, nurturing and retaining talents with a series of initiatives. For example, the Global STEM Professorship Scheme has supported over 60 outstanding scholars and their teams to conduct research and teaching activities in Hong Kong so far.

In terms of R&D, to complement the country's development of frontier scientific research fields such as life and health disciplines, the Government has earmarked \$10 billion to provide more comprehensive support in the longer run for the development of life and health scientific research, including setting up an InnoLife Healthtech Hub in HSITP. The Government will also double the maximum annual funding support under the Innovation and Technology Fund for the 16 State Key Laboratories in Hong Kong and 6 Hong Kong Branches of Chinese National Engineering Research Centres, and set up a dedicated fund to finance local universities or research institutes to participate in national R&D projects.

The Government will update KPIs timely, as well as review the policies, enhance and introduce more measures in line with the country's plan and society's development, so as to continue to promote I&T development.

- (2) According to the information provided by EDB, the Government has been committed to promoting STEM education in primary and secondary schools for all students (i.e. STEM for ALL) through ongoing renewal of curriculum, enhancement of teacher training, providing resource support and life-wide learning activities to cultivate students' creativity, scientific investigation and problem-solving skills from an early age, and enhance their interest and learning motivation in I&T. In addition to learning in the Science, Technology, Mathematics and primary General Studies curricula, students also participate in STEM-related cross-curricular hands-on and minds-on activities both inside and outside the

classroom. These activities help them lay a solid foundation in learning, and strengthen their ability in integrating and applying STEM-related knowledge and skills. Schools are now implementing STEM education progressively and have achieved considerable results. In respect of senior secondary electives, STEM-related subjects have all along been popular among the students. More Applied Learning courses on applied science and technology have also been provided. The Government will continue to follow up on the recommendations put forward by the Standing Committee on STEM Education to enhance the strategies for promoting STEM education and provide schools with various support measures.

Moreover, starting from the 2019-2020 school year, EDB has provided a recurrent Life-wide Learning Grant with an annual provision of \$900 million for public sector and Direct Subsidy Scheme schools to support them in taking forward more life-wide learning activities, including STEM education related activities. Furthermore, the Quality Education Fund has included STEM education as one of the priority themes and, from the 2018-2019 to 2020-2021 school years, approved over \$800 million for around 840 projects related to information technology in education and STEM education through the Priority Themes Funding Programme and the Dedicated Funding Programme for Publicly-funded Schools.

- (3) Thanks to the country's staunch support for I&T in Hong Kong, the 14-5 Plan, for the first time, incorporated the Shenzhen-Hong Kong Innovation and Technology Co-operation Zone ("Co-operation Zone"), comprising HSITP and Shenzhen Innovation and Technology Zone, as one of the four major platforms of cooperation in the Greater Bay Area ("GBA"). Hong Kong will continue to make good use of GBA platform and seek to strengthen the cooperation with various provinces and municipalities. Last year, Hong Kong signed Memorandum of Co-operation with the governments of Sichuan Province, Hubei Province and Shanghai Municipality respectively to deepen the cooperation between Hong Kong and relevant provinces and municipalities in various fields including I&T, such as promoting the commercialization of R&D results, exploring the establishment of mechanism for jointly nurturing I&T talents, etc.

To better leverage on the complementary advantages among different cities in GBA, the Government is actively facilitating the effective flow of innovative elements with the Mainland. On talent front, the Government has encouraged young people in Hong Kong to seize the I&T opportunities in GBA through the Greater Bay Area Youth Employment Scheme. So far, over 250 enterprises have provided I&T jobs, benefiting more than 300 graduates. The Government will also explore the extension of the Immigration Arrangement for Non-local Graduates to cover those Hong Kong universities' campuses in GBA. As for funding, over \$760 million from Mainland were approved for local universities and R&D institutions so far. The Government has also implemented joint funding schemes with the Central Government and various provinces and municipalities. In terms of resources, so far, four Mainland branches established by Hong Kong's universities were approved by the Ministry of Science and Technology as pilot units which were able to lodge applications independently for exporting human genetic resources to Hong Kong for research purpose.

The delegation for introducing the 14-5 Plan suggested at a seminar last year to make good of use of Hong Kong's unique advantages to jointly develop the international I&T hub, and subsequently announced a number of measures benefiting Hong Kong. For instance, regarding opening up more national-level science and technology programmes to Hong Kong, the National Key Research and Development Programme and the Sci-Tech Innovation 2030—"Brain Science and Brain-like Research" Major Project were opened up to the designated R&D institutions in Hong Kong for applications.

Besides, the governments of Hong Kong and Shenzhen have signed a cooperation agreement on developing the Cooperation Zone and putting forward a joint policy package last year. The Hong Kong Science and Technology Parks Corporation will also launch GBA InnoAcademy and GBA InnoExpress at its branch in Shenzhen in July this year, and work with the local universities which have campuses in GBA to establish incubator networks in those campuses, so as to support start-ups to develop in GBA.

President, once again I am grateful for Mr TANG's question, and am looking forward to continuing cooperation with LegCo Members in promoting I&T development of Hong Kong. Thank you, President.

MR TANG FEI (in Cantonese): *President, in his main reply the Secretary mentioned that 250 enterprises participated in the Greater Bay Area Youth Employment Scheme, offering more than 300 jobs—300 jobs, which means that a little more than one job is provided by each enterprise on average. But every year, there are tens of thousands of university graduates and graduates of tertiary institutions, and this number does not even cover graduates from secondary schools. May I ask what measures the Bureau or the SAR Government as a whole has in place that can combine the promotion of I&T development with the creation of employment opportunities to the benefit of young people, so that more opportunities can be provided for the upward mobility, career development or the lives of young people? Thank you, President.*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): Thank you, Mr TANG Fei. As a matter of fact, under the impact of the pandemic, the number of young people taking up employment in GBA under the Greater Bay Area Youth Employment Scheme is indeed lower than what we expected. But I think this does not matter, and we will continue to explore various new measures under the Scheme to help young people in Hong Kong develop their career and consolidate their development opportunities in GBA.

In fact, over a period of time in the past, we understand that for the sake of I&T development in Hong Kong, we must put emphasis on nurturing and attracting talents. So, for young people in Hong Kong, just as Mr TANG Fei said earlier, how can we attract university graduates to stay and pursue development in the field of I&T? In this connection, we have since a few years ago put in place the STEM Internship Scheme. To put it simply, I am often reminded by my friends that some young people who originally studied in disciplines relating to I&T in university were, after graduation, attracted by some traditional industries which could be finance, logistics, trade, tourism, etc. and then left the I&T field. How can we attract these young people and make them understand more about the opportunities of I&T development in Hong Kong? Under this STEM Internship Scheme, simply put, the Government will sponsor some I&T companies in hiring young

people to work as interns in their companies during the winter or summer vacations, so that through their internship, students can understand the opportunities relating to I&T and cultivate their interest in this field. This Scheme has achieved great success, with 4 700 students and over 1 000 companies participating in it in just two years. Employers, young students, and academics have all been very supportive of the Scheme. and in the questionnaire surveys conducted after completion of internship, they also expressed support for the Scheme and commented positively on the results. In this connection, we will continue to take forward the Scheme, in order to develop among young people in Hong Kong a greater interest in I&T. Thank you, President, and thank you, Mr TANG.

MR JEFFREY LAM (in Cantonese): *Thank you, President. In recent years, we have seen that the Singaporean Government has actively encouraged the development of the creative industry by frequently rolling out measures to attract talents from places all around the world. In view of the competition from the neighbouring places and in order to develop into an international I&T hub, it is necessary for Hong Kong to expeditiously take actions to catch up in many aspects, including taxation and land policies, and it is also necessary to adopt more competitive measures to attract I&T talents and capital to set foot in Hong Kong.*

My question is this: HSITP in the Lok Ma Chau Loop is estimated to be completed in phases from end 2024 but we have not heard about the relevant eligibility for applications, which enterprises will be eligible for application, etc. Can the Bureau tell us about these details today? If such information is not available today, can the Bureau make an announcement as soon as possible on the requirements, especially those relating to land grant or how priorities will be set, and so on? Thank you, President.

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): Thank you, President, and I thank Mr LAM for his supplementary question. In fact, Mr LAM's observation is very correct. To promote I&T development in Hong Kong, we have to provide suitable support whether in terms of the supply of land and infrastructure or taxation arrangements, so as to provide greater incentives for investment in Hong Kong by Hong Kong or overseas enterprises.

Mr LAM mentioned the Loop in Hong Kong just now, and it is precisely on this basis that we see the need to provide support in terms of land and infrastructure for both scientific research enterprises and scientific research institutes. This is why we are working in full swing, and the first batch of development in the Loop is estimated to be completed in phases from end 2024. As Mr LAM has said, actually we are preparing the leasing arrangements which have not yet been officially announced. But among the relevant developments, we attach great importance to the development of the Loop. We will put emphasis on the support for scientific research and this is why there will be many “wet laboratories” in the first several buildings. In short, we have sufficient matching facilities to support researches on high technology, such as life and health, microelectronics, etc. These are the areas to which we attach importance.

Of course, in the process, we will also listen to the views of the industries to find out how we can, in terms of our supporting infrastructure facilities, more effectively attract them to establish their presence in the Loop because after all, the Loop has a great advantage from its interaction with Shenzhen. So, in the process, apart from local enterprises, we may also discuss with Shenzhen or other Mainland cities in GBA on how to make optimal use of such quality development in the Loop. Thank you, President, and thank you, Mr LAM.

MR JIMMY NG (in Cantonese): *Thank you, President. The Government said that the various schemes under the Innovation and Technology Fund have well-defined indicators and that these indicators, which are also set out under the subheads of the Budget, will be reported to the Legislative Council. However, the so-called “indicators” provided by the Government are actually very different from the key performance indicators or KPIs proposed by the Chief Executive-elect. The figures reported by the Government to this Council are often just quantified indicators, such as the number or amount of the funds, which serve to reflect how much work has been done. But they are not quality-based indicators, or indicators reflecting the work quality or whether work has been carried out effectively. For instance, as to what concrete effects have been achieved by the funds in promoting the commercialization of R&D results, how much wealth has been generated for society, or how many jobs have been created, actually these are what society needs to know. Will the authorities comprehensively review the Innovation and Technology Fund and set real KPIs in response to the aspirations of present-day society?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): Thank you, President, and thank you, Mr NG. Regarding the funding arrangements mentioned just now, the Government has different performance indicators to gauge the effectiveness.

In respect of the promotion of I&T in Hong Kong, as I mentioned in my main reply, we adopted the recommendations of the Advisory Committee on Innovation and Technology and established a series of indicators in 2017. These indicators are relatively macroscopic and have to do with the effectiveness in promoting the economy, the number of jobs created, and so on, as mentioned by Mr NG just now.

For example, one of the indicators is about the number of people employed in the I&T sector in Hong Kong. We clearly set a target of some 30 000 people in 2014, and as for 2020, our target was a workforce of 42 600. So this is very detailed, and in fact, this involves how we can achieve these results and outcomes through various policies, including funds. We will also measure the results against these indicators. For instance, originally the target number of people employed in 2020 was 42 600 but in 2020, the number of people employed in the sector already reached 45 310. Our measurement is very detailed in these respects.

Another indicator concerns the amount of venture capital investment and as I said in my main reply, our target for 2020 was just \$3 billion but compared to 2014—I remember it was \$1.24 billion back then—the amount already represented an increase of several folds. However, in 2021, the actual amount of investment already reached \$41.7 billion, which significantly surpassed the level of our performance indicator.

I would like to emphasize that different projects have different performance indicators but we also have macroscopic indicators—just as Mr NG suggested just now—and Mr NG is most correct in suggesting that we must look at the results, such as the impact on society and the economy, the number of jobs created, and so on. These are the most effective indicators and they also point to the effectiveness achieved for I&T. We will make ongoing efforts in greater depth along this direction and ensure that our performance indicators can better reflect the contribution made by I&T to Hong Kong. Thank you, President, and thank you, Mr NG.

MR MICHAEL TIEN (in Cantonese): *President, the National 14th Five-Year Plan has expressed clear support for Hong Kong to develop into an international I&T hub. In the future, there will certainly be many new inventions, new patents and new trademarks. We must have comprehensive laws for the protection of patents and trademarks, so that people will have confidence in coming to Hong Kong to engage in I&T without fear of their results being pilfered by other people.*

Patents are territorial rights, meaning that a patented technology is protected by the country where such right is filed and granted. Hong Kong is an inalienable part of China but patents currently registered in Hong Kong are not directly under protection in the Mainland and likewise, President, patents registered in the Mainland are not provided with protection correspondingly. The same applies to trademarks. In Hong Kong and many overseas countries, the “prior-use” principle is adopted, meaning that so as long you are a prior user of a trademark and if the product is a top-selling item and is sufficiently well-known, then you can have the right to use your trademark wherever you are. Having said that, when even Michael JORDAN’s brand has lost its case in court in the Mainland, I would say that this may have a deterrent effect.

Hong Kong must definitely rely on the enormous market in the Mainland in order to develop into an international I&T hub, and this is also a selling point for attracting talents to come to Hong Kong to engage in I&T. If we can have a set of comprehensive laws for mutual recognition of inventions, patents and brands between our country and Hong Kong, this is absolutely a quantum leap in the development of Hong Kong into an international I&T under the support of the 14th Five-Year Plan. I wish to ask the Government this: Has the Government requested the Central Authorities to set up a mechanism for mutual recognition of patents and trademarks? If it has, what is the progress? If it has not, why not?

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): *President, the view expressed by Mr TIEN just now is very correct. Regarding the promotion of I&T development in Hong Kong, the protection of intellectual property rights is a unique advantage of Hong Kong. Under “one country, two systems”, we have unique advantages whether in the protection of intellectual property rights or in our ties with the international community, which also enable Hong Kong to contribute to our cooperation with other Mainland cities in GBA. Therefore, how to enhance these advantages of Hong Kong is what we need to give thoughts to.*

In this connection, over the past few years, we have also set up our own patent registration system in order to protect intellectual property rights in Hong Kong. In the process, apart from making our own arrangements and putting in place our own patent registration system under “one country, two systems”, certainly I very much appreciate the remarks made by Mr TIEN earlier about how Hong Kong can actively participate in such a huge market of our country through I&T development. Therefore, we will support researchers in Hong Kong in applying for the relevant patents in the Mainland and overseas. On the basis of such a platform, how can we strengthen the arrangements for mutual recognition of patents between Hong Kong and the Mainland? In this regard, colleagues of the Intellectual Property Department will think about the relevant issues.

Here, I wish to say that I will further provide information to Mr TIEN in due course because on this issue, I do not have the relevant information in my main reply today or at hand. I hope that following this direction, while we must ensure the effective operation of our intellectual property system, we must also recognize the unique position of Hong Kong. As Hong Kong has its own system for the protection of patents, this may also be an advantage for I&T development in Hong Kong and even for Mainland enterprises to come to apply for patents in Hong Kong and then go global. We have to think about this in depth. Thank you, President, and thank you, Mr TIEN.

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

MR MICHAEL TIEN (in Cantonese): *Has any step been taken to strive for mutual recognition of this right? Yes or No? I did not hear any reply.*

PRESIDENT (in Cantonese): Secretary, do you wish to add anything?

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I will ask colleagues of the Intellectual Property Department to provide supplementary information to Mr TIEN after the meeting. (**Appendix 1**)

PRESIDENT (in Cantonese): Last question seeking an oral reply.

Implementation of “GREEN@COMMUNITY” at public housing estates

6. **MR ANDREW LAM** (in Cantonese): *Thank you, President. To strengthen the support for ...*

PRESIDENT (in Cantonese): Mr Andrew LAM, have you put on a microphone?

MR ANDREW LAM (in Cantonese): *I have put on a microphone.*

PRESIDENT (in Cantonese): Please continue with your main question.

MR ANDREW LAM (in Cantonese): *To strengthen the support for waste reduction and recycling at the district level, the Environmental Protection Department is implementing a community recycling network, namely “GREEN@COMMUNITY”, to promote different initiatives across the territory, which comprise “Recycling Stations”, “Recycling Stores” and “Recycling Spots”. There are views pointing out that with nearly 1.3 million public housing households in Hong Kong, the provision of more such recycling facilities at the relevant housing estates will significantly enhance the effectiveness of waste reduction and recycling work. Regarding the implementation of GREEN@COMMUNITY at public housing estates (“PHEs”), will the Government inform this Council:*

- (1) *given that some districts are currently not provided with Recycling Stations, whether the Government will set up such facilities at locations in the vicinity of PHEs in these districts, and organize relevant public education activities through such facilities in preparation for the implementation of the municipal solid waste charging; if so, of the details; if not, the reasons for that;*
- (2) *whether it will set up Recycling Stores and Recycling Spots at PHEs; if so, of their coverage and the timetable; if not, the reasons for that; and*

- (3) *whether it will expeditiously introduce into PHEs smart reverse vending machines, so as to dovetail with the implementation of GREEN@COMMUNITY and other related measures; if so, of the timetable; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, in order to assist and encourage the public in actively practising waste reduction and recycling, as well as to complement the future implementation of Municipal Solid Waste (“MSW”) charging, the Environmental Protection Department (“EPD”) has been enhancing the support on waste reduction and recycling at district level, including sustained expansion and upgrading of the community recycling network GREEN@COMMUNITY.

Currently, GREEN@COMMUNITY comprises facilities at three levels, including Recycling Stations with larger areas, indoor and outdoor space for environmental education use; Recycling Stores usually located closer to residents, and Recycling Spots which operate weekly at fixed locations and time in the form of kerbside collection booths. As of end April 2022, there are 11 Recycling Stations, 32 Recycling Stores and over 120 Recycling Spots, i.e. over 160 collection points in total under GREEN@COMMUNITY. All recycling points under GREEN@COMMUNITY collect at least eight common recyclables including waste paper, plastics, metals, glass containers, fluorescent lamps and tubes, rechargeable batteries, small electrical appliances and regulated electrical equipment, and provide GREEN\$ (“Greeny Coins”) to encourage more members of the public to practise source separation of more types of recyclables for turning them into resources. All facilities under GREEN@COMMUNITY are operated by non-profit making organizations which provide various kinds of environmental education activities such as upcycling workshops, second-hand markets, briefings on environmental information, to encourage the public to establish green living habit. GREEN@COMMUNITY also makes good use of technology. Starting from end 2020 under a Pilot on Smart Recycling Systems, GREEN@COMMUNITY has been testing smart recycling systems (such as smart balances, recycling bins, gift redemption units), with Internet of Things (“IoT”) as skeleton technology, for local application and assessment of its benefits.

In addition to sustained upgrading of GREEN@COMMUNITY's services in all 18 districts in the territory, EPD has also been promoting the Programme on Source Separation of Domestic Waste at residential estates/buildings, through provision of recycling bins to facilitate citizens to practise recycling conveniently.

Over 30% of Hong Kong's population lives in public rental housing ("PRH"). Therefore, EPD has been closely collaborating with the Hong Kong Housing Authority ("HA") to enhance community recycling and environmental education support in PRH.

Our reply to the questions raised by Mr LAM is as follows:

- (1) On Recycling Stations, GREEN@WONG TAI SIN at Po Kong Village Road will commence construction in mid-2022. In addition, the Invigorating Island South initiative has also identified preliminarily a piece of land at Ap Lei Chau for development of another Recycling Station, namely GREEN@SOUTHERN. For those five districts which currently do not have any Recycling Stations, i.e. Central and Western, Yau Tsim Mong, Kowloon City, Tsuen Wan and North Districts, there are 13 Recycling Stores within the districts to provide residents with environmental education and recycling support.

In addition to community environmental education activities organized through the GREEN@COMMUNITY, EPD has been organizing waste reduction and recycling activities for PRH in collaboration with HA, with a view to strengthening the environmental awareness of residents in PRH. The EPD Green Outreach has already extended its outreach service to all 18 districts in Hong Kong (including PRH), to provide on-site technical and educational support on waste reduction and recycling, enhance effectiveness of recycling arrangement in estates, help identify proper outlets for recyclables in the downstream, etc. to community stakeholders such as resident organizations and property management companies. To get prepared for the implementation of MSW charging, EPD and HA have also collaborated since end 2018 in launching the Trial Project on Municipal Solid Waste Charging at Public Housing Estates ("the Trial Project") in phases, to cover about

150 PRH blocks in Hong Kong. The first two phases of the Trial Project covering a total of 53 PRH blocks have been concluded. The third phase, covering a total of 51 PRH blocks, commenced in January 2022 and planned for completion in nine months. However, it was suspended due to severe epidemic situation. With recent relaxation of social distance restriction measures, the third phase of the Trial Project has progressively resumed and will complete in November 2022. The fourth phase covering a total of about 50 PRH blocks will commence in end 2022, right after the completion of the third phase.

- (2) All PRH in Hong Kong have joined the Programme on Source Separation of Domestic Waste launched by EPD. HA requires its cleaning contractors to send various kinds of clean recyclables to downstream recyclers for proper recycling and conservation of valuable resources. In response to the change in commercial recycling markets in recent years, EPD is liaising with HA in connection with a new service on one-stop collection of recyclables (especially those with low market values such as waste plastics, glass containers, fluorescent lamps and tubes, rechargeable batteries) from PRH by EPD's operators (including the operators of GREEN@COMMUNITY), to help ensure that all recyclables will be properly treated and recycled. Separately, the operators of GREEN@COMMUNITY have already set up some Recycling Spots at or near PRH. Currently, about 80 PRH estates are covered by GREEN@COMMUNITY collection points. At the same time, the HA is in discussion with EPD on suitable locations in PRH within a pilot district, for setting up a network of several mini Recycling Stores, considering and suiting the spatial characteristics of PRH. These mini Recycling Stores will help promote and support more PRH residents in establishing a clean recycling habit.
- (3) With the support of HA, EPD has preliminary identified more than 10 PRH estates to set up a network of smart recycling application points, which will be progressively in place from the second half of 2022.

Thank you, President.

MR ANDREW LAM (in Cantonese): *Thank you, President, and I thank the Secretary for his response. I am pleased to learn that all PRH estates in Hong Kong have joined the Programme on Source Separation of Domestic Waste implemented by EPD. There are nearly 200 PRH estates in Hong Kong, but only about 80 PRH estates are currently covered by GREEN@COMMUNITY collection points. The Secretary has also indicated that HA is in discussion with EPD to identify locations in PRH estates within a pilot district for setting up Recycling Stores.*

I would like to ask a few questions. Does the “coverage” suggest that not every PRH estate has its own fixed collection points? Referring to the “pilot district”, did the Secretary mean that they were attempting to identify sites, or they would try to implement some measures there? What are the practical difficulties in promoting recycling in PRH estates at full steam?

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, first of all, I would like to thank Mr LAM for his concern about how the community recycling network can be further expanded to cover PRH estates which accommodate about 30% of the Hong Kong population. We have been working closely with the Transport and Housing Bureau to take this extremely significant initiative forward through collaboration between EPD and the Housing Department (“HD”).

In relation to the pilot project I have just mentioned, we have noticed that some PRH residents would like to make good use of the safe and reliable clean recycling services currently provided by Recycling Stores. As mentioned earlier, there are at least eight main types of common recyclables, from which people can earn Greeny Coins and get rewards. This is a practical and more effective way of incentivizing more people to separate their waste for recycling.

Subject to the availability of proper space in PRH estates, the two aforementioned departments will jointly explore the possibility of setting up Recycling Stores in the estates. However, as Members may be aware, in the case of renting a shop in private premises, we may choose whichever size suitable for our operation. Nevertheless, given that PRH estates are generally designed with standard spatial characteristics and partitioning, there may be various restrictions on their size flexibility compared with other premises for rent. We therefore need

to adapt to the local conditions in this case. We will also study the feasibility of setting up Recycling Stores in some relatively small sites in PRH estates as long as the environment is suitable so as to promote environmental education and clean recycling. This is the priority of the pilot scheme. We will work proactively in the hope of identifying sites expeditiously so that the pilot scheme can be implemented as soon as possible. Thank you, President.

MR DENNIS LEUNG (in Cantonese): *Thank you, President. President, the Secretary has just mentioned clean recycling and waste reduction and recycling, but food waste recycling is in fact the most important part in handling the issue. However, the Secretary did not mention just now how to enhance the role of food waste recycling in waste reduction in the future. I implore the Secretary to give a response. Thank you, President.*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I would like to thank the Honourable Member for bringing up the issue of food waste recycling. Hong Kong has been facing at least two constraints in food waste recycling. On the one hand, we have to ensure that there is an outlet for collected food waste downstream. In a dense city like Hong Kong, the conversion of food waste into energy for power generation is an important way out for Hong Kong. In view of this, the Government is stepping up efforts to build waste-to-energy facilities.

The first such facility is the Organic Resources Recovery Centre Phase 1 (“O • PARK1”) located in the north of Lantau Island, which was completed a few years ago with a daily treatment capacity of up to 200 tonnes. Meanwhile, the Organic Resources Recovery Centre Phase 2 (“O • PARK2”), which is located in North District, is under construction. However, these two plants cannot handle all the food waste collected from across Hong Kong. We therefore need to make good use of technology in a flexible way. In view of this, we have been working with the Drainage Services Department in recent years to combine sludge from existing sewage treatment works with food waste through “anaerobic co-digestion” to generate more energy, including electricity. We are implementing a pilot project at Tai Po Sewage Treatment Works and will gradually expand the scope of the pilot scheme after gaining experience.

On the other hand, apart from increasing our downstream processing capacity, we have also launched a pilot scheme on food waste collection in some housing estates (especially large, high-density housing estates) in recent years. In this connection, we will accumulate experience from the pilot scheme and hope to expand its scope gradually. For example, we have recently installed on a pilot basis some smart food waste recycling bins in a local large housing estate with dozens of buildings to facilitate the residents to make more efficient use of technology for food waste collection in a clean manner even during the epidemic. After accumulating experience, we hope to expand the coverage of food waste recycling in Hong Kong. At the same time, we are also working with various organizations to collect food waste from commercial premises (such as shopping malls and restaurants). This is our work priority to complement the future implementation of MSW charging. We hope to expand food waste recycling in both commercial and residential buildings and turn waste into resources. Thank you, President.

MR TONY TSE (in Cantonese): *Thank you, President. President, I support stepping up waste reduction and recycling work in order to transform waste into energy or resources. Increasing the number of collection points is actually what we should do. In my opinion, compared with most private buildings, PRH estates actually have more space, most of which have not been put to optimal use. I therefore think that it is comparatively easy for PRH estates to set up more collection points and smart recycling facilities. The question is whether HD is willing to make an effort to do so.*

President, I have some questions for the Secretary. Will newly built PRH estates reserve space in their design for such facilities, or have these facilities already been provided? If not, what is the reason? If so, when will these facilities be available? Thank you.

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I thank Mr TSE for raising this supplementary question, which I have also been pondering for some time.

In the past, in both public and private housing estates, recyclables were mainly classified into three categories as in the 3-coloured recycling bins. At present, glass bottles have been added as a new category. There used to be a suggestion to reserve space on each floor to enable tenants to separate and recycle their waste during garbage disposal. However, as we all understand, in order to cope with MSW charging and support the possible large-scale upcoming implementation of waste-to-energy and waste-to-resources initiatives—such as food waste recycling—in housing estates, it may not be the most environmentally suitable arrangement to designate an area on each floor for recycling, nor is it a viable solution in the long run considering the need for cleaning or recycling workers to collect waste from floor to floor.

In many places in Europe, the United States and even South Korea where MSW charging is being implemented, it is common for local buildings to designate a central or relatively large communal area on the ground floor or the podium floor of a building—perhaps similar to the size of the current Recycling Stores—as a one-stop place for the public to separate different types of wastes for recycling in an orderly manner, which will also be easy to manage. We therefore have been discussing with the Buildings Department (“BD”) under the Development Bureau how such space can be reserved during construction, particularly during the design stage of new buildings.

I can reveal here that BD will soon be consulting architects and other professionals; and as far as my understanding goes, this should take place next month. Subject to the support of the relevant professionals in the building industry to which Members belong, the relevant guidelines should be formally introduced next month to allow flexibility in the construction of new buildings, so that apart from the space previously reserved on each floor, a larger area can also be reserved on the ground floor to provide a more organized space similar to that of a Recycling Store to enable better transformation of waste into resources. Thank you, President.

MS JUDY CHAN (in Cantonese): *Thank you, President. In fact, I am pleased to see the effectiveness of GREEN@COMMUNITY, and in recent years I have started to notice its educational impact in particular. Meanwhile, I am also concerned about the problem of food waste, which has taken up a lot of space in landfills.*

According to EPD's statistics, Hong Kong produced a total of 3 255 tonnes of food waste per day in 2020, accounting for 30% of MSW. In fact, 2 477 tonnes of the food waste came from domestic sources.

I would like to ask the Secretary who has just mentioned that the downstream support facilities have not yet been completed. During the period before the completion of downstream support facilities, is it actually necessary to make good use of "GREEN@COMMUNITY" to promote educational work? I raise this question because it is not easy to promote educational work. That is my first question.

Secondly, the "Big Waster" icon has been introduced for almost 10 years. How effective is this initiative, and is it feasible to encourage domestic households to recycle their food waste on their own? Thank you, President.

PRESIDENT (in Cantonese): Ms Judy CHAN, you have already raised your supplementary question. Please sit down.

Secretary, please reply.

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I thank Ms CHAN. As mentioned by the Honourable Member, the reduction of food waste involves at least two aspects, one of which is publicity and education to urge the public not to be a "Big Waster" and have their eyes bigger than their stomach. They should order the right amount of food. The "Big Waster" is already nine years old now. The overall amount of food waste in Hong Kong has been reduced by more than 10% in the past nine years. I hope all Hong Kong people will continue to make efforts to reduce food waste because waste reduction at source is important.

As I mentioned earlier, food waste recycling is a challenge in the high-density environment like Hong Kong, but we will take a "dual-track" approach. On the one hand, we will enhance Hong Kong's capability of end-of-pipe treatment of food waste and turn waste into energy, such as the operations of O • PARK1 and O • PARK2 mentioned earlier, and the implementation of food waste/sewage sludge anaerobic co-digestion technology at sewage treatment works. All these waste-to-energy initiatives will not only

reduce waste in Hong Kong, but also generate renewable energy to reduce carbon emissions in Hong Kong, which is in line with Hong Kong's vision to achieve "carbon neutrality".

In recent years, we have launched a pilot scheme to use smart bins to collect food waste in housing estates, with a view to setting up food waste collection points and maintaining good environmental hygiene standards in a high-density environment like Hong Kong. As I mentioned earlier, some large private housing estates have recently conducted a pilot on this arrangement. We are also discussing the introduction of food waste recycling in more PRH and private housing estates in the second half of the year. After accumulating better experience and strengthening our capabilities in these two areas, we hope that Hong Kong will, in addition to reducing waste at source, do a better job in clean recycling and food waste recycling. Thank you, President.

MR KWOK WAI-KEUNG (in Cantonese): *Thank you, President. The implementation of MSW charging scheme next year will be an important opportunity to break through the current bottleneck in recovery and recycling, and it is critical for the further implementation of sustainable development in Hong Kong. As we are aware, over 2 million people are living in PRH estates, accounting for over a third of Hong Kong's population. Therefore, it is crucially important to give priority to the implementation of the Trial Project or other trial schemes in PRH estates.*

As advised by the authorities, the Trial Project consists of four phases. The first two phases have been concluded, the third phase is ongoing, and the fourth phase will commence in end 2022. May I ask the Secretary whether PRH estates are well prepared for the implementation of the Trial Project, what they still lack and how interdepartmental collaboration can be implemented to maximize the impact? Thank you, President.

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I will attempt to reply this question before I defer to the representative of the Transport and Housing Bureau to expound on efforts to complement the MSW charging arrangement.

In PRH estates, we have launched four phases of pilot scheme on MSW charging (“the pilot scheme”), the objective of which is to enable PRH residents, who make up a relatively high proportion of the Hong Kong population, to take part in this pilot arrangement early. Based on the reports of some Honourable colleagues, the experience acquired in the early phases of the pilot scheme has been very positive. A high proportion of residents believed that the measures were feasible and effective in motivating them to practise waste reduction and recycling. In view of this, we will continue the pilot scheme on MSW charging not only in PRH estates, but also in different places such as villages and commercial and industrial buildings, in order to accumulate better experience.

During the discussion on this matter at the Subcommittee formed under the Panel on Environmental Affairs, we will update members on our preparatory work. We hope that by the middle or second half of next year, we will be fully prepared to implement MSW charging so as to promote waste reduction at source and clean recycling in Hong Kong. I now call upon the Under Secretary for Transport and Housing to provide supplementary information.

PRESIDENT (in Cantonese): Under Secretary for Transport and Housing, please give a brief reply.

UNDER SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Thank you, President. As just mentioned by the Secretary for the Environment, apart from the pilot scheme, HA has actually undertaken a lot of publicity and educational work because we understand that the success of a scheme depends not only on the experience acquired and accumulated through pilots, but even more on public support. Through publicity and educational work, we can actually share the relevant concepts with the public even further. HA will therefore continue to carry out more publicity work to enhance public support for the MSW charging initiative. Thank you, President.

PRESIDENT (in Cantonese): The question session ends here.

WRITTEN ANSWERS TO QUESTIONS**Promoting market integration in the Guangdong-Hong Kong-Macao Greater Bay Area**

7. **MR MARTIN LIAO** (in Chinese): *The Opinions of the Central Committee of the Communist Party of China and the State Council on Accelerating the Establishment of a Unified Domestic Market (“the Opinions”) published on 10 April this year put forward the demand of breaking local protectionism and market segmentation, as well as promoting the alignment of quality standards with international standards. Moreover, the Opinions put forward integrating major regional strategies, encouraging regions such as the Guangdong-Hong Kong-Macao Greater Bay Area (“GBA”) to give priority to commencing work on developing regional market integration and to establish robust regional cooperation mechanisms, on the premise of maintaining a unified domestic market. In this connection, will the Government inform this Council:*

- (1) *given that in June last year, the Hong Kong Trade Development Council (“HKTDC”) launched a “GoGBA” one-stop online platform in collaboration with the authorities of the Guangdong Province and relevant trade associations, as well as established the “HKTDC GBA Centre” in Shenzhen, so as to support Hong Kong enterprises to expand into the GBA market, whether it knows the details of the services provided/activities held so far under these two projects, and whether HKTDC will evaluate the effectiveness of GoGBA to date and roll out improvement measures;*
- (2) *as a study has pointed out that the major challenges faced by Hong Kong-invested manufacturing enterprises in expanding into the GBA market include high credit risk and greater difficulty in obtaining export credit insurance (“ECI”), which have weakened their incentive to do so, whether the Government will review the functions of the Hong Kong Export Credit Insurance Corporation, and urge it to launch ECI products suitable for such enterprises and to explore strengthening the cooperation with the China Export and Credit Insurance Corporation; if so, of the details; if not, the reasons for that; and*

- (3) *whether it will collaborate with the authorities of the Mainland cities in GBA to commence a study on the formulation of unified economic and trade rules as well as market standards for GBA, so as to promote market integration in GBA in respect of system establishment?*

The written reply provided by the **Secretary for Commerce and Economic Development** on 25 May 2022 is in **Appendix 2**.

Supply of sports venues

8. **MR NGAN MAN-YU** (in Chinese): *It has been reported that as the supply of sports venues under the Leisure and Cultural Services Department (“LCSD”) falls short of demand and such venues are often fully booked, some hirers tout their booked sessions for using LCSD’s sports venues for profit (“touting activities”). In this connection, will the Government inform this Council:*

- (1) *in respect of LCSD’s prevailing measures for combating touting activities, of the following information in each of the past three years:*
- (i) *the number of cases in which LCSD refused the use of the facility by a hirer because the information on the identity document produced by the hirer upon check-in was inconsistent with the booking record or irregularities were identified, as well as the number of complaints received as a result;*
 - (ii) *the number of cases in which LCSD suspended a hirer’s eligibility to book its facilities for 180 days because the hirer had been found to have engaged in unauthorized transfer of the user permit, as well as the number of complaints received as a result; and*
 - (iii) *the number of complaints about touting activities received by LCSD, and the number of such complaints it investigated and followed up;*

- (2) *given that LCSD has, since the 1st of this month, implemented a new measure to combat touting activities (i.e. arranging for random inspections by its staff during the booked sessions to see if the hirer is present to use the facility), (i) whether there are on-site staff on duty at all the sports venues under LCSD at present, and (ii) whether LCSD has sufficient staff on site to conduct random inspections; if so, of the details of the manpower arrangements; if not, whether LCSD will increase its manpower;*
- (3) *whether LCSD has studied the reasons why its sports venues are often fully booked, and of the solutions for that; and*
- (4) *whether it will take the following measures to alleviate the situation of the supply of sports venues falling short of demand:*
- (i) *review the standards for the provision of sports facilities in the Hong Kong Planning Standards and Guidelines, as well as increase the ratio of sports facilities to population;*
 - (ii) *introduce “recreation and sports vouchers” to subsidize members of the public to hire sports venues run by the private sector;*
 - (iii) *use some community halls’ facilities as temporary sports venues; and*
 - (iv) *arrange for schools to open their ball courts for hire by members of the public during non-school hours;*
- if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Home Affairs** on 25 May 2022 is in **Appendix 2**.

Isolation and quarantine arrangements amid the epidemic

9. **DR DENNIS LAM** (in Chinese): *It has been reported that earlier on, a confirmed patient of the Coronavirus Disease 2019 who was suffering from various chronic diseases died while under isolation at a community isolation facility.*

Also, an 87-year-old person died while under quarantine at a designated quarantine hotel (“DQH”). In this connection, will the Government inform this Council:

- (1) *whether the Government currently requires confirmed patients to declare their significant past medical history and medication history, and whether it provides relevant lists to facilitate such patients to submit sufficient information for the pre-triage assessment; if so, whether it will review if such lists are comprehensive enough for ensuring that confirmed patients can be triaged and sent to suitable isolation or medical facilities;*
- (2) *whether it will review the triage procedure for confirmed patients, and request healthcare personnel of the Hospital Authority to take part in the pre-triage initial assessment for confirmed patients;*
- (3) *whether it will (i) review the considerations for determining if it is appropriate for a confirmed patient to be isolated alone, and (ii) triage confirmed patients who are suffering from relatively serious chronic diseases and with unstable conditions as well as those aged above 75 for sending to hospitals for isolation and treatment;*
- (4) *whether it will review the medical support to be provided to persons with chronic diseases when they are under isolation or quarantine;*
- (5) *whether it knows if DQHs have arranged dedicated staff to provide assistance to persons under quarantine at their hotels when such persons have urgent needs such as medical treatment, and whether the Government has issued guidelines to the hotels in this regard; and*
- (6) *given that the aforesaid two incidents were only discovered when the family members had been unable to contact the victims and requested the staff’s assistance, whether the Government will consider requiring persons under isolation or quarantine to regularly contact the staff concerned using instant messaging applications (e.g. reporting body temperature), so as to let the staff know their physical conditions?*

The written reply provided by the **Secretary for Food and Health** on 25 May 2022 is in **Appendix 2**.

Quality Education Fund

10. **MS CHAN YUET-MING** (in Chinese): *The Quality Education Fund (“QEF”) aims to support projects that are innovative and capable of enriching students’ learning experiences and encouraging school-based initiatives. Regarding QEF, will the Government inform this Council:*

- (1) *of the number of staff members in the QEF Secretariat and, among them, the number of those who are responsible for handling applications for grants; the total payroll expenses for staff in the QEF Secretariat last year;*
- (2) *of the following information of the projects financed by QEF in relation to the seven priority themes for 2020-2021 (i.e. (a) STEM education, (b) Information Technology in Education, (c) Assessment Literacy, (d) Life-wide Learning, (e) Positive Values, (f) Students’ Balanced Development and (g) Effective Leadership and School Management): (i) number of projects, (ii) amount of funding granted, (iii) highest per capita allocation and (iv) lowest per capita allocation (i.e. the per capita allocation among students directly benefitted from each project) (set out in the following table);*

Priority theme	2020-2021 school year				2021-2022 school year to date				Total	
	(i)	(ii)	(iii)	(iv)	(i)	(ii)	(iii)	(iv)	(i)	(ii)
(a)										
...										
(g)										
Total										

- (3) *of the average time taken by QEF to vet and approve an application for grant in the past three years; whether it has assessed if the length of time taken for vetting and approving applications will affect the effectiveness of schools in enhancing the quality of education; if it has, of the details; if not, the reasons for that;*

- (4) *given that for the year ended 31 August 2021, QEF's expenditure on grants only amounted to about \$300 million but its accumulated surplus stood as high as about \$10.5 billion, some members of the public have queried that the resources under QEF have not been properly utilized, and that the Fund's objective has changed from promoting quality of education to making investments or savings, whether the Government has examined the reasons for the presence of a huge surplus in QEF; if so, of the details; if not, the reasons for that;*
- (5) *of the total number of projects with national education-related themes that were financed by QEF in the past five years and the amount of funding involved, and set out, by project name in a table, the name of the applicant organization, the year in which the funding was approved and the amount of funding approved; and*
- (6) *whether the Education Bureau will consider setting national education as one of the yearly priority themes of QEF, and adding under QEF funding programmes that are related to enhancing the quality of national education; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Education** on 25 May 2022 is in **Appendix 2**.

Establishing a dedicated tax regime for the maritime industry

11. **MR HOLDEN CHOW** (in Chinese): *The Government proposes to amend the Inland Revenue Ordinance (Cap. 112) to provide for a dedicated tax regime to attract shipping commercial principals (namely ship managers, ship agents and ship brokers) to set up presence in Hong Kong. In this connection, will the Government inform this Council:*

- (1) *given that in order to ensure that only those entities which undertake the core income generating activities in Hong Kong would benefit from the dedicated tax regime, the Government proposes to stipulate that a qualifying shipping commercial principal must employ at least one full-time qualified employee in Hong Kong for meeting one of the minimum thresholds of the substantial activity requirement, of the difference between such a requirement and the relevant requirement in other jurisdictions (e.g. Singapore and the United Kingdom) (set out in a table);*
- (2) *of (i) the number of enterprises engaged in ship management, ship agency and shipbroking businesses in Hong Kong (with a breakdown by class of employment size (i.e. 1 to 50 persons, 51 to 100 persons, and 101 persons or above)) and (ii) the total number of their employees, in each of the past five years;*
- (3) *as the Task Force on Commercial Principals has estimated that the dedicated tax regime will, over 10 years, (i) create direct and indirect employment of around 27 000 and 50 000-odd jobs respectively in the relevant sectors, and (ii) generate cumulative incremental business of about \$32.5 billion, of the calculation method for the numbers of the relevant jobs, the types and natures of the jobs concerned, as well as the assumptions and data based on which the cumulative incremental business is arrived at; and*
- (4) *whether it will consider regularly compiling statistics on an annual basis on the numbers of new enterprises established and jobs created in the relevant sectors after the introduction of the dedicated tax regime, so as to evaluate the effectiveness of such policy; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Transport and Housing** on 25 May 2022 is in **Appendix 2**.

Consolidating Hong Kong's position as an international maritime centre

12. **MR YIM KONG** (in Chinese): *The Outline of the 14th Five-Year Plan for National Economic and Social Development of the People's Republic of China and the Long-Range Objectives Through the Year 2035 ("the 14th Five-Year Plan") expressly proposes to expedite the development of a world-class port cluster and supports Hong Kong in enhancing its status as an international maritime centre. There are views pointing out that given the keen competition currently among various major ports in the Pearl River Delta, the Government has to keep abreast of the time, improve its development planning, and adopt more practicable and effective measures to consolidate Hong Kong's position as an international maritime centre. In this connection, will the Government inform this Council:*

- (1) *whether it has plans to update Hong Kong's port development planning in the light of the 14th Five-Year Plan and the new trend of Mainland port development in the Guangdong-Hong Kong-Macao Greater Bay Area; if so, of the time it expects to publish a specific white paper on port planning;*
- (2) *as it is learnt that there are insufficient premium logistics storage facilities in Hong Kong, whether the Government has considered conducting planning for the provision of more logistics sites in Kwai Tsing District or other districts, so as to tie in with the development planning of enhancing Hong Kong's status as an international maritime centre; if so, of the specific plans; and*
- (3) *as there are comments pointing out that, with the development of green ports becoming an international trend, and with shipping companies' demand for liquefied natural gas refilling and onshore power supply facilities for ships being on the increase, the setting up of the relevant ancillary facilities is one crucial factor in maintaining the competitiveness of a port, whether the Government will consider expediting the setting up of such facilities; if so, of the details and the implementation timetable?*

The written reply provided by the **Secretary for Transport and Housing** on 25 May 2022 is in **Appendix 2**.

Development of the Northern Metropolis

13. **IR DR LO WAI-KWOK** (in Chinese): *Regarding the development of the Northern Metropolis, will the Government inform this Council:*

- (1) *whether it will set up a task force to be led by senior government management to remove red tape for handling matters relating to land resumption in the New Territories, and to formulate timetables and performance indicators for the relevant work; if so, of the details; if not, the reasons for that;*
- (2) *given that the building of the Northern Metropolis involves massive expenditure, whether the Government has examined different financing options as well as their merits and demerits; if so, of the details; if not, the reasons for that; and*
- (3) *given that the building of the Northern Metropolis involves the “Twin Cities, Three Circles” strategic development layout of the Hong Kong-Shenzhen boundary area, whether the Government will expeditiously discuss with the Shenzhen Municipal Government and the relevant Mainland authorities the various cross-boundary cooperation arrangements; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Development** on 25 May 2022 is in **Appendix 2**.

Transition work for the change of term of the Government

14. **IR LEE CHUN-KEUNG** (in Chinese): *The sixth-term Chief Executive Election was held smoothly on the eighth of this month. Regarding the transition work for the change of term of the Government, will the Government inform this Council:*

- (1) *of the staffing establishment and estimated expenditure of the Office of the Chief Executive-elect;*

- (2) *whether it has formulated mechanisms and roadmaps in respect of the transition work of various policies to ensure their continuity; if so, of the details; if not, the reasons for that; and*
- (3) *given that the Government has plans to expeditiously complete the work on the reorganization of the government structure to ensure that the new government structure will come into operation starting from the next-term Government, whether the Government has deployed or recruited additional manpower to cope with the relevant work; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Constitutional and Mainland Affairs** on 25 May 2022 is in **Appendix 2**.

Redevelopment and renewal of old buildings

15. **MS STARRY LEE** (in Chinese): *It is learnt that Hong Kong's buildings are ageing rapidly: the number of private buildings aged 50 years or above has surged from 3 900 to 8 600 over the past decade, the proportion of public housing flats aged over 35 years soared from 6% in 2009 to 24% in 2019, and more than 5 000 "three-nil buildings" across the territory are dilapidated. Some members of the public have strongly requested the Government to erect higher-density buildings through redevelopment projects, so as to increase the supply of public housing flats in the long run and improve the living environment of residents. In this connection, will the Government inform this Council:*

- (1) *of the respective current numbers of private buildings aged 30 years, 40 years, 50 years, and 60 years or above in Hong Kong, with a breakdown by geographical constituencies for the 2021 Legislative Council General Election;*
- (2) *whether it will consider allocating additional resources to assist "three-nil buildings" in improving building repair and maintenance, and continuously implementing the "Operation Building Bright", so as to support owner-occupiers of eligible buildings to carry out*

prescribed inspection and repair works under the Mandatory Building Inspection Scheme; if so, of the details; if not, the reasons for that;

- (3) *given that in the Urban Renewal Plan for Kowloon City submitted to the Secretary for Development on 29 January 2014, the authorities put forward a number of proposals, including prioritizing the redevelopment of “5 Streets” and “13 Streets” Area in To Kwa Wan and enhancing waterfront and district connectivity, of the timetables and progress of these two projects and other proposed projects;*
- (4) *of the current number of public housing estates (“PHEs”) in Hong Kong which have an average age of over 50 years, and set out, by the name of such PHEs, their average building age and the number of flats involved; and*
- (5) *given that the Hong Kong Housing Authority (“HA”) identified in 2013 a total of 22 non-divested aged PHEs under its management as having build-back potential, but so far only a few of these PHEs have specific timetables for redevelopment, whether the Government will consider (i) requesting HA to commence a new round of assessment on the feasibility and effectiveness of redeveloping other aged PHEs, and (ii) resorting more to the means of redevelopment to increase the supply of public housing flats and improve the living environment of residents; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Development** on 25 May 2022 is in **Appendix 2**.

Importation of labour

16. **MR SHIU KA-FAI** (in Chinese): *Operators of quite a number of industries have relayed that with a shortage of labour in Hong Kong, they have for a long time been facing recruitment difficulties. Moreover, some studies have pointed out that the ageing population and the persistently low fertility rate in Hong Kong*

have resulted in a continuous decline in the labour force. In this connection, will the Government inform this Council:

- (1) of the “child dependency ratio” and “elderly dependency ratio” in Hong Kong in each of the past 10 years; whether it has assessed the changes in such ratios in the coming 10 and 20 years, and their impacts on Hong Kong’s labour force, society and economy;*
- (2) of (i) the respective numbers of applications received and approved by the Government for importation of labour at technician level or below (excluding foreign domestic helpers), as well as (ii) the respective numbers of workers involved (with a tabulated breakdown of these two figures by type of industry), in each of the past five years; the number of enterprises involved in such applications;*
- (3) of the conditions that enterprises in general have to meet at present for applying for importation of labour, as well as the application procedure and the time required;*
- (4) whether it has assessed if the existing measures relating to application for importation of labour at technician level or below meet the actual needs of Hong Kong’s different industries, economy and society; if it has assessed, of the details; if not, the reasons for that; whether it will consider improving the measures concerned; if so, of the details; if not, the reasons for that; and*
- (5) whether it has made reference to the policies of other jurisdictions (such as Singapore, Macao and Japan) on importation of labour, and the effects produced by such policies; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Labour and Welfare** on 25 May 2022 is in **Appendix 2**.

Licensing examination of the Medical Council of Hong Kong

17. **MS CHAN HOI-YAN** (in Chinese): *It is learnt that in the past two years, the various parts of the licensing examination (“LE”) administered by the Medical Council of Hong Kong (“MCHK”) were repeatedly cancelled due to the epidemic. In this connection, will the Government inform this Council:*

- (1) *whether it knows the number of candidates who passed LE and obtained the practising qualifications in each of the past 10 years;*
- (2) *whether it knows the respective numbers of candidates who completed the various parts of LE (namely Examination in Professional Knowledge, Proficiency Test in Medical English, and Clinical Examination) in each of the past five years;*
- (3) *whether it knows the number of candidates who were affected by the cancellation of LEs in the past two years, and whether the authorities and MCHK have provided such persons with the necessary support; if they have, of the details; if not, the reasons for that;*
- (4) *given that MCHK has cancelled the Clinical Examination originally scheduled for this month on the grounds of the epidemic again, and quite a number of medical practitioners are concerned that the cancellation of the examination by MCHK when the epidemic has subsided will further delay the manpower supply of medical practitioners, whether the Government has gained an understanding from MCHK about the biggest difficulty faced by it in holding the examination this month as scheduled; and*
- (5) *whether it has assessed the impacts of repeated cancellation of LEs on the manpower supply of medical practitioners; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Food and Health** on 25 May 2022 is in **Appendix 2**.

Strengthening cross-boundary intermodal transshipment

18. **MR FRANKIE YICK** (in Chinese): *Some members of the freight industry have relayed that currently the Intermodal Transshipment Facilitation Scheme implemented by the Customs and Excise Department (“C&ED”), and the Single E-lock Scheme implemented by C&ED in collaboration with the Mainland customs, have provided customs clearance facilitation to cross-boundary air-land and sea-land intermodal transshipment between Hong Kong and the Mainland. Nevertheless, these two Schemes do not cover transshipment cargoes which need the merging of orders, crating and palletization in Hong Kong, thus limiting the development of cross-boundary intermodal transshipment in the Guangdong-Hong Kong-Macao Greater Bay Area (“Greater Bay Area”). In this connection, will the Government inform this Council:*

- (1) *of the respective volume of cross-boundary transshipment cargoes and the respective numbers of cross-boundary truck trips handled under the two aforesaid Schemes in each of the past three years;*
- (2) *whether the authorities will, by making reference to the plan of the Airport Authority Hong Kong for developing a logistics park in Dongguan, set up dedicated logistics parks in the Mainland cities in the Greater Bay Area to handle transshipment cargoes which need tallying, crating and palletization before they are exported from the Mainland via Hong Kong, and to make use of trucks equipped with an e-lock and a global positioning system for transporting such cargoes directly to the airport or container terminals in Hong Kong for shipment; if so, of the details; if not, the reasons for that; and*
- (3) *of the new measures in place to further strengthen cross-boundary air-land and sea-land intermodal transshipment between Hong Kong and other cities in the Greater Bay Area?*

The written reply provided by the **Secretary for Transport and Housing** on 25 May 2022 is in **Appendix 2**.

Community isolation facilities

19. **MS JUDY CHAN** (in Chinese): *With the epidemic in Hong Kong having been brought under control gradually, some community isolation facilities (“CIFs”) have been suspended or have ceased to operate. In this connection, will the Government inform this Council:*

- (1) *of the current total number of CIFs (including the facilities which have been suspended or have ceased to operate), and set out by name of such facilities their respective service targets and utilization rates; whether it has plans to change the uses of those facilities which have ceased to operate; if so, of the details;*
- (2) *of the current number and utilization rate of those quarantine facilities dedicated for inbound foreign domestic helpers (“FDHs”), as well as the lowest and highest fees charged for the relevant facilities; whether it has assessed if the number of such facilities is sufficient to meet the demand; if it has assessed and the outcome is in the affirmative, of the details; whether it will consider turning some of the CIFs with relatively low utilization rates into quarantine facilities dedicated for FDHs, and allowing employers of FDHs to rent the relevant facilities at reasonable prices for use by FDHs whom they have employed; if so, of the details; if not, the reasons for that; and*
- (3) *as the typhoon season will soon begin in Hong Kong, whether it has reviewed the pre-typhoon preparatory measures and drainage systems of various CIFs, as well as carried out repair and maintenance works for the facilities which have been suspended or have ceased to operate; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Food and Health** on 25 May 2022 is in **Appendix 2**.

Vaccination requirements for persons arriving in Hong Kong

20. **MR LAI TUNG-KWOK** (in Chinese): *In accordance with the current requirements of the Government, all persons arriving in Hong Kong from foreign places have to provide recognized vaccination records, and the types of vaccines administered as well as the places or organizations issuing the vaccination records*

must respectively be on the “List of COVID-19 Vaccines Recognized for Specified Purposes” (“List of Recognized Vaccines”) and the “List of Places or Organizations of Issuance of Recognized Vaccination Records” (“Recognized List”). There are views pointing out that even though the Government has relaxed the infection control requirements since the 1st of this month to allow non-Hong Kong residents to enter Hong Kong, it has not concurrently expanded the respective scopes of the List of Recognized Vaccines and the Recognized List. In this connection, will the Government inform this Council:

- (1) of the average time taken from the commencement of the negotiation to the conclusion of an agreement between the Government and each of the places or organizations on the recognition of vaccination records since the introduction of the Recognized List;*
- (2) of the places or organizations with which it is negotiating on the recognition of vaccination records, and whether it has anticipated (i) the respective time needed for reaching relevant agreements and (ii) the number of recognized places or organizations that can be added by the end of this year;*
- (3) as it is learnt that a number of vaccines not included on the List of Recognized Vaccines have been granted full authorization or emergency authorization for use by quite a number of countries or places, whether the Government has plans to include such vaccines on the List of Recognized Vaccines; if so, of the details; if not, the reasons for that; and*
- (4) given that if the vaccination records currently held by Hong Kong permanent residents are not issued by the places or organizations on the Recognized List, they cannot board any flights for Hong Kong even though the vaccines that they have administered are approved by the Government, whether the Government has plans to relax the entry requirements for these residents shortly, such that they will be allowed to board the flights for Hong Kong irrespective of their places of departure and the places or organizations issuing the vaccination records; if so, of the details and implementation timetable; if not, the reasons for that?*

The written reply provided by the **Secretary for Food and Health** on 25 May 2022 is in **Appendix 2**.

Traffic problems at Pak Lok Path, Tai Wai

21. **MR DOMINIC LEE** (in Chinese): *Pak Lok Path in Tai Wai is a private road belonging to a private housing estate, Pristine Villa, and it also serves as a main access road for daily use by residents near To Fung Shan. It is learnt that the vehicular flow at Pak Lok Path increases drastically every year around Ching Ming Festival and Chung Yeung Festival as many people go to Ching To Yuen (a columbarium that is still applying for a private columbarium licence) on To Fung Shan for ancestral worship. However, the owners of Pristine Villa have in recent years barred vehicles of non-Villa residents from entering Pak Lok Path during the aforesaid days, seriously affecting nearby residents' ways to get about. Some members of the Sha Tin District Council opine that the Government should explore the possibility of resuming Pak Lok Path. In this connection, will the Government inform this Council:*

- (1) *whether there are any precedents of resuming private roads for conversion into public roads; if so, of the number of such roads, and set out, by the name of road, the reasons for resumption and the government departments responsible for the resumption; if not, the reasons for that;*
- (2) *whether it has studied if the owners of Pristine Villa have the right to close off Pak Lok Path and deny access of outsiders; if it has studied and the outcome is in the affirmative, of the legal basis concerned; if the outcome is in the negative, the reasons for that;*
- (3) *whether it has plans to resume Pak Lok Path; if so, of the government department(s) responsible and the details of the relevant work (including the progress in the negotiations with the owners of Pristine Villa); if not, the reasons for that, and whether it will consider doing so; and*
- (4) *as some members of the public are of the view that the operation of the columbarium by Ching To Yuen is the main cause for the aforesaid traffic problems, and this issue has been bothering the residents near To Fung Shan for years, whether the Government will take appropriate actions against this unlicensed private columbarium within a short time, so as to improve the situation?*

The written reply provided by the **Secretary for Development** on 25 May 2022 is in **Appendix 2**.

Enhancing the competitiveness of the securities market of Hong Kong

22. **DR TAN YUEHENG** (in Chinese): *According to the statistics released by an accounting firm, Hong Kong ranked sixth in the world in terms of funds raised through initial public offerings (“IPOs”) in the first quarter of this year, with the amount slumping nearly 90% year-on-year to only about \$13.6 billion, hitting a record low in nearly nine years. On the other hand, some members of the financial sector are of the view that, as announced by the Hong Kong Exchanges and Clearing Limited (“HKEX”) in March this year, the contents of the three strategic pillars (i.e. Connecting China and the World, Connecting Capital with Opportunities and Connecting Today with Tomorrow) to be implemented are relatively vague and general and lack concrete measures, and the pillars are unattractive to investors. In this connection, will the Government inform this Council:*

- (1) *whether it has conducted an in-depth analysis of the reasons for the slump in the amount of IPO funds raised in Hong Kong in the first quarter of this year; if so, of the details, including whether there were reasons other than the epidemic;*
- (2) *of the measures in place to boost Hong Kong’s IPO fundraising market, as well as the specific implementation timetable;*
- (3) *whether it knows the specific measures that HKEX has put in place in the short to medium term (i.e. three to five years) to implement the aforesaid three strategic pillars, as well as the new highlights and breakthroughs of such measures; and*
- (4) *whether it knows the specific proposals that HKEX has put in place to pursue differentiated development, so as to cope with the competition from other exchanges in the region?*

The written reply provided by the **Secretary for Financial Services and the Treasury** on 25 May 2022 is in **Appendix 2**.

GOVERNMENT BILLS**First Reading and Second Reading of Government Bills****First Reading of Government Bills**

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

RESIDENTIAL CARE HOMES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2022**OCCUPATIONAL SAFETY AND OCCUPATIONAL HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2022**

CLERK (in Cantonese): Residential Care Homes Legislation (Miscellaneous Amendments) Bill 2022
Occupational Safety and Occupational Health Legislation (Miscellaneous Amendments) Bill 2022.

Bills 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 Bills

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

RESIDENTIAL CARE HOMES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2022

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I move the Second Reading of the Residential Care Homes Legislation (Miscellaneous Amendments) Bill 2022 (“the Bill”). The Bill seeks to enhance the quality of the residential care homes for the elderly (“RCHes”) and the residential care homes for persons with disabilities.

In response to the public call for enhancing regulation and quality of residential care homes (“RCHs”), the Social Welfare Department (“SWD”) set up the Working Group on the Review of Ordinances and Codes of Practice for Residential Care Homes (“Working Group”) in June 2017 to review the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459), the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) and relevant subsidiary legislation and codes of practice. Having held a total of 19 meetings, the Working Group completed the review in May 2019 and put forward 19 recommendations. SWD has implemented some of the recommendations by revising the relevant codes of practice which took effect in January 2020. Some other recommendations confirmed that the prevailing requirements did not require any changes, while the remaining recommendations have to be implemented by amending the above legislations.

The Working Group comprises the then incumbent Legislative Council members, service users and carers, representatives from non-governmental organizations and the private sector operating RCHs, academics and other individuals. The Working Group has discussed numerous areas subject to review, many of which were controversial. On the one hand, the Working Group hopes to set higher requirements through legislative amendments so as to improve the service quality of RCHs. On the other hand, it has also taken into account the feasibility of the relevant recommendations, the increase in the cost of operating RCHs and the reduction in places. Although the Working Group spent two years to complete the review, it has proposed the direction of legislative amendments in a number of priority areas. I would like to express my gratitude to the members of the Working Group, who represent different stakeholders and views, for being willing to show mutual understanding and mutual accommodation in order to achieve this result.

Having regard to the Working Group’s recommendations, SWD’s practical experience in regulating RCH operation and various stakeholders’ views, the Government proposes to amend the above legislations with a view to enhancing the quality of RCHs in eight aspects:

- (I) enhancing the minimum staffing requirements;
- (II) increasing the minimum area of floor space per resident;

- (III) strengthening the accountability of RCH operators;
- (IV) introducing a registration system for home managers;
- (V) improving the registration system for health workers;
- (VI) enhancing the regulation of medicine management, use of restraints and protection of residents' dignity and privacy;
- (VII) raising penalties; and
- (VIII) repealing the certificate of exemption regime for RCHEs.

To allow the sector sufficient time for transition to the new regulatory regime, if the Bill is passed by the Legislative Council, the Government will implement the new requirements in phases. The majority of the new requirements will be implemented starting from the first anniversary of gazettal of the amendment ordinance, i.e. the material date, save for those requirements for enhancing staffing and area of floor space per resident which will have a longer transition period.

In view of the tight supply of nurses and having heeded the sector's suggestions, we now propose to implement in phases the requirement that there must be one nurse and one health worker on duty at the same time for at least eight hours daily. Specifically, high care level RCHs with more than 60 residents must meet the requirement starting from the second anniversary of the material date, while those with 60 residents or fewer must meet the requirement on a date to be appointed by the Secretary for Labour and Welfare. The Government will implement measures on an ongoing basis, such as organizing enrolled nurse training programme for welfare sector to replenish the supply of nurses in the welfare sector, so as to alleviate the manpower shortage.

In addition, the Bill proposes to increase the minimum area of floor space per resident of RCHs in two phases, with the transition completed in eight years from the material date. The current legislation only provides that the area of floor space per resident shall be not less than 6.5 sq m. The Bill proposes to allow four years for the existing high care level RCHs to meet the new requirements of not

less than 8 sq m of the area of floor space per resident and eight years to 9.5 sq m, while the existing medium and low care level RCHs are permitted to meet the new requirement of 8 sq m of area of floor space per resident within eight years. At present, about 460 RCHs do not meet the new requirements, and thus a total of about 6 300 places need to be reduced. Given that about 8 700 vacant places are available in other RCHs in the market that have already met the new requirements, the amendments will not deprive residents living in these RCHs of RCH care. This transitional arrangement enables existing RCHs to meet the new requirements through natural attrition, gradual reduction of places and implementation of necessary conversion works or relocation of premises.

We briefed the Panel on Welfare Services as well as the Panel on Welfare Services and Panel on Health Services Joint Subcommittee on Long-term Care Policy of the last term of the Legislative Council on the Working Group's recommendations in April 2019 and June 2020 respectively. We also consulted the Elderly Commission, the Rehabilitation Advisory Committee and the Social Welfare Advisory Committee in the second half of 2019 on the Working Group's recommendations, and organized four engagement sessions with stakeholders in the first half of 2020. The committees and stakeholders generally agreed on the need to enhance the quality of RCHs. In February 2022, we consulted the Panel on Welfare Services and the Panel generally supported the proposed legislative amendments.

The Government will render full support to the scrutiny work of the Legislative Council, and I hope that Members will support and pass the Bill. President, I so submit.

Thank you, President.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the Residential Care Homes Legislation (Miscellaneous Amendments) Bill 2022 be read the second time.

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

**OCCUPATIONAL SAFETY AND OCCUPATIONAL HEALTH
LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2022**

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I move the Second Reading of the Occupational Safety and Occupational Health Legislation (Miscellaneous Amendments) Bill 2022 (“the Bill”). The Bill seeks to amend the maximum penalties under the Factories and Industrial Undertakings Ordinance, the Occupational Safety and Health Ordinance as well as their subsidiary legislation so as to better protect the workers’ occupational safety and health (“OSH”).

Although the overall OSH situation of Hong Kong has been improving over the years, the improvement trend has tapered in recent years. The number of fatal industrial accidents has remained high at some 20 cases per year for the past decade with no sign of going down. The community generally believes that one of the major reasons is that the sentences of OSH offences are generally on the low side, which fails to pose sufficient deterrence to curb OSH offences. Furthermore, the maximum penalties under Hong Kong’s OSH legislation have not been reviewed for more than 20 years and are far lower than those in some overseas developed regions. Owing to the above reasons, we have conducted a thorough review of the penalties under the prevailing OSH legislation and adjusted the maximum fines in the provisions.

The Government has reviewed the maximum fines for the some 650 OSH provisions on summary conviction in the above two pieces of legislation, so as to ensure that they are commensurate with the seriousness of the offences and have sufficient deterrent effect. The major amendments include:

- (I) increasing the maximum fines for the general duty (“GD”) provisions for employers and employees prosecuted summarily to \$3 million and \$150,000 respectively; and
- (II) adjusting the seriousness categorization and maximum fines for other summary offences and setting the maximum fine levels for employer-related offences at \$25,000, \$100,000 and \$400,000 respectively according to their seriousness, and at \$10,000, \$50,000 and \$150,000 respectively for employee-related offences.

In addition, the time-bar for prosecution for offences triable summarily is currently six months. We propose to extend it to one year so as to allow sufficient time for the Labour Department to conduct more in-depth investigations into serious cases and to provide the courts with sufficient evidence for considering whether immediate imprisonment penalty is warranted when a person is convicted of an offence involving personal negligence.

One of the key proposals in the Bill is to introduce penalties that have sufficient deterrent effect against the extremely serious OSH offences. We propose to amend the GD provisions for employers, proprietors and occupiers of premises, hereinafter collectively referred to as employer GD provisions, of the relevant legislation, so that we can prosecute these extremely serious OSH offences via “indictable offence” procedure and bring them to higher levels of court for trial. We propose that the maximum fines and imprisonment terms of such extremely serious offences be pitched at \$10 million and two years respectively. Moreover, it should be stipulated in the legislation that courts shall take into account the turnover of the convicted entities in determining the levels of fines, thereby imposing fines with deterrent effect according to the scale of their operation. The above provisions are only targeted at a very small number of cases involving very high culpability or serious negligence leading to serious consequences, including the death of employees, etc.

The Government undertook in the 2017 Policy Address to review the maximum penalties under OSH legislation. We have conducted numerous extensive consultations on the proposed legislative amendments. The business sector and the labour organizations agree that the OSH penalties should be raised to enhance their deterrent effect, but there were diverse views on the magnitude of the increase in fines. When drawing up this Bill, we have considered all the comments and views received, and have balanced the interests of both employers and employees.

I implore Members to support the Bill and its early passage, so that employees can receive better OSH protection. After the Bill is passed by the Legislative Council, it will come into operation once published in the Gazette.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the Occupational Safety and Occupational Health Legislation (Miscellaneous Amendments) Bill 2022 be read the second time.

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

GOVERNMENT MOTION

PRESIDENT (in Cantonese): Government motion.

Proposed resolution under the Disability Discrimination Ordinance.

Members who wish to speak please press the “Request to speak” button.

I now call upon the Secretary for Labour and Welfare to speak and move the motion.

PROPOSED RESOLUTION UNDER THE DISABILITY DISCRIMINATION ORDINANCE

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

The Secretary for Labour and Welfare moved the following motion:

“RESOLVED that the Disability Discrimination Ordinance (Amendment of Schedule 5) Notice 2022, made by the Chief Executive in Council on 26 April 2022, be approved.”

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by the Secretary for Labour and Welfare be passed.

PRESIDENT (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): If not, we now proceed with the voting. I now put the question to you and that is: That the motion moved by the Secretary for Labour and Welfare 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 the Members present.

I declare the motion passed.

MEMBERS' MOTIONS

PRESIDENT (in Cantonese): Members' motions on the period for amending subsidiary legislation.

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

PRESIDENT (in Cantonese): First motion: To extend the period for amending the Marine Parks (Designation) (Amendment) Order 2022, which was laid on the Table of this Council on 27 April 2022.

I now call upon Mr Steven HO to move the motion.

**PROPOSED RESOLUTION TO EXTEND THE PERIOD FOR AMENDING
SUBSIDIARY LEGISLATION (L.N. 51 OF 2022)**

MR STEVEN HO (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

Mr Steven HO moved the following motion:

“RESOLVED that in relation to the Marine Parks (Designation) (Amendment) Order 2022, published in the Gazette as Legal Notice No. 51 of 2022, and laid on the table of the Legislative Council on 27 April 2022, 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 15 June 2022.”

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Steven HO be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the motion passed.

PRESIDENT (in Cantonese): Second motion: To extend the period for amending the Medical Registration Ordinance (Amendment of Schedule 1A) Notice 2022, which was laid on the Table of this Council on 4 May 2022.

I now call upon Mr Tommy CHEUNG to move the motion.

**PROPOSED RESOLUTION TO EXTEND THE PERIOD FOR AMENDING
SUBSIDIARY LEGISLATION (L.N. 56 OF 2022)**

MR TOMMY CHEUNG (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

Mr Tommy CHEUNG moved the following motion:

“RESOLVED that in relation to the Medical Registration Ordinance (Amendment of Schedule 1A) Notice 2022, published in the Gazette as Legal Notice No. 56 of 2022, and laid on the table of the Legislative Council on 4 May 2022, 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 22 June 2022.”

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Tommy CHEUNG be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the motion passed.

PRESIDENT (in Cantonese): Member's motion with no legislative effect.

Mr Michael TIEN will move a motion on “Addressing squarely the problem of child abuse in Hong Kong and protecting children's rights”.

Six Members will move amendments to the motion.

This Council will proceed to a joint debate on the motion and the amendments.

Later, I will first call upon Mr Michael TIEN to speak and move the motion. Then I will call upon Mr LUK Chung-hung, Mr LAM San-keung, Dr Stephen WONG, Mr Stanley LI, Dr Hoey Simon LEE and Ms Maggie CHAN to speak in sequence, but they may not move the amendments at this stage.

The joint debate now begins. Members who wish to speak please press the “Request to speak” button.

I now call upon Mr Michael TIEN to speak and move the motion.

MOTION ON “ADDRESSING SQUARELY THE PROBLEM OF CHILD ABUSE IN HONG KONG AND PROTECTING CHILDREN'S RIGHTS”

MR MICHAEL TIEN (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

President, actually, I have been waiting for my turn to propose today's motion since the beginning of the year. During the past six months, there have been continuous discussions on the relevant issue in this Council, including the question session of the Legislative Council, as well as regular and special

committee meetings. Despite this, I still feel that today's discussion on this motion is not untimely for the following reasons:

- (I) This is a matter of utmost importance. This issue has aroused the concern of the Legislative Council this year because of the Children's Residential Home ("CRH") incident, but as I said in the motion, appalling child abuse incidents have occurred time and again in the past. Have we actually learnt a lesson? Have we really done our best to prevent recurrence of such incidents? Whenever I think of children suffering from mistakes made by adults, I feel infuriated.

"Respect the elderly in your family and extend the same respect to those in other families; take care of your children and extend the same care to those of others." We often say that we are proud of the Chinese culture. Instead of carrying it on our lips, we had better keep putting it into practice. If we cannot even do something as basic as protecting children, what is the point of having better economic development? What is the point of being an international financial centre?

- (II) In the past, the time available for discussion in the question session or committee meetings in the Legislative Council was very limited. Members and public officers each had only a few minutes to ask and answer questions. There would not be any time left for stating opinions after asking a question. I believe that a full motion debate will give Members sufficient time to express their views. It will also enable the public officers to take the time to think about how Members and the electors represented by us view this matter.
- (III) With the election of the new Chief Executive and the imminent transition of the Government from the current to the new term, this is the right time to present the position of this Council to the new Government. In my view, this issue, like the fight against the epidemic, should be given priority by the new Government. I believe that the Chief Executive-elect's team will pay attention to the motion debates in the Legislative Council, so that the new Government can take on board Members' views and include them in its list of policy implementation.

Let us look at the report of the Social Welfare Department (“SWD”). Between 2013 and 2020, the number of child abuse cases hovered around 800 to 1 000 each year. From a positive perspective, it did not worsen. From a negative perspective, it did not improve. Last year, the number of cases jumped to 1 367, and in over 900 of these cases, the abusers were parents and family members. As reasonably reckoned, this is related to the epidemic. No one can tell how far-reaching the impact of the epidemic is. Hence, we should immediately take action today to prevent this problem from worsening. It really brooks no delay. We must not forget that these are only the figures we know. Is it possible that the situation is just the tip of the iceberg?

Apart from preventing abuse by parents and family members, it is unthinkable that we have to discuss how to prevent abuse by dedicated personnel in subvented organizations entrusted by the community to take care of the helpless children. More than six months have passed, but I still find this incident unbelievable. What is even more unbelievable to me is that in the past six months or so, the Government did not shoulder its due responsibility to investigate who has failed in their duties. How can there possibly be no dereliction of duty? Funding is granted by the Government, which has sent its staff to conduct inspections and set up a review mechanism, yet such a large-scale, persistent and organized child abuse incident has occurred. In the paper for the meeting of the Legislative Council Panel on Welfare Services on 6 May, it still said, “there is still room for improvement” in the inspection system. President, can you believe it? This should not be described as improvement. It should be described as “totally rotten”. Moreover, someone must have worked perfunctorily, otherwise the incident would not have been completely undetected. I will talk about this point later. I will now elaborate on the recommendations in my motion one by one.

- (1) In the past, when a very disturbing case was exposed, we would wonder why no one knew about it during the course. Why did the school not know about it? There was obviously a lot of evidence showing that there was a problem. Why did no one pay any attention? For this reason, on the very same day in April last year, I asked the Education Bureau (“EDB”) and the Labour and Welfare Bureau (“LWB”) whether they would follow up the matter of mandatory reporting of child abuse. I asked these two Policy Bureaux because in 2018, the Chief Executive promised the Legislative Council that she would request the two Bureaux to follow

it up. However, in the past three years, there had been no progress at all and no one had mentioned it. If I had not brought it up again, it seems no one would have recalled this matter. Initially, I was quite disappointed with the replies given by both Bureaux. Let me remind Members that EDB said that it was the business of LWB, while LWB said that it was handled by the Law Reform Commission (“LRC”). Later, LRC made it clear that they were dealing with the offence of “failure to protect”. It was related to mandatory reporting, but they were not the same thing. I was originally prepared for a long fight, but then the Government announced in August that it would study the introduction of legislation. This time we succeeded in our fight relatively fast. Then came the lengthy legislative process. It is learnt that the Bill will not be introduced until 2023. I do not know if the current process is already the fastest, but the incumbent Chief Executive has recently said that the scrutiny of the very complicated Bill on improving the electoral system could be completed within 44 days, while the Chief Executive-elect said that he is result-oriented. It thus shows that human effort is the decisive factor. I hope the Government—the Government of the new term—will make its best effort to enact legislation as soon as possible.

- (2) After the Government’s announcement on the introduction of legislation, some educators and social workers are worried that some people may make indiscriminate or false reports in order to avoid criminal liability. As a matter of fact, many professions in society, such as lawyers, accountants and engineers, have a statutory duty to report misconduct, but they will not make indiscriminate or false reports. The reason why professionals are professional is that having sufficient professional knowledge and training, they can identify problems more easily than ordinary people. Therefore, this is what professionals should do. It is reasonable that they have a greater responsibility than ordinary people. Since the community trusts them, will the professional educators and social workers please believe that they can do it. Hence, the question is not whether they should do it or not, but how to do it well. So I suggest that the Government work with the sector and provide training and guidelines expeditiously.

(3), (4) and (5)

Points (3), (4) and (5) were raised in view of the CRH incident. This incident is very different from the child abuse cases in individual families in the past because this organization is subvented by the Government. That means the Government has a monitoring role, and this incident proves that this monitoring mechanism has failed. Did similar situations occur in the other 100-odd subvented organizations? What the heck did the officers responsible for inspection do? Did they do their best and complete all the work but still fail to find the problem? Did the authorities check the inspection reports? Did the reports depict that organization as a paradise? I have never got a clue.

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

Those who directly commit abuse will be brought to justice, but what about those suspected of dereliction of duty? Let us make a comparison with other industries. An auditor is responsible for examining whether a company has any problem. Suppose he signs his name to indicate that there is no problem, but later, the accounts of the company are found to be wrong or false. Is the auditor not responsible then? Suppose a vehicle examiner signs his name in confirmation after examining a vehicle, but later, its wheel comes loose. Is he not responsible either? If that is the case, what is the meaning of the whole inspection system? To date, I have not yet heard from the Government how it will investigate the responsibilities of the internal staff.

Besides, is the matter over and done with after the management staff of the organization in question have left office? They have enjoyed high salaries in senior positions over the years. Can they just pack up when things go wrong and leave all the responsibilities to the

frontline staff? I have read the report of the independent review committee, which reads: “The Independent Review Committee was satisfied that the Management of the Children’s Residential Home must have been aware of the generally rough handling of the children, but must have considered this acceptable as there has been no intervention.”; “Therefore, the Independent Review Committee considers the quality and frequency of the supervision and monitoring to be considerably inadequate and practically ineffective.”; “The Management also failed to properly inform the Executive Committee about the situation in the Children’s Residential Home, including the high turnover rate and the rough handling of the Child Care Workers. There was no regular written report to the Executive Committee”.

The frontline staff who committed abuse were certainly at fault, but what about the high-salaried senior staff who tacitly condoned such behaviour? If the Government does not deal with this, their job is really the “best job in the world”.

(6) and (7)

In the past child abuse cases which happened at home, either the victims were absent from school, or subsequently there were many signs and traces, thus enabling timely detection of the problem. The victims might have apparent injuries or abnormal behaviour. According to the statistics of SWD, in 75% of the cases, the children were aged between 6 and 17, who could be found on campus most easily. Therefore, I request that class teachers of all schools should each meet and talk with the students individually twice in each academic year to understand the recent situation of the students. If abusers know that their evil deeds are bound to be exposed, they will probably have misgivings about their behaviour. If we had long established a mandatory reporting mechanism in law, the CRH incident would never have happened.

I so submit.

Mr Michael TIEN moved the following motion: (Translation)

“That in retrospect, quite a number of appalling child abuse cases have occurred one after another in Hong Kong in recent years, including two cases in 2018 and 2019 in which a girl aged five and a baby girl aged less than two respectively died of being abused, a serious child abuse incident which occurred in the boarding section of Hong Chi Pinehill No. 2 School in 2020, a case of child abuse by a babysitter in 2021, and the child abuse incident in the Children’s Residential Home in late 2021; according to the information released by the Police in November 2021, in the first three quarters of 2021, the Police received a total of 871 criminal child abuse cases, an increase of nearly 66% over the corresponding period in 2020, in which 18% of the abused children were aged only zero to five, thus showing that the above child abuse incidents are likely to be just the tip of the iceberg; the SAR Government stated in the 2021 Policy Address that to prevent child abuse tragedies from happening again, the authorities were formulating a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases, but it is undeniable that at present, there are problems in the whole chain of child protection in Hong Kong, resulting in children being unable to receive proper protection at home, in schools, hostels, as well as child welfare service organizations, etc.; abuse will not only cause bodily harm to children but also affect children’s mental and personality development; in this connection, this Council urges the SAR Government to:

- (1) present the bill on the mandatory reporting mechanism on child abuse cases to this Council for scrutiny as early as possible;
- (2) expeditiously provide social welfare personnel with training and guidelines so that the sector can comply with the requirements under the new legislation and also provide services with the highest professional standard before the relevant legislation comes into operation;
- (3) comprehensively review the monitoring, funding and inspection mechanisms of subsidized welfare service units, so as to ensure that the relevant organizations can meet the expected service standard;

- (4) establish a clear accountability mechanism and thoroughly investigate the responsibilities of government departments, individual officers and child welfare service organizations in child abuse incidents in the past;
- (5) check whether closed-circuit television records of all child welfare service organizations in Hong Kong are complete, and conduct random checks on the footage to enable early identification of child abuse incidents;
- (6) given that many victims of child abuse cases all have records of unexplained absence from class and abnormal behaviour and even apparent injuries, study in detail why the child abuse incidents concerned failed to be identified early; and
- (7) require class teachers of all schools to meet and talk with each student individually for at least two times in each academic year to understand the recent situation of the students, including whether they have greater psychological and physical problems; in case a child is suspected of being abused, the class teacher should immediately hand over the case to the school social worker for further follow-up actions; at the same time, the authorities should also provide school teachers with training and guidelines on handling of suspected child abuse cases.”

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Michael TIEN be passed.

MR LUK CHUNG-HUNG (in Cantonese): Deputy President, children are not only the future of our society, but also the treasure and jewels of their families, and as such they deserve a happy and healthy childhood. However, happiness should not be taken for granted. For various reasons, some children are living in a complicated family environment, and some have even become the “punching bag” of adults, resulting in a lingering psychological trauma. It is appalling and heart-breaking that these abuse cases occur from time to time. Recently, there have even been incidents of mass child abuse in a child care centre, which has shocked everyone and has been followed up by the Council with great efforts. I

therefore endorse Mr Michael TIEN's motion today that we should address squarely the problem of child abuse and protect children, and I would like to make some amendments to the original motion.

My amendment consists of several parts, the first of which is about accountability. In fact, many children in Hong Kong are using community services. The simplest examples include attending schools, going to occasional child care services centres and participating in various after-school activities. However, the Government often lacks the spirit of accountability in monitoring subsidized welfare service units. As long as the units concerned have submitted all the forms and gone through all the formalities required, the Government will put up with them, not to mention punishing them or holding them accountable. As a result, many children-related problems have been hidden from the public until a tragedy turns into a catastrophe. For example, in the case of such a large-scale child abuse incident at the Children's Residential Home ("CRH"), the incident was brought to light not by the staff or management of CRH or under the Social Welfare Department mechanism, but by the residents in the neighbourhood. Until today, CRH is still operating, and its operating body has not been punished by the Government. How can the spirit of accountability be realized and how can children be protected? I believe that the Government should introduce more accountability measures for subsidized welfare service units, especially a proper accountability and punishment mechanism, so that these service units will be more vigilant and more aware of the risks and focus all of their efforts on the well-being of service users.

Deputy President, the second point of my amendment concerns enhancing the support for foster homes. As the common advertising tagline goes, "It costs \$4 million to raise a child in Hong Kong". Despite the high cost, foster families are so kind-hearted that they are willing to assist in caring for children and share their love and kindness with the children in need. However, the Government has been providing extremely little support to these rare, kind-hearted families. Currently, there are about 954 registered foster families in Hong Kong, and 921 children are receiving foster care service. The waiting time for the service is still nearly two months. What can be done to attract more families to become foster families? In fact, the Government should be more proactive in its publicity and promotion work. It should also provide more support to foster families, such as reviewing the current foster care subsidy of merely \$6,000 and increasing the support and care guidance for them. These initiatives will earn more recognition for foster families in the community and achieve "zero waiting time" for foster care

service, so as to enable children in need to get immediate care. Children using foster care service will then be given the most urgently needed family care for their healthy growth.

Deputy President, lastly, I would like to talk about a more fundamental issue, namely strengthening family education to enable parents to have more positive values and responsibilities in parenting. As the saying goes, “a family is the smallest country, and the country is composed of thousands of families”. Family values are very important for epitomizing this spirit. We should promote family education to eradicate the problem of child abuse at root. In fact, many child abuse cases are caused by parents’ lack of parenting skills and awareness. Various sectors of the community should therefore help educate parents on parenting skills and how to care for their children, and instil in them an awareness that the well-being and feelings of children are the primary concern. By doing so, the tragic incidents of child abuse can be minimized or even eradicated. In fact, China implemented the Law of the People’s Republic of China on Family Education Promotion last year with the aim of guiding the whole society to focus on family, family education and family values, as well as promoting family happiness and social harmony. In my opinion, Hong Kong should also tap into this spirit and establish more specifically the responsibilities of parents. The Government should also put in place a policy to support family education in the community on all fronts, so as to protect children in a comprehensive manner. I hope that Honourable Members will support my amendment. Thank you, Honourable Members. Thank you, Deputy President.

MR LAM SAN-KEUNG (in Cantonese): Deputy President, I thank and support Mr Michael TIEN for moving the motion and other Members for proposing the amendments.

Protecting children by giving them a happy and healthy childhood is not only the responsibility of parents, families and social welfare organizations. More importantly, the Legislative Council and the courts should put in place effective legal safeguards to protect children’s rights.

Pursuant to the existing legislation, it is parents’ right, not responsibility, to care for their children. In many real-life cases, some divorced single parents have left their children with their grandparents or other relatives after being awarded

custody of their children, while spending the alimony for personal pleasure in an utterly irresponsible manner. On the other hand, the grandparents, despite having no money to care for their grandchildren, are not entitled to apply to the courts for custody or alimony. As a result of their parents' divorce, the children have lost not only their parents but also financial support. Such acts of child neglect are considered to be both emotional and financial abuse of children.

Some parents of single-parent families believe that they are vested with the right to own their children once they are granted custody, and they have the right to decide how to treat their children. As single-parent families are often facing tremendous social and financial pressure, their children are more susceptible to abuse.

In 2005, the Law Reform Commission recommended the drafting of the Children Proceedings (Parental Responsibility) Bill ("the Bill"). The main objective of the Bill is to regulate the principles by which Judges adjudicate divorce cases and to ensure that all Judges hearing divorce cases will give priority to the protection of children's rights.

Caring for children is no longer a parental right, but a responsibility. This parental responsibility requires parents to protect the best interests of their children, promote their healthy development, and give direction and guidance to their children. Parents have a responsibility to provide the necessary food and shelter to protect their children from physical harm or suffering. Under the Bill, carers (namely the grandparents I mentioned earlier) also have the same responsibilities as parents to care for and guide the children. As carers, they also have the right to apply to the courts for maintenance payments. This change in mentality serves to remind parents and carers that they must not harm or cause suffering to children. They will breach their obligations under the law if they harm, abuse or neglect their children physically or psychologically. This legal basis will help to eliminate acts of child abuse.

The Bill has been under discussion in the community for over 17 years, and it has long been widely accepted by the judicial, legal and social welfare sectors in Hong Kong. Similar legislation has been enacted in the United Kingdom and other common law jurisdictions as early as in 1989. However, the Bill has not yet been presented to the Legislative Council for scrutiny. The Legislative Council

should discuss and scrutinize the Bill as soon as possible in response to public opinion.

It was in March 2018, namely four years ago, when the Bill was last discussed in the Legislative Council Panel on Welfare Services. Back then, the focus of discussion was not on the principles by which Judges adjudicate cases, but on how to increase the resources and services of social welfare organizations, such as the establishment of co-parenting support centres to provide one-stop co-parenting support services for divorced parents and their children, so as to assist divorced parents in fulfilling their parental responsibilities and supporting their children affected by divorce under the “children-centred” principle.

I agree that the Government should be responsible for these social services, and it should not postpone this Bill for years on the grounds of inadequate social support. In the best interest of children, both the enactment of the legislation and the increase in social welfare services should be carried out in tandem but not in sequence.

I therefore implore Honourable Members to support the passage of this motion and my amendment, so as to prompt the Government to introduce the Bill into this Council for scrutiny as soon as possible.

Deputy President, I so submit.

DR STEPHEN WONG (in Cantonese): Thank you, Deputy President. I thank Mr Michael TIEN for moving the motion on “Addressing squarely the problem of child abuse in Hong Kong and protecting children’s rights”.

I support the suggestion in the motion to urge the SAR Government to introduce a bill to provide for a mandatory reporting mechanism on child abuse cases to this Council for scrutiny as soon as possible. At the same time, I have suggested in my amendment that the Government pay attention to two measures: first, ensure that abused children will receive appropriate accommodation, follow-up and professional services, so as to help the children recover; and second, rectify the manpower shortage and mismatch in child care services. I will elaborate on these two points.

The first measure: Ensure that abused children will receive proper support and follow-up

In my letter to Secretary for Labour and Welfare Dr LAW Chi-kwong (“the Secretary”) dated 14 February, I have suggested that the authorities give priority to the well-being and long-term development of children and make arrangement for their placement with foster families as soon as possible. I am grateful to the Secretary for his email reply explaining that a multi-disciplinary team would arrange appropriate care for children in hospitals according to their needs.

Subsequently, on 6 May, the Secretary has advised in a document provided for a special meeting that 28 children have returned to Children’s Residential Home (“CRH”) and another 12 children have been arranged to other residential care.

However, I would like to raise a follow-up question about something I am still unclear about. What are the results of the psychological and psychiatric assessment of the victims and the witnesses? I urge the Secretary to inform this Council on the long-term care plan for the 28 children who have returned to CRH, and the follow-up arrangements and medium- and long-term goals for the 12 children who have moved to other places.

I am glad to see that a Review Committee chaired by the Director of Social Welfare has planned to complete a review of the services provided by residential child care centres in September this year and that of other child care related services in March next year, including care service of foster families. I would like to highlight the fact that the number of foster families will probably continue to fall due to the COVID-19 epidemic and other challenges, and the “shortage of new blood” in foster care services will only deteriorate. While the Social Welfare Department (“SWD”) has carried out publicity annually and recruited foster families in collaboration with non-governmental organizations (“NGOs”), these measures have proved to be ineffective. Echoing the foster care arrangements proposed in my letter and the speech delivered by Mr LUK Chung-hung just now, I would particularly hope that the Review Committee will explore how to effectively increase the number of foster families and formulate relevant policies by drawing on successful overseas experience.

The second measure: Manpower issue with child care services

As we all know, children staying in community services organizations include abandoned babies, orphans, children referred by the court, children with special needs and children with history of abuse. Children with special needs and history of abuse account for a fairly high percentage of all residents, which places a higher demand on the professionalism of caregivers.

As revealed by the recent tragic incident, and as the Secretary admitted at the relevant special meeting of the Panel on Welfare Services, the existing staffing establishment is unable to cater for the special learning and emotional development needs of these children and young people.

As stated in the discussion paper provided by SWD on 6 May, the Review Committee will conduct a comprehensive review of the planning, provision and mode of residential child care services. I once again urge the Review Committee to match the holistic needs of children with the appropriate professional staff. In addition, I call on the Government to strive to improve the remuneration package for staff of residential care homes, increase the number of frontline care staff, review the registration and licensing system for child care workers, and strengthen training on an ongoing basis. All these initiatives require a clear timetable and roadmap formulated by the Government.

Lastly, I would like to put forward a suggestion. Before the conclusion of the review of the Review Committee, as mentioned by the Secretary, the Government should expeditiously enhance the supervisory and teaching capabilities and professional standards of all frontline child care workers and retain existing child care professionals. At the same time, the Government should seize the time to fully utilize the strengths of foster families, NGOs and kind-hearted people in the community to create a safer and more loving environment for the growth of children of broken families.

Deputy President, I so submit. Thank you.

MR STANLEY LI (in Cantonese): Deputy President, before all else, I would like to thank Mr Michael TIEN for proposing today's motion to discuss the issue of how to deter child abuse and protect children's rights.

At the end of last year, a serious child abuse incident occurred in the Children's Residential Home under the Hong Kong Society for the Protection of Children, which sparked a huge outcry and anger in society. At present, organizations operating residential child care services are in fact subject to a system consisting of an array of regulations, including the Child Care Services Ordinance (Cap. 243) and the Operation Manual for Pre-primary Institutions, etc. These organizations should further comply with the Funding and Service Agreements if they receive funding under the lump sum grant. In other words, there are basically laws and rules regulating the operation of children's services. Nevertheless, some outrageous tragedies have taken place recently. I think the root of the problem lies in "people".

First of all, the crux of the problem is the lack of experience of the staff. A large-scale organization with a long history of operating children's services for 40 to 50 years has seen massive manpower wastage in recent years. With over 70% of its staff members having served the organization for less than three years, we can hence imagine the quality of the staff in that organization.

Second, does the management really have little knowledge about the fact that the employees' remuneration package is not attractive enough? Let us take a look at it. The remuneration of child care workers is actually not low, and the nature of their work is simply taking care of children. But the problem is, if a staff member has to take care of not only one or two children, but a dozen or more, the pressure would be great. I believe that the disproportionate remuneration package would certainly compromise the service quality.

Third, both the Social Welfare Department ("SWD") and the operators have established their own monitoring, supervision and inspection mechanisms. Have the staff responsible for quality assurance and carrying out supervision fulfilled their duties? Or have they just acted haphazardly and done their job perfunctorily? I believe the answer is obvious to all.

To sum up the incident in the Children's Residential Home this time around, no matter how much effort the authorities have made to review the system, or how severely the staff members who abused children have been punished, and how the

monitoring system is improved, etc., I believe the top priority which should be dealt with urgently is the aforesaid three fundamental problems which are “man-made” in nature.

As a matter of fact, apart from child abuse incidents in children’s service organizations, it turns out that child abuse cases in the community also show a rising trend. The most distressing is that among the abusers, most of them are the victims’ parents, that is, the children’s next of kin. These figures cover only the reported cases, that is, those cases that have come to light. But in reality, there are probably many more cases that are still hidden and the abused children are still suffering in silence.

Therefore, I propose my amendment to advocate that we must take precautionary measures to deter child abuse, starting from families at risk.

To begin with, I suggest that the existing Comprehensive Child Development Service (“CCDS”) should be strengthened. In fact, CCDS has been implemented and enhanced as early as since 2005, with the collaboration among the Department of Health (“DH”), the Hospital Authority, the Education Bureau and SWD being its major feature.

Commencing from the stage of pregnancy, pregnant women have to undergo check-ups at DH regularly. Through regular services, DH conducts health surveillance for pregnant women and newborn babies, and impart parenting knowledge, etc. If professional personnel find abnormalities in pregnant women or babies during these processes, such as strange injuries of the baby or unusual behaviour of the mother, relevant departments will follow up immediately, and provide timely and appropriate treatment and services to prevent the occurrence of family tragedies.

It is a pity that the services seem to become rigid after CCDS has been implemented for 10-odd years, perhaps this is the result of insufficient manpower. I think that since CCDS has already been put in place, the authorities should make good use of it, conduct a review of CCDS and make improvement as early as possible. Significant upgrades should be made in respect of the content of the services, manpower and administrative procedures. It should also keep pace with technological development by incorporating more elements to help families at risk to solve their problems in the first instance.

In addition, I also propose to roll out a visit programme for families with newborn babies under which home visit services would be provided for every newborn baby through the mode of early prevention and intervention. This programme is now implemented in places such as Europe and the United States. It is learnt that these services are provided by professional teams, such as nurses, in some places. They pay more attention and care to women's postpartum stress and anxiety, in a bid to ensure that newborn babies are given the best protection for them to grow up healthily and happily. I hope the authorities can draw reference from these examples and send staff to conduct home visits for all newborn babies in Hong Kong. If resources are limited, priority can be accorded to the potentially high-risk families, such as single-parent families and underage pregnancy, in conducting the visits.

In conclusion, to address squarely the problem of child abuse, we should start from the very beginning before newborn babies come to the world, so as to ensure that every couple is well prepared. This is the most effective panacea for alleviating the problem of child abuse.

Deputy President, the Democratic Alliance for the Betterment and Progress of Hong Kong supports the original motion and all the amendments. I also implore Honourable colleagues to support the amendment proposed by me. I so submit.

DR HOEY SIMON LEE (in Cantonese): Thank you, Deputy President. First of all, I would like to express my gratitude to Mr Michael TIEN for proposing the motion on “Addressing squarely the problem of child abuse in Hong Kong and protecting children's rights”.

Before I proceed to elaborate on the content of my amendment to the motion, I wish to share with you some statistics, which are the heartbreaking statistics mentioned by Mr Stanley LI a short while ago. According to the Child Protection Registry Statistical Report published by the Social Welfare Department (“SWD”) in this month, there were a total of 1 367 newly registered child abuse cases in 2021, an increase of more than 45% over 2020, in which one in four of the abused children were infants and young children aged only zero to five. Of course, many hidden cases have not been included in these figures.

Miss Koby WONG, a colleague in my research team and also a member of the Steering Committee on Child Development Fund took the lead in releasing the Report on the Preliminary Study on the Monitoring and Management Mechanisms of Non-Governmental Organizations in Hong Kong: A Case Study of the “Children’s Residential Home” Incident early this month. This study report focuses on the inadequacies of SWD’s existing monitoring, supervision and management mechanisms of non-governmental organizations. We hope that this report will help to avoid the recurrence of such tragedies. In the report, we have pointed out seven major deficiencies in the existing monitoring and management mechanisms, and made five major recommendations. The relevant findings of this study have provided a research basis for me to propose this amendment of mine.

Insofar as the specific content is concerned, I have put forward three suggestions in my amendment. First, supervision must be carried out properly. To exercise supervision properly, we must adopt a “carrot and stick” approach instead of merely relying on “hardware” such as installing more closed-circuit televisions while ignoring the “software”. What is the software? It refers to the importance of measures on all fronts. Therefore, I suggest that the Administration should study how to enhance the existing initiatives, such as the Pilot Scheme on Social Work Service for Pre-primary Institutions, the policy of “one school social worker for each school” in primary schools and the policy of “two school social workers for each school” in secondary schools, so as to find out hidden child abuse cases as early as possible.

Second, there must be a clear reward and penalty system in order to improve service quality. In this connection, I urge the Administration to include additional terms in the funding application requirements for welfare service units in which child abuse incidents have previously occurred to require the relevant units to improve their services, and even blacklist such units if the situation does not improve. Only through this can we prevent the relevant organizations from continuing to turn a blind eye to certain behaviour, so as to reduce the potential risk of child abuse incidents through the mechanisms.

Third, the human resources mechanism must be enhanced to avoid putting frontline staff of child welfare service units under excessive work pressure, which

might give rise to child abuse incidents. In this regard, I urge the Administration to establish a database on human resource management of subvented non-governmental organizations for compiling statistics on various professional grades in child welfare service units in Hong Kong, such as the manpower ratio and turnover rate of child care workers. This would enable us to grasp as early as possible the specific situations and data on matters relating to human resource management of child welfare service units for early intervention and provision of support when necessary. At the same time, it should review afresh the manpower ratios of various professional grades in child welfare service, formulate roadmaps and timetables to further improve their manpower ratios, and put forward practicable solutions in respect of the shortage of professional personnel to ensure that the service quality of child welfare service units will not be seriously affected by manpower problems, thus contributing to the occurrence of child abuse incidents.

In this report, we have elaborated on more details and the content of the recommendations in the hope that we can make our due contribution to this issue, so that the entire regulatory mechanism can be improved to prevent the recurrence of such child abuse incidents.

Our society and all colleagues present here are keen to see that children can have a happy childhood, and society has the responsibility to create a safe environment for children to develop and grow (*The buzzer sounded*) ... I so submit. Thank you.

DEPUTY PRESIDENT (in Cantonese): Dr Hoey Simon LEE, your speaking time is up.

Ms Maggie CHAN, please speak.

MS MAGGIE CHAN (in Cantonese): Deputy President, first of all, I would like to thank Mr Michael TIEN for proposing this motion. I have also proposed an amendment, the content of which mainly covers three points, namely introducing expeditiously the offence of “failure to protect”, establishing a blacklisting system for child abuse offences, as well as reviewing the role of the Labour and Welfare Bureau (“LWB”) in this issue. I hope Honourable colleagues will support the content of my amendment.

Let me start with the offence of “failure to protect”. “A lucky person’s lifetime is cured by childhood, while an unlucky person’s lifetime is spent curing childhood.” Childhood is a crucial stage of people’s growth, an unfortunate childhood will cast a shadow over one’s whole life and may bring greater problems to society in the future. Protecting the children is not only the responsibility of the family, but also the joint responsibility of the community.

In fact, the concept of the offence of “failure to protect” is not that complicated. When a person lives with the victim or owes a duty of care to the victim, if the person is aware of a risk of serious bodily harm to these children or protected persons but he/she fails to take measures to protect the children concerned, such person should shoulder criminal liability on a proportionate basis. All along, minors are often unable to express their situation of being abused, and the bystanders are usually “close persons” of the abusers, thereby creating a host of difficulties for law enforcement agencies in the collection of evidence when they conduct investigation.

As a matter of fact, the offence of “failure to protect” is nothing new in other places. For instance, the United Kingdom (“UK”), New Zealand, various states of Australia and of the United States have already introduced the relevant criminal offence. A few years ago, there was even discussion about the “Cinderella Law” in UK, under which committing acts of emotional abuse on children would also be deemed as a criminal offence. Of course, we cannot enact local legislation by copying overseas legislation mechanically. It is still necessary to hold discussion with various sectors having regard to the actual situation in Hong Kong. Yet, the laws on protecting children in Hong Kong are indeed inadequate. In this connection, I hope the new-term Government will introduce a bill on the offence of “failure to protect” into the Legislative Council as soon as possible to embark the legislative exercise.

Merely enacting legislation is not enough, sufficient resources as well as professional training for parties such as social workers and teachers are also necessary. At present, under the Pilot Scheme on Social Work Service for Pre-primary Institutions implemented by the authorities, many social workers serving kindergartens may have to work in several kindergartens, thereby giving rise to the situation that one social worker has to work for several kindergartens. In the long run, the authorities still need to achieve the target of “one school social worker for each school”, so as to provide sufficient resources for the children and prevent child abuse cases. At the same time, under the licensing mechanisms of

social workers and teachers, we need to strengthen particularly their sensitivity and sense of responsibility regarding the offence of “failure to protect”, such that they will become an integral part of the protection net for children.

Speaking of the licensing mechanisms, the second key point in my amendment is to draw up a blacklist of child abuse offences. In fact, the proposed blacklisting system for child abuse offences is similar to the existing system of disclosure of sexual offence records which has been working effectively. I suggest that employers of children-related work may, with the consent of the applicants, check with the Police Force whether they have committed any offences of a child abuse nature. To implement a blacklisting system for child abuse offences, in fact, we only need to incorporate child abuse offences into the content that we can check at present. It is feasible and operational in terms of law enactment and enforcement.

Lastly, the amendment specifically mentions that LWB and the Social Welfare Department need to review the existing mechanisms and assume main responsibility in implementing child protection policies. The Government must not take it for granted and rigidly adhere to the principle of “small government, big market”, thinking that everything will be fine after the social welfare services have been outsourced. Members may still remember that after the Children’s Residential Home’s incident was revealed, LWB’s reaction was that it was “shocked”, “very shocked”, “extremely shocked”, and then nothing else. Regarding the established procedures, when an incident is considered “exceptional” or rare, which is beyond the so-called “extent of knowledge” of the Secretary and officials, the Bureau often shows ineptitude in imposing the supervisory measures on the organization involved, such as arrangements of investigation, taking control, termination of operation and cancellation of registration. This has resulted in its failure to detect child abuse cases in a timely manner. The authorities have not fulfilled their duty of protecting the children, and no one has received the punishment that he/she deserves. All of these are issues that the Government needs to seriously reflect on, reform and demand accountability.

With these remarks, I hope Members will support my amendment. Thank you.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, I am grateful to Mr Michael TIEN for moving this motion and to the six Members for proposing amendments to enable the Government to listen attentively to Members' views on such important issues as prevention of child abuse and protection of children's rights, so that our collective wisdom can be drawn on to safeguard the well-being of children.

Related legislation

The healthy growth and development of children depends on the joint efforts of the Government and all sectors of society. We have the responsibility to protect children from abuse and neglect. In addition to existing legislation, such as the Offences against the Person Ordinance (Cap. 212), the Crimes Ordinance (Cap. 200), the Prevention of Child Pornography Ordinance (Cap. 579) and the Protection of Children and Juveniles Ordinance (Cap. 213), the Chief Executive announced in the 2021 Policy Address that the Government would take forward legislative work on a mandatory reporting mechanism for child abuse cases. We have set up a cross-bureaux working group, comprising the Labour and Welfare Bureau ("LWB"), the Education Bureau ("EDB"), the Food and Health Bureau and the Security Bureau, with the aim of introducing a bill into the Legislative Council in the first half of 2023. We plan to consult stakeholders in the relevant sectors again in the third quarter of this year on the implementation details of the mandatory reporting mechanism, including the practitioners who are required to bear the mandatory reporting responsibility, the reporting threshold, the reporting channels, the protection of reporters, and so on. The results of the consultation will be reported to the Panel on Welfare Services in the fourth quarter. The Government will also consider how to implement the Law Reform Commission's recommendation on introducing an offence of "failure to protect" in its report published in September 2021.

Measures to prevent, report and deal with child abuse cases

In the meantime, the Government has implemented a number of administrative measures for the prevention, early identification and appropriate intervention of suspected child abuse cases. These measures include:

- (I) fully stepping up the social work services in schools. The "Pilot Scheme on Social Work Service for Pre-primary Institutions" will be regularized in the 2022-2023 school year; "one school social worker

for each school” policy has been implemented in public primary schools from the 2018-2019 school year; and the number of school social workers in each secondary school has been increased to two since the 2019-2020 school year. Moreover, the supervisory support has also been enhanced;

- (II) issuing guidelines to schools. Apart from requiring primary and secondary schools to report students’ non-attendance to EDB on the seventh day of the students’ continuous absence regardless of the reasons, kindergartens have also been required to report students’ absence for seven consecutive school days if such absence is without reasons or under doubtful circumstances;
- (III) requiring schools to establish or improve their internal mechanisms, procedures and measures to further enhance school personnel’s capability in identifying child abuse cases and raise their alertness of reporting and following up the cases;
- (IV) equipping schools with professionals, including guidance personnel, school social workers and school-based educational psychologists, etc., to provide necessary support to students in need;
- (V) actively promoting parent education and encouraging parents to adopt a positive parenting approach to nurture their children, so as to prevent the occurrence of child abuse. Relevant measures include the implementation of a territory-wide positive parent campaign to facilitate parent education through extensive and diversified publicity channels, so that parents can develop positive thinking and help their children grow up happily. Furthermore, useful information is provided to parents, with a view to assisting them in fostering an intimate parent-child relationship and promoting children’s physical and mental development;
- (VI) enhancing interdisciplinary communication and collaboration under the Comprehensive Child Development Service. LWB, EDB, the Department of Health, the Hospital Authority and the Social Welfare Department (“SWD”) have jointly implemented measures to identify at an early stage the various health and social needs of children aged 0 to 5 and their families through the collaborative platform of

Maternal and Child Health Centres, hospitals, integrated family service centres/integrated services centres and pre-primary institutions. Moreover, intervention services have also been provided through multi-disciplinary collaboration, including paediatrics, psychiatry, obstetrics and gynaecology, social work and clinical psychology, so as to protect children and promote their healthy development;

- (VII) Hong Kong has a total of 21 family life education units and 67 integrated family service centres/integrated services centres to provide family life education in the form of lectures, groups, seminars, exhibitions, workshops and large-scale activities;
- (VIII) revising “Protecting Children from Maltreatment—Procedural Guide for Multi-disciplinary Co-operation” in 2020 to provide clear guidance to frontline staff in relevant sectors for early identification of families at higher risk of child abuse; and
- (IX) following up child abuse cases through multi-disciplinary collaboration, with healthcare workers, clinical psychologists, teachers, school social workers and the Police working together to formulate follow-up plans for the children and their families, including arrangements for care, studies as well as medical and psychological treatment; the need for statutory supervision; and family counselling and following up other support services. Social workers will pay regular visits to other family members of such cases including the abuser, providing them with counselling services (e.g. emotional management and counselling, discipline skills, parent-child relationship), financial assistance, referral for psychological counselling services, residential care services, etc. to ensure the well-being of children is protected. If necessary, SWD will arrange foster care service to provide temporary alternative family care, so that children can live in a stable and safe family environment until they can reunite with their families, join an adoptive family or live independently.

In addition, SWD is preparing appropriate trainings for professions to be regulated by the mandatory reporting mechanism in the future to enhance their ability to detect and handle child abuse cases as early as possible. It is also liaising

with the relevant departments on the design of the reporting mechanism, the reporting criteria and specific guidelines, as well as the content and form of the training courses. SWD will continue to organize regular seminars and skills training courses for the relevant frontline professionals to enhance their capability of early identifying suspected child abuse cases, conducting risk assessment, taking child protection actions, drawing up corresponding welfare plans, providing post-trauma counselling service, and so on. In 2020-2021 and 2021-2022, a total of 17 300 people, including social workers, educators, police officers, legal officers and healthcare workers, have attended the courses.

Regulatory Work

Regarding the regulatory requirements for SWD subvented welfare service units, subvented organizations should submit regular reports according to the Service Performance Monitoring System to comply with the relevant requirements of the Funding and Service Agreements (“FSAs”), including essential service requirements, service quality standards, output standards and outcome standards. They are also required to formulate effective mechanisms for staff recruitment, training and complaints handling, and take all reasonable steps to protect service users from abuse. Organizations shall establish effective internal control mechanisms for early detection and rectification of deficiencies, and properly supervise and manage their service units to meet the requirements of FSAs. SWD will conduct scheduled or surprise visits on a random basis to assess whether an organization has complied with the terms and provisions of FSAs. In the event of non-compliance with the terms and provisions of FSAs, SWD will require the operator concerned to formulate an action plan for implementing rectification or improvement measures within a specified time frame, or conduct an investigation, issue warning letter and/or letter with recommendations for improvement depending on circumstances, or even consider termination of the concerned FSAs.

Individual service units regulated by legislation such as the Child Care Services Ordinance should also comply with the statutory requirements in terms of staffing, space and design, safety measures, quality of care, etc. If a service unit is found to be in non-compliance with the requirements, SWD will issue written advice, warning or directives depending on the nature and severity of the irregularities. If the unit concerned continues to fail to meet the requirements, it may be prosecuted. The Director of Social Welfare may also consider

deregistering the unit concerned should the situation warrant it. In addition, as regards the recruitment of registered child care workers by individual service units in accordance with the legislation, if the Director of Social Welfare considers that the child care workers concerned are not fit to participate in the management of or be employed in the relevant service units, he may reject the applications for registration. If such persons reapply for registration as child care worker in the future, SWD will refer to their past records of registration, including any records of complaint, warning, removal, etc., and will refuse their registration applications if they are deemed not fit to be employed in the child care service unit concerned.

Residential child care services

Regarding residential child care services, the Government has immediately improved some of the existing residential child care services after the incident in Children's Residential Home, including requiring all residential child care centres to install closed-circuit television ("CCTV") systems and formulating policies and mechanisms for proactive monitoring and access to CCTV records to strengthen monitoring. At present, all residential child care centres have installed CCTV systems and checked the records in accordance with the established policy and mechanism. Since April 2022, the number of inspectors of SWD's Child Care Centres Advisory Inspectorate who have worked in law enforcement agencies has increased. During inspections and complaint follow-ups, inspectors have taken the initiative to spot-check the CCTV records of the relevant service units, and inspect the CCTV video clips reviewed by the management staff and the related review records. Furthermore, SWD has added health inspectors to the multi-disciplinary inspection team and informed tertiary institutions currently offering relevant courses to include child protection-related elements in their curricula.

Meanwhile, the Government has accorded priority to the review of residential child care and related services. The Committee on Review of Residential Child Care and Related Services chaired by the Director of Social Welfare held its first meeting on 26 April 2022 and agreed to conduct a comprehensive review of the existing residential child care and related services, the interface between various services and service monitoring, identify areas for improvement, formulate feasible improvement measures and make specific suggestions on the review. Having considered the views of various sectors, including those expressed by Members at the special meetings of the Panel on Welfare Services on 31 January and 6 May this year, it is decided that the review

will cover three major areas, including: (1) service regulation and monitoring; (2) service planning and provision; and (3) service quality. The agenda, paper and minutes duly approved by the committee will be uploaded to the website of SWD, and the review report will be released in due course. The Government will conduct the review of residential child care and related services in phases. It is expected that the first phase of the review of services of residential child care centres will be completed in September 2022, and the second phase of the review of other child care related services will be completed in March 2023.

The Government will also identify suitable sites for establishing new residential child care centres and roll out pilot projects in accordance with the enhanced child care model to be recommended by the review committee, while providing opportunities for more operators to participate in the provision of residential child care services, with a view to enhancing service quality.

Concluding remarks

Deputy President, I have the Under Secretary for Education with me today to attend the motion debate. We will first listen attentively to Members' speeches and then respond to their views separately in our concluding remarks. Thank you.

MR DOMINIC LEE (in Cantonese): Thank you, Deputy President. In recent years, there has been an endless stream of child abuse cases in Hong Kong. What is even more outrageous is that quite a number of these child abuse cases took place in social welfare organizations, seriously affecting children's physical and mental health. Such a situation is abhorrent. As a highly civilized city, Hong Kong absolutely should have zero tolerance and zero compromise with child abuse. Hence, I support this motion on "Addressing squarely the problem of child abuse in Hong Kong and protecting children's rights" proposed by Mr Michael TIEN.

The spate of child abuse incidents reveals that the Government has a grave problem in monitoring the services of social welfare organizations and the quality of their staff. Take the Children's Residential Home incident as an example. How come the management of the organization could be totally unaware that the children had been hurt to such an extent, and the staff working there could ignore and not report it? Such behaviour is certainly unacceptable, but if the Government has vetted and even approved the funding for these social welfare organizations, does it not have the responsibility to assess whether the services

provided by these organizations meet the requirements? The current monitoring mechanism can be said to be “as good as useless”. The senior management of the organizations were indifferent and did not even bother to watch the closed-circuit television footage or conduct any on-site inspection. Even if they did, they would give notification in advance, rendering it useless. Or, they might deliberately conceal the truth to protect their reputation. Every time the Social Welfare Department conducted an inspection, it just took a look perfunctorily and that was all. Given such a way of working, no wonder the situation of child abuse has never improved.

Deputy President, children are supposed to have a happy childhood. These child abuse incidents would cast a big shadow on their growth. For this reason, the Government should review the entire monitoring and accountability systems, such as drawing up a blacklist of unethical child care workers as soon as possible, in order to prevent those with previous records from doing any more harm to children. The community has lost all confidence in those residential care homes or organizations in which child abuse is confirmed to have occurred. The Government should thus severely punish the leadership of these organizations or even revoke their current status as service units.

Besides, in retrospect, the core problems in the various child abuse cases actually include the shortage of care workers and their general lack of knowledge of how to take care of children, especially when they have to look after children with special needs. For example, in the serious child abuse incident of Hong Chi Association in 2020, to prevent children with severe intellectual disabilities from hurting themselves and for the sake of convenience, its staff tied up these children for a long period. What they did is shocking to many people. Therefore, the Government should really strengthen the training of child care workers, provide professional training and further education to incumbent staff, and at the same time provide detailed guidelines to the frontline personnel on what approaches should be adopted for taking care of this kind of children under different circumstances. It is only by taking a multi-pronged approach that we can genuinely prevent recurrence of child abuse.

Deputy President, children are the future of our society. Even one case of child abuse is too many. Therefore, I really hope that the Government can take some practical measures to protect children’s rights. This is my modest expectation on the Government as a father. Thank you, Deputy President.

DR PRISCILLA LEUNG (in Cantonese): Deputy President, in November 2019, the French President Emmanuel MACRON launched a three-year plan under a dedicated policy on child protection after he assumed office. The Secretary of State in charge of child protection is responsible for the relevant work. Since 2020, France has set up specialized child care advisory teams in the 18 administrative regions across the country, and strengthened child abuse prevention hotlines and hospital services. More than 58 hospitals have established medical and legal support for children subjected to violence, providing protection as well as mental and physical treatment for the victims. This is an example of “precision”.

Seventy-one countries in the world have legislation in place for mandatory reporting of suspected child abuse cases, including the United States, Canada and Switzerland, while New Zealand, Germany and Macao, China have created separate offences relating to child abuse.

A number of serious child abuse cases have occurred in Hong Kong one after another—I am not going to repeat them—Since the case of “Lam-lam”, who was abused and turned into a vegetative state in 2015, coupled with the case of a five-year-old child being abused to death, this Council has repeatedly discussed the issue and requested the relevant government departments and organizations to formulate more rules. However, it is evident that such rules are actually futile if they are not mandatory and do not contain sufficient penalties.

The shocking child abuse case of the Children’s Residential Home has made me feel very sad and upset. Hence, I cannot accept some of the explanations, including some Honourable colleagues’ comments that it was caused by a lack of resources or inexperience of the staff. Sorry. They are organizations which provide child care services. In particular, in those organizations which seek to prevent child abuse, the children might get hurt for the second or even the third time. Owing to their family problems, they went to those organizations to receive care, but then they were subjected to mass abuse. Such a situation has happened in Hong Kong. No one can use a lack of financial assistance or low pay as an excuse. They may as well quit. They should not give society such an expectation. They will not be given such a mandate. Or they are in fact unsuitable for the job. Any industry may suffer a lack of resources. Different professions may have different responsibilities to reveal wrongdoings in their provision of services. Hence, that is not an excuse at all.

Today we need to discuss legislation. First of all, the legislation should be punitive, educational and deterrent in nature. I have particularly looked up in a bunch of guidelines from the authorities the situations in which care workers should lodge a report, such as the circumstances, the number of times a child is found to have bruises, when a child has insomnia or is depressed—the list is quite long—and lastly, there is a reminder against over-reporting and causing children to receive unnecessary investigation. I agree with this point. I agree that children should not be brought to unnecessary investigation. However, people may disregard the contents of this list because it is not punitive and each item is discretionary. Teachers, doctors and lawyers certainly have the discretion to determine whether or not to lodge a report because they are not machines. Therefore, if they did not report a case which should be reported, they will have to take the responsibility. In my view, Hong Kong must enact legislation on this issue.

The existing legislation on child protection or penalties imposed in respect of this issue includes: the Offences Against the Person Ordinance, which has mentioned the responsibilities of those in charge of children; and the Juvenile Offenders Ordinance, which defines a young person as a person 14 years of age or upwards and under the age of 16 years, and a child as a person under the age of 14 years. The Social Welfare Department is also responsible for the custody and charge of children with family problems, but it did not make sure that the children would not be abused after being sent to a certain organization. For this reason, I regard the enactment of legislation on the offence of “failure to protect” as a task which brooks no delay in Hong Kong. This piece of legislation is long overdue and must be enacted as soon as possible. On the other hand, regarding the care workers, I understand their concern about indiscriminate reporting. If they fulfil their duty and act according to their conscience, there will be no indiscriminate reporting.

In my view, at this stage the Government should spearhead the formulation of clearer guidelines. These guidelines—in case the relevant units and persons are non-compliant without reasonable excuse—should actually be punitive in nature and carry disciplinary sanctions. Only then will the community have the confidence to entrust children to the care of the relevant units and persons again.

Deputy President, I so submit.

MR EDWARD LEUNG (in Cantonese): Thank you, Deputy President. I remember that when I was at university, a violent earthquake occurred during a class. Many students of different nationalities in the classroom took shelter under the desks in the first instance, but a Japanese classmate rushed to the door at once and opened it before taking cover under the desk. Afterwards, I asked him why he opened the door first. He replied that when he was a child, he experienced an earthquake at home. He was unable to open the door to escape because the building structure was damaged by the earthquake. Since the telephone line was broken, he could not call for help either. He could only shout for help out of the window. This shows that what children experience and encounter in childhood will have a profound impact on their lives.

Someone's childhood experience has made him go to open the door first during an earthquake. But there is also a kind of childhood experience which will affect the development of people's brains and hearts. Even their life expectancy will be 20 years shorter than that of the ordinary people. That kind of childhood experience is abuse.

Deputy President, in 2021, there were 1 367 child abuse cases in Hong Kong, and the Government estimated that they only accounted for 1% of the overall caseload because 99% of the cases were not reported. If these 99% are counted in, there were 140 000 child abuse cases in Hong Kong last year, and these 140 000 children are actually carrying a time bomb. Why? Because society did not tell them that if they have been abused more than three times in childhood, they are 2.5 times more likely to suffer from heart disease, 2.5 times more likely to suffer from liver cancer, 4.5 times more likely to suffer from depression and 12 times more likely to commit suicide than the ordinary people.

Some people may make scornful remarks, alleging that people with a miserable childhood may grow up in self-abandonment and indulge in sex, gambling, drinking or drugs, thus impairing their own body functions. This is not any scientific argument, but a natural phenomenon. So, today, I would also like to explore the matter in terms of science.

Here is a picture with two computed tomography ("CT") images. The one on the left is a CT image of the brain of a normal child, whereas the one on the right is that of a child who was severely abused in childhood. The blank area which we can see in the centre is the temporal lobe which is responsible for emotion management. If this part is blank, it means it is in a static state.

This is just one of the examples. Yet why does the experience of abuse have such a huge impact? Imagine that when you are returning home from work this evening, in a dark and narrow alleyway, a man is coming up to you. He walks faster and faster, then pulls a knife and dashes towards you. How will you react? Your adrenaline will immediately surge, your pupils will dilate and your heart will beat faster and faster as your brain tells your body to meet this extreme situation in a high state of arousal. Come to think about it. If you have to face such an extreme situation every day when you return home, you will find it physically unbearable, and your body functions will be impaired too, not to mention if such things happen to a child. Children's brains and hearts are not yet fully developed. If they have to face such extreme circumstances in such a state of arousal every day, it will certainly cause long-term and permanent damage to their health.

For this reason, many countries have not only put in place a reporting mechanism on child abuse that we are discussing today, but also formulated a comprehensive screening, tracing and treatment mechanism. Every year, students will be screened on a one-to-one basis and asked whether they have been abused in the year. If so, immediate action will be taken to stop the problem and provide treatment, so as to prevent occurrence of more similar situations.

Hence, I hope this motion today is the first step forward for Hong Kong. It is my wish that one day our society, as well as our Government, will not only stop passively receiving the 1% reported child abuse cases, but will also take the initiative to identify the remaining 99% of the cases. It is my wish that the Government will proactively defuse the time bombs one after another, thus providing our children with a better future.

I so submit. Thank you, Deputy President.

MR LAI TUNG-KWOK (in Cantonese): Deputy President, on the issue of child protection, I dare say that there is only one stance in society, and the difference lies only in how to do it better.

In recent years, child abuse cases have surfaced one after another. There was even such a child abuse case as the Children's Residential Home incident, in which many people participated in the crime in a systematic manner. It reminds me of the Cambridge Nursing Home and the Bridge of Rehabilitation incidents which occurred a few years ago. The former was an elderly abuse incident in the

Cambridge Nursing Home in Tai Po in 2015, and the latter, an incident in the Bridge of Rehabilitation in 2016, in which an autistic teenager jumped to his death from a building, thus revealing the abuse of persons with disabilities.

These incidents have caused a stir in society. I believe it is because they have one point in common, i.e. they involve mentally incapacitated persons who are unable to take care of themselves. Hence, be it concerning residential care homes for the elderly, for persons with disabilities or for children, we should set a standard—a high standard—for managing and monitoring these organizations which are entrusted with the important responsibility to look after these people who lack self-care ability.

What infuriates me most is that after the Cambridge Nursing Home and the Bridge of Rehabilitation incidents, there was obviously a good opportunity to conduct an overall review, but due to the short-sightedness of the Labour and Welfare Bureau (“LWB”), we have waited in vain for a reform which could have been carried out a few years earlier. Why did I say that the Government has missed the opportunity to conduct an overall review?

First of all, we should know that registration and inspection of residential child care services units is the duty of the Child Care Centres Advisory Inspectorate (“CCCAI”) of the Social Welfare Department (“SWD”). Before the Cambridge Nursing Home and the Bridge of Rehabilitation incidents, CCCAI was under the Elderly Branch of SWD. Telling from the structure, we already know how much importance the Government had attached to monitoring residential nurseries by placing this inspectorate related to child care under the branch responsible for elderly care.

After the Cambridge Nursing Home and the Bridge of Rehabilitation incidents, how did the Government deal with the issue? LWB came to the Legislative Council to request the creation of a supernumerary post of Assistant Director of Social Welfare to head a newly established Licensing and Regulation Branch, under which CCCAI was repositioned. Regrettably, during the then review of SWD’s structure, it just worked with its eyes closed. After moving CCCAI to another branch, it paid no more attention to the shortage of manpower for monitoring residential nurseries. In the then newly established Licensing and Regulation Branch, there were 121 posts. Among them, 39 were new non-directorate posts, but none of them seemed to be assigned to CCCAI.

I am not the one who said that there is a shortage of manpower for monitoring residential nurseries. At the special meeting of the Panel on Welfare Services on 31 January this year, in response to my question, the Director of Social Welfare himself admitted that in respect of monitoring and inspecting residential nurseries, the manpower was relatively weak. I checked the paper provided by the Government on that day and found that in CCCAI, there were only four inspectors responsible for inspecting child care centres, including surprise inspections in different intervals. With only four inspectors responsible for inspecting all the child care centres in Hong Kong, there would certainly be numerous mistakes and omissions.

The shortage of manpower in CCCAI is not a problem which has just emerged today. The Government has clearly had opportunities to conduct a review, be it during the creation of the supernumerary post of Assistant Director for the Licensing and Regulation Branch in 2017, or the retention of this supernumerary post in 2021. Yet LWB merely focused on the monitoring of residential care homes for the elderly and for persons with disabilities, working in a piecemeal manner. It was not until the Children's Residential Home incident was uncovered that the authorities admitted the inadequacies in monitoring child care centres. This is a perfect example of the Government's lack of foresight.

Deputy President, as the Chinese sages stated long ago, the old should be provided for until their death, and the young nurtured. It is the bounden duty of society and the Government to take care of those who lack self-care ability. I hope that manpower will be expeditiously increased for inspecting residential nurseries, which is only the first step. The Government should reduce formalism and further improve its monitoring approach in the system.

Thank you, Deputy President.

MS DOREEN KONG (in Cantonese): Deputy President, I endorse the motion moved by Mr Michael TIEN.

Child abuse is a heart-wrenching issue to all sectors of the community. According to statistics, the number of child abuse cases in Hong Kong has been on the rise in recent years. Between January and March this year, 379 newly registered child protection cases have been reported, of which 61.5% involved abuse against girls, accounting for a much higher percentage than that of boys.

Given the inequality between children and adults in terms of physique and social rights, children require special attention and protection from all levels of society.

Owing to social reasons and problems with our legislative regime, the number of child abuse cases remains at a high level. In the absence of a comprehensive regime to protect children's right in Hong Kong, legalization, professionalization and promoting community involvement are the future directions to solve the problems of child protection and child abuse in Hong Kong.

Firstly, at the social level, families, the community and schools are playing different roles in tackling child protection issues on three different levels. The Government should actively promote the formation of an "iron triangle of children's protection" in society by facilitating communication and close collaboration among the three parties.

The first component of the "iron triangle of children's protection" is family, which is the place where children are most familiar with and spend most of their time. However, according to the latest statistics from the Social Welfare Department published last month, biological parents were the abusers in as much as half of all child abuse cases. If siblings, step-parents and other relatives are included, the proportion rose to almost 60%. As we can see, while a home can be a warm shelter, it can also be the scene where child abuse is most likely to occur. I suggest that the Government popularize scientific family education and provide community-wide support and supervision for families and children. As far as I know, some overseas regions have established high-risk family assessment mechanisms for timely intervention into families which have been assessed to be at high risk. Hong Kong may also apply this approach to our child protection work, thereby reducing the incidence of child abuse in families.

The second component of the "iron triangle of children's protection" is the community. Currently, there is a lack of district-based organizations or departments dedicated for the protection of children's rights, nor are there any standardized and sound work processes. Although social welfare organizations, the Police and the Hong Kong Society for the Protection of Children have made efforts at different levels, it is still difficult to put in place an established regime and uniform standards. By establishing and improving standards, we can minimize abuse and maximize the protection of children's rights, thereby giving play to the role of community as a bridge between children and society and providing backup support in the event of guardians' failure to provide the necessary protection to children.

The third component of the “iron triangle of children’s protection” is schools. Schools have an extremely special and important role to play in child protection. The education authorities should introduce initiatives and guide different educational institutions in developing a child protection mindset. The education authorities should call for the establishment of school-based child protection units and accountability mechanisms in kindergartens, primary and secondary schools. In the meantime, the education authorities would be well advised to urge schools to provide compulsory child protection courses to raise children’s awareness of self-protection in a fun and educational way. Schools should also establish a home-school communication mechanism to facilitate early alert and early intervention into child problems. At the same time, it is recommended that teachers be punishable for violating teachers’ ethics and that a verification system on teachers’ ethics be established.

Furthermore, when it comes to legislative regime, the most urgent tasks include plugging loopholes, establishing a regime and enacting laws, and improving laws on child protection. As far as we know, the Central Government specifically set up a Child Welfare Department under the Ministry of Civil Affairs in 2019 to coordinate various kinds of work relating to minors. In 2018, the United Kingdom promulgated a law on “Working Together to Safeguard Children”. In addition, last year, Taiwan also enacted legislation on the protection of children’s rights, namely the Protection of Children and Youths Welfare and Rights Act. As a cosmopolitan city, Hong Kong should not lag too far behind in this regard. It is learnt that the Government will introduce a legislative proposal to establish a mandatory reporting mechanism on child abuse cases into the Legislative Council in the first half of 2023. We urge the Government to listen to the views of different stakeholders more often, engage in more communication and research work, expand the scope of protection as appropriate, and avoid introducing policy measures in a manner similar to “squeezing toothpaste out of a tube”.

Deputy President, I so submit.

MS LILLIAN KWOK (in Cantonese): Thank you, Deputy President. Children are the future pillars of our society and are the vulnerable group in the community who need considerable protection from the Government. According to the written reply submitted by the Labour and Welfare Bureau to a special meeting of the Legislative Council Finance Committee, the number of newly registered child

protection cases in 2021 has reached 1 367, which is 45% higher than that in 2020; and the Social Welfare Department (“SWD”) has received 22 reports of suspected abuse of resident children in 2021, which is the highest number of reports received in the past five years. In view of this, I hope that the Government will expeditiously introduce the offence of “failure to protect”. In addition, under the performance monitoring system of SWD, the Service Performance Monitoring System Performance Assessment Manual (“the Assessment Manual”) has not been revised and reviewed for 10 years since its publication in September 2012. I hope that the Government will revise the Assessment Manual and evaluate the system of performance indicators on a regular basis.

As pointed out by some Members just now, schools actually play an indispensable role in the protection of children. As students spend a lot of time in schools apart from their home, teachers can play a vital role because they have sufficient time to contact and understand their students, and follow up on and observe their physical, mental and health conditions. Some Members have also suggested that class teachers or other teachers follow up on the situation of students on a regular basis, or have regular dialogues or exchanges with students. For this suggestion, I notice that the problem is not about teachers unwilling to communicate with students, but about teachers not being sensitive enough. Very often, while teachers are willing to communicate with students during recesses or in their free time, they have failed to discern any changes in students’ situation or emotional state. Therefore, I also suggest that the Government and the Education Bureau provide appropriate teacher training to enhance teachers’ sensitivity in this regard.

Let me share with you a real-life story. I have come across many cases during my teaching career, many of which were actually not easy to identify. I used to be even less sensitive especially when I first joined the teaching profession. Back then, I was a class teacher. A student of my class got wet in the rain. It was not until we got the student’s uniform changed that we found 30 to 40 marks on his body from cigarette burns. This incident has prompted me to reflect on my lack of sensitivity as a teacher. In fact, many of the student’s previous behaviours had already indicated that he was not in an ideal mental state. This incident has led me to take a teacher course on student counselling, which I think is very important for enhancing my sensitivity. After the training, I have referred more than 10 cases to SWD for follow-up during my teaching career.

Secondly, as I mentioned in my speech earlier, arts education can actually enhance teachers' sensitivity to the situation of their students. In the process of teaching, we can see that students' use of colours and lines are actual reflection of their feelings, emotional states, and the meaning and ideas they want to express. I hope that the Education Bureau will give serious consideration to raising the quality of arts education teachers by offering them arts therapy training. For example, music teachers who have received music therapy training may identify the emotional changes and problems of students in their professional field and teaching work in a timely manner so that immediate follow-up actions can be taken.

Thirdly, I also hope that the Government and the Education Bureau can streamline the established referral procedures. When I was working in schools, I found it extremely difficult to refer a case, which has added to teachers' workload. I used to write a report every day within a period of six months before a social worker was willing to accept a case. I think that it is necessary for the Government to conduct a review so that we can intervene in a timely manner and seek help from social workers to deal with the cases.

It is not until after numerous abuse cases have been uncovered and the number of cases has increased drastically that the Government has realized the need to review the legislation. I think the Government has been lagging far behind in its child protection work. I hope that the Government will expeditiously conduct a review to forestall the recurrence of similar incidents.

I so submit. Thank you, Deputy President.

MR STANLEY NG (in Cantonese): Thank you, Deputy President. I speak in support of Mr Michael TIEN's motion and the amendments proposed by Honourable Members.

Child abuse is outrageous and heart-breaking, and one case is too many. What has happened at the Children's Residential Home ("CRH") suggests that Hong Kong's child abuse problem does not only occur in isolated families, but tends to involve institutions and organizations. This has accentuated the collapse of our institutions and even the decline of morality. After the incident, it is chilling to see that some people have even tried to absolve themselves from blame by playing up problems like staff shortage and poor working environment.

Just like viewing a leopard from a narrow tube, people may only see one part of the picture. The usual practice of outsourcing government operations has exposed the Government's serious shortcomings of outsourcing its work together with the relevant responsibilities. It is now incumbent on the Government to reverse the trend of institutional and cultural collapse.

Deputy President, child abuse has a profound impact on children, leaving them with a serious trauma throughout their lives. We must put in place a proper child protection mechanism, which should include mandatory reporting on child abuse and the incorporation of the offence of "failure to protect" under the Offences against the Person Ordinance. The legal framework for child protection must be improved in a timely manner so that all children can grow up in a healthy environment, both physically and mentally. At the same time, the Government should also formulate a comprehensive strategy to promote a child protection culture in the community and say "no" to child abuse.

As a matter of fact, the number of abused children at CRH would have significantly reduced had someone stepped forward to report the abuse cases at an early stage. In view of this, I suggest that the SAR Government draw reference from the German law against the so-called "crime of failure to provide assistance", which stipulates that a person is punishable by imprisonment or a fine if he can provide assistance in an accident, in danger or in an emergency but refuses to do so. I suggest that the management, employees and volunteers of child care institutions and organizations be held criminally liable if they are proven to have knowingly failed to report, prevent or take action in the event of child abuse. At the same time, in order to enhance the deterrent effect of the legislation, I suggest that the HKSAR Government take a strict approach to punish the persons concerned under the relevant law, instead of leniently imposing community service orders on offenders.

Deputy President, I hope that the Government will give a detailed update on the progress of the legislative work relating to child protection and explain whether there are any specific proposals to promote a child protection culture and enhance training for the industry, so as to ensure a healthy and happy childhood for our children.

Deputy President, I so submit.

MS NIXIE LAM (in Cantonese): Thank you, Deputy President. Deputy President, children are the future of our society and the hope of Hong Kong. We share a common social responsibility to protect children and foster their healthy growth. In recent years, the number of child abuse cases in Hong Kong has been on the rise. From the case of a five-year-old girl in Tuen Mun who died of being abused in 2018, to the recent incident in the Children's Residential Home, every case has caused widespread outrage and anger.

Actually, most of the abused children dare not or will not report their own relatives. I believe the reported cases are only the tip of the iceberg and do not represent the genuine number of cases. The Government must establish a mechanism to identify child abuse cases as early as possible, and expedite professional intervention to provide appropriate support. If remedial action is taken only after a problem has occurred, I believe it will really be too late on most occasions.

In 2019, the Law Reform Commission studied the establishment of a mandatory reporting mechanism on suspected child abuse cases, but the bill will not be introduced to the Legislative Council for scrutiny until the first half of 2023. It will take as long as four years. In my view, the progress is too slow. Apart from expediting the process of introducing the Bill, the Government should also make early preparations for the supporting measures, including adequate resources, manpower deployment, division of work, a triage system, training programmes for professionals, and publicity and education in the community, so that the whole mechanism can play its role as a safety net in a comprehensive and holistic manner.

Under the rampant epidemic situation over the past two years, many people, given their own problems and pressure arising from health problems, unemployment, social isolation, etc., are prone to take out their emotions on their close family members, resulting in continuous deterioration of the overall mental health of the community. In retrospect, many families in which child abuse cases occurred are characterized by financial difficulties and parents' inability to look after their children on a long-term basis due to their work. Obviously, child abuse is not only a family problem, but also a combination of various other social problems. It is necessary for the Government to prescribe the right remedy. It should strengthen the promotion of mental health in the whole society through a "family-focused" approach and provide more psychological support, so as to restore the mental health of the public and reduce the occurrence of child abuse cases.

To raise the sensitivity about child protection in the whole society, an important part of the work is to enhance public education. If I ask Members which advertisement on child protection has given them the deepest impression, perhaps it is the scene of several children looking into a dark corridor at the entrance of a public rental housing unit, urging parents not to leave their children unattended at home. But actually, it has been some 20 to 30 years since this announcement of public interest was released. Even the doors in public rental housing have all been replaced with solid core flush doors. The Government's publicity should keep abreast of the times and use different social media for such work. Over the past two years, the Government's publicity has focused more on the political side. Now we should focus the work on people's livelihood. As the recent political climate has eased, government departments should inject more resources into publicity in this regard, so as to raise public awareness of child protection.

Thank you, Deputy President. I so submit.

REVD CANON PETER DOUGLAS KOON (in Cantonese): Deputy President, it is unfortunate that many cases of child abuse have occurred in recent years. In my opinion, apart from attributing them to the poor management of the organizations concerned, the problem also reveals that the policy on residential child care services in Hong Kong has failed to respond appropriately to the service needs.

Residential child care services in Hong Kong have all along been in short supply. According to the latest figures as at the end of December 2021, the average monthly number of cases waitlisted for various types of residential child care services has been increasing year after year, rising from 257 persons in 2019-2020 to 352 persons in 2021-2022. This clearly reflects that the Government has been lagging behind in the expansion of residential child care services, thereby resulting in insufficient services.

In addition, the authorities have come to a standstill in improving the staffing establishment of these services. As society changes, the problems of children staying in residential care units are increasingly complicated nowadays. Being affected by family problems, quite a number of children have a variety of special needs. Statistics up to 2020 show that 48% of the children staying in residential care units have special needs, and 23% of the children have the experience of being abused. Therefore, it requires adequate knowledge and skills to take care of these

children. Notwithstanding this, at present, a majority of frontline staff of residential service units are welfare workers who only completed secondary school education. Staff without professional training or ordinary social workers may not be able to fully address the children's problems. Besides, the ratio of children with special needs staying in the units continues to increase, but the existing mechanism has not put a ceiling on the admission ratio of children with special needs. A combination of all these factors have placed considerable pressure on the service units.

Residential child care services nowadays are not simply about providing meals and accommodation, but more importantly, it is about offering comprehensive care. The authorities should review the service support again, including optimizing the ratio of staff taking care of the children, the remuneration packages, and increasing the number of other professionals such as clinical psychologists and medical consultants. In recent years, the Social Welfare Department has provided lump sum grant for small group homes to assist the operating organizations in enhancing their professional support. Yet, the amount is insufficient to employ a full-time staff. In particular, the funding received by small- and medium-sized organizations is even insufficient for staff recruitment, such that they often have to procure services from outside, or the organizations have to make up the shortfall by themselves. The Government should review the services with the sector as soon as possible, so as to meet the present-day needs.

The review report points out that the Children's Residential Home has seen a very high turnover rate of child care workers in the past three years, whereas other residential child care service units are also facing the same situation. The staff have to cope with extremely heavy workload due to the complexity of the children's problems, added with the huge volume of administrative work. Frontline care workers have to work on night shifts, and they also have to work on shifts throughout the year, even on holidays, thereby rendering their work even more difficult. However, compared with staff of the same rank in non-residential service units, staff of residential service units are remunerated at the same level in the Government's establishment. As such, it is not difficult to understand why it is extremely difficult for residential service units to attract new joiners. The authorities should assess afresh the salaries and establishment of staff of residential service units, and offer reasonable remuneration to improve the conditions to attract talents.

While a vast number of child abuse cases certainly involve human error, the outdated service mechanism and inadequate support are also fundamental problems. It is the incumbent duty of the Government to take forward a comprehensive review of such services.

With these remarks, Deputy President, I support the original motion and all the amendments.

DR TIK CHI-YUEN (in Cantonese): Deputy President, according to the Child Protection Registry of the Social Welfare Department (“SWD”), there were 279, 378 and 366 newly registered child abuse cases in the first three quarters of 2021, representing an increase of 68%, 74% and 37% respectively over the same period of the previous year. The Police also pointed out earlier that a total of 971 child abuse cases had been recorded in the first three quarters of this year, an increase of 66% over last year. We can see that the problem of child abuse in Hong Kong has indeed been deteriorating.

In recent years, children and parents have been spending more time at home due to the impact of social incidents and social distancing measures amid the COVID-19 epidemic. Coupled with the economic downturn, adults or caregivers are under some sort of livelihood pressure, there is a greater chance for more serious family disputes to arise in more families. Traditional parenting concepts such as “a filial son is made out of a whip” and “spare the rod, spoil the child” still have a market nowadays. This is no wonder why we would sometimes hear of the occurrence of child abuse cases.

Against Child Abuse (Hong Kong) indicated that they had conducted a questionnaire survey on children’s psychological health during the period from November 2021 to January 2022. The results revealed that almost 50% of the children interviewed reported that they had been administered corporal punishment by their parents or caregivers, whereas 60% of the parents and caregivers interviewed also indicated that they had administered corporal punishment to the children. This is a worrying situation. The Administration’s failure to intervene in a timely manner prior to the occurrence of child abuse cases reflects that the existing family services and community support services are ineffective, and they cannot prevent tragedies from happening to families. In addition, officials of SWD and the Labour and Welfare Bureau, etc. have long failed to exercise adequate monitoring against subvented organizations. Take the incident in

Children's Residential Home as an example, inadequate monitoring has led to a large number of children being abused, thereby causing harm which is hard to quantify. The relevant responsible officials should be criticized.

In this regard, I propose that, in the first place, heavier penalties should be imposed on adults who cause or allow children to be vulnerable to harm or serious harm or death. Relevant legislation such as the offence of "failure to protect" children against adults should also be enacted as soon as possible.

Second, the problem of child abuse is not only a matter relating to legislation and we cannot deal with it by criminalizing such acts alone. After all, the children have already suffered a certain extent of harm when penalties are imposed on the abusers. Apart from legislation, we find it necessary to further strengthen parent education and public education, as well as enhancing the training of relevant professionals and providing universal education on children's right to protection, etc.

Third, SWD should examine afresh the monitoring mechanism of subvented organizations. For instance, SWD should gather data on the staff attrition rate and turnover rate of the organizations, so as to facilitate monitoring of the overall manpower situation of the social welfare sector. SWD should conduct regular and surprise inspections more frequently to monitor the organizations' service performance. Feedback should also be collected from service users in a systematic manner.

Fourth, SWD and the Education Bureau should review the registration system for child care workers, and reference can be drawn from the registration system for social workers. In addition, clear standards should be set in respect of details such as the content and structure of courses, practicum hours, etc. The existing list of recognized courses should also be revisited to eliminate some courses which do not conform with the standards or criteria. This will ensure that child care workers registered in the future, if any, will have the same level of professional qualifications.

Fifth, although non-governmental organizations can enjoy more flexibility in manpower management under the Lump Sum Grant System, the social welfare sector is generally facing the problem of high staff turnover rate. The tight staffing establishment has also led to the problem of unmanageable workload and excessive work pressure. Therefore, we suggest that the Government and social

welfare organizations should develop a standardized pay mechanism to achieve equal pay for equal work with a view to maintaining staff morale and manpower.

With these remarks, I support the motion.

MR LOUIS LOONG (in Cantonese): Deputy President, I would like to thank Mr Michael TIEN for proposing this motion debate. Honourable Members attach great importance to protecting children's rights, and we are also deeply concerned about the measures to prevent child abuse. We understand that both negligence in caring or bodily harm will leave scars on the children when they grow up.

The Chief Executive announced in the 2021 Policy Address that the Government intended to establish a mandatory reporting mechanism on child abuse cases. Training for practitioners in the relevant professions to identify child abuse cases would be enhanced at the same time. Of course, it is better to have a mechanism and training in place rather than there is none. That said, early identification and mandatory reporting are actions taken afterwards, which cannot prevent harm from happening.

I all along believe that prevention is better than cure, and we should strive to prevent child abuse tragedies from occurring rather than mending the fold. Apart from establishing a mandatory reporting mechanism, I think the Government should immediately enhance resources and planning in three aspects, namely the support for parents, training for child care workers and public education.

First and foremost, the support for parents should be strengthened. Parents are the primary caregivers of children, their physical and mental wellbeing is the crux of preventing child abuse. I am glad to hear the Secretary indicate earlier that the Government will put in more resources to help parents, assist them in mastering the skills of child care and discipline, as well as equipping them with the knowledge to cope with parenting and livelihood stress. This can prevent them from turning stress into domestic violence.

Second, training for child care workers should be enhanced to enable them to acquire the necessary knowledge and skills, besides developing the ability to handle work stress. Protecting the children is the responsibility of child care workers, and it is absolutely unacceptable for them to hold the candle to the devil.

They must know how to seek support from co-workers and the organizations that they serve at critical moments.

As regards public education, publicity and education should be stepped up in the community to raise the general public's awareness and sensitivity to child protection, or even rekindling the spirit of neighbourhood mutual help in the past. I would like to add here that in the community setting nowadays, property management companies can actually play the role of neighbours to some extent. As long as frontline property management workers are provided with relevant training, they can assist in identifying families at risk and make early referrals to social welfare organizations for timely intervention.

Deputy President, I hope today's debate can arouse the concern about child protection among all sectors of the community. Children are not born to satisfy anyone's expectations or meet anyone's demands. Children are born with the rights to survive, receive education and pursue their aspirations. Not only parents, but also the whole society should, with a caring heart, nurture children to become healthy persons with integrity. This should also be the goal of the Government in formulating child protection policies.

"Take care of your children and extend the same care to those of others" is a great inheritance of Confucianism. Being a father and also a grandfather, I have myself experienced the joy that my children and grandchildren bring to me, which indeed cannot be described with words. Protecting children with my best efforts is my way of repaying them.

With these remarks, I support Mr Michael TIEN's original motion and Members' amendments.

MS JUDY CHAN (in Cantonese): Thank you, Deputy President. Protecting Hong Kong's children means protecting the future of Hong Kong. It is essential to strengthen our child protection measures to build a protection net for our children, and it is necessary to step up the pace so that the children in Hong Kong can grow up healthily, happily and safely.

Deputy President, recently, a male teacher of a girls' school was found to have openly shown an immoral video of some kind to a Secondary One class, comprising underage girls, for five or six minutes. Such behaviour is not only

dereliction of duty and misconduct, but also an act of mental abuse against the students who are 12- to 13- years old. It is difficult to estimate the impact of the adult's out-of-control behaviour on the children's psychology and development. The community is disappointed with the response of both the Education Bureau and the school.

It is totally unacceptable that each time a case occurs in these child protection institutions and schools, we just deal with it by letting the people concerned resign without meting out any punishment or holding them duly accountable, leaving room for them to harm more innocent children. With such a weak awareness of child protection, how can the Government talk about protecting children's rights? Obviously, it is virtually contributing to the repeated occurrence of such incidents.

Therefore, I am very grateful to Mr Michael TIEN for moving the motion on "Addressing squarely the problem of child abuse in Hong Kong and protecting children's rights". I rise to speak in support of the motion and the amendments proposed by other Members.

Deputy President, according to the figures released by the Social Welfare Department on newly registered child protection cases from January to March 2022, 379 cases were recorded in the first three months of this year, with 60% of the victims being girls. There are 170 cases related to physical abuse (i.e. about 45%) and 125 cases related to sexual abuse (i.e. about 33%). Half of the abusers are parents. It is worth noting that unexpectedly, the abusers which took up a relatively high percentage were the victims' classmates, friends or peers, which accounted for about 15% of the cases.

Deputy President, the Against Child Abuse in Hong Kong conducted a questionnaire survey on "concern for children's mental health" between November last year and January this year. The results showed that nearly 50% of the children respondents had been subjected to corporal punishment by their parents or caregivers, and 60% of the parents or caregivers interviewed admitted having administered corporal punishment to their children. Among these parents, 80% had suffered corporal punishment when they were children. The fact that corporal punishment is passed down from one generation to the next is a cause for great concern. Many studies have pointed out that corporal punishment is not helpful to discipline, and to a certain extent, it is simply a bad way for the caregivers to vent their emotions, which can only result in long-term damage to the physical and mental health of children, or worse still, a tragedy that no one wants to see.

Deputy President, abusers may have also been the abused. It is precisely because of the misfortune that we must face it squarely instead of turning a blind eye to it. During children's growth, any corporal punishment, regardless of the degree or even if it is a feigned act, will be imitated by the children. Over time, they will rationalize the use of violence to express their negative emotions. The victims may not only be themselves, but also their families, classmates or peers, or even their next generation.

Therefore, Deputy President, in order to truly nip it in the bud, we need to squarely address the root causes of the problem and strengthen family education in society as a whole.

I so submit. Thank you, Deputy President.

MR TOMMY CHEUNG (in Cantonese): Deputy President, on 27 April 2021, I wrote a newspaper article entitled "Reflection on the 'child abuse case' to prevent the recurrence of tragedies". In the article, I talked about the tragedy in which a five-year-old girl was abused to death by her father and stepmother in 2018. Although the abusers were eventually sentenced to life imprisonment, the death of the little girl has caused indelible pain to everyone.

At that time, I was deeply saddened and furious. Why was there not much media coverage of such a brutal child abuse incident, and why did I not even see any of those so-called non-governmental organizations ("NGOs") for child protection come forward to denounce the wrongdoing and publicly condemn the abusers? Are we dumb, or have we become numb to the repeated occurrence of child abuse cases?

That is why I have always said that the legislation on "failure to report child abuse" brooks no delay, and the mandatory reporting requirement must be introduced as soon as possible. After the legislation is enacted, everyone who sees child abuse must report it, and those who fail to report it will commit an offence. This may sound very harsh, but we need to do this to protect our children.

Childhood is supposed to be full of cheers and laughter, but the violent abuse of adults destroys their happy childhood, causing indelible trauma to them both physically and mentally. Especially noteworthy is those children who have suffered abuse at Children's Residential Home ("CRH"). They already come

from broken families and may live a rough life without parents. In fact, we should be more caring and protective of them because even if children from normal families are abused at home, we should report the case and protect them, not to mention the children who live such a miserable and difficult life in CRH.

Everyone in society has the responsibility to protect children. As long as we pay more attention to how the children are doing recently, we will definitely have a chance to discover and stop the tragedy of child abuse in a timely manner. The CRH incident was uncovered only because of reports from the neighbours. However, as the headquarters of the Hong Kong Society for the Protection of Children is right next door, how come the senior management and staff of these associations could not see or hear it? Were the closed-circuit televisions (“CCTVs”) not monitored? I absolutely do not believe that when child is physically abused, the adults around will not notice any signs of it. Every abuser and the person who turns a blind eye to the abuse are acting in collusion, brutally ruining the lives of these children. What is even more shameless is that the Hong Kong Society for the Protection of Children and social welfare organizations, under the banner of child protection, only know how to collect taxpayers’ money to “cheating for free meals”, and have not performed their duty to protect children at all. They were not even aware of the child abuse that happened in the CRH next to their headquarters, and if they knew about it but did not report it, they are even more guilty.

In addition to strengthening the legal protection against child abuse, I believe social welfare organizations have a lot of room for improvement in respect of child protection. In the CRH incident, a number of social welfare staff were prosecuted. I hope it is just a single incident, but I am afraid that this is only the tip of the iceberg. At present, the incident is under investigation. Though we should not make judgment before trial, the general public already has a very bad perception of them.

Apart from the social welfare organizations which should be criticized, the Social Welfare Department (“SWD”) must share the blame. The taxpayers do not just give it money to grant subsidies and then consider the job done. It should monitor the social welfare organizations to ensure that the funds are used properly and not wasted, rather than ignoring them after the subsidies are granted. In the end, not only did they fail to protect the children, but also indirectly caused the children to suffer abuse. How can they be held accountable? All these institutions have installed CCTV, but why has SWD not monitored and checked them?

As a matter of fact, everyone bears the responsibility of protecting children. Whether or not getting paid, we should treat children kindly, not to mention that social welfare organizations and SWD are given wages and funds for child protection work. Therefore, they should be more attentive and dutiful in their work. After granting the subsidy, SWD should ensure proper monitoring, while social welfare organizations, after receiving the subsidy, should double their efforts to fulfil their responsibility of child protection, instead of “cheating for free meals” or even abusing children. This is very outrageous.

Deputy President, Mr SHIU Ka-fai will later on speak on the entire motion in detail.

MR LEUNG MAN-KWONG (in Cantonese): Thank you, Deputy President. I agree with Mr Michael TIEN’s comment that “there are problems in the whole chain of child protection” in his original motion. The occurrence of the Children’s Residential Home incident precisely reflects the serious deficiencies of the Social Welfare Department (“SWD”) in monitoring. It has neither provided training programmes to instil proper concepts of child protection, nor put in place a system to monitor and regulate the staff’s behaviour. The blatant abuse on closed-circuit television (“CCTV”) shows that some employees might have become accustomed to child abuse and did not think there was any problem. The lack of monitoring efforts has led to a deep-rooted improper culture in the organization.

However, I would like to point out that ice a meter deep is not frozen in one day. In recent years, quite a number of heart-breaking child abuse incidents have occurred. The incident in the residential care home for children is only a small part of the entire chain of child protection, which has simply uncovered and brought to light Hong Kong’s longstanding inadequacy in the child protection policy. It has also raised doubts among the public as to whether the various child protection laws can really protect children. As the situation has come to this state, the Government, parents, schools, social welfare organizations and even this Council must all take this responsibility.

Deputy President, I have received requests for assistance from some poor children in the community whose family members could not be their official guardians because of legal problems. I would like to cite these examples for the

officials here to listen. There were cases in which after the child was born out of wedlock, neither the father nor the mother was willing to shoulder the responsibility of being a parent, and they left the child with other family members. They would come back to see the child as they pleased, but never again if they did not like to do so. They made it clear that they would not take care of the child. The other family members of the child were actually willing to shoulder the caring responsibility, but given the restraint under the Guardianship of Minors Ordinance, unless both parents have passed away, a relative who is willing to take up such a responsibility can hardly become the child's guardian. The custody of the child has to be taken over by SWD. Only then can his blood relative be authorized to take care of him, and they may have to go through lengthy procedures of SWD and complicated legal proceedings. Owing to the procedural problems involved, some of the children have to be admitted to a residential care home.

Deputy President, such cases are not isolated incidents. I have come across and handled more than one such case, and I believe there should be many more similar cases. Although these children were abandoned by their parents at a young age for different reasons, they still have relatives and elders who are willing to take care of them. They could have enjoyed family warmth, but the bureaucratic and legal procedures have made it almost impossible for family members who are willing to take care of them to become their official guardians. The lack of a legitimate status has made a lot things which are originally quite simple, such as processing documents and applications under government schemes, very complicated. It may even cause a child to have to leave his relatives and stay in a residential care home again. Even though it may only be temporary, it is enough to cause the child to get hurt again.

If irresponsible parents and cold-blooded staff are the initiators of child abuse, then the outdated legislation, absurdly complicated procedures and bureaucrats who have failed in monitoring are the accomplices for the continuous physical and mental harm to children.

Deputy President, many of the abused children lack family love and care. No matter what the reason is, they have experienced misfortune at a young age. Abuse will not only cause physical harm to children, but also affect their psychological development and lead to personality deviation. The whole society should squarely address this issue. I agree with and support the proposals made

in the original motion and the amendments. I also urge the Government to seriously and comprehensively review all policies related to child protection, and launch timely studies on legislation, training assessment, funding for organizations, monitoring, complaint handling mechanisms, prevention in the community, family education, etc., and continuously promote improvement of the policy and legislation on child welfare, so as to truly protect every child and prevent the recurrence of tragedies.

I so submit. Thank you, Deputy President.

MS CARMEN KAN (in Cantonese): Thank you, Deputy President. Deputy President, I rise to speak in support of Mr Michael TIEN's original motion and the amendments proposed by the six Members. According to the 2021 Policy Address, the Government plans to introduce the bill on the mandatory reporting mechanism for child abuse cases to the Legislative Council in the first half of 2023. A mandatory reporting mechanism is a powerful weapon to protect children's rights and reduce child abuse. As mentioned by some Members, more than 70 countries and regions in the world have long enacted such legislation. In May 2020, the Mainland of China also established a "Mandatory Reporting System for Cases of Abuse against Minors". Hong Kong lags far behind others in this respect. Hence, in my view, the Government should introduce the bill to the Legislative Council for scrutiny as soon as possible.

At the same time, I suggest that when drafting the bill, the Government should study extending the targets of the mandatory reporting mechanism. Can the study not only focus on children who are abused or neglected, but also pay attention to elderly people who are abused or neglected or other people who lack self-care ability? Besides, in its report on "Causing or Allowing the Death or Serious Harm of a Child or Vulnerable Adult" published in September 2021, the Law Reform Commission of Hong Kong has made a number of recommendations which I consider worthy of reference. I hope the Government will expeditiously take forward these recommendations or integrate them with the mandatory reporting mechanism.

What can be done while we are waiting for the enactment of legislation? I hope the Government will comprehensively review the existing mechanism so that

effective measures can be taken to facilitate more timely and efficient identification of child abuse cases and provision of assistance. First of all, closed-circuit television (“CCTV”), as one of the important tools for monitoring, needs to be taken seriously by the Administration. For example, in the incident which took place in the boarding section of Hong Chi Pinehill No. 2 School, it has been reported that by checking the CCTV footage, the police officers found that what happened did not tally with the staff’s records. In the Children’s Residential Home incident, the police officers, also by checking the CCTV clips, identified and arrested the suspects. That is to say, this is an important tool. If the authorities make better use of this tool during inspections, will they be able to detect child abuse cases earlier?

I hope that apart from checking the existing CCTV, the Administration will also require the relevant organizations to keep complete records for regular and periodic checks by the authorities. If there is any non-compliance, stringent measures such as warning, replacement of personnel or even suspension of licence and reporting to the Police should be taken in order to achieve the intended effects. Or can we follow the practice of other places and make use of artificial intelligence to identify acts of violence, thereby giving early warning in a more proactive manner and turning passivity into initiative?

Secondly, if there is a shortage of manpower, do we have any differentiated mechanism to strengthen the monitoring of organizations in special need of assistance, including nurseries or special schools, rather than handling complaints only when they arise? How will students or children in special schools be able to lodge any complaints? Therefore, it is obvious that this mandatory reporting system brooks no delay.

Thirdly, the departments and organizations responsible for social welfare should also, in the light of these incidents or the problems accumulated in the past, review their own monitoring mechanism. Monitoring should not be confined to administrative matters, such as whether there is sufficient manpower and whether the financial situation is sound. Instead, a comprehensive review should be conducted in a more proactive manner. Moreover, the Government should not put all the pressure of monitoring on the organizations. As mentioned by Mr Stanley LI and Dr Hoey Simon LEE, a comprehensive review should be carried out on the reliability of the existing system of requiring the organizations to conduct self-examination.

Lastly, when a child lacks protection, it is mostly related to his family. When a family encounters financial or emotional problems, the children in the family are often seen as a “punching bag”. According to the data provided by the Member just now, 54% of child abuse cases are related to financial hardship. With regard to the issues of social poverty and child development, the Chief Executive-elect Mr John LEE proposed in his election manifesto to introduce a pilot scheme to address intergenerational poverty. I hope that when the Government implements the scheme in the future, it will strengthen the coordination with the existing schemes to avoid duplication of services and make full use of social resources to help resolve the problem of social poverty and problems arising from poverty.

Thank you, Deputy President.

MS CHAN YUET-MING (in Cantonese): Deputy President, I am very grateful for the Member’s motion on “Addressing squarely the problem of child abuse in Hong Kong and protecting children’s rights” proposed by Mr Michael TIEN and the amendments proposed by the six Members, which have given us the opportunity to discuss this issue in the Legislative Council.

No one will object that children are the future of our society. It is the consensus and a responsibility of the whole society to protect and safeguard children’s rights. The Government also has the duty to use its public power to ensure that children are properly cared for and provide a social environment to facilitate their all-round healthy development.

The Member’s motion on “Addressing squarely the problem of child abuse in Hong Kong and protecting children’s rights” was proposed for debate today largely because of the general increase in child abuse cases in recent years. What has happened in the cases is quite serious. In particular, the child abuse case which occurred in the Children’s Residential Home at the end of last year has once again aroused wide public concern about child care services.

Let me quote some figures in the motion. In the first three quarters of 2021, there were already 871 criminal cases involving child abuse, and the number of

new child abuse cases received by the Social Welfare Department has seen a rising trend since 1999. Frankly, even one such case is too many.

In January this year, the Hong Kong Society for the Protection of Children set up an independent review committee on the Children's Residential Home incident and released its interim report. The report has listed acts of child abuse which took place in the Children's Residential Home, including: slapping as corporal punishment, pulling a child's ear to make the child lie down, pushing a standing child's head down with force, and lifting a child by the collar and dumping the child to the mat. There were all sorts of such acts. The situation was distressing. The report also pointed out the poor supervision and poor management of the senior management concerned, as well as insufficient trainings for child care workers and the lack of an assessment system which they should have. Simply put, the child abuse incident in the Children's Residential Home is a case of "no supervision, no system and no control".

Even such a large non-profit organization with a long history as the Hong Kong Society for the Protection of Children could have such a serious regulatory problem. Members of the public have already become concerned about the child care services in Hong Kong to varying degrees. If we do not even have an effective monitoring system for child care services, how can the public rest assured? To allay the public concern, it is necessary to put the monitoring system for child care services in Hong Kong on the agenda. All sectors should make the best efforts to enhance the protection for children's rights.

Last year's Policy Address also responded to the occurrence of child abuse. It mentioned that the Government would prepare a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases. I greatly welcome the remedial measures proposed by the Government. The Member's motion and the amendments proposed by the six Members in today's debate have put forward many recommendations to improve this issue, including urging the Government to present the bill for scrutiny as early as possible, strengthening the accountability system, and conducting a comprehensive review of the monitoring and training measures. Their contents are very pragmatic and constructive. I believe that after the passage of the motion and the amendments by this Council, the Government's implementation will effectively improve the whole system of

monitoring child care services and reduce the occurrence of child abuse or other unpleasant situations with efficacy.

While there is still some speaking time left, I would like to briefly relay the lack of day child care services in Hong Kong. In Hong Kong today, in order to increase family income and strive for upward social mobility, most parents have to work full-time. If it is not convenient for the grandparents to step in to take care of the children, they cannot but apply for day child care services. At present, there is a strong demand for child care services in society. I hope that while improving the monitoring system for child care services in Hong Kong, the Government can also increase the number of day child care service places to alleviate the difficulties currently faced by parents who work full-time.

I so submit. Thank you, Deputy President.

MR MARTIN LIAO (in Cantonese): Deputy President, children are the hope of our future society and all adults have a responsibility to protect them. Undoubtedly, the current-term Government has done a lot of work to prevent child abuse and protect children, such as setting up the Commission on Children and increasing stationing school social work service in public sector primary schools, kindergartens and pre-primary institutions through different funding modes. However, the number of child abuse cases has been on the rise over the past few years. According to the latest report of the Child Protection Registry Statistical Report published by the Social Welfare Department (“SWD”), there were 1 367 newly registered cases of child abuse in 2021, an increase of over 40% compared with the average of 970 cases in the past five years. Among these cases, about 43% involved physical harm or abuse. This shows that the work of the Government is still inadequate and ineffective.

(THE PRESIDENT resumed the Chair)

President, child abuse cases with shocking details have been uncovered one after another in recent years. In the child abuse scandal at the Children’s Residential Home (“CRH”), dozens of young children have been smacked, slapped on the back of the head, thrown to the ground, etc. This has not only sparked public outrage in the community, but also revealed that the monitoring system of

institutional residential child care services and even the entire child protection system are riddled with problems. Needless to say, the Hong Kong Society for the Protection of Children (“HKSPC”), the operator of CRH, has unshirkable responsibility. While HKSPC receives nearly \$100 million in public funding each year, it has failed to effectively monitor the implementation of CRH’s commitment to caring for disadvantaged children, nor has it detected a serious child abuse culture at CRH.

SWD is the government department responsible for providing funding to and monitoring subvented organizations. The Director of Social Welfare, who is the guardian of these children, should also be held accountable for the incident. The Child Care Centres Advisory Inspectorate of SWD has been conducting surprise inspections at regular intervals to ensure that the staffing and quality of residential child care centres (“RCCCs”) meet the statutory requirements. However, why have they failed to notice anything unusual about the children during their inspection of CRH? Moreover, the Advisory Inspectorate, with only four inspectors, is apparently short-staffed. Given that the abuse cases at RCCCs which have been uncovered are probably just the tip of an iceberg, I support the proposal in the motion in relation to the closed-circuit television records of child welfare service organizations. Furthermore, I also agree that it is necessary for the authorities to review the monitoring, funding and inspection mechanisms of subvented organizations, and consider introducing a blacklisting system to ensure that the quality of their services meets the requirements.

President, due to the time constraint, I cannot go into details of the problems revealed by the CRH case. But from a macro perspective, children’s well-being is a complicated issue which involve family conditions, disparity between rich and poor, legal protections, education system, etc. As the saying goes, “draconian laws are needed to rectify a chaotic situation”. On the legal front, I think the Government should speed up the legislative work on a mandatory reporting mechanism for child abuse cases, strengthen child protection legislation, and provide appropriate training for professionals who have to take up the responsibility of reporting child abuse.

Lastly, I would like to emphasize that a sound child protection policy should include various aspects of work. Firstly, it should strengthen public education and publicity to nip abuse cases in the bud. Secondly, it should enhance identification capacity and provide more training to relevant personnel to detect abuse cases at an early stage. Thirdly, it should provide timely intervention and support to

abused children and their families so as to forestall recurrence of tragedies. I hope that the Government will communicate more with relevant professionals and organizations on child protection issue and show more determination to do a good job at all levels to build a safe and happy environment for children's growth.

With these remarks, President, I support the original motion and the six amendments.

MR KENNETH LEUNG (in Cantonese): President, I thank Mr Michael TIEN for moving the motion, and several other Members for proposing their amendments.

With regard to the views expressed by some Honourable colleagues on improving the mechanism for handling child abuse cases in Hong Kong, I agree that it is necessary to reform the existing mechanism, which is indeed full of loopholes. However, at the same time, I think that we should not simply focus on intervention, investigation and tracking down the responsible parties after child abuse cases happen.

Renowned psychologist Alfred ADLER once famously said: "A lucky person's lifetime is cured by childhood, while an unlucky person's lifetime is spent curing childhood." A person's childhood has a profound impact on his or her life. When child abuse occurs, however much is done to remedy the situation afterwards, the trauma has already been created and might be irremediable. Abused children might even have to live with a lifetime trauma.

We therefore need to address the problem at root. In my opinion, prevention should be the mainstay of our work on child abuse, which should be divided into three tiers: the first tier is universal precautions; the second tier is identification and support for high-risk families; and the work to uncover and intervene in child abuse cases should only come on the third tier.

The first tier of work involves universal precaution. According to the child abuse figures reported by the Social Welfare Department, in nearly 70% of the child abuse cases, the abusers were family members, such as parents, other relatives or caregivers. It is necessary to strengthen the promotion of family education in society, launch positive parenting campaigns, develop positive family values and train parents on proper parenting skills and attitudes, so as to enable them to understand their important role in the development of their children; learn to take

care of their children’s physical, mental and spiritual needs and development; and prevent physical and psychological abuse/neglect. At the same time, they should teach parents how to manage emotions and stress and cope with complex situations, provide them with sufficient knowledge and information on how to deal with family problems, and inform them of the organizations which they can turn to when they need assistance. Hopefully, these initiatives will facilitate the building of harmonious relationship in their families and create a caring environment for the next generation.

In campaigns to promote positive parenting, the promotional strategy of “schools as primary platform and the community as complementary” should be adopted. By providing diversified and innovative home-school cooperation and parent education programmes in schools, the authorities can reach out to parents/caregivers of different backgrounds. It is also necessary to step up public education on the prevention of child abuse and propagate the message that “child protection is the collective responsibility of the community”.

On the second tier, it is necessary for the community to have early warnings so as to identify and proactively support high-risk cases. As mentioned by some Honourable colleagues earlier, many studies have suggested that families with financial problems; with primary caregivers who are drug abusers, suicidal or mentally ill; or with chaotic relationships among members, are at a higher risk of child abuse. If members of a family with potential child abuse risk are users of social welfare services covered by the social safety net, social workers may be able to provide early warnings, identify high-risk families, proactively provide assistance and support, and implement work on child abuse prevention.

In addition, the Government can take the initiative to provide more support, especially by allocating more resources for various types of child care/residential services—many Honourable colleagues have mentioned the child abuse incident in the Children’s Residential Home—such as improving the staffing ratio of the services to help relieve the pressure of caregivers and reduce the possibility of child abuse.

In contrast, the third tier involves the work to uncover and intervene in child abuse cases after they have happened. To reduce or even eradicate child abuse cases at root, the only way is to establish a social safety net through proper education, prevention, identification and proactive support in the first two tiers. One case is too many when it comes to child abuse. I hope that the whole

community can learn a lesson from the child abuse cases in recent years and take up the responsibility of child protection. There will be no more tragedies if everyone can achieve the following Confucian motto: “Thus men did not love their parents only, nor treat as children only their own sons”.

President, I so submit.

MR CHAN KIN-POR (in Cantonese): President, the problem of child abuse in Hong Kong shows a worsening trend. Apart from the occurrence of collective child abuse cases in some residential child care centres, there have even been two to three deaths from child abuse in recent years.

(There was noise interference with the broadcasting system in the Chamber)

PRESIDENT (in Cantonese): Mr CHAN Kin-por, do you have your mobile phone nearby? Please move your mobile phone away.

(Mr CHAN Kin-por removes the mobile phone from his desk)

MR CHAN KIN-POR (in Cantonese): In fact, according to the statistics of the Social Welfare Department, more than 370 cases of child abuse were recorded in the first quarter of this year, an increase of 35% compared to the same period last year, of which 170 cases involved bodily harm. The current situation is absolutely unacceptable. The Government must take decisive measures and we must “save the children”!

I would like to thank Mr Michael TIEN for moving today’s motion. A number of suggestions have been put forward in the original motion and the amendments respectively, including a mandatory reporting mechanism on child abuse and measures to improve the services of child welfare service organizations. Other Members have already said a lot on these suggestions and I support most of them. Due to time constraints, I will not go into details. Instead, I would like to talk about the root causes of child abuse. According to available statistics, about 60% of the abusers in reported cases were parents. In the real world, there must be more parental abuse cases than expected. Frankly speaking, child abuse cases

in social welfare organizations are to a certain extent caused by negligence on the part of the management which are relatively easy to deal with. On the other hand, child abuse in families involves many ethical issues, which are more difficult to handle and warrant our extra attention.

In the real world, due to increasing pressure from work and life, it is increasingly unlikely to maintain a harmonious home and the divorce rate has been surging. Parents are often under so much pressure from various sources that they will easily vent their emotions on their children if they do not know how to cope with it. On the other hand, some studies have suggested that parents often follow the parenting methods of the previous generation when educating their children. The previous generation generally gave corporal punishment in the belief that “spare the rod and spoil the child”. As the public awareness of child protection is relatively weak in Hong Kong, many parents will continue to use corporal punishment to educate their children. Child abuse will then pass down from generation to generation, which is especially common in grass-roots families.

Some people say that one should get a license before becoming a parent. While this is just a joke, I firmly believe that parental education is necessary. In reality, many parents are only result-oriented. When they find that their children disobey them, refrain from eating, refuse to sit still or throw tantrums, they will assume that their children are mischievous and rebellious. In a fit of anger, they will administer corporal punishment on them, which will end up being habitual child abuse in the long run. However, have parents ever looked into the causes of their children’s “mischievous” behaviour in an in-depth manner? In fact, their behaviour is very complex. In particular, parents in grass-roots families may not understand that psychological and biological are probably the root causes of their children’s behaviour.

I therefore believe that the correct approach should include conscientiously teaching parents the correct family concepts and ways to understand their children’s problems, instilling in them the message of child protection, rectifying their misconception about corporal punishment, and teaching them to manage well their own emotions. Of course, the Government should provide adequate support and ancillary services, including child assessment and counselling services, to assist parents in finding appropriate solutions to the problem and taking responsibility for disciplining and educating their children.

In addition, schools and teachers should also take up more responsibility because teachers, other than parents, have the most frequent contact with children. For this reason, the Education Bureau should provide comprehensive training for teachers to enable them to identify and handle child abuse problems properly, and should encourage teachers to pay more attention to their students' conditions so as to detect abuse cases early. In addition, I endorse the establishment of a mandatory reporting mechanism on child abuse cases. At present, schools may find themselves caught between a rock and a hard place as to whether to report an abuse case. After the mandatory reporting mechanism is put in place, schools can be rest assured that the cases will be followed up by experienced personnel. Meanwhile, the Government must provide adequate support and guidelines, including dedicated staff to handle cases in an emergency, or else the reporting mechanism will not make much of an impact.

Thank you, President.

MR TANG KA-PIU (in Cantonese): President, I would like to thank Mr Michael TIEN for proposing this motion such that we can have an in-depth discussion on an incident occurred during Christmas last year that shocked the community—the incident in the Children's Residential Home—and make suggestions.

I am a member of the Committee on Review of Residential Child Care and Related Services chaired by the Director of Social Welfare. The community has expectations of this committee because it is composed of a variety of stakeholders ranging from experts of children's issues from different sectors to Members of the Legislative Council, and representatives of the Police will also attend its meetings. It is our hope that the residential child care services can be improved in terms of inspection, service planning and quality.

Nevertheless, coming back to the crux of the matter, I have heard many Members mention a question repeatedly, which I have also raised in the Panel on Welfare Services of the Legislative Council. That is, how does the SAR Government or the Social Welfare Department ("SWD") deal with the Hong Kong Society for the Protection of Children ("HKSPC"), or to be specific, HKSPC as a service unit? It is because HKSPC is receiving recurrent subvention from the Government under the Lump Sum Grant System, and the Children's Residential Home under HKSPC is a child care centre registered under the Child Care Services Ordinance.

Members may also be aware that the Government has been working continuously on this incident. In a footnote to a Legislative Council paper, the Government has put it bluntly that upon completion of the judicial process, i.e. when the criminal process of prosecuting the staff involved has been completed, these workers will be deregistered and will no longer be child care workers. Therefore, I believe you may wonder, can this organization continue to receive recurrent subvention and provide services after its workers have been deregistered and the Director has resigned?

This is not merely a very important incident in respect of child care, but also a major incident of the Lump Sum Grant System or the social welfare sector which receives government funding to provide services. It is not a matter of poor handling of the incident, but an organization has breached the law or is suspected of having breached the law (since there is no conviction yet) in a systemic manner over a long period of time. It has simply violated the Service Quality Standards (“SQSs”) formulated by SWD. There are 16 SQSs in total, and SQS 16 sets out that all reasonable steps should be taken to ensure service recipients are free from abuse. There are of course other standards, such as improving the quality of staff, undergoing training frequently, etc.

We would ask, with the occurrence of such a serious incident, how determined is the Government in enforcing this system at all? The Government has exercised monitoring, but it has been criticized for inadequate monitoring and even dereliction of duty, because the incident came to light only after it was exposed by the media or reported by the public. In other words, the Government has to change its way of monitoring. Here arises a question: as the organization concerned did commit wrongdoings, how much blame can be placed on the organization under the Lump Sum Grant System?

To my understanding, 3 300 service units are currently receiving lump sum grant from SWD. Could every organization or unit continue to operate forever, and continue to receive funding even if they have committed wrongdoings of whatever severity? Therefore, I hope the Secretary or the SAR Government will consider it thoroughly. The Children’s Residential Home is now being taken over, but the taking-over period might end after six months and then it will resume normal operation. Members of the public would ask whether the Government will really let it off so lightly, and continue to allow the Children’s Residential Home

to provide child care services. I hope the Secretary and the SAR Government will consider this issue thoroughly and give the public a reasonable answer. If it ends up that there are only rewards but not penalties under the monitoring system, the public will ask if this is fair and just.

I support today's motion and all the amendments. Thank you.

PROF NELSON LAM (in Cantonese): Thank you, President. I would like to express my gratitude and appreciation to Mr James TIEN for proposing this motion, and I also thank other Members for proposing the amendments. To start with, I will lend my support to all of them.

I wonder if Members have noticed what is the most read news on the online media these two days? It is the one about a child knocking over an exhibit. Perhaps you may only pay attention to whether it was necessary to make compensation and whether compensation was made, but have you noticed that in the video clip, the child was totally stunned after he had knocked over the exhibit? Have you ever noticed that the actions taken by every adult would actually affect the psychological and physical wellbeing of the children? I always wish people good health, but perhaps I should also wish them "good psychological health" apart from that.

Mr Michael TIEN has cited in his motion quite a number of serious child abuse cases that have occurred in recent years. May the deceased rest in peace, but such tragedies can be prevented in the future. Regarding the children who have survived, including the incident in the Children's Residential Home that we are all deeply concerned about recently, what can happen to these children although the Police has arrested all the persons involved? I understand that at present, some of the children concerned would dodge subconsciously when someone tries to touch them and they are reluctant to contact with other people.

President, children are the future pillars of society, even a single case of child abuse is considered too many. I hope that parents, caregivers or social welfare organizations must be responsible when treating the children. And of course, we also have to shoulder certain responsibility ourselves. I know that many colleagues of the Bureau also share our deep concern for the children.

As an accountant, I have gone through the financial statements of the relevant organization and found a very interesting phenomenon. Actually, I do not know whether it is interesting or I just feel very helpless, and that phenomenon is the very high payroll expenses of the organization. Top-level staff of the organization are earning the same salaries as some high-ranking staff of the Bureau, equivalent to that of officials at D1 level. However, have they done what they ought to after getting paid? I believe all of you would have the answer in your mind.

When I read further, I think the Secretary for Labour and Welfare should not be the only official sitting here today. It is because this organization also receives subvention from the Education Bureau, and the subvention received also amounts to as much as \$100 million. In other words, this organization receives so much subvention from the Government, yet it has not only failed to achieve its objectives, but even seriously violated them. Regarding the future pillars of society, i.e. our children, should each of us bear the responsibility for this?

The Government pointed out in last year's Policy Address that it would take forward the legislative work on a mandatory reporting mechanism for child abuse cases, and its target is to introduce the bill into the Legislative Council in the first half of next year. As I have asked at a meeting of the Panel on Welfare Services, how can we deal with it during this period (from this year to the first half of next year)? How can we deal with it during the legislative exercise? I believe that be they social workers, nurses or registered child care workers, their original aspiration is to take care of the children. That said, is it necessary for us to make greater efforts in respect of their culture and monitoring? I myself support conducting a comprehensive review and strengthening monitoring. Since subvention has already been provided, it is necessary to examine whether the subvention is used properly. In my opinion, it is more important to foster a caring culture for child protection in society. As regards tragedies that have already occurred, it is of the utmost importance to heal the trauma; ensure effective emergency response, support and ancillary work; as well as improving the child protection laws and systems.

I support Mr James TIEN's motion and the amendments proposed by other Members. Thank you, President. I so submit.

PRESIDENT (in Cantonese): The mover of the motion should be “Mr Michael TIEN”.

Ms CHAN Hoi-yan, please speak.

MS CHAN HOI-YAN (in Cantonese): Thank you, President. In the incident in the Children’s Residential Home which was revealed last year, staff members of the organization who were supposed to take care of the children turned out to abuse them. It has shocked and caused distress to society, and once again aroused concerns about the problem of child abuse among various sectors. Hong Kong, being an international metropolis, has seen a spate of serious child abuse cases in recent years. We cannot help but reflect on whether our existing laws, regulations and systems can offer adequate protection for our children.

According to the definition of the Government, child abuse is “any act of commission or omission that endangers or impairs the physical/psychological health and development of an individual under the age of 18”, which includes physical abuse, sexual abuse, psychological abuse and neglect. As a matter of fact, it is obvious that the incident in the Children’s Residential Home is just the tip of the iceberg among many child abuse cases.

According to the statistics of the Social Welfare Department (“SWD”), there were 1 367 newly registered child abuse cases last year, with physical abuse which accounted for 43.6% being the majority, and nearly 60% of the abusers were parents of the child victims. As we all know, child abuse will not only cause bodily harm to the children but also seriously affect their mental and personality development if the harm is inflicted by those closest to them. Or they may lose confidence in people, or they will even follow suit to treat the next generation in the same way, thereby resulting in a vicious cycle.

Some studies have even pointed out that abused children are more likely to have problems such as drug abuse, alcoholism and greater propensity to violence after they have grown up, which will in turn affect society. Being a parent as well as a Member, I strongly agree with the original motion and the amendments that we need to “address squarely the problem of child abuse in Hong Kong and protect children’s rights”. It is because if we do not have a comprehensive mechanism in

place to prevent and follow up child abuse cases, but simply regard such incidents as “unfortunate”, there is no doubt that we are merely allowing the problem to persist.

“A fierce tiger will not harm its cubs”, as the saying goes. I believe that parents would not hurt their children for no reason. Nevertheless, there is a myriad of causes leading to child abuse, and perhaps financial pressure of the family may be one of the main reasons. According to SWD’s data, over the past five years, most child abuse cases occurred in low-income families, and many cases involved single-parent families or new arrivals in such districts as Kwun Tong, Yuen Long and Tuen Mun. On the other hand, there were fewer child abuse cases in districts with more middle-class families, such as Wan Chai and Central and Western districts. Depending on their income or education level, perhaps some parents are busy with their work for most of the time, hence making it difficult for them to allocate sufficient time to take care of their children. In addition, it would be easier for parents lacking the correct concept of child discipline to vent their discontent on their children.

As people say, “prevention is better than cure”, if the Government intends to detect, identify and support families with higher risks at an early stage, so as to prevent child abuse cases at source, I think the Government can make good use of the community networks. It should focus the resources on districts with higher risks of child abuse, such that it can identify families with higher risks as early as possible to provide them with support in various aspects, including assistance in respect of food, financial matters and even emotional counselling. Moreover, consideration can be given to setting up “resource centres for harmonious families” in 18 districts to provide relevant service information and educational activities with a view to improving parent-child relationship. Community child care services should also be increased to alleviate the pressure of working parents, so as to minimize the chance of child abuse cases at the family level.

Another point I would like to make is that whenever child abuse incidents have occurred in the past, we would focus on discussing how to impose severe punishment on the abusers or how to monitor the persons or organizations involved. I agree that we need to hold the relevant parties accountable in order to prevent the recurrence of similar incidents. Yet, can the existing laws, regulations and services really offer comprehensive protection for the children? Can they really provide adequate support and protection for victims of child abuse cases?

In fact, Hong Kong does not have any specific legislation to prevent child abuse and impose penalties on such acts. The Government has amended some of the existing legislation, such as amending the previous Protection of Women and Juveniles Ordinance to become the Protection of Children and Juveniles Ordinance in 1992, or amending the Offences Against the Person Ordinance in 1995, etc. Despite this, it has not followed the practice of overseas places to enact a comprehensive set of child protection laws to offer comprehensive protection for the children.

The Children's Act of some overseas countries has not only brought together under a specific law the content relating to child protection of other previous laws, but also stipulated a host of arrangements for child protection. These include requiring the provision of more targeted district service arrangements for victims of child abuse, or setting up a clear accountability system for caregivers, as well as creating the post of "Children's Commissioner" in the executive authorities for continuous improvement of children's and adolescent's rights (*The buzzer sounded*) ... which I hope the Government is willing to consider.

PRESIDENT (in Cantonese): Ms CHAN Hoi-yan, please stop speaking immediately.

Mr CHEUNG Kwok-kwan, please speak.

MR CHEUNG KWOK-KWAN (in Cantonese): President, the child abuse incident in the Children's Residential Home has caused an uproar in various sectors of the community. The number of crimes committed and the extent of the harm done are indeed unbelievable. The most shocking is that the staff members involved still dared to abuse the children recklessly even though they knew that "eyes in the sky" and closed-circuit television ("CCTV") had been installed. They simply had no regard for the law.

The review report pointed out that the committee had reviewed the CCTV records and discovered at least 82 counts of suspected child abuse, including acts such as "dumping onto the ground" or "pulling the hair" which I believe all of you are very familiar with. The report even criticized the Children's Residential Home for its faults and omissions at almost every level from the top to the bottom.

Yet, the Social Welfare Department (“SWD”) was not aware of the problem, and the incident was only exposed when an anonymous complaint had been received. This reflects that the existing monitoring system has become totally ineffective and the oversight of government departments exists in name only.

As we all know clearly, many of the children staying in the Children’s Residential Home have already been deprived of a warm family, but they still cannot receive proper care in the residential care home. Caregivers in the residential care home are supposed to be the closest to them, but they have now become the perpetrators. The children have nowhere to turn for help. When has our society become like this?

The relevant departments responded extremely slowly after the incident had come to light, thereby leaving the public with the impression that they are indifferent and apathetic. After all the hustle and bustle, the Government has finally set up a review committee chaired by the Director of Social Welfare to conduct a review of the monitoring, service design as well as administrative measures and legal framework, etc. of the services of residential child care centres at present. It is expected that the first phase of the review will be completed in September this year, and the second phase of the review is expected to be completed only in March 2023.

We will have to wait and see if the review can identify the real cause of the problem. Nevertheless, given that the investigation and review are led by the Director of Social Welfare, can they fairly evaluate the Government’s role in a monitoring system which has become completely ineffective? We really have grave reservations about this.

On the other hand, nothing about the investigation and review of responsibility has been mentioned in the review committee’s terms of reference, and I am not referring to criminal liability. As we can imagine, I believe Members can also foresee that the relevant report will not hold any department or official accountable, but it will only make recommendations for improvement, and then call on everyone to move forward.

President, since the handover of sovereignty, it is not uncommon for the SAR Government to adopt the approach of setting up a review committee of such nature to address the widespread concerns of the community when there is failure in its policies. We can easily name a few examples, such as the incident of substandard

piling works in public housing in April 2000. Back then, the Government set up the Construction Industry Review Committee in this connection to comprehensively review the current state of the construction industry and to recommend improvement measures. An expert committee chaired by the then Secretary for Health, Welfare and Food was also established with respect to SARS in 2003 to conduct a review of the healthcare system, which triggered an outcry of “the Secretary investigating the Secretary”. A more recent example is the lead in drinking water incident in 2015, which prompted the Hong Kong Housing Authority (“HA”) to set up the Review Committee on Quality Assurance Issues Relating to Fresh Water Supply of Public Housing Estates to conduct a “body check” on the quality assurance in relation to the fresh water supply systems in HA’s housing construction projects, so as to identify any deficiencies for making improvement.

President, such review committees share one thing in common. They were tasked to conduct a review of the policies and systems when there was a failure in the policies, so as to buy time in the hope that members of the public will no longer care about the issue when the report is released. Besides, with the passage of time, the relevant officials would have left the job, have been transferred or have retired, and the report would call on everyone to look ahead. It is my hope that the review committee set up by the Government this time around will show courage and commitment in its report to face the problems, solve them and delineate the responsibilities, instead of rendering it a strategy of shirking and avoiding responsibilities.

President, I so submit.

MS YUNG HOI-YAN (in Cantonese): President, I would like to thank Mr Michael TIEN for proposing this motion. The wording has mentioned some outrageous child abuse cases that occurred in recent years, one of which has left us an overwhelming impression. The exposure of the suspected mass child abuse in the Children’s Residential Home under the Hong Kong Society for the Protection of Children has caused an outcry throughout the territory with the arrest of more than 30 staff members, and 40 children being the victims. I feel extremely heartbroken by every child abuse case, especially this one that occurred in the Children’s Residential Home. It involved a number of people committing the crime jointly, thereby rendering a place which is supposed to be offering the children protection

to become a place where the children were subject to abuse. The incident has also reflected that the existing child protection laws and regulatory system are fraught with loopholes, and that the legislative exercise on the mandatory reporting mechanism on child abuse cases should be carried out without the slightest delay.

The independent review committee's report on the incident in the Children's Residential Home has pointed out that basically, monitoring system does not exist in the Children's Residential Home. There is no system and no record in respect of the monitoring of the relevant staff. Even though closed-circuit televisions have been installed, there is no system and examination at all. Instead of monitoring one another, staff members would alert one another of the presence of supervisors to avoid the latter witnessing more serious acts of abuse. The report has also pointed out that the management is actually aware of the so-called "rude handling" of children by staff members in general, but they have never intervened and would only give gentle reminders at best. As regards its effectiveness, the results speak for themselves. They have even use the expression of "rude handling" in the report, which is an attempt to dilute the public's questions and soften the public's perception of the case. I find such expression very inappropriate.

Apart from the complete collapse of the monitoring system, the work culture in residential care homes is also plagued with problems. The report has pointed out that staff members are accustomed to treating children with indifference and rudeness, since adopting a gentler approach when taking care of them will prompt the children to demand better care, which would in turn increase the workload of staff. This is simply putting the cart before the horse. "I would not be nice to you because I do not want you to have any expectations", it is totally unwise and stupid to do so. New joiners are also taught to treat the children in this way, and over time, they would lose their humanity as well as the caring culture that used to exist, thereby creating an undesirable work culture.

Behind this culture involves the problem of heavy workload for staff as explained in the report. Not only do the staff have to take care of the children, but they also have to handle paperwork and therefore have no time to look at the work quality. Such explanations are all cover-ups. I think it is time to change and address squarely this mode of work, which is also a problem that needs to be cured at the root.

Now that most of the persons being prosecuted in the incident in the Children's Residential Home are frontline staff, whereas the management (such as the Director and the Superintendent) has played down their role by having merely resigned. As a punishment, it is undoubtedly too lenient and has no deterrent effect at all. The Government should consider amending the law to make both the licensed bodies and the persons-in-charge liable to criminal penalties, such as a sentence of 20 years' imprisonment, with a view to enhancing the deterrent effect of the law.

In my opinion, protecting the children is not only the responsibility of the residential care homes, their staff, residents or the licensees, but it is also the responsibility of the general public as a matter of fact. I believe that if all Hong Kong people make concerted efforts to pay attention to the situation of children and their neighbours, it will result in very good protective and monitoring effects. But frankly speaking, who will call the Police immediately when we see our neighbours beating up their children? I think this is the responsibility of society instead of merely the responsibility of parents or the residential care homes. Therefore, I think education is necessary.

The Legislative Council has discussed various legislative proposals, including the offence of "failure to protect" before. The Law Reform Commission conducted a public consultation on this issue in 2019, targeting those lawbreakers who fail to offer adequate protection and imposing penalties on them. Hoping that the progress of enacting the offence of "failure to protect" can be expedited, I support Ms Maggie CHAN's request in her amendment for the Government to draft the bill on the offence of "failure to protect" as soon as possible.

To sum up, there are obvious inadequacies in the child protection laws and the regulatory mechanism at present, especially the very high threshold for the offence of "child abuse". Therefore, the Government must draft different laws as soon as possible and submit them to the Legislative Council for scrutiny and processing, so as to strengthen child protection and prevent every single case of child abuse.

President, I so submit.

MS ELIZABETH QUAT (in Cantonese): Thank you, President. Before all else, I thank Mr Michael TIEN for proposing such an important motion. I also thank all the Members who have proposed the amendments. In fact, the recommendations therein on child protection are worthy of consideration. Hence, I will support all of them.

As a matter of fact, there are nearly 1 000 child abuse cases in Hong Kong every year, but we should note that these cases which came to our knowledge are only the tip of the iceberg. In respectively 2005 and 2010, the University of Hong Kong published a report on the Study of Child Abuse and Spouse Battering, which pointed out that the reported requests for assistance in respect of child abuse accounted for only 1% of the cases, and the other 99% were hidden or undetected cases. Usually, by the time a case is discovered, it is already very serious. For this reason, there is a particular need for Hong Kong to introduce a policy and a bill on child protection as soon as possible.

I think we all know that children and toddlers do not know how to protect themselves. Even if they are abused or hurt, they do not know how to complain or report it. Therefore, we all have such a responsibility. The Government has an even greater responsibility to protect children. The Children's Residential Home incident reflects the Government's inadequacy in monitoring residential care homes for children. It has in fact failed its job in child protection. Dozens of children had been abused for a long time, and a culture of child abuse had been developed in the residential care home. The staff turned a blind eye and did not see the problem, which was not exposed until a kaifong lodged a complaint. Then the Government said that it did not think it had done anything wrong because there was no requirement which made it necessary to install closed-circuit television ("CCTV"). So, even if it did not check the CCTV footage, there was no problem, and it refused to apologize. Now the authorities have proposed to set up a committee to conduct a comprehensive review, which I find acceptable. A review should of course be conducted. Can a review not be conducted? However, I very much hope that the authorities will not let the matter fizzle out again after submitting a review report a year later.

As a matter of fact, in the past few years, quite a number of serious child abuse cases have occurred in society. Some even resulted in the death of children, and the matter has been repeatedly discussed in the Legislative Council. The Government should indeed expeditiously implement various pieces of legislation which aim at child protection, including the offence of "failure to protect" and mandatory reporting of child abuse. We should inject more resources and put in place more policies for early identification and early prevention. Besides, some

groups have suggested that legislation should be introduced to impose a total ban on corporal punishment. All of these should actually be implemented.

Let me now discuss them one by one. Regarding the offence of “failure to protect”, in 2019 the Government already put it forward to the Legislative Council for discussion. During our discussion, I found that there was actually no controversy. Most of the Members considered that carers have the responsibility to protect children or adults who are incapable of protecting themselves. Since there is no controversy about this responsibility, how come no action has been taken and no legislation has been enacted since it was tabled in 2019? My only wish is that the Government will expeditiously introduce this offence of “failure to protect” into the Legislative Council to undergo the legislative process, and “psychiatric injury” and “sexual assault” should be specifically included in the scope of serious harm. As for the details, I think this is not the time for an in-depth discussion here.

Another point is about “mandatory reporting of child abuse”, so to speak. We have enquired many times and asked the Secretary repeatedly why this piece of legislation has not yet been enacted since it was tabled at the Legislative Council for discussion in 2018. According to the Government, there are many different voices in the community. If mandatory reporting is implemented, the persons involved may be held criminally liable. For this reason, the sectors have many concerns. It is worried that after the implementation, the sectors (including the education sector and social workers) will be under great pressure. Moreover, many child abuse cases are difficult to identify and may be missed out. It is rather unfair to them if they have to bear the criminal liability for such omission. Hence, the Government has indicated the necessity to formulate guidelines and conduct training for different sectors before a mandatory reporting mechanism can be introduced. Does the Government actually take the well-being of children as the most important premise in its consideration? In fact, child protection is its bounden duty. Is it more important to protect the sectors or the children? When will the authorities present this piece of legislation to the Legislative Council?

As we all know, early identification and early prevention are very important, but after several years of discussion, what has the Government done? President, I think whenever a tragedy occurred, there would be discussion in society, and the Government would tell us routinely that it attached great importance to child

protection and would conduct a review. Yet everything was just empty talk until the next child abuse case occurred. May I ask the Secretary what the current-term Government has done for child protection?

I hope that the Government of the new term will genuinely implement policies and legislation on child protection, instead of just giving empty talk.

President, I so submit.

MR SHIU KA-FAI (in Cantonese): Thank you, President. Before all else, I thank Mr Michael TIEN for proposing this motion, and the six Honourable colleagues for their amendments to the motion. I agree with and support all of them. The motion and the amendments mainly focus on how to enhance education, set penalties or monitor different organizations to protect children.

I believe that children, especially those aged zero to five, actually spend most of the time at home, or they are in certain residential care homes or educational premises, such as nurseries. I believe that in the child abuse cases in the past, the abusers were mostly relatives or parents of the abused children. Such being the case, how should we monitor these parents? In my view, we may have to attach more importance to education, especially for young parents. As we all know, under Hong Kong's education system, there is no subject which teaches us how to take care of our children in the future and how to bring them up since their birth. In that case, how did parents raise their children in the past?

I believe that in the past generation, people held even more views which have evolved all the way. As society becomes more civilized, we prefer to teach children in different ways. Parents who live in a better environment, who are better off or who have more friends around to ask for advice may be able to absorb more knowledge to educate their children. However, for those young couples who may lack financial means, have a poor family background, live in a very small home and have to work outside, how will they know how to educate their children? I believe that it is better to treat the root cause than the symptoms. I hope the Government can introduce more ways to educate parents of the newborn in this regard.

I think it will be rather odd to offer courses and appeal to the public to enrol in such courses. Yet in fact, the Government must have records of all the children

born in Hong Kong. It must have knowledge of them. Can consideration be given to providing parents with some general or special courses? The duration of the courses need not be too long. Perhaps there can be a class of half a day or one full day every three months to explain to them how to take care of children. To attract parents to come to the classes, it is necessary to provide incentives. Given the low birth rate in Hong Kong at present, has the Government actually considered providing a “milk grant” of a few hundred dollars each month for children under the age of three? These children may receive a total of \$6,000 to \$7,000 each year from the “milk grant”, but their parents are required to enrol in the aforesaid courses. Only then will their children be entitled to this benefit. It can thus attract young fathers or mothers to learn how to teach and look after their children.

I believe that if this approach is taken to tackle the problem at its root, it may reduce many child abuse cases which are avoidable. I also believe that normally, parents will not abuse their children. It is only that they may have no knowledge of how to teach their children. Facing children as young as one year old, how are they supposed to talk reason? No matter what they say, they will not understand it. If they live in a subdivided unit and their children cry all the time, what can the parents do to take the reins? All these may involve knowledge of parenting. So I hope the Government can make efforts to address this issue.

Moreover, in respect of monitoring, I have heard many good suggestions from Honourable colleagues today, such as Mr Louis LOONG’s proposal on whether property management companies can help to play a monitoring role and whether neighbours can also assist in monitoring. I believe that the Government can coordinate this. The so-called monitoring does not mean we have to keep watch all the time. It just means that we have to pay more attention, and when we discover something wrong, we should give more advice and report to the Social Welfare Department. I believe it can help reduce child abuse.

As regards the case of the Children’s Residential Home, I do not know how many times Mr Gordan LEUNG, Director of Social Welfare, has visited this residential care home, but I have learnt from the news and the press that in 2011, when Mr Patrick NIP was the Director of Social Welfare, he visited it in person on Father’s Day. Six children were even surnamed after him because he was their guardian. Hence, when the Government has assumed this role, it has to spend more time to deal with these children.

Another point is that there are more than 1 400 Justices of the Peace (“JPs”) in Hong Kong, and a JP visit programme is in place, but the Children’s Residential Home is not covered by the visit programme. I hope the Government can include it in the programme. Furthermore, I believe such cases can be reduced if a system of spot checks is set up in respect of the JP visits. Thank you, President.

MRS REGINA IP (in Cantonese): Thank you, President. I speak in support of Mr Michael TIEN’s original motion, and most of the amendments proposed by other Honourable colleagues.

According to the United Nations Convention on the Rights of the Child, a child is defined as any person under the age of 18. However, our concern today is certainly not all persons under the age of 18, but those absolutely disadvantaged people who lack the ability to take care of themselves. In recent years, we all have been extremely shocked by the numerous abuse cases involving the elderly, children and mentally handicapped persons in Hong Kong, particularly the child abuse incident in the Children’s Residential Home (“CRH”) last year. Evidence shows that 26 children were regularly abused on 91 occasions, and so far more than 30 staff members of CRH have been prosecuted. In other words, child abuse used to take place on a daily basis in CRH.

In this connection, I would like to make a few recommendations. This type of child abuse offences should be strictly prosecuted, especially in cases involving people who are incapable of protecting themselves. I believe that the Police can prosecute the staff concerned under the Offences against the Person Ordinance. If such cases are not tried in the Magistrates’ Court but in a higher court, it is believed that the staff could be sentenced to a maximum of 10 years’ imprisonment for child abuse. I hope that the Department of Justice will not refer such cases to the Magistrates’ Court but to a higher court, so that the penalties can have a deterrent effect. According to the information disclosed by the Police, they have reviewed as many as 40 000 hours of video footage, which means that child abuse had been an alarmingly frequent occurrence in CRH.

Secondly, we should review the legislation. With regard to child abuse cases, do we need to introduce law reform, i.e. enacting new legislation to prosecute such serious crimes, in cases of child abuse, be it physical, psychological or otherwise? In addition, as many Honourable colleagues have said, we may need to introduce legislation to require mandatory reporting, given that the CRH incident

was entirely reported by members of the public who had witnessed the abuse on a playground. Many Honourable colleagues have pointed out that property management, neighbours or other carers may be aware of such incidents, so a new mandatory reporting mechanism should be put in place.

In addition, as pointed out by my Honourable colleague Mr LAI Tung-kwok, the Social Welfare Department has a serious shortage of manpower to monitor residential care homes (“RCHs”). The Government must strengthen its supervision in future by increasing the number of staff and management methods to monitor RCHs which take care of children or other disadvantaged people, and expose these illegal practices as early as possible to protect the disadvantaged. I also agree that the Government should review the amount of subsidy, funding and assistance provided to government-subsidized NGOs if such incidents happen in RCHs managed by them, so as to prompt these NGOs to improve their future care for the disadvantaged people.

President, I would like to put forward the above proposals for the Government’s consideration. Thank you.

PRESIDENT (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Mr Michael TIEN, you may now speak on the amendments.

MR MICHAEL TIEN (in Cantonese): President, first of all, I would like to thank Mr LUK Chung-hung, Mr LAM San-keung, Dr Stephen WONG, Mr Stanley LI, Dr Hoey Simon LEE and Ms Maggie CHAN for proposing amendments to my original motion. I would also like to thank Members for their speeches and views. I will respond to the amendments as follows.

First of all, Mr LUK Chung-hung and Dr Stephen WONG have proposed amendments to point (3) of the original motion respectively. Apart from comprehensively reviewing the monitoring, funding and inspection mechanisms of subsidized welfare service units, they have also proposed reviewing three aspects,

namely the punishment mechanisms, staff training and manpower deployment. I support the amendments proposed by the two Honourable Members.

I have reiterated on many occasions that although the abusers of the child abuse incident in the Children's Residential Home were frontline child care workers, the management should be held responsible to a certain extent for failing to play their supervisory role properly. However, the management has not been punished after the incident so far other than resigning. Should they not be held accountable for the incident by simply resigning and leaving irresponsibly? This question deserves our deep thought.

A punishment mechanism must also be accompanied by an effective monitoring mechanism. I strongly endorse Mr Stanley LI's amendment which requires all child welfare service organizations to install closed-circuit televisions ("CCTVs") and keep the relevant records, and the authorities should also increase manpower to conduct random checks. Looking back at the Government's previous papers, inspectors of the Social Welfare Department would visit different child care institutions from time to time to inspect their environment and the behaviour and emotions of the children therein. While only some institutions have installed CCTVs, the authorities would not conduct random checks because there is no such a requirement in their procedures. I believe we all know that children do not know how to complain; and even the staff of these institutions will definitely refrain from telling the truth when they are asked. In my opinion, these are just cosmetic inspections which will not reveal the real situation at all. For this reason, apart from requiring all institutions to install CCTVs, we should also require inspectors to definitely conduct random checks on CCTV footage during site inspections. Only by checking CCTVs, whether the footage be half an hour or longer, will a deterring effect be achieved.

In addition, the amendments of Mr Stanley LI, Dr Hoey Simon LEE and Ms Maggie CHAN have mentioned the introduction of a "blacklisting" system for welfare service units and child care workers, which is in fact similar to conducting random checks on CCTV footage. The "blacklist" will not only serve a certain degree of deterrent effect, but will also effectively prohibit any mismanaged organizations and frontline child care workers with misconduct from continuing to care for children, thereby reducing the recurrence of child abuse incidents.

The six Members have put forward a number of recommendations in their amendments. Due to the time constraint, I will not be able to respond to each and

every one of them. However, in general, I support the amendments of the six Members. Nevertheless, I think that quite a few recommendations should be discussed in more detail, such as Mr LUK Chung-hung's proposal to strengthen the promotion of family education in society and Mr Stanley LI's proposal to send staff to visit families with newborn babies. While these suggestions can certainly reduce the number of child abuse cases, the actual implementation must be discussed in further detail, such as the content of family education, the promotional methods, the deployment of sufficient manpower and the assessment mechanism.

Lastly, I hope that Honourable colleagues will support my original motion. I so submit. Thank you, President.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I once again thank Mr Michael TIEN for proposing the motion, the six Members who have proposed their amendments, and more than 20 Members who have spoken on the motion. Members have expressed many views on the motion moved by Mr Michael TIEN today. I will take their valuable views back to the Government for internal consideration and study on their feasibility. Later on, the Under Secretary for Education will also respond to the key recommendations on education-related issues.

As many parts of my opening speech are similar or identical to the views expressed by the Members concerned, I am not going to repeat them now. However, I would like to bring up some key points again as follows:

Members are also very concerned about the mandatory reporting mechanism on child abuse cases. As I have mentioned in my opening speech, the Labour and Welfare Bureau ("LWB") has taken the lead in setting up a cross-bureau working group which is working full steam ahead with the aim of introducing a bill into the Legislative Council in the first half of 2023. Our plan is to consult stakeholders in the relevant sectors, including more than 10 different professions, on the implementation details of the mandatory reporting mechanism on child abuse cases in the third quarter of this year, i.e. two months later. The outcome of the consultation will be reported to the Panel on Welfare Services in the fourth quarter of this year, followed by the introduction of the relevant bill next year.

LWB is currently studying and considering how to implement the recommendations of the Law Reform Commission on the offence of “failure to protect”.

Members are also concerned about the review of residential child care services (“RCCS”). While I have already mentioned the content and details of the review in my opening speech, I would like to add one point: We have adjusted the manning ratios for child care services in 2019. For example, child care workers serving in aided day child care centres has been enhanced from 1:8 to 1:6 for children aged zero to under two, and from 1:14 to 1:11 for children aged two to under three. As we have said back then, this was a phased adjustment which could not be improved to a higher level in one go given that it was not easy for staffing and recruitment work to be immediately available. The manning ratios are also one of the aspects of the recent review of RCCS.

With regard to the Children Proceedings (Parental Responsibility) Bill (“the Bill”) mentioned by Mr LAM San-keung in his amendment and speech, the Government launched a public consultation on the Bill between November 2015 and March 2016. The outcome of the consultation have shown an equal split between supporters and opponents of the Bill, each accounting for about 30%, with another nearly 30% of people offering “conditional support” to the Bill. **(Appendix 3)** For this reason, and taking into account the views of Members back then, LWB reported to the Legislative Council Panel on Welfare Services in 2018 that it had decided not to proceed with the legislation for the time being, while at the same time stressing the need to strengthen the support services for divorced families. In fact, all these initiatives have already been implemented at present. We will therefore continue to monitor stakeholders’ acceptance of the legislative proposal. In particular, we need to consider whether the concerns of those who opposed the legislation back then can be allayed before further considering the way forward for the legislative proposal.

Some Members have mentioned that these services are being provided by non-governmental organizations (“NGOs”) through the Government’s lump sum grant. I must emphasize again that the operation of the services by NGOs facilitates tripartite collaboration among the Government, the community and society. While the services are being outsourced, at the end of the day, the ultimate responsibility for the protection of children and their well-being actually lies with the community as well as the Government.

We will examine the views of some Members about the role of certain types of workers after we return to office. For example, at this Council meeting, some Members have raised the question of whether property management (“PM”) workers can also offer assistance. We will study this suggestion later. However, we have to deal with it very carefully in view of the rather complicated relationship between PM workers and tenants. However, as Members may have heard, we have been urging PM workers to assist in keeping a watch on dementia patients in recent years, which is indeed a community force we should consider utilizing more often.

Mr SHIU Ka-fai’s suggestion is broadly about whether child care training can be matched with certain types of subsidies. We will look into this suggestion after we return to our office. That being said, it may be somewhat controversial to suggest providing subsidies for people taking up certain job responsibilities.

President, as I have said in my opening speech, the Government attaches great importance to protecting the best interests of children. We also hope that Members will make concerted efforts to examine these issues. I will bring the views expressed by Members today back to the Government for internal study and deliberation, and I would like to thank Members again for their views and suggestions.

I so submit. Thank you, President.

UNDER SECRETARY FOR EDUCATION (in Cantonese): President, I would like to thank Mr Michael TIEN for proposing the motion and the six Members for proposing the amendments, as well as the many Members who have given valuable views in their speeches. Like Honourable Members, we attach great importance to the well-being of children. To ensure that every child is properly protected against harm, the Education Bureau (“EDB”) has been enhancing the teaching profession as well as strengthening and implementing various measures in recent years. I would respond succinctly by consolidating the views raised by Members in respect of education.

To start with, regarding the prevention and early identification of suspected child abuse cases, EDB updated the relevant circulars and relevant contents of the School Administration Guide in May 2020 to provide primary and secondary schools with specific and clear guidelines for handling suspected child abuse cases.

Corresponding information has also been added to the Operational Manual for Pre-primary Institutions and the Kindergarten Administration Guide for reference by pre-primary institutions. As we all know, all schools should operate in compliance with the relevant laws under the Education Ordinance and the instructions of the school sponsoring bodies to demonstrate professional accountability. Schools have an indispensable role in protecting the children. When a child is suspected of being abused, the school should act in accordance with practices of the education profession and comply with the “Protecting Children from Maltreatment—Procedural Guide for Multi-disciplinary Co-operation” drawn up by the Social Welfare Department (“SWD”) to take appropriate measures immediately to protect the child.

Insofar as the report mechanism for school absentees is concerned, EDB has proactively strengthened the measures of kindergartens, primary and secondary schools in relation to the reporting, notification and handling of non-attendance cases. Primary and secondary schools are required to report students’ non-attendance to EDB on the seventh day of student’s continuous absence regardless of the reasons. If a student or his/her family is found to have problems or needs apart from non-attendance, including suspected child abuse, the case will be referred to SWD, relevant social service organizations or the Hong Kong Police Force (“HKPF”) for follow up.

At the same time, EDB issued a circular to all kindergartens across the territory in 2018, which set out that kindergartens must report to EDB students’ absence for seven consecutive school days if such absence is without reasons or under doubtful circumstances. If the school suspects or discovers that a student is subject to abuse, even if the student concerned has not been absent or is absent for fewer than seven school days, the school should handle the case by referring to the relevant guidelines issued by SWD and report to EDB as appropriate.

We hope to assist kindergartens, primary and secondary schools in achieving early identification of suspected child abuse cases through the aforesaid measures of reporting and handling non-attendance cases.

In respect of enhancing the capability of school personnel, including school principals, teachers and teaching staff, in handling suspected child abuse cases, in recent years, EDB has also worked closely with SWD and HKPF to organize a number of relevant seminars and workshops for teachers every year with a view to enhancing the knowledge and skills of school personnel in handling child abuse

cases. Moreover, we have commissioned tertiary institutions every year to provide Certificate Courses on Student Guidance and Discipline for teachers of primary and secondary schools which cover various modules on “child abuse” and “sexual assaults upon children”, etc. In order to enable school personnel to participate in the relevant training more flexibly, we have launched an online self-learning programme entitled “early identification and handling of suspected child abuse cases” in May this year, so as to facilitate teachers to enhance their professional competence, awareness and sensitivity for early identification and handling of child abuse cases.

In addition, some Members have raised concerns about the ethical standards of teachers a moment ago. In this regard, I would like to reiterate that EDB attaches great importance to the professional ethics and conduct of teachers. We will handle and follow up seriously those teachers who have been involved in misconduct. Acts causing harm to children is absolutely not allowed to ensure their healthy growth.

On the front of introducing support and intervention measures, EDB has increased the number of social workers to strengthen professional support. At present, schools are staffed with professionals, including guidance personnel and school social workers, etc., to provide students in need with necessary support. Starting from the 2018-2019 school year, the Government has implemented the “one school social worker for each school” policy in primary schools and improved the establishment of school social workers in special schools, whereas the arrangement of “two school social workers for each school” has been implemented since the 2019-2020 school year. As for kindergartens, SWD has also launched a pilot scheme to provide social work service for pre-primary children commencing from February 2019, under which eligible pre-primary institutions are provided with school social work service in phases to offer more appropriate care for children.

A number of Members have mentioned the importance of parent education in their earlier speeches. As a matter of fact, the family plays a pivotal role in child protection. EDB has been actively promoting home-school cooperation to forge home-school partnership. We are currently launching the territory-wide Positive Parent Campaign to promote parent education through extensive and diversified publicity channels to foster parents’ positive thinking, with a view to helping their children to grow up happily. In the future, we will continue to promote the participation of schools, the Committee on Home-School

Co-operation, the Federations of Parent-Teacher Associations and the community to facilitate parents to nurture positive attitudes in their children. Besides, we have launched a one-stop website in respect of parent education, called “Smart Parent Net”, to provide parents with useful information such as parenting skills and parent-child communication. This will support parents to build up good parent-child relationship and foster the physical and psychological development of their children.

We hope to further strengthen home-school cooperation through the participation of various stakeholders, such that parents can foster their children’s growth with a positive attitude in order to prevent the occurrence of child abuse incidents.

Enhancing students’ awareness of self-protection is also very important in child protection. EDB has enhanced the learning element of self-protection by students in the curricula of kindergartens, primary and secondary schools. Relevant topics and teaching contents have been clearly stated in the relevant curriculum guides. At the same time, we also encourage schools to help students learn how to protect their bodies at weekly assemblies or in class teacher lessons, etc., so that they know how to seek help and guidance when they run into trouble for the sake of receiving timely and appropriate assistance at an early stage.

EDB has been encouraging schools to adopt the Whole School Approach to provide students with comprehensive and extensive guidance service and support. In fact, we cannot rely solely on individual posts or simple and quantifiable measures to prevent and handle suspected child abuse cases. Child protection warrants the joint efforts of all teaching staff, professional personnel and parents. They should stay vigilant and understand students’ conditions through various channels such as observation in daily life, interviews and schoolwork by employing diversified means, and follow up in a timely manner.

Lastly, I hope that different stakeholders in society will make concerted efforts to protect the children so that they can grow up happily in a safe and caring environment with lots of love.

President, I so submit.

PRESIDENT (in Cantonese): I now call upon Mr LUK Chung-hung to move an amendment.

MR LUK CHUNG-HUNG (in Cantonese): President, I move my amendment.

The amendment moved by Mr LUK Chung-hung (See the marked-up version at Appendix 4)

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment moved by Mr LUK Chung-hung be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the amendment passed.

PRESIDENT (in Cantonese): Mr LAM San-keung, as Mr LUK Chung-hung's amendment has been passed, you may move your further amendment.

MR LAM SAN-KEUNG (in Cantonese): President, I move my further amendment.

The further amendment moved by Mr LAM San-keung (See the marked-up version at Appendix 5)

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mr LAM San-keung's further amendment be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the amendment passed.

PRESIDENT (in Cantonese): Dr Stephen WONG, as the amendments of Mr LUK Chung-hung and Mr LAM San-keung have been passed, you may move your further amendment.

DR STEPHEN WONG (in Cantonese): President, I move my further amendment.

The further amendment moved by Dr Stephen WONG (See the marked-up version at Appendix 6)

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Dr Stephen WONG's further amendment be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the amendment passed.

PRESIDENT (in Cantonese): Mr Stanley LI, as the amendments of Mr LUK Chung-hung, Mr LAM San-keung and Dr Stephen WONG have been passed, you may move your further amendment.

MR STANLEY LI (in Cantonese): President, I move my further amendment.

The further amendment moved by Mr Stanley LI (See the marked-up version at Appendix 7)

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mr Stanley LI's further amendment be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the amendment passed.

PRESIDENT (in Cantonese): Dr Hoey Simon LEE, as the amendments of Mr LUK Chung-hung, Mr LAM San-keung, Dr Stephen WONG and Mr Stanley LI have been passed, you may move your further amendment.

DR HOEY SIMON LEE (in Cantonese): President, I move my further amendment.

The further amendment moved by Dr Hoey Simon LEE (See the marked-up version at Appendix 8)

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Dr Hoey Simon LEE's further amendment be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the amendment passed.

PRESIDENT (in Cantonese): Ms Maggie CHAN, as the amendments of Mr LUK Chung-hung, Mr LAM San-keung, Dr Stephen WONG, Mr Stanley LI and Dr Hoey Simon LEE have been passed, you may move your further amendment.

MS MAGGIE CHAN (in Cantonese): President, I move my further amendment.

The further amendment moved by Ms Maggie CHAN (See the marked-up version at Appendix 9)

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Ms Maggie CHAN's further amendment moved by be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the amendment passed.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Michael TIEN, as amended by Mr LUK Chung-hung, Mr LAM San-keung, Dr Stephen WONG, Mr Stanley LI, Dr Hoey Simon LEE and Ms Maggie CHAN, 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 the Election Committee and those returned by functional constituencies and geographical constituencies.

I declare the motion as amended passed.

PRESIDENT (in Cantonese): Member's motion with no legislative effect.

Mr LAM Chun-sing will move a motion on "Promoting the development of vocational education and nurturing talents to establish multiple pathways".

Eleven Members will move amendments to the motion.

This Council will proceed to a joint debate on the motion and the amendments.

Later, I will first call upon Mr LAM Chun-sing to speak and move the motion. Then I will call upon Mr Dennis LEUNG, Mr YIM Kong, Mr Sunny

TAN, Dr Dennis LAM, Ms LAM So-wai, Dr Stephen WONG, Mr Rock CHEN, Mr Benson LUK, Dr Johnny NG, Dr CHOW Man-kong and Mr CHAN Kin-por to speak in sequence, but they may not move their amendments at this stage.

The joint debate now begins. Members who wish to speak please press the “Request to speak” button.

I now call upon Mr LAM Chun-sing to speak and move the motion.

MOTION ON “PROMOTING THE DEVELOPMENT OF VOCATIONAL EDUCATION AND NURTURING TALENTS TO ESTABLISH MULTIPLE PATHWAYS”

MR LAM CHUN-SING (in Cantonese): Thank you, President. I move the motion as printed on the Agenda and that is, the motion on “Promoting the development of vocational education and nurturing talents to establish multiple pathways”. Let me first declare that I am a member of the Steering Committee on Promotion of Vocational and Professional Education and Training and Qualifications Framework.

When I started to engage in union work a decade or so ago, I came into contact with many workers in the transportation industry and they often said to me: “Son, we did not study hard when we were young, so we had to work in the transportation sector after we grew up, and this is just the way it goes!” But nowadays, we often hear of “advanced logistics development”, “smart port”, etc., and for people engaging in the transportation sector, do they only need to know how to drive or engage in manual labour work as in the past, or do they also need to acquire other new skills? Following the development of technology and transformation of industries, the traditional, homogenous academic education can no longer cope with the development of productivity in society. It is also vitally important to develop vocational education and nurture talents.

Vocational education in Hong Kong can be traced back to the 1930s of the last century the earliest when the first technical school came into being, and then the 1970s and 1980s of the last century saw the emergence of technical schools and prevocational schools to train manpower for the manufacturing sector and technical jobs, and many Hong Kong people were able to support the living of the whole

family by acquiring a specialty or skill. However, as factories relocated northward and industries faded away, the relevant vocational schools also declined as a result. Since then, secondary schools have gradually put emphasis on traditional academic subjects. The International Labour Organization pointed out as early as in 2012 that the situation of youth employment in the G20 countries remained critical as the youth unemployment rate was persistently high and suggested that apprenticeship training should be enhanced to effectively increase the youth employment rate. The Hong Kong Government also recognized the need to attach importance to the development of vocational education afresh and set up the Task Force on Promotion of Vocational Education in 2014 as well as the Task Force on Promotion of Vocational and Professional Education and Training in 2018. The effectiveness of the relevant policies remains to be seen, and in the meantime, there is still a lot of room for improvement.

According to the statistics in 2018, the participation rate of senior secondary students in applied and vocational education was between 10% and 15% in Hong Kong, which was far below the average level of 42% of the Organisation for Economic Co-operation and Development. Besides, the associate degree system has been implemented for over two decades, and while its graduates do not enjoy advantages in entering the job market, it also competes for students directly with traditional vocational education and disciplines relating to technical skills. However, as associate degree is not highly recognized in society, many graduates cannot find their ideal jobs and are caught in the embarrassing dilemma of being unfit for higher posts but unwilling to take lower ones. On the contrary, the traditional technical industries are experiencing a shortage of young entrants, and a serious mismatch of manpower resources is thus resulted in Hong Kong. The authorities should review the associate degree system and establish a clear, well-defined and diverse pathway for pursuing studies in disciplines and degrees of applied learning. In December 2020, the Education Bureau launched a pilot project under which four applied degree programmes were introduced. I suggest that the Government can be more aggressive in the pace of its promotion of applied degrees in order to upgrade the status of applied degrees more comprehensively, while significantly increasing the participation of the industries in curriculum design and workplace training. Only in this way can we improve the quality of talents in the industries and gain recognition in society, so that young people can see the progression ladder of vocational and professional education and also see the pathway for their career development.

Moreover, the Vocational Training Council (“VTC”) is running the Apprenticeship Scheme under the Apprenticeship Ordinance (“the Ordinance”), with about 4 000 apprentices being trained in more than 100 trades or occupations each year. The scheme provides training mainly to young people aged 14 or above but below 19, and these young people who engaged in a designated trade under the Ordinance must enter into an apprenticeship contract with the employer. Specified trades under the Ordinance include carpenter, electrician, metal or hardware worker, vehicle repairer, etc. However, the Ordinance, which was enacted in 1976, should be reviewed. During the past four decades, the education system in Hong Kong has been changing. This, coupled with the emergence of many new trades and job types, has made it necessary for the Government to review the Ordinance in respect of, say, the age of participants, the scope of designated trades, the amount of apprenticeship allowance under the “First-Hire-Then-Train” approach, etc., in order to provide a more attractive option for young people aspiring to pursue vocational education.

Employers’ participation is the key to the success of vocational education. In its Report No. 77 published in 2021, the Audit Commission mentioned the Youth College of VTC and noted that not many employers joined the Workplace Learning and Assessment (“WLA”), and in the last two academic years, only 112 employers and 116 employers participated in the Earn and Learn Scheme respectively. The students were generally satisfied with WLA and acknowledged that WLA had helped them understand more about the work requirements on the job and identify areas for improvement. The employers also agreed that WLA could improve workplace training in a structured manner. Therefore, the Audit Commission considered that the Youth College would need to take measures to encourage more employers to join WLA. This also reflects that it is not common for employers in Hong Kong to participate in vocational education and provide internship opportunities for young people. This is especially so for operators of small and medium enterprises (“SMEs”) as it is very difficult for them to provide additional resources to create trainee positions due to problems with the operating costs. The Government should allocate resources to support SMEs and encourage them to create trainee positions, so that young people can obtain more hands-on work experience and this will, in turn, attract young people to join the relevant industries in the long run. For instance, the German Government has provided enterprises with commercial incentives to encourage them to participate in apprenticeship

programmes. As a result, 20% of German enterprises participated in vocational education, providing hundreds of thousands of apprenticeship training places, and after the trainees have successfully obtained certification of their qualification, they can become full-time employees of the enterprises where they received training. From this we can see that the active participation of enterprises is the key to the success of vocational education in Germany.

In the report of the Task Force on Promotion of Vocational Education published in 2015, only 37% of secondary school teachers considered that vocational education had a fairly positive or very positive image in Hong Kong, and 28% of parents of secondary school students would not advise their students to take vocational education courses. Regarding career prospect, only 50% of secondary school students and 56% of their parents considered that vocational education offered good career prospects. Besides, 44% of secondary school students, 57% of their parents and 48% of secondary school teachers did not believe graduates of vocational education could earn a salary comparable to that of a degree graduate in general. I hope that when the same survey is conducted a few years later, there will be changes in the public's perception of vocational and professional education.

This motion today can be taken as a continuation of Mr Sunny TAN's motion last week about promoting re-industrialization in Hong Kong, as many Members have said that re-industrialization requires the support of vocational education and talent training. I also hope that in the future, the Chinese character “工” (meaning work or worker) as in “再工業化” (meaning reindustrialization) will no longer carry the meaning that “blue-collar workers will not have a bright future”. In this connection, I urge the Government to comprehensively review the existing education policy to strengthen the development of vocational and professional education, so as to nurture diverse talents for Hong Kong and pass on technical skills, and in turn realize diversified development of industries in Hong Kong and create more quality employment opportunities. I am grateful to the 11 Members who have proposed an amendment to the motion. I will also listen carefully to the valuable views of other Members on this motion.

President, I so submit.

Mr LAM Chun-sing moved the following motion: (Translation)

“That given the serious mismatch of manpower resources in Hong Kong, this Council urges the Government to comprehensively review the existing education policy to strengthen the development of vocational education and enhance the recognition of Applied Learning subjects, and to review the apprenticeship system, so as to nurture diverse talents for Hong Kong and pass on technical skills, and in turn realize diversified development of industries in Hong Kong and create more quality employment opportunities, as well as to strengthen Hong Kong’s competitiveness with a view to promoting upward social mobility.”

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr LAM Chun-sing be passed.

MR DENNIS LEUNG (in Cantonese): Thank you, President. President, “every trade has its master”, and we hear and say it a lot. And it has long been proven that no matter in what industry, one who pays full attention and works hard will always have good prospects and even make different achievements.

Having said that, when making plans for the education and future of their children, many parents often put this saying out of their minds. Parents are always worried that their children lag behind others in school and that if their children are not up to par in examinations, they will have to take up manual labour jobs in the future, in which case they will have to work laboriously without a future. This perception, though natural and normal, is not all true.

A reason for this perception is that society still considers traditional academic education a superior kind of education, thinking that only the high performers in school can land good jobs and that non-academic achievements seem to be unorthodox. This perception has long taken root in the minds of many people, especially parents, resulting in the distorted culture that students who go to a university have a bright future whereas those who do not are doomed.

The Hong Kong Federation of Trade Unions has all along proposed a dual-track academic and vocational training system. For education, choices should be provided; for a person's future, there should be choices too. It is only when students have choices that they will have a sense of satisfaction in studies or learning and that they can study and learn effectively, thus truly achieving the objective of joyful learning as advocated by the Education Bureau and many schools. Learning that goes hand in hand with an individual's personality, interests and competence can achieve twice the result with half the effort, or else it will only lead to stress, stress and stress.

In fact, taking an overview of the global social and economic development, we will see that homogenous academic education has long become obsolete. We need both professionals and all-rounders. Hong Kong is a pluralistic society, and there should be prospects for development in all trades and industries. If we keep on putting emphasis on the "four pillar industries" only, we will be like in a parallel universe and becoming out of step with the world. For some issues, either we keep progressing or we keep falling behind. The present-day Hong Kong needs talents with different vocational skills in order to support the development of the whole society.

The prevalence of the novel coronavirus epidemic and the rapid deterioration of the economic conditions in the past few years have precisely highlighted the lack of diverse talents in the labour market. Society attaches importance to knowledge but in developing academic education, we should at the same time strengthen vocational education. Only when vocational and academic education are developed in parallel can we tailor teaching to students' varied abilities and nurture our next generation truly in a healthy manner.

As I mentioned in my amendment, it is necessary for the SAR Government to review the dual-track academic and vocational training system and formulate afresh policies on vocational education. On 1 May, the Mainland Government introduced the newly revised Vocational Education Law. The objective is to establish a vocational education system that can effectively integrate mainstream academic education with vocational training to tie in with the development of the country and the people, so that everyone can take part and work in society to make contributions to society.

In the new era and under the new environment, new system and new normal, Hong Kong will need to improve the school system and also improve school education. In order to effectively promote vocational education, we must start early at the secondary level. Secondary education is an important milestone for young people to identify their strengths and understand themselves. The Education Bureau should improve school education to enable students of lower academic ability to choose to take part in vocational skills training. This will enable them to learn according to their personal interests and competence on the one hand and help them enhance their competitiveness on the other. These are the areas that the Government should work on in respect of youth development in the future, and this is also helpful to reducing youth problems, such as being unable to take up work and play a part in society and the economy and taking a negative attitude towards life and other social problems.

President, talents are an important resource for which all places in the world are competing, and nurturing talents properly to meet the needs of society is a key area of work of various countries and governments. Hong Kong is no exception. Our country has already revised the Vocational Education Law, and Hong Kong really cannot be absent from this. However, the work on vocational education in Hong Kong is too fragmentary now and as different Policy Bureaux and departments work separately on their own, it is actually impossible to consolidate the resources and utilize them in a coordinated manner; nor is it possible to comprehensively provide support for people in all age groups and with varying skills, thus wasting talents and resources. This is an issue that the SAR Government needs to address squarely and resolve.

President, I implore Members to support the original motion and the amendments. I so submit.

MR YIM KONG (in Cantonese): President, I am very grateful to Mr LAM Chun-sing for proposing this motion. Now at a critical stage of progressing “from governance to prosperity”, Hong Kong, faced with many problems and challenges, needs to vigorously develop its economy, improve people’s livelihood and continuously enhance its competitiveness. And to achieve them, talents are the key.

We note that Hong Kong has a declining and ageing labour force. Government statistics show that in 2021, as compared to five years ago, Hong Kong’s labour force dropped by 1.3%; the median age of the labour force increased

by 1.6 years to 43.9 years; and the share of the labour force aged 65 and over rose by 1.7 percentage points to 4.5%. The ageing problem is very serious for some industries, such as manufacturing, construction and transportation.

Hong Kong is also plagued with the high youth unemployment rate and the lack of upward mobility opportunities for young people. According to government statistics, the unemployment rate in 2021 was 15.6% for young people aged 15 to 19 and 8.1% for those aged 20 to 29, both way higher than the overall 5.2% for Hong Kong.

Nurturing talents and improving the quality and skills of the labour force are the main approaches to cope with the declining and ageing labour force. Vocational education is one of the most important ways to nurture talents and to which the Government and society should attach importance.

The apprenticeship in vocational education can help young people pursue continuous learning and skill enhancement on the basis of stable jobs and income, promoting the employment development of young people and, at the same time, training technical talents for industries and enterprises having such needs to increase their productivity. Many developed countries place emphasis on the vocational education system. Germany's dual vocational education model, for example, is characterized by the complementary cooperation between enterprises and schools, as well as giving full play to the guidance role of enterprises. Among local secondary school students, 75% of them entered the vocational education system after graduation, and each year the number of skilled workers thus nurtured accounted for more than 8% of Germany's employment size, rendering strong support to boost Germany's economic development and competitiveness. Many Mainland cities, including Shenzhen, have in recent years begun to step up the promotion of a new system that places equal emphasis on vocational education and national tertiary education.

Given the early enactment of the Apprenticeship Ordinance in Hong Kong, in recent years the SAR Government has also provided apprentices and employers participating in the Apprenticeship Scheme with many incentives, such as the introduction of the Earn & Learn Scheme. However, in general, the effectiveness of the apprenticeship system has left much to be desired. According to the data of the Labour and Welfare Bureau, the number of registered apprentices had fluctuated around 6 000-odd each year between 2016 and 2019 and had been on a downward trend.

The Government can learn from the experience of Germany and other developed countries and combine it with Hong Kong's actual environment to further improve our apprenticeship system and strengthen employment guidance and other related measures. Such measures include stepping up the publicity of apprenticeship, providing more vocational training and employment support for apprentices, giving further concessions for apprenticeship fees, and providing employers participating in the scheme with time-limited government subsidies, so as to encourage more employers to join the drive to nurture Hong Kong's future professional talents.

With these remarks, President, I support the motion.

MR SUNNY TAN (in Cantonese): President, I am very grateful to Mr LAM Chun-sing for proposing the motion on “Promoting the development of vocational education and nurturing talents to establish multiple pathways”. The country has clearly defined in the 14th Five-Year Plan the new positioning of Hong Kong as a major centre/hub in eight areas, including becoming an international centre for innovation and technology, to promote Hong Kong's economic growth and accelerate its integration into the overall development of the country while fostering the diversified development of industries. As such, the demand for professional and technical talents in Hong Kong has surged and thus given rise to an urgent need to improve the policy on vocational and professional education and training (“VPET”).

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

VPET is an integral part of Hong Kong's education regime, offering diploma, higher diploma to bachelor's degree programmes that nurture technical workers to support the development of over 20 industries in Hong Kong. However, due to the existing education system's emphasis on academic studies, VPET has not yet been given the full recognition it deserves in society. Also, parents and students are deterred by the absence of government funding for many bachelor programmes in applied sciences.

To meet the demand for technical professionals now and, more importantly, in the future, I believe it is imperative for Hong Kong to establish a

government-funded university of applied science so that the positioning of VPET can be on par with that of traditional academic universities.

It is a national and international trend to raise the status of VPET. In the Mainland, in recent years not only have hundreds of traditional academic universities been selected on a trial basis to be converted into universities of applied sciences that emphasize both practice and applied sciences and technology, at the end of 2018 the Ministry of Education also approved the establishment of a new public university of applied sciences, namely the nearby Shenzhen Technology University. This university goes along “the integration of industries and education and the cooperation between schools and enterprises” as the new path of education provision, seeking to become a world-class high-level applied technology university. Hong Kong should learn from it.

In other countries, such as Finland and Switzerland whose population is only a few million, there are respectively 25 and 8 universities of applied sciences, most of which are government-funded.

I understand the planning and preparatory work for the establishment a new university entail manifold factors and complex procedures. To ensure that Hong Kong does not lag behind the rest of the world in the nurturing of professional talents, I propose that the Government first upgrade the Technological and Higher Education Institute of Hong Kong under the Vocational Training Council to a public university of applied sciences and, through the Study Subsidy Scheme for Designated Professions/Sectors fund more currently excluded applied degree programmes. In the long run, we should examine the feasibility of consolidating the applied degree programmes and resources of other institutions to improve the scale and quality of the university of applied sciences, with a view to meeting the needs of Hong Kong’s future development.

With the university of applied sciences, Hong Kong can enter into mutually beneficial partnerships with other universities of applied sciences in the country and abroad, including setting up campuses in the Guangdong-Hong Kong-Macao Greater Bay Area (“GBA”) to strengthen the mutual recognition of VPET programmes and, more importantly, qualification standards in GBA and also to enhance the recognition of Hong Kong’s vocational education programmes. I hope the Government will also provide more support for Hong Kong students attending vocational education programmes to encourage them to engage in exchange, internships and employment in GBA and other Mainland cities, so that

they can take advantage of the development opportunities brought about by the National 14th Five-Year Plan.

In addition, I think the Government should also strengthen the promotion of VPET in secondary schools, including encouraging the industries to cooperate with schools in organizing VPET activities and arranging student exchange trips to the Mainland, so as to help young people make life planning and explore multiple pathways at an early stage.

I hope that the Government will take up my aforementioned suggestions and promote the parallel development of VPET and academic education pathways on various fronts to build a diversified talent pool for Hong Kong's future development, thereby facilitating the upgrading and transformation of industries, strengthening competitiveness and contributing to the economic development of the country.

DR DENNIS LAM (in Cantonese): Thank you, Deputy President. First of all, I would like to thank Mr LAM Chun-sing for proposing the motion today. Vocational education is an important component in nurturing the next generation and also an important element in the training of suitable talents for the more diversified development of Hong Kong. However, the Hong Kong society still regards traditional university programmes as the only way leading to a “promising and lucrative” future. Vocational education is only the last resort without much recognition. Students are afraid to step out of the traditional boundary to pursue non-academic career interests. Ultimately, a mismatch of human resources has arisen in Hong Kong, undermining our competitiveness.

In my view, vocational education and life planning are inseparable, so I have proposed an amendment. In 2015, the Task Force on Promotion of Vocational Education published a report that connect career and life planning with vocational education, and recommended that the Education Bureau encourage secondary schools to carry out career and life planning education to help students understand themselves and explore different pathways.

In recent years, the Education Bureau has actually invested a lot of resources in the promotion of life planning, including providing secondary schools offering senior secondary curriculum an annual subsidy of \$500,000 since 2014-2015, which was further increased to \$600,000 from 2019-2020. And last year, it was announced that life planning education would commence at junior secondary

levels. A dedicated website has also been set up as a channel to provide students, teachers and parents with information and activities of different industries.

However, the life planning education in many schools only entails inviting career guidance counsellors to hold seminars or alumni to share their experiences. It only gives students some initial understanding while teachers can hardly grasp the nature and latest information of different industries to provide useful advice. In an examination-based environment, life planning and vocational education have not been as effective as they should be.

In this connection, I am of the view that the Education Bureau can make reference to the practices of countries like Singapore and Denmark and set annual standard learning hours for life planning and vocational education in schools, so that students can spare some time to explore their personal interests and abilities, set goals and gradually form their career orientation, which will be incorporated into their course selections. It will also enable students to have more time and opportunities to participate in industry visits, job shadowing activities, internships, etc.

Moreover, the Education Bureau should also promote the integration of industries and education and the cooperation between schools and enterprises, so as to attract more young people to receive vocational education and nurture more high-quality skilled talents. The integration of industries and education, as the phrase suggests, means an education model under which talents training, scientific research, and technological services are unified and conducted in schools.

As a reference, as at 2020, the Central Government has in recent years supported the establishment of more than 800 enterprises integrating industries with education. Such enterprises can, for example, establish their own associated vocational colleges or enlist the cooperation of other vocational colleges. The advantage of this approach is that it can train professionals to meet the human resource needs of the market and enterprises, so that school education and vocational practice can complement each other to support the development of the industries in the long run. Similar arrangements, if adopted locally, can presumably help establish a vocational education model suitable for Hong Kong's situation.

With these remarks, Deputy President, I support the original motion and other amendments.

DR STEPHEN WONG (in Cantonese): Deputy President, promotion of vocational and professional education and training and establishment of multiple pathways are topics that have been discussed for many years and also one of my concern. Over the years, the Government has taken some proactive measures, such as the introduction of the Qualifications Framework (“QF”) in 2008, the development of the self-financing sector, the introduction of Applied Learning (“ApL”) subjects into the Hong Kong Diploma of Secondary Education Examination subsequently, and the Applied Degree Programmes to be launched this year. However, how can we integrate the talent policy and consolidate resources from different sectors of society to truly provide multiple pathways for young people with different competencies and talents, thereby supporting our development into the future centres/hubs in the eight areas as set out in the 14th Five-Year Plan?

I support the motion proposed by Mr LAM Chun-sing and would like to propose an amendment as a supplement. I will now focus my discussion on four points. Firstly, to effect unconscious, imperceptible changes in the culture, the first thing to do is proper top-level planning. I consider top-level planning a relatively inadequate aspect in various policy areas in Hong Kong. The Government should not look at a certain industry alone and treat the symptoms rather than the disease when there is a shortage of talents. On the contrary, the Government must take the lead in planning, formulating and promoting the overall development direction of various trades and industries. When various trades and industries, one after another, need to upgrade and transform, it should keep one step ahead of the demand to integrate and coordinate efforts across bureaux to implement relevant human resources policies.

Secondly, it is necessary to review the existing curriculum and admission mechanism. This covers various levels from secondary to post-secondary. Taking ApL subjects in senior secondary levels as an example, I reckon that it would be difficult to bring them on a par with other subjects when the best grade is restricted to be comparable to level 4. For this reason, I opine that the Government must study how to improve the practicality and recognition of the subjects, and further revise the admission mechanism. We should no longer use institutional autonomy as an excuse for inaction, and should not determine a student’s suitability to pursue development in a certain field solely by academic achievement. The School Principal’s Nominations 2.0 Direct Admission Scheme introduced earlier is a case in point. We thought it would be a slight improvement but, in the end, we found out that academic achievement is still used as the primary admission criterion. With regard to the upcoming launch of applied degree

programmes, I find it a must to ensure that it will not be much cry and little wool again. I urge the Government to adopt competency-based admission and attract diverse talents.

The third point is to improve the interface between institutions and various sectors of society, especially enterprises. The Government needs to encourage post-secondary institutions to offer dual-track education programmes in collaboration with the industries and capitalize on the strengths of self-financing institutions to make timely adjustment to the programmes to cater for emerging industries. In fact, education is not the sole responsibility of the education sector. We need to pool together the efforts from all sectors of society, especially the participation of the industries in the entire curriculum cycle. What does that mean? It includes participation in the process of design, evaluation and even instruction to ensure that students are capable of applying in society what they have learned after graduation.

Lastly, there is a need to enhance the recognition of relevant programmes in the industries and encourage everyone to pursue continuous self-improvement and lifelong learning. The Government has been promoting QF for many years, but so far it is still mainly for academic reference purpose, and there is still a long way to go before it can truly become a benchmark for the industries and a progression ladder. Therefore, we need to encourage, through various incentives, the industries, especially small and medium enterprises, to further adopt the industry skills frameworks so as to promote sustained professional development and on-the-job training. In my view, the Government, as a major employer, must take the lead to adopt the framework it created in recruitment, tendering exercises, etc. so that society will consider it convincing.

In conclusion, Hong Kong is facing a major challenge in terms of talents development amid rapidly changing social situations. I urge the Government to play a more active role in the long-term planning of education. It must introduce new ideas and put words into action to build up a pool of future-oriented talents for Hong Kong, provide better upward mobility in terms of employment and enhance long-term competitiveness.

I so submit. Thank you.

MS LAM SO-WAI (in Cantonese): Deputy President, first of all, I thank Mr LAM Chun-sing for proposing this motion, which enables us to put forward our views on vocational education. Recently, the pictures of a meat cutter, “Ah Wai”, have gone viral on the Internet. Given his handsome looks and resemblance to artist “AK”, many housewives went to his stall to buy pork and took selfies with him as if “collecting stamps”. However, as some media called “Ah Wai” the “pork butcher”, a war of words thus broke out online. It has all along been the case that some job types of a technical nature usually give people the impression that they are indecent and unsophisticated, and young people who join these trades are often labelled negatively and even face discrimination. Therefore, my amendment and speech today aim not only to offer my advice and suggestions but also take forward the development of vocational education, and I also hope that the negative perceptions of society can be reversed.

As the saying goes, “there is no job which is too small”. In order for society to move forward, we need the support of a diversity of occupations and job types, but the Hong Kong Government does not seem to understand this. The fifth wave of the epidemic has caused a large number of staff of residential care homes to be infected by the virus, and the residential care homes even faced a collapse of manpower. Eventually the Government had to hastily recruit care workers from the Mainland at a high pay of over \$30,000 to come to our rescue. But then, the controversy of importing foreign labour to the neglect of the local workers was aroused at the same time. This dilemma is precisely one of the adverse consequences of not attaching importance to vocational education in the past.

Actually, even without the impact of the epidemic, the shortage of manpower in the residential care services sector is an indisputable fact. The Government has launched the Navigation Scheme for Young Persons in Care Services to encourage young people to join the elderly and rehabilitation care services sectors. But according to the statistics, following the enhancement of the Scheme in 2020 to 2021, a total of 776 trainees have been recruited but only 340, i.e. less than half of the graduates, joined the care services sector after graduation. Some trainees even expressed the view that no matter how much they like to work in the care services industry or how passionate they are about it, they are, after all, deterred by the reality of low wages, uncertain career prospects, and low recognition for their professional qualification in this industry.

While young people wish to chase their dreams, they still have to make ends meet. To encourage young people to join the industry, the Government should expeditiously enhance the training mechanism of the industry, improve the remuneration of practitioners and the mechanism for their promotion, and establish clear career paths and vocational progression pathways for the industry. In the long run, the Government should establish a professional training institute for care workers to upgrade their professional ethics and professional care knowledge, and help the industry raise its professional image and service standards. Only in this way will young people join the care services sector and see career prospects, thereby attracting talents to join the industry.

Deputy President, vocational education and the development of industries are inseparable. The Future of Jobs Report of the World Economic Forum predicted that by 2025, due to the impact of artificial intelligence, automation, the Internet of Things and big data, the industrial structure of various places will undergo drastic changes. Old industries will decline but new job types will emerge; the onslaught of the pandemic will even accelerate the pace of the development and application of technology, and there will also be changes in the demand for innovation and technology talents in society. In Hong Kong, currently a strange phenomenon is taking place as there is a surplus of technology talents at the lower and middle levels but a shortage of high-level talents. The problem of a manpower mismatch cannot be neglected, and if the situation worsens, the competitiveness of Hong Kong will be seriously undermined.

There is no denying that the education and skills in Hong Kong are indeed incompatible with the job market, and this problem has to be ameliorated as soon as possible. To this end, the Government can carry out work in two respects. First, it should strengthen the ties between institutions and employers by, among others, actively involving employers in the design and assessment of courses, and in formulating standards for examinations and qualification benchmarks to ensure that the courses can genuinely meet the needs of the job market and employers, and also introducing courses on artificial intelligence, automation technology, big data, and so on, to promote technology and innovation. Second, as colleagues mentioned earlier, the Government should review the apprenticeship system to introduce a dual-track vocational education and training system to enable young people to not only practise apprenticeship but also receive classroom teaching, and extend the dual-track system to different trades, education levels and qualification requirements, and also encourage enterprises to provide training places for apprentices in order to broaden the career pathways of trainees.

Deputy President, talents are an important asset of Hong Kong and the future of Hong Kong. Therefore, it is very important to promote the development of vocational education, and the culture of “every trade has its master” is also very important. (*The buzzer sounded*) ... Thank you, Deputy President.

DEPUTY PRESIDENT (in Cantonese): Ms LAM So-wai, your speaking time is up.

Mr Rock CHEN, please speak.

MR ROCK CHEN (in Cantonese): Deputy President, let me first declare an interest. I am the Chairman of the Hong Kong Council for Accreditation of Academic and Vocational Qualifications.

I thank Mr LAM Chun-sing for proposing this motion today because promoting vocational and professional education and training (“VPET”) and nurturing talents to establish multiple pathways is currently a task that Hong Kong should accomplish with priority. The successful promotion of VPET can, on the one hand, help meet the demand for talents in Hong Kong and enhance the matching of manpower resources, but what is equally important is that VPET can provide some young people with a second chance in life. It is because not all young people can succeed in Hong Kong Diploma of Secondary Education Examination but when they failed once in life, it does not mean that they are doomed with no hope, no future. Quite the contrary, young people can choose to pursue VPET based on their talents, interests and passions to avail themselves of multiple career pathways and move up the social ladder.

The SAR Government set up two task forces in 2014 and 2018 respectively to review the development of VPET. The views provided by the task forces mainly revolved around publicity and enhancing the level of awareness of VPET in schools and the recognition for it in society. While these views are all very constructive, I still wish to make three suggestions today.

- (I) To effectively promote VPET, it is necessary to encourage and motivate the full participation of more employers and industry partners. The design and formulation of the curriculum should be

improved according to the requirements of the industries, and it is necessary to increase the number of hours of internships and part-time work, and attach importance to practical work opportunities, so as to provide more down-to-earth and more practical VPET programmes and enhance students' practical skills to meet the needs and expectations of the industries. One of the problems most criticized by the industries is that some graduates of VPET programmes, upon taking up their jobs, cannot fully meet the job requirements, thus making it necessary for their employers to spend a considerable amount of time providing on-the-job training for them.

- (II) A sound VPET system should take into account not only the school stages but also the work stages. Currently there is the Recognition of Prior Learning mechanism under the Qualifications Framework (“QF”), which allows employees in different industries to accumulate work experience, knowledge and skills and then transfer them into recognized qualifications under QF. As QF is an officially recognized and quality-assured system, practitioners in various trades and industries should make full use of this QF platform to obtain recognition for their qualifications and follow the QF ladder to pursue personal advancement and increase their opportunities for upward mobility.
- (III) VPET is closely related to the diversified development of industries in Hong Kong. I suggest that the SAR Government should actively combine the capabilities of the “Government, industry, academia and research” to promote the diversified development of industries, and the most successful example of collaboration among the “Government, industry, academia and research” can actually be found in the Motherland. As early as in 2017, the Ministry of Science and Technology incorporated such enterprises as Baidu, Alibaba and Tencent into the list of “Open Innovation Platforms”, with the Central Government providing funding to them separately as well as support in terms of regulations, data and infrastructure for assigning and guiding these enterprises to specifically promote the application of various innovative technologies. In this connection, I suggest that the SAR Government should formulate an industrial policy, actively

guide the development of industries, put forward the direction of industrial development to the education and business sectors, and provide the necessary assistance to support the development of local enterprises to create more high quality jobs.

Deputy President, I support Mr LAM Chun-sing's motion. I so submit.

MR BENSON LUK (in Cantonese): Thank you, Deputy President. First of all, I very much thank Mr LAM Chun-sing for proposing the motion on “Promoting the development of vocational education and nurturing talents to establish multiple pathways”. The mismatch between vocational education and the actual situation of the industries as well as the needs of economic development in Hong Kong has always aroused great concern. Vocational education enables young people to acquire professional knowledge and practical skills and nurture in them the attitudes required in the industries, so as to prepare young people for their future career development. Meanwhile, vocational education can also nurture the talents required for the future development of Hong Kong. However, there is still room for improvement by the Government in the allocation of resources in these respects.

I wish to bring the voices of young people into this Council. I also believe teacher training is crucial to most education, including vocational education. Therefore, with regard to this motion today, apart from looking at it from a macroscopic perspective of the overall development of our country and Hong Kong, we can also look at it from the perspective of young people and join hands with them in seeing the present and planning for the future.

This is why I have, in my amendment, added “strengthen teacher training on life planning” and “provide more internship opportunities for young people”. I believe these are the elements of improving upward mobility for youth mentioned by the Chief Executive-elect, Mr John LEE, in his election manifesto.

At the schooling stage, the objectives of life planning are to enable students to understand themselves and plan their goals and to equip them with the knowledge of various study, career and training pathways, work ethics and the

working world, so that students can be well-prepared for their future studies and employment.

Vocational education and life planning complement each other, and this is why the role of frontline teachers is vitally important. As HAN Yu said in his works, *On Teacher*, “A teacher is a person who propagates the doctrines, teaches the lessons and solves queries.” Therefore, in schools, apart from enabling students to understand their strengths, weaknesses, characters and mindset, teachers should also have the ability to share with students what industry has what prospects and requirements. To achieve these most desirable effects in teaching, teachers must have a grasp of the situation and knowledge of the relevant industries before they can effectively and accurately guide young people and students in identifying the direction of their career development and assist them to choose a suitable career path.

Of course, the Education Bureau has actually done a lot of work. I understand that the Education Bureau has provided some support measures for schools and teachers, which include compiling the Guide on Life Planning Education and Career Guidance for Secondary Schools and the Information Note on the Framework of Implementation Strategies for Life Planning Education, and so on, but we can see that these are all guidelines on career guidance or teaching activities. Actually these are very important, but when it comes to vocational education, I very much hope that the authorities can assist teachers to better grasp the situation and prospects of various industry segments, so that they will have knowledge of the requirements of various sectors, and after teachers have obtained such knowledge, they can provide guidance to their students, thus demonstrating a “combination punches” approach of vocational education fused with education, guidance and knowledge of industries.

When young people understand their own interests and have acquired the necessary knowledge of the relevant industries, it will be best for them to take part in internships, so that while they can put into practice what they have learned, they can also verify their goals and identify their potentials before they actually start working in society. This way, education and employment can be aligned to maximize the effectiveness of vocation education and hence realizing the objective of “nurturing talents to establish multiple pathways”.

However, due to the impact of the prevailing novel coronavirus epidemic, many enterprises have tightened their spending. A lot of students have told me that it is even more difficult to find paid internship placements over the past two years. In this connection, I have all along suggested that the Government should work with the industrial and commercial sectors to increase the provision of subsidies for enterprises to employ young interns and in particular, providing paid internship placements, while encouraging the local industrial and commercial sectors to offer more jobs to young people, so that they can enrich their resumes and have more career options in the future.

Deputy President, the country will prosper only when young people thrive, and Hong Kong will be strong only when young people are strong. We must properly nurture young talents in order for Hong Kong to gradually achieve industrial diversification and re-industrialization, and only in this way can Hong Kong remain competitive in the long term. I hope that the Government can hear the aspirations of young people, in order to enable young people to truly “see the present and touch the future”.

With these remarks, I support the original motion and the amendments, and I implore Honourable colleagues to support my amendment. Thank you, Deputy President.

DR JOHNNY NG (in Cantonese): Deputy President, first of all, I declare that I am a member of the Employees Retraining Board.

The traditional thinking that “all other pursuits are inferior, intellectuals hold the highest regards” has taken root deeply in the minds of Hong Kong people. Parents hope that their children will be successful. They hope that their children will go to university and become doctors or lawyers when they grow up, and seldom do parents expect their children to develop a thriving career by acquiring a technical skill. This is why education in Hong Kong has been “emphasizing academic studies over application” over the years.

However, following the general trends of globalization and unilateralism, and in order to cope with the new development modes of society, the nature of jobs and the demands for training have changed, with the demand for technical talents rising continuously. The mismatch between academic qualifications and jobs in Hong Kong has become increasingly serious and in particular, as Hong Kong is facing an ageing population and a continuously dropping fertility rate, the

workforce is shrinking. These, coupled with the recent wave of people moving or emigrating abroad, have resulted in a brain drain. To meet the future social and economic development of Hong Kong, it is necessary for the SAR Government to strengthen manpower training by, among others, further enhancing vocational education for it to become a diversified and widely-recognized education system.

(THE PRESIDENT resumed the Chair)

However, how should we enhance vocational education? Which areas should be enhanced? How many programmes or places should be offered? All these require prior planning, and we must not be aimless in taking actions. Therefore, I think the SAR Government must provide support by formulating a comprehensive and long-term population policy and plan ahead for the strategy on manpower demands, so as to establish multiple pathways for young people to dovetail with the development needs of the country and Hong Kong.

Over the years, the numbers of tertiary institutions and places in Hong Kong have increased, and young people have many opportunities to receive university education. Having said that, in present-day society, university graduates are no longer cream of society and do not enjoy obvious advantages in the job market, and worse still, it is often the case that they may join the unemployed ranks right after graduation.

On the other hand, the local universities mainly provide academic degrees and offer comparatively fewer applied degree programmes. Vocational education is mainly undertaken by the Vocational Training Council but many graduates do not have the opportunity to give play to their talents and tend to seek for university admission again or take top-up degree programmes at their own cost. Yet, graduates of top-up degree programmes are caught in the situation where they are unfit for higher posts but unwilling to take lower ones. Apart from running up debts, they find it very difficult to put into practice what they have learned.

These problems also have to do with the homogeneity in the industries of Hong Kong over the years. To change the status quo, the SAR Government must consider motivating various local tertiary institutions to provide more applied degrees in the light of the changing needs of society, and also promoting the

transformation of some research universities into applied universities. This is conducive not only to industrial diversification but also to increasing the employment rate of local university graduates and providing opportunities for various types of continued and lifelong learning for the workforce and even to members of the general public in Hong Kong, thereby improving the quality of the manpower resources of Hong Kong.

Apart from increasing the number of places and providing additional resources to promote vocational education, the SAR Government should also take the lead to raise the social status of students of vocational education and change the public perception that blue-collar workers will never be successful. For example, it should further take forward the Qualifications Framework for it to cover all job types, ensure transferability among vocational education, work experience and learning outcomes, enhance the accreditation system, and even upgrade the qualifications of top-up bachelor's degree and even master's degree programmes.

Hong Kong can also draw reference from the practices of other places, such as the dual-track vocation education and training systems in Germany and Switzerland. In 2015, the Legislative Council Panel on Education conducted a duty visit to Germany and Switzerland to study their vocational education and training policies. Both countries have provided young people with more choices and flexibility to choose the pathways of further studies according to their personal preferences and career dreams.

In fact, given continuous technological advancement, and in view of persistent and innovative development in digital technology, artificial intelligence and even "Industry 4.0", coupled with the positioning of Hong Kong as a major centre or hub in eight areas in the National 14th Five-Year Plan, Hong Kong is going to need a large number of applied talents in the future. I hope that the SAR Government can strengthen the policy on vocational education and help promote upward mobility of young people from all walks of life, in order to provide long-term solutions for the problems in such respects as education, employment and entrepreneurship.

With these remarks, President, I support the original motion and all the amendments.

DR CHOW MAN-KONG (in Cantonese): President, first of all, I would like to thank Mr LAM Chun-sing for proposing the original motion and a number of Honourable colleagues for proposing amendments to it.

While unemployment and underemployment are certainly the focus of attention in society, we should pay attention to the other side of the coin, namely the manpower supply-demand imbalance. Statistics indicate a fairly great number of unemployed in the construction industry. Figures from the Census and Statistics Department show that the underemployment rate in the construction industry already reached 6.1% in 2021 alone, and the relevant unemployment rate was as high as 8.1% in the same period. Yet, different chambers of commerce and professional associations have pointed out that the total value of public and private works projects will amount to \$300 billion this year, with a significant increase in the demand for manpower. If the volume of works projects continues to rise in the future, there will be a shortfall of thousands of workers in the industry. A survey conducted by the Hong Kong Construction Association in December last year also indicated that the supply-demand manpower discrepancy on construction sites in Hong Kong was estimated to be 12%. It is evident that Hong Kong's construction industry needs to find ways to attract more new recruits in the future.

Moreover, the elderly care and rehabilitation services industry has been suffering from a chronic shortage of manpower. Not to mention the impact of the epidemic on the industry, in January 2021, the vacancy rates of the three posts, namely personal care workers, ward attendants and home helpers, were all close to 20%. Even though the Social Welfare Department has introduced the Navigation Scheme for Young Persons in Care Services since 2015 to attract new blood to the industry, the wastage rate has remained high. In the first five years, the number of graduates of the Scheme was only about 52% of the admissions, and only 30% stayed in the industry.

As projected in the Report on Manpower Projection to 2027 published by the SAR Government in 2019, Hong Kong will have a staggering 170 000 vacancies in 2027. But what is more noteworthy is that there will be an oversupply of workers with postgraduate qualifications, with a surplus of 16 300. On the contrary, there will be a manpower shortage for lower-qualification positions. The data point to the further worsening of talent mismatch in Hong Kong in the future.

It is a matter of great urgency to strengthen the healthy development of vocational education and enhance its recognition in society, so as to promote the effective matching of human resources in industries. It is worthwhile for Hong Kong to learn from the Mainland's experience of developing vocational education. The Central Authorities issued the guidelines on promoting the high-quality development of modern vocational education last October, which clearly states that vocational education is an important constituent of the national education system and human resources development, and also points out its significance. Moreover, the Vocational Education Law of the People's Republic of China officially came into force this month. It truly frees vocational education from the shackles of "hierarchy" imposed by society, and fully ensure that vocational education, in terms of further studies, employment channels and promotion ladder, is afforded the same importance, competition and development opportunities as traditional education on the policy and legal fronts. This will not only broaden the development pathways of young people and promote upward social mobility, but also enable the country and industries to nurture a sufficient number of necessary talents to meet future challenges.

Singapore, one of the Four Little Dragons, also attaches great importance to the development of vocational education. Since the 1990s, Singapore has carried out reforms to set a clear positioning for the promotion of vocational education, underscoring the concept of "advanced development". In other words, the future trends, planning and development of the national economy and industries are founded on the development of education, and the structures and contents of the curriculum are subject to timely adjustments according to the actual manpower needs in the market.

Therefore, I have proposed the amendment in the hope that the SAR Government can play a more active role in assuming the main responsibility of promoting the development of vocational education. To this end, the Government should examine afresh the policies on and contents of vocational education, applied education and employee retraining in Hong Kong, and conduct a comprehensive strategic study on the medium-to-long term development of the human resources policy in the light of Hong Kong's manpower resource requirement in the next 10 to 20 years to expeditiously work out the way forward. It should make preparations for the diversified industrial talents required by the Hong Kong economy and society in the future, so as to meet the future challenges brought by competitions in the long run and enable the public to share the fruits of economic development (*The buzzer sounded*) ... Thank you, President.

PRESIDENT (in Cantonese): Dr CHOW Man-kong, please stop speaking.

Mr CHAN Kin-por, please speak.

MR CHAN KIN-POR (in Cantonese): In the 1970s and 1980s, vocational education was indeed quite prevalent in Hong Kong. However, given the northern migration of industries, coupled with the development of Hong Kong into a financial centre, the significant increase in university places and other factors, parents all want their children to go to university for better prospects. For this reason, vocational education has fallen out of favour and eventually declined, and Hong Kong's industrial structure has tilted towards financial and professional services. As a result, the pathways for young people have become restricted whereas the opportunities for upward mobility have gradually diminished, and Hong Kong's economy has gradually lost its balance. For its sustainable development, Hong Kong has made great efforts to develop innovation and technology ("I&T") industries in recent years, and re-industrialization centred around I&T is also bound to ensue. Therefore, it is now high time to promote vocational education to tie in with the future development of Hong Kong.

In fact, not everyone is cut out to be a doctor, a lawyer, or an accountant. We should determine the direction of our children's development with regard to their interests and abilities. As the saying goes, "one may distinguish himself in any trade", but many parents find vocational education "second-class" and do not want their children to enrol in it. Therefore, to promote vocational education, the first and foremost task is to change the outdated concept and win public recognition.

To change such public opinions, it is best to draw reference from Germany's vocational education. I propose the amendment today to share with Honourable colleagues the successful experience of Germany, which, I hope, the Government can learn from. I was the president of the Hong Kong branch of a German company for many years and often visited Germany for business, so I have a strong impression of its vocational education. Germany's vocational education can be regarded as the number one of the world. Every year, about half of the students will opt for vocational education when they go to high school, which encompasses the famous dual-track system, under which students concurrently attend classes at school and receive training in enterprises. Given the time limit, I will not go into details today, but will focus the discussion on how to change the public's perception of vocational education taking a leaf out of Germany's book.

Traditionally, Germans have high regard for craftsmanship, and society has always given respect to apprentices-turned-skilled workers in various trades and industries. They have solid professional skills, and many earn more than university graduates. Professionalism is rigorously pursued in every trade. They are meticulous about their workwear, tools and work attitude, which leave people with an extremely professional impression. Many graduates have ascended to managerial positions subsequently, and one had even become the German Chancellor. They are well recognized in society and so parents are willing to send their children to such schools.

In fact, I suggested many years ago that Hong Kong's construction industry learn from the German model, including strengthening the technical contents of various types of work, improving the working environment, dressing in professional workwear and obtaining professional licences. In recent years, the construction industry has gradually moved towards similar development, and now more young people have been attracted to the industry. Accordingly, development towards professionalization will definitely help Hong Kong's vocational education win the recognition of society and, coupled with attractive wages, improve its "second-class" impression.

On the other hand, Germany's vocational education also offers a ladder of further studies, which allow students to obtain degrees or even engineering qualifications and thus enjoy a very wide range of prospects. After completing vocational education at the high school level, students can enrol in a degree programme at a university of applied sciences. Even without going to university, students can still attain qualifications equivalent to a degree through obtaining professional certificates. Frankly speaking, if parents in Hong Kong knew that their children could also get a degree through vocational education programmes and become engineers or even more senior management personnel, they would no doubt look at vocational education in a different light. Hence, the promotion of vocational education in Hong Kong must be accompanied by the establishment of a ladder of further studies.

President, vocational education in Germany is in fact very complex and not all components are suitable for Hong Kong. However, I think the professionalization approach, ladder of further studies and other features are very suitable for Hong Kong, and absolutely merit a detailed study by the Government.

Thank you, President.

SECRETARY FOR EDUCATION (in Cantonese): President, the SAR Government has all along been committed to providing students with diversified and quality education and promoting whole-person development to enable students to choose to pursue education pathways and join industries that best suit their abilities and interests, and make contributions to our society and country and become pillars of society. Vocational and professional education and training (“VPET”) is a major part of the education system in Hong Kong. It has been our policy to provide quality and diversified study pathways with multiple entry and exit points for young people through VPET, so that young people can acquire the skills and knowledge required in society and workplace and lay a solid foundation for further education, employment and lifelong learning.

VPET is provided at different levels of the education system, offering diploma to degree qualifications and beyond. The Government has all along spared no effort in working closely with various sectors and has, from time to time, consulted the stakeholders on the relevant policies and measures for making an overall review, in order to promote VPET in line with the sustainable development of the Hong Kong economy while at the same time attracting young people to choose VPET. At present, many students, parents and employers still do not fully understand VPET, and some parents even regard it as a second-class option. In this connection, the Government set up a Task Force on Promotion of Vocational Education in 2014 to draw up a strategy to promote and raise the public awareness of VPET and recognition of its value. In line with the recommendations of the Task Force, the Government has repositioned VPET and enhanced the relevant work in various aspects, such as the promotional work, provision of information, life planning education, applied learning, and collaboration with the industries.

The current-term Government established the Task Force on Promotion of Vocational and Professional Education and Training in April 2018 to further step up the work on VPET, focusing on four major areas in promoting the development of VPET, which include (1) enhancing the promotion of VPET in secondary education; (2) enhancing the positioning of VPET in higher education;

(3) developing vocational progression pathways; and (4) further strengthening the overall publicity and promotional work. The Government is actively following up the recommendations of the Task Force.

All in all, the Government hopes to improve the progression pathways of VPET by, among others, providing students and parents with an early exposure to VPET and an understanding of the relevant options and opportunities through such elements as life planning and applied learning in secondary education; in respect of post-secondary education, apart from continuing to take forward a number of existing schemes, such as the Study Subsidy Scheme for Designated Professions/Sectors launched in 2015-2016, we are also taking measures such as the pilot project on applied degrees and review of sub-degree education to strengthen the positioning of VPET pathways in post-secondary education and promote the parallel development of the VPET and academic route. We also hope to enable the industries to play a more important role at various levels of VPET. This will help education institutions respond to the manpower needs of the industries and also provide students with more workplace and learning exposures.

The Education Bureau (“EDB”) works closely with other relevant Policy Bureaux and departments to promote VPET. In particular, the Labour and Welfare Bureau and the relevant departments have been conducting, at the macro level, periodic manpower projection exercises, with a view to assessing the broad trends of Hong Kong’s future manpower supply and requirements for the medium term. EDB will, in consultation with the relevant Policy Bureaux, share with education institutions the relevant information on manpower needs in various sectors, so that they can plan their programmes in line with the latest manpower needs in Hong Kong.

In fact, as we can see from the successful international experiences, the support and participation of the industries is pivotal to the promotion of VPET. We are very glad to see that many organizations, enterprises and employers in Hong Kong have been sparing no effort in supporting the Government in promoting

VPET. For example, there is active participation and support from industry representatives in the Industry Training Advisory Committees of the 23 industries under the Qualifications Framework. We are also pleased to see that some public and private organizations established on their own initiative the Corporate Tech Academy Network to nurture a new generation of technical professionals. EDB will continue to work with different sectors in promoting VPET.

I also wish to point out that the promotion of the development of VPET does not only respond to the overall manpower needs in Hong Kong but also enables us to contribute to the development of the Guangdong-Hong Kong-Macao Greater Bay Area and our country. Following the development of our country, the importance of vocational education has become more evident alongside the demand for technical talents in various trades and industries. In April this year, the Vocational Education Law of the People's Republic of China ("the Vocational Education Law") as revised and adopted at the 34th Session of the Standing Committee of the Thirteenth National People's Congress officially came into force on 1 May. The revised Vocational Education Law clearly pointed out that vocational education is a type of education different from and in an important position equal with regular education, that the development of multiple levels and forms of vocational education shall be encouraged, that the integration of industries and education and the cooperation between schools and enterprises shall be adhered to, and that a mechanism for certification, accumulation and conversion of credits, qualifications and other learning outcomes shall be established and improved. This shows that the policy direction of the SAR Government on VPET is consistent with the latest development objectives of the State. We will continue to maintain close liaison and cooperation with the relevant Mainland authorities in the future to actively support the country's further development in these respects.

President, VPET has all along played an integral role in Hong Kong's education system. It equips students with the work skills for the future, broadens the learning opportunities and career prospects for young people and the working population, and nurtures the requisite human capital for various trades and

industries to support the sustainable development of Hong Kong. Facing the challenges in the 21st century, we consider that the education system needs to nurture applied skills to integrate different knowledge, skills, values, and attitudes, and that VPET which puts more emphasis on application has its unique value. The Under Secretary for Labour and Welfare will speak later on issues of concern to Members, such as the apprenticeship schemes as well as vocational training and retraining. We will be happy to give an overall response after listening to the valuable views of Members on these issues.

Thank you, President.

UNDER SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Thank you, President. I wish to thank Mr LAM Chun-sing for proposing the motion and many Honourable Members for proposing amendments to express concerns about vocational and professional education and training (“VPET”) and talent training.

Since the 1980s and 1990s, Hong Kong has transformed from a light industry-oriented society into a service industry-oriented society. We are now gradually transforming again into a knowledge-based and high value-added economy, with persistently growing demand for highly skilled manpower. An ageing population and a low fertility rate have also placed the long-term manpower shortage under further pressure. Coming up against these challenges, the Government has sought to enhance Hong Kong’s human resources on numerous fronts. On behalf of the Labour and Welfare Bureau and further to the speech made by the Secretary for Education earlier on VPET, I will give a brief overview of the government policy on the apprenticeship system and the role of the Employees Retraining Board (“ERB”).

Since 1976, the Government has commissioned the Vocational Training Council (“VTC”) to implement the Apprenticeship Scheme under the Apprenticeship Ordinance (Cap. 47) (“the Ordinance”) to provide formal pre-employment training for apprentices so that they can gain practical work experience while taking professional technical courses to acquire technical

theoretical knowledge and internship opportunities, thus preparing themselves for joining the workforce. The Ordinance stipulates that apprentices aged 14 or above but below 19 who are employed in the designated trades under the Ordinance must enter into an apprenticeship contract with their employers generally for a period of three to four years, and register the contract with the Director of Apprenticeship under VTC, so that these young people who have just completed the junior secondary or secondary curriculum and are interested in pursuing a career in the skilled trades can be protected. Alternatively, apprentices aged 19 or above may voluntarily register their apprenticeship contracts to receive protection.

There are currently over 4 000 registered apprentices receiving professional training in over 80 trades under the Apprenticeship Scheme. The top five trades in order of the number of registered apprentices are lift repair, electrical appliance repair, refrigeration/air-conditioning, construction technology and vehicle mechanical repair. Each year, we witness many apprentices completing their apprenticeship and officially joining the trades having acquired these professional skills. Some of them continue their studies to obtain higher and professional qualifications.

On a different note, ERB is also keen to contribute to Hong Kong's manpower training by providing flexible, quality and adaptable talents for our knowledge-based economy. These courses and services have been introduced in response to market developments to continue to improve the quality of our labour force and promote upward social mobility. In offering courses, ERB has always adhered to the market-driven and employment-oriented principles. The training courses offered by ERB are subject to a market demand confirmation process and consultation with the industries prior to development. Following economic development and changes in market demand, ERB will not only continue to offer new courses, but also review and remove courses that no longer in demand in the market to meet the needs of the job market.

We will listen carefully to the speeches of various Honourable Members and make responses and additions later. Thank you, President.

MR STANLEY NG (in Cantonese): Thank you, President. President, I speak in support of the original motion of Mr LAM Chun-sing and the amendments proposed by other Members. The proposal of “promoting the development of vocational education and nurturing talents to establish multiple pathways”, if implemented, will mitigate the mismatch in age, in education, and in skills in the labour market, so that the working class can take up suitable jobs and make a reasonable income, and young people can enjoy a wider range of employment opportunities. Complemented by the advocacy of re-industrialization, vocational and professional education and training will have an even brighter future.

When it comes to vocational education, the impression of many people may remain to be associating with “prevocational schools” in the British-Hong Kong era. Those schools were designed specifically to train workers for the manufacturing industry, and they were completely severed from ordinary “grammar schools” in terms of the curriculum and future prospects. Under such traditional concepts of “blue-collar workers have no future” and “intellectuals hold the highest regard”, vocational education seemed to be an alternative for those who did not do well academically. As a result, this has reinforced the misconception and given rise to a vicious cycle causing the decline of vocational education.

During the early period after the handover of sovereignty, the then Chief Executive, Mr TUNG Chee-hwa, mapped out a blueprint for the development of a Chinese medicine port, a silicon port, and a Cyberport. That was supposed to be a good opportunity for developing the innovation and technology industry and reviving vocational education. But as the blueprint fell through, vocational education was increasingly neglected, and as a result, the industrial policy of Hong Kong had deviated further and further away from the reality and become hollowed out since the 1980s, and an equal sign was wrongly put between high education and high value-addedness and high technology. A wave of “black-clad violence” has revealed that under the so-called liberal studies which, as suggested by its name, uphold liberalism in education, some young people did not do practical work but engaged only in empty talk, lacking knowledge of the operation of society; and the outbreak of the novel coronavirus epidemic and unstable supply of goods have highlighted the importance of physical industries in critical times. Therefore, the significance of vigorously developing vocational education lies not only in creating multiple pathways but also in assisting the new generation to rekindle the spirit of diligence, frugality and pragmatism, and consolidating the achievement of Hong Kong’s transition from chaos to stability and providing an important foundation for progressing from “stability to prosperity”.

It has to be clarified that the implementation of re-industrialization and strengthening of vocational education definitely do not mean returning to the days of cottage factories where workers assembled plastic flowers and worked long hours with meagre wages. In the era of “Industry 4.0” and smart technology, industrial workers need not only practical skills but also ample scientific and cultural knowledge to control precision instruments. In this connection, The Hong Kong Federation of Trade Unions (“HKFTU”) advocates a dual-track system under which vocational education and traditional education are provided in parallel without any conflict, and there is no barrier between them to preclude their transferability. For example, students who have completed applied programmes can pursue further studies in ordinary institutions, and employees with university education can also take advanced technical courses at the master’s level, and so on and so forth, allowing everyone to give play to their strengths and pursue studies that suit their needs.

President, some time ago the State revised the Vocational Education Law, which clearly states that “The state shall establish and improve a modern vocational education system meeting the needs of economic and social development, deeply integrating industries with education, equally emphasizing vocational school education and vocational training, achieving convertibility between vocational education and regular education, effectively integrating different levels of vocational education, serving the lifelong learning of each person.” HKFTU hopes that the new SAR Government can put in great efforts to vigorously rectify the mistake of emphasizing academic studies over technical skills over the past 25 years after the handover of sovereignty, enhance the studies on the trend of supply and demand in various industries, take into account the changes brought about by the epidemic to the labour market, formulate career planning for manpower resources in the short and medium turn (*The buzzer sounded*) ...

PRESIDENT (in Cantonese): Mr Stanley NG, please stop speaking immediately.

Ir Dr LO Wai-kwok, please speak.

IR DR LO WAI-KWOK (in Cantonese): President, before all else, I thank Mr LAM Chun-sing for moving the original motion and the other 11 Members for their amendments. The thrust of the motion is to urge the SAR Government to promote vocational education and strengthen the training of various types of

talents, so as to realize diversified development of industries in Hong Kong. I totally agree with it.

In recent years, there have been varying degrees of mismatch of manpower resources in some industries in Hong Kong. The following questions are worth exploring: Has the education in Hong Kong failed to dovetail with social development? What kind of talents do we need to nurture? Obviously, these questions are directly related to our industrial policy. I have repeatedly urged the SAR Government to formulate a long-term, comprehensive and balanced industrial policy, strategically stimulate the growth of different industries through the Government's fiscal measures and resource allocation, and provide integrated ancillary measures in such aspects as cooperation among the Government, industry, academia and the research sectors, so as to expedite the nurture of emerging industries, including environmental protection, innovation and technology ("I&T"), testing and certification, and cultural and creative industries, so that Hong Kong's economy can move forward in the direction of diversified and high value-added development. It is only on this basis that we may formulate forward-looking policies on education and training in accordance with the social and economic needs and the direction of industrial development, so as to meet the local demand for various types of talents.

Let us give priority to reviewing the inadequacies of the existing policy initiatives for manpower training. The academic structure and curriculum of education in Hong Kong have all along placed more emphasis on traditional academic training. The value and importance of vocational education have not been fully recognized and acknowledged. Studies of applied learning subjects and training of vocational skills have often been neglected, which can be deemed as the main reason for the mismatch of manpower resources. As we step into the 21st century, the world has entered an era of knowledge-based economy driven by I&T, while the Central Government strongly supports the development of Hong Kong as an international I&T hub. To tie in with this development trend, it is necessary to promote STEM (i.e. Science, Technology, Engineering and Mathematics) or STEAM (i.e. adding Arts) education to further integrate vocational and professional education and training ("VPET") into the Qualifications Framework and strengthen the articulation with degree programmes in tertiary institutions.

President, in recent years, many countries and regions have set up government-funded universities of applied science which provide applied degree

programmes with emphasis on practical knowledge and skills training. The Shenzhen Technology University, a university of applied science, was established in the Greater Bay Area in November 2018. As a matter of fact, the Technological and Higher Education Institute of Hong Kong (“THEi”) under the Hong Kong Vocational Training Council (“VTC”) also seeks to nurture students with practical knowledge and skills. It has developed programmes which closely follow the demands of the industries. Accredited by the industries, the programmes aim at enhancing the training of the relevant vocational skills. I would like to declare that I am the Chairman of the Engineering Discipline Advisory Board of VTC. Hence, I am more concerned about the development on this front. The Business and Professionals Alliance for Hong Kong has suggested that the SAR Government should allocate more resources to transform THEi into a public university of applied science, which will help establish a direct pathway to VPET and form a dual-track academic system with equal emphasis on traditional academic training and VPET.

At the same time, the authorities should actively collaborate with the industrial, commercial and professional sectors and various institutions to enhance life planning education for students, provide more internship and on-the-job training opportunities for students taking applied degree programmes and vocational education programmes, and review the effectiveness of the existing Qualifications Framework, so that qualified industries can establish a mechanism for recognition of professional qualifications as soon as possible, thereby building a ladder for sustainable upward professional and career development for the new generation.

President, the Chief Executive-elect Mr John LEE has also included “Enhance the education system to better prepare for the future” in his election manifesto as a core policy, which stresses the need to promote VPET as an alternative development pathway to traditional academic education, push for universal STEAM education, advance the connection between academia and various industries, and push for more workplace learning and continuous development opportunities. I expect him to uphold the “result-oriented” principle, prescribe the right remedy, promote diversification of education, and improve the ladder for professional (*The buzzer sounded*) ... and career development for the next generation.

PRESIDENT (in Cantonese): Ir Dr LO Wai-kwok, please stop speaking.

Ms CHAN Hoi-yan, please speak.

MS CHAN HOI-YAN (in Cantonese): Thank you, President. We often heard criticisms that the “life or death” of students in Hong Kong is entirely dependent on one examination. Schools are pushing students to work hard every day; students are taking tutorial classes every day; and parents are hoping every day to send their children to university. Even if students failed in the examination the first time and cannot get into university, they will still consider repeating Secondary Six or taking associate degree or higher diploma programmes first in the hope of articulating with university degree programmes. No matter how winding the path is, they still aspire to obtain the halo of a recognized university qualification.

Adults who have already worked in society certainly understand that going to university or not is absolutely not an indicator of success. But for young people, due to the elders’ advice and the social norms, they may really think that if they do not go to university, they may have less development opportunities or they may even be inferior to other people. Therefore, they can only follow the path that other people picked for them and continue to tread this path helplessly.

Personally I think this situation has a lot to do with the lack of pathways outside of traditional academic disciplines in Hong Kong. Looking around other regions, we can actually see more possibilities outside of traditional academic disciplines. In neighbouring Japan, for instance, there are comics universities that specialize in training talents in comics, illustration, and animation production, attracting many talents and young students aspiring to work in these sectors to take the relevant programmes and pursue studies in these universities. Another example is Korea where there are professional universities providing professional beauty and cosmetics programmes. Students will learn not only make-up or dress-up knowledge but also knowledge of beauty nutrition, chromatics, dermatology, and even marketing and sales. In recent years, there are also some newly-introduced professional programmes in hand-made aromatics, candles, soaps, etc., providing professional certification for people who are interested in pursuing a career in these fields.

I myself have also obtained these qualifications but in Hong Kong, these types of professional programmes are not readily available as they are all

considered “hobbies” or second-class subjects that can hardly have anything to do with “professions”. I have also seen a lot of similar cases where students very much wish to develop their personal interests or strengths but they have to strike a balance with their academic studies. For example, while many athletes and members of sports teams representing Hong Kong can go to university through the Student-Athlete Learning Support and Admission Scheme, but given that sports-related disciplines are really very limited in Hong Kong, they have only very little choices of subjects, and many athletes may have to take other disciplines that are not directly relevant to sports development in order to pursue university education. Even if they can take classes on a part-time basis, they still have to strike a balance and choose between sports training and studying irrelevant academic subjects.

I am not against athletes developing academic abilities that are not related to sports and if this is their personal decision, actually there is nothing wrong with it. But the main point is that their choices are basically very limited because in Hong Kong, there are really not many disciplines that are related to their professions or expertise. Everyone has different talents, and I think academic ability is just one of them. If the same set of assessment standards is applied and all students are pushed into traditional academic universities, can this meet the present-day needs of society?

Hong Kong is often criticized for the homogeneity of industries. In fact, only when there are talents will there be industries. If the education system cannot train talents, naturally it will be difficult for industries to develop and what follows will be a persistent outflow of talents, and a vicious cycle will hence be resulted.

What is lacking for young people in Hong Kong is precisely a ladder for further studies other than studying in traditional universities. In places such as Finland and Germany, apart from traditional academic education, vocational and professional training or study pathways known as “applied disciplines” are also provided and better still, they provide such training not only at the tertiary level. The related vocational and professional education is already provided starting from the secondary level. So, even if students do not achieve good results in academic subjects, they can still become professionals step by step in the vocational and professional disciplines suiting their talents and interests.

The education system should help young people give play to their talents, so as to achieve the objective that “every trade has its master”, and only in this way can the industries in Hong Kong move towards diversified development. In fact, many tertiary institutions and self-financing post-secondary institutions in Hong Kong are already offering programmes in vocational and professional education and training. The authorities can consider consolidating the contents of these programmes to cover more training. In the medium term, consideration can be given to subsidizing the transformation of some self-financing institutions into vocational and professional education and training universities to truly put in place a dual-track system of vocational training and academic education, thus enabling young people to access diversified pathways for education (*The buzzer sounded*) ... and career development.

I so submit.

PRESIDENT (in Cantonese): Ms CHAN Hoi-yan, please stop speaking.

Ms Doreen KONG, please speak.

MS DOREEN KONG (in Cantonese): President, I support Mr LAM Chun-sing’s motion and other Honourable colleagues’ amendments.

In the early 1970s, the Government launched prevocational education. The term “prevocational” already explains the logic behind vocational training, i.e. education conducted prior to vocation. I remember that prevocational schools had campuses with novel architectural designs and innovative concepts, attracting a lot of students. They were well received by society at that time. Unfortunately, due to the robust development of the service industry and the financial sector subsequently, prevocational schools had fallen into decline. This, coupled with the absence of a clear government policy on vocational education to guide and encourage students to find suitable career paths, has led to technical institutes becoming a symbol of “the choice made out of no choice by those who failed at school”.

President, nowadays, as society is rapidly developing, we have indeed been too reluctant to make progress when it comes to vocational education. In recent years, emerging industries have arisen, such as emerging technologies, digital

technologies, and animation and comics. Traditional schools alone can hardly train the talents required by these industries.

A few years ago, I had a good friend who was a veteran in the animation and comics industry. Growing up in Hong Kong, he had engaged in animation and comics business abroad for many years, and achieved some success. He had a deep affection for Hong Kong and once had a goal of setting up an animation and comics school in Hong Kong to nurture local talents in the field. Unfortunately, after contacting the relevant departments of the Hong Kong Government, his project was met with a cold shoulder. Eventually, my friend realized his goal in Indonesia by successfully opening an animation and comics school there. The above example reflects the Government's narrow-mindedness and short-sightedness in terms of vocational education.

Some Honourable colleagues have mentioned that, among many countries, Germany has achieved relatively outstanding development in vocational education with its apprenticeship system, also known as the dual system of vocational education. Under the system, enterprises and vocational and technical schools both play a part in nurturing students, who are also referred to as apprentices. Students spend part of their time, usually during the day, working for enterprises and the other part of their time, usually in the evening, attending classes at school to learn theoretical knowledge. The dual tracks merge education and work into one, with the aim of integrating learning and practice to enhance professional competence. The system is well supported by the German society as a whole.

Germany's dual system of vocational education is implemented under centralized coordination by the Government, covering a wide range of trades for both boys and girls, such as mechanics, construction, textiles, food industry, household cleaning and organization, computer technology and ceramic art. True craftsmen are nurtured through systematic learning and training so that they are dedicated to their professions and find pleasure in them. This education system has a remarkable significance in the cooperation between schools and enterprises, education and training, and the implementation process, which can, to a certain extent, serve as a reference for vocational education in Hong Kong. I understand that Hong Kong has its own unique environment and specific historical background, but I hope the Government can learn from the worthwhile experience with a humble mind to make up for its shortcomings.

President, I hope that the Government will consider in a coordinated manner the direction of vocational education and the future economic development of Hong Kong. Nurturing talents always has to be an advance move. I hope that the Government will nurture the right talents for Hong Kong's future through vocational education and create opportunities for young people to pursue their dreams and build their families and Hong Kong.

President, I so submit.

PRESIDENT (in Cantonese): Members, I will suspend today's meeting after the three Members, namely Ms YUNG Hoi-yan, Ir CHAN Siu-hung and Mr NGAN Man-yu, have spoken.

Ms YUNG Hoi-yan, please speak.

MS YUNG HOI-YAN (in Cantonese): President, I support the original motion proposed by Mr LAM Chun-sing and all the amendments.

Many people say that "who you know is more important than what you know". Instead of learning by rote, it is better to acquire a skill as this can bring lifelong benefits. Vocational education is a major component of the education system and human resources development, performing the crucial functions of nurturing diverse talents, passing on technical skills, and promoting employment and entrepreneurship. In the meantime, vocational education plays a vitally important role in meeting employment needs and improving people's livelihood, and provides young people with more diversified options for career development. Therefore, it is advisable for the Government to actively promote the development of vocational education, so as to train more skilled technical personnel for Hong Kong to assist in the upgrading and transformation of industries in Hong Kong.

Just now Ms Doreen KONG mentioned the apprenticeship system in Germany. Actually I myself have also benefited from the apprenticeship system in Germany. Before going to law school in 2003 and after completing my undergraduate studies in computer science, I took part in a two-year vocational training programme at the German Swiss International School. Under this programme, Germans would come to Hong Kong to study for two years, during which training in wholesale, foreign trade management or logistics would be

provided. Germans could come to Hong Kong to study and were also provided with internship opportunities in the Mainland.

I think these trainings were helpful to them. In fact, when these Germans came to Hong Kong, they were not yet admitted to university. This is also a special feature of the German apprenticeship system in that they do not need to be university students but need only to complete their secondary studies in order to come to Hong Kong or other European countries to take up internship programmes. Of course, they had to come to Hong Kong alone to study this programme and many students are still staying in Hong Kong. That was almost two decades ago, and they have become professionals in Hong Kong in these fields.

This shows that both foreigners and local students can benefit from the upgrading and transformation of industries. The country's "Outline of the 14th Five-Year Plan for National Economic and Social Development of the People's Republic of China and the Long-Range Objectives Through the Year 2035" propose that "the focus of economic growth should be on the development of the real economy. Building national strength requires, in particular, strengthening manufacturing and improving product quality. Further integration of advanced manufacturing and modern services is called for." The 14th Five-Year Plan also puts forward the need for "adaptable vocational and technical education". With the integration of Hong Kong into the overall development of the country and its participation in the development of the Greater Bay Area, Hong Kong will enter a new stage of industrial upgrading and economic restructuring. For example, the innovation of digital technology and the full industrialization of 5G will drive the extensive application of such technologies as artificial intelligence, Internet of Things and big data analytics. Such being the case, various trades and industries will be urgently in need of a large number of technical professionals in the foreseeable future. Therefore, the various industries that I mentioned earlier will need new types of fresh entrants and for this reason, vocational education will offer a bright future with promising opportunities. Then how should we promote vocational education to build up a pool of "highly-educated, sophisticated, and professional" technical talents? The key lies in three points: First, we should focus on the general trends of the advancement of innovative technologies and industrial upgrading; second, we should vigorously improve the quality and resources of vocational education; and third, we should make ongoing efforts to enhance the recognition and appeal of vocational education.

First, in order for vocational education to be employment-oriented with the objective of nurturing talents for specific jobs or occupations, the curriculum should be closely aligned with market demands to achieve the integration of “education” and “industries”.

To vigorously improve the quality and resources of vocational education, it is necessary for the Government to insist on nurturing talents with high moral values while improving the positioning of vocational education and accelerating the formulation of a brand new vocational education system. To enhance the recognition and appeal of vocational education, the Government should enable the community to understand how students will benefit from these new contents of vocational education and make known to the students the more diversified pathways available for them.

President, the world is now facing drastic changes unprecedented in a century. In order for Hong Kong to be competitive in the international community in developing a new pattern for promoting economic development and industrial upgrading, Hong Kong needs our vital support.

President, I so submit.

IR CHAN SIU-HUNG (in Cantonese): Thank you, President. I speak to express my thanks and support to Mr LAM Chun-sing for proposing this motion on “Promoting the development of vocational education and nurturing talents to establish multiple pathways”.

I support this motion for two main reasons: First, talents are the key to development. Following the socio-economic restructuring and the Government’s advocacy of re-industrialization, various trades and industries are bound to have increasingly high and pressing demand for technical and skilled talents in the future. Therefore, in order to enhance Hong Kong’s competitiveness and promote the diversified development of industries, it is necessary to better promote the development of vocational education and nurture more diverse talents.

Second, vocational education can increase upward mobility opportunities for young people. Despite a persistent increase in the university admission rate in recent years, there are still many secondary students who cannot meet the minimum requirements for university admission every year, and the percentage of day school

candidates being admitted to university was only 42.3% last year. Vocational education can complement traditional education and provide more opportunities of continuing education for young people, especially those who are not good at traditional academic subjects, so that they can continue with their studies according to their interests and strengths and acquire a skill or even multiple skills.

As to what we should do to promote the development of vocational education, the original motion and the 11 amendments have put forward very good suggestions, such as promoting cooperation between schools and enterprises to attract more young people to receive vocational education, studying the use of the “competency-based” criterion rather than merely using academic achievement as the primary admission criterion, and so on. I think all these suggestions can provide extremely useful reference, and should be taken seriously by the authorities. I would like to emphasize three additional points as follows:

First, in order to promote the development of vocational education, I think we must first change the public perception and entice their support for vocational education. While the Government has all along emphasized the importance of vocational education in promoting the sustainable social and economic development of Hong Kong, but in reality, many students, parents and even employers still do not have a full understanding of vocational education as they always consider vocational education “inferior” compared to traditional education and even hold the attitude of despising or resisting vocation education.

President, I would like to eliminate these misconceptions about vocational education with my own experience. In the 1970s when I was in my secondary studies, there were only two universities in Hong Kong back then, and I did not take the smooth, promising pathway of proceeding to matriculation and then to university after completing secondary education. After completing Secondary Five, I was admitted by the Hong Kong Polytechnic in Hung Hom, i.e. the predecessor of The Hong Kong Polytechnic University, for a two-year diploma course in electrical engineering, and I planned to work as an electrician or electrical technician after graduation. But as I did quite well in my academic results upon graduation, I had the opportunity to be promoted to a higher diploma course. Subsequently, thanks to the advice and encouragement from my teachers, I was even admitted by the department of electrical engineering of the University of

Hong Kong and finally realized my dream of becoming an engineer. Then, by working hard continuously, I became a senior corporate executive.

I always feel proud that I had received vocation education through the diploma courses. I think the four-year diploma courses with emphasis being put on practical operation had enabled me to build a solid professional foundation and brought numerous benefits to my career as an engineer. Therefore, I sincerely hope that the prejudice against vocational education can be dispelled and that vocation education can be optimized to enhance personal skills and competitiveness.

Second, I hope that the Government will take on two tasks and attach equal importance to both. On the one hand, the Government should grasp the current situation of the distribution of manpower resources in the market and introduce vocational training courses for industries with manpower shortage, such as nursing care services, to make up for the manpower shortage in the market through vocational education; on the other hand, the Government should promote the development of vocational education in a forward-looking manner to dovetail with the planning on future development and in particular, the training of talents should be strengthened for the various parts of the innovation and technology (“I&T”) industry chain because the I&T industry does not only rely on high-level talents but also requires essential frontline personnel to support the entire industry chain, and both are indispensable. Otherwise, the development of industries, such as the I&T industry, in Hong Kong will be restricted by a shortage of manpower in the market.

Moreover, I think the Government should not narrowly confine vocational education to the responsibility of vocational education institutions. Rather, it should introduce the mode of vocational education in universities and secondary schools as appropriate to guide students to put into practice what they have learned and apply academic theories to real life, thereby enabling students to better participate in and adapt to their future employment.

Lastly, President, I hope that the Government can draw on collective wisdom to continuously improve vocational education in Hong Kong. I so submit.

MR NGAN MAN-YU (in Cantonese): President, amid the epidemic, our economy contracted by 4% in the first quarter of this year. Although various trades and industries have seen some improvements as the epidemic stabilized, the unemployment rate has remained high. With the size of the labour force at a 10-year low, the unemployment rate has risen to a 10-month high. Compared with past figures, the youth unemployment rate is even higher than the overall rate and stays at a high level.

Amid the epidemic, some young people have had difficulty in securing employment due to their lack of working experience. It has caused various sectors of the community considerable worries about the unemployment among young people. They hope the Government will create more opportunities for further education and training for young people. But, on a separate note, the sectors are increasingly concerned about labour shortage in some industries. Some people have no work to do and, at the same time, there is work that no one has taken up. Such a phenomenon, after all, stems from the mismatch between the supply and demand of human resources.

Quite a lot of Honourable colleagues have talked about many improvement directions. And I think the most direct and effective way for the Government to rectify this mismatch of human resources is to adopt the “first-hire-then-train” model to encourage employers to hire more young people. During the fifth wave of the epidemic, for example, there were confirmed cases in more than 70% of residential care homes for the elderly in Hong Kong. At that time, the industry recruited many caring people to attend short-term care worker courses and then assigned them to the residential homes to assist in the caregiving work. It brought new blood to the industry in a very short period of time and temporarily alleviated the severe shortage of talents in the industry.

In fact, the “Hire-First-Then-Train” Scheme has been successfully implemented in the elderly service, retail, construction and other industries. I hope that in the face of the sixth wave of the epidemic, which may strike us at any time, or in the long-term planning for talent training, the SAR Government will consider making good use of the “hire-first-then-train” model in more industries, especially those lacking young newcomers, such as property management and construction.

In the long run, the Government should be more proactive in partnering with training institutions to provide training incentives for trainees in industries having

a high demand for talents. It can, on the one hand, generate more new blood for the industries to make up for the shortfall in the labour market and, on the other, help those who are unemployed, between jobs or underemployed due to the epidemic or the economic environment find new pathways to rejoin the labour market.

Moreover, young people are still very baffled by the life planning and employment information that have been under discussion for many years. How can we help them gain more social and job experience? The only way is through internship programmes. Therefore, the Government should consider subsidizing more enterprises to provide internship opportunities for young people at school. It includes provision of subsidies for enterprises as an incentive to give young people more opportunities, platforms and motivation to undertake internships in their desired enterprises or industries so that they can gain understanding of the industry's ecosystem early and set their future career goals. Furthermore, I hope that the Government will encourage more training institutions to cooperate with enterprises in introducing apprenticeship programmes, in a bid to jointly develop appropriate skill training courses for young people. Trainees will also be allowed to spend part of their time at school for classes and part of their time with enterprises for internship, to ensure that they will acquire the skills needed by the industries and truly put them into practice.

I so submit.

SUSPENSION OF MEETING

PRESIDENT (in Cantonese): I now suspend the meeting until 9:00 am tomorrow.

Suspended accordingly at 6:25 pm.

WRITTEN ANSWER

Written answer by the Secretary for Innovation, Technology and Industry to Mr Michael TIEN's supplementary question to Question 5

Intellectual property (IP) protection is in general territorial in nature. Different jurisdictions have their own IP protection systems and laws to deal with different IP issues and policies (including applications for IP registrations). Nevertheless, the Intellectual Property Department (IPD) have all along been exploring with the relevant Mainland IP authorities the possibility of implementing cross-boundary IP protection facilitation measures (including measures for patents and trade marks).

Take patent protection as an example, under the current re-registration system for grant of standard patents in Hong Kong, one can seek standard patent protection in Hong Kong based on the corresponding invention patent application and grant in the Mainland. In order to facilitate Hong Kong applicants or enterprises to seek patent protection in the Mainland, IPD is also exploring with the China National Intellectual Property Administration the feasibility of expediting the processing of patent applications filed by Hong Kong applicants or enterprises in the Mainland.

In addition, the Guangdong Administration for Market Regulation (Guangdong Intellectual Property Administration) (GDIPA) has, with the assistance of the IPD, set up the first batch of 12 enquiry points in eight Greater Bay Area cities since October 2021, providing enquiry service to Mainland residents on matters related to IP registration in Hong Kong. GDIPA and IPD will review the implementation of such enquiry service and explore the feasibility of enhancing the depth and breadth of the service, including providing corresponding service in Hong Kong so as to facilitate Hong Kong residents in obtaining the latest information related to IP protection in the Mainland.

LEGCO QUESTION NO. 7

(Written Reply)

Asked by: Hon Martin LIAO

Date of Meeting : 25 May 2022

Replied by : Secretary for Commerce and
Economic Development

Reply

President,

Hong Kong is an important platform for economic and trade exchange between the Mainland and the international community. We strive to strengthen regional cooperation and actively expand our global economic and trade network on one hand. On the other hand, we capitalise on the new development pattern featuring dual circulation, which enables domestic and foreign markets to interact positively with each other under the National 14th Five-Year Plan, and the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) development as an entry point, to assist Hong Kong enterprises in capturing the enormous business opportunities for better integration into the overall development of the nation.

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

- (1) To strengthen support to Hong Kong enterprises in exploring the domestic Mainland market, Hong Kong Trade Development Council (HKTDC) launched in June 2021 the “GoGBA” one-stop platform, including the “GoGBA” website and WeChat mini-programme, to provide important GBA business and trade information such as market insights and business networks as well as practical tools for business trips. In addition, HKTDC has established the “HKTDC GBA Service Centre” in Shenzhen to organise activities including seminars/workshops, professional training and business missions, and to provide Hong Kong enterprises with consultation services, industry-related updates and business matching to assist Hong Kong enterprises in understanding the Mainland’s market, regulations, policies, concessions and institutions, with a view to enhancing their capabilities in developing the Mainland market. HKTDC has also set up jointly with its Mainland partners the “GoGBA Business Support Centres” in Qianhai (Shenzhen), Nansha (Guangzhou), Hengqin (Zhuhai), Dongguan and

Zhongshan to provide Hong Kong enterprises with policy and market consultation services.

These services have been well-received by the trade since their launch. As at mid-May 2022, over 180 000 views of the “GoGBA” website and WeChat mini-programme were recorded. The “HKTDC GBA Service Centre” has so far organised over 40 activities, with about 2 100 Hong Kong enterprises patronising its services and participating in its activities.

HKTDC has kept on reviewing the effectiveness of these services and strengthening support to Hong Kong enterprises. Among others, HKTDC will expand its “GoGBA Business Support Centres” network to Foshan, and organise the Guangdong-Hong Kong Cooperation Week within 2022 staging flagship events to promote Hong Kong services and brands. Furthermore, from 2022-23 to 2024-25, the Government provides an additional funding of \$45 million per annum (i.e. a total of \$135 million) to HKTDC for implementing the “Support Scheme for Pursuing Development in the Mainland”. Through its network of 13 Mainland offices, HKTDC will partner with relevant Mainland-based Hong Kong business organisations to organise training and exchange programmes, business missions as well as promotion activities to support Hong Kong enterprises, professional services practitioners and entrepreneurs to seize the business opportunities in the GBA and other Mainland markets.

- (2) Hong Kong Export Credit Insurance Corporation (ECIC) actively supports Hong Kong businesses (including the manufacturing industry) in expanding in the vast Mainland market and endeavours to assist the trade in facing credit risks. In response to the challenges brought about by the China-United States trade conflict and the epidemic, ECIC has proactively launched a series of support measures, assisting the trade in market expansion amidst the volatile trading environment. In fact, quite a number of exporters have already expanded their businesses in domestic sales through ECIC’s insurance products. In 2020-21, the Mainland was ECIC’s largest market for the year, accounted for 43% of ECIC’s total insured business and amounted to \$56.2 billion. In addition, ECIC has proactively enhanced its insurance coverage for sales between an exporter’s Mainland subsidiary, in which one has ownership of over 50%, and Mainland buyers. Under the extended coverage, ECIC provides credit insurance protection for Hong Kong enterprises’ goods produced on the Mainland for overseas or Mainland markets.

To provide support for exporters to further expand in the Mainland market, ECIC is actively studying possible ways to gain better access to the credit information of Mainland companies including strengthening cooperation with relevant agencies such as credit agencies and its Mainland counterparts to supplement buyer information; to share risk with reinsurance companies; and to foster exchanges with its Mainland and international counterparts (including the China Export & Credit Insurance Corporation), etc. The Government will continue to maintain close communication with ECIC, striving to provide products and services that cater to Hong Kong businesses for them to seize the golden opportunities in the Mainland market.

- (3) To strengthen economic cooperation and integration between the Mainland and Hong Kong, the Government has been promoting trade and investment liberalisation and facilitation, reducing and removing barriers to trade and investment, and enhancing the level of market integration between the two places through the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA). Under the framework of the CEPA, all goods of Hong Kong origin can enjoy zero tariff treatment upon importation into the Mainland. The Mainland also implements various preferential and facilitation measures for Hong Kong service suppliers in most areas of services trade, such as removing or relaxing restrictions on equity shareholding, capital requirements and business scope in the establishment of enterprises; relaxing qualification requirements for the provision of services by Hong Kong professionals; and relaxing the geographical and other restrictions for Hong Kong's exports of services to the Mainland market. In addition to those applicable Mainland-wide, some liberalisation measures are implemented on a pilot basis in the GBA to help drive forward market integration in the GBA.

The Government will continue to participate in the development of the GBA through various channels including the CEPA, with a view to strengthening the regulatory interface and system connectivity of the economy of Guangdong, Hong Kong and Macao. Moreover, the Government will strive for a higher level of liberalisation by the Mainland to Hong Kong under the framework of the CEPA, including introducing more liberalisation measures in the GBA, with a view to encouraging more Hong Kong and overseas enterprises to make good use of Hong Kong as a platform to grasp the opportunities in the GBA as well as the whole Mainland market. We will also participate in and support the work of the governments of Guangdong,

Hong Kong and Macao in setting GBA standards for different products and business services.

- End -

LEGCO QUESTION NO. 8

(Written Reply)

Asked by: Hon NGAN Man-yu Date of meeting : 25 May 2022

Replied by : Secretary for Home Affairs

Reply

President,

My reply to the questions raised by the Hon NGAN Man-yu is as follows:

- (1) In recent years, the Leisure and Cultural Services Department (“LCSD”) has adopted a multi-pronged approach comprising an improved booking system, a penalty mechanism and stepped-up inspection to combat touting activities. The department imposes penalties on individuals who fail to show up or breach the regulations. Two no-show records within 30 days will incur suspension of a person’s rights to book the sports facilities for 90 days. If a hirer is found to have engaged in unauthorised transfer of user permit, his/her booking right for sports facilities will be suspended for 180 days.

As required under the Conditions of Use of LCSD Recreation and Sports Facilities (“Conditions of Use”), hirers must produce valid user permits with their identity documents for verification by on-site staff before using the facilities. If the identity document provided by the hirer is inconsistent with the department’s booking record, his/her right to use the facility will be rejected by the LCSD immediately. Failure of a hirer to take up the booked session according to the relevant requirements and the aforesaid procedures will be counted as one no-show record. Two no-show records within 30 consecutive days will incur suspension of a person’s rights to book the LCSD’s fee-charging recreation and sports facilities for 90 days. In the past three years, there were more than 137 000 cases involving refused use of the relevant facilities due to the hirer’s failure to take up the booked sessions in person or discrepancy between the identity document provided by user and that on the booking record. Among them, more than 8 000 members of the public with two no-show records had their

booking rights for the LCSD's fee-charging recreation and sports facilities suspended for 90 days. Moreover, two hirers had their booking rights for sports facilities suspended for 180 days due to their engagement in unauthorised transfer of user permit. The number of relevant cases is at Annex I.

To take appropriate follow-up actions against touting activities, the LCSD will, upon receipt of complaints, conduct investigation and take follow-up actions as appropriate, including conducting surprise inspections during the booked sessions, requiring the hirer to provide his/her identity document for checking again, etc. If any irregularities are identified, offenders will be penalised in accordance with the related penalties. In the past three years, the LCSD received 900 complaints about touting activities and conducted investigation and follow-up actions accordingly under the aforesaid mechanism. The number of relevant complaints is at Annex II.

- (2) To further combat touting activities, the LCSD has implemented a new measure starting from 1 May 2022. In accordance with the provisions of the Conditions of Use, the hirer must be present during the use of the booked sessions. Random inspections will be conducted by venue staff during the booked sessions. If the hirer is not present during the use of the facilities, it will result in one count of breach of Conditions of Use by the hirer. Any two counts of breach within 30 consecutive days will result in suspension of the relevant person's rights to book the fee-charging recreation and sports facilities of the LCSD for 90 days. As at 20 May 2022, there were more than 200 occasions where hirers were found not present at the venues and ten of them with two no-show records had their booking rights for venues suspended for 90 days. The new measure is currently enforced by more than 350 on-site staff at the relevant LCSD venues. There is no need to deploy additional manpower at this stage.
- (3) In view of the first phase of the relaxation of social distancing measures, the LCSD reopened 61 out of a total of 103 sports centres (i.e. about 60%) under its management on 21 April 2022. As some of the sports centres were still being used for anti-epidemic purposes at that time, there were fewer venues available for public use, leading to a tight supply of facilities. With the easing of the epidemic situation, relevant bureaux and departments have returned some of the sports centres to the LCSD. It is expected that by mid-June, about 20 sports centres

will be reopened and about 80% of the sports centres will be available for public use. This will help alleviate the prevailing tight supply situation.

Besides, following the population growth and the increasing number of people participating in sports activities, the Government announced in the Policy Address in January 2017 the Five-year Plan for Sports and Recreational Facilities (“the Five-year Plan”) to develop new or improve existing sports and recreation facilities. Through implementing the Five-year Plan, we have made continuous efforts to increase and improve sports facilities and open spaces, with a view to encouraging members of the public to exercise regularly and improving the quality of living, providing additional venues for training by “national sports associations” (“NSAs”) and athletes, and facilitating the diversification of sports development. Four sports centres, namely Tsuen Wan Sports Centre, Siu Lun Sports Centre, Che Kung Temple Sports Centre and Choi Wing Road Sports Centre, have been completed and commissioned since 2018. Furthermore, Sham Shui Po Sports Centre is expected to be commissioned in the third quarter of 2022. The LCSD will provide more sports facilities for public use in future.

- (4) (i) The Home Affairs Bureau (“HAB”) reported to the Panel on Home Affairs of the Legislative Council on 27 September 2021 on the Consultancy Study on Provision of Sports Facilities in Hong Kong conducted by the Consultants. The Consultants conducted a telephone survey to collect the latest preferences of the general public on sports activities and provided recommendations on the planning of community sports facilities for them. Besides, the consultants surveyed the need of various stakeholders such as the NSAs on their demand and usage of the current sports facilities, thereby worked out the number of additional territorial and regional sports facilities required in five and ten years’ time to cater for athletes’ training and competition needs so identified. The Consultants recommended formulating a facility hierarchy, devising new population-based provision standards for core sports facilities for community usage as well as introducing a new methodology to assess provision levels for sports facilities, etc.. Taking into account of the Consultants’ overall recommendation, revision to the Hong Kong Planning Standards and Guidelines will be prepared as necessary.
- (ii) Heavily subsidised by the Government, the hire charges of the sports facilities provided by LCSD are low and have always been

maintained at a level affordable to the general public. LCSD also offers concessionary rates for designated persons (namely the elderly, full-time students, people under the age of 14, and persons with disabilities together with their carers). Apart from the sports facilities provided by LCSD, other organisations including schools, non-profit making organisations and public housing estates provide different sports facilities. Currently, some non-profit making organisations such as NSAs and district sports associations have opened up their sports facilities to the public with hire charges comparable to that of similar public sports facilities. Therefore, we do not have plan to introduce “recreation and sports vouchers” to subsidise members of the public to hire sports facilities run by the private sector at this moment.

- (iii) The community halls and community centres of the Home Affairs Department provide local organisations with venues for holding various community building/involvement activities, including recreational, cultural and sports related events or training courses, etc., and have already been hired from time to time for use as temporary sports venues for holding sports related events or training courses.
- (iv) To encourage schools to open up their facilities for sports use, HAB and Education Bureau (“EDB”) jointly launched the Opening up School Facilities for Promotion of Sports Development Scheme (“the Scheme”) in 2017/18 school year. Schools are encouraged, through financial incentives under the Scheme, to open up their facilities such as school halls, activity rooms, playgrounds, sports grounds and classrooms, for use by NSAs and their affiliated members, district sports associations, sports organisations subvented by LCSD and other eligible non-profit organisations, to hold sports programmes during non-school hours. Participating schools may levy hire charges as provided under the prevailing guidelines issued by EDB. They will also receive an additional subsidy from HAB and EDB to cover expenses incurred in opening up school facilities and to replace or acquire items required for sports programmes. The Scheme has been well received by the sports sector and schools since its launch. Details of participation in the Scheme since 2017/18 school year are as follows:

School Year	2017/18	2018/19	2019/20*	2020/21*
Number of participating schools	134	136	132	126
Number of schools paired with sports organisations	12	27	48	45
Number of sports organisations paired up with schools	15	20	28	33
Number of programmes	38	162	123	168
Number of attendances	1 333	3 392	5 207	5 705

*Schools were suspended most of the time in 2019/20 and 2020/21 school years to avoid social contact and reduce the risk of infection during the COVID-19 pandemic. The sports programmes originally planned to be held in schools were thus affected.

Number of Cases of Irregularities in the Past Three Years

	Hirers being refused to take up the booked sessions due to no-show or discrepancy between the identity document provided by users and that on booking records
2020	49 000
2021	84 300
2022 (as at 30 April)	4 000
Total :	137 300

	Hirers with two no-show records had their booking rights for the LCSD's fee-charging recreation and sports facilities suspended for 90 days
2020	2 900
2021	5 100
2022 (as at 30 April)	200
Total :	8 200

	Hirers found to have engaged in unauthorised transfer of user permit had their booking rights for sports facilities suspended for 180 days
2020	0
2021	2
2022 (as at 30 April)	0
Total :	2

Annex II

	Complaints about touting activities received in the past three years
2020	90
2021	740
2022 (as at 30 April)	70
Total :	900

*In light of the severity of the fifth wave of pandemic, most of the leisure and cultural venues were closed in the first four months of 2022, and hence the figure is comparably lower than that in previous year.

LEGCO QUESTION NO. 9

(Written Reply)

Asked by Dr Hon Dennis LAM

Date of meeting : 25 May 2022

Replied by : Secretary for Food and Health

Reply

President,

In light of the fifth wave of COVID-19 epidemic, the Government will, depending on the health risks, care needs and transmission risks in the households of infected persons, make arrangements for them according to the multi-tiered triage and treatment strategy for suitable treatment and isolation. Generally, asymptomatic persons who do not require medical support but have to be isolated at a place other than their household due to their care needs or household environment will be admitted to the Penny's Bay Community Isolation Facility ("CIF") to reduce transmission risks. In addition, the Government has implemented the Designated Quarantine Hotel ("DQH") Scheme since 22 December 2020, requiring all arrivals from specified places to undergo compulsory quarantine at DQHs as a measure to further prevent the importation of COVID-19 cases.

In consultation with the Security Bureau, the Department of Health ("DH") and the Hospital Authority ("HA"), my reply to the various parts of the question raised by Dr the Hon Dennis LAM Shun-chiu is as follows –

(1)

The DH requires individuals tested positive through the nucleic acid tests or rapid antigen tests to submit their personal particulars and basic epidemiological data through its online platforms (www.chp.gov.hk/cdpi and www.chp.gov.hk/ratp/). The websites provide a questionnaire for relevant infected persons to conduct risk assessment themselves to see if their household environment is suitable for isolation, or if they have to be admitted to CIFs based on relevant risk factors, including the suitability of household environment in terms of physical and health conditions of relevant individuals, such as self-care abilities, whether they need to be taken care of by others, have chronic illnesses, are pregnant, etc.

(2) to (4)

After reviewing the operational experience, the HA has further enhanced the arrangements for admission to CIFs from 4 May 2022 onwards. Chronically ill patients in more serious or unstable conditions and elderly persons aged above 70 without accompanying family members will be arranged for admission to the North Lantau Hospital Hong Kong Infection Control Centre (“NLTH HKICC”) or other hospital facilities for isolation, so as to be provided with more appropriate monitoring and care.

Healthcare personnel deployed to the CIF by the HA will conduct initial assessment for infected persons arranged to undergo isolation at the Penny’s Bay CIF. To facilitate monitoring, infected persons with chronic illness but in stable condition will be admitted to units in special blocks installed with emergency alarm system and in close proximity to the medical post. Moreover, outreach medical teams will visit these infected persons regularly every day to provide them with proper care and assistance. Infected persons assessed by healthcare personnel as having high risks (e.g. with complicated medical conditions or with recent and serious health problems) will be transferred to the NLTH HKICC or other hospital facilities for closer monitoring and treatment.

As infected persons aged above 70 are prone to complications or sudden deterioration of conditions, they are also categorised as having high risks and considered unsuitable for isolation in individual units on their own. Those without accompanying carers will be transferred to the NLTH HKICC or other hospital facilities for enhanced monitoring. Those in relatively stable conditions, if accompanied by carers, will be accommodated in units specially designed for the elderly at the CIF, in which barrier-free facilities and emergency alarm system are provided. Besides, outreach medical teams will visit them regularly and maintain close contact with their family members to monitor their conditions closely.

(5) and (6)

For persons under quarantine at DQHs, the DH briefs inbound travellers on relevant quarantine arrangements through a dedicated website (<https://www.coronavirus.gov.hk/eng/designated-hotel-returnees.html>) and by distributing a leaflet on “Points to Note for Designated Hotel Quarantine for Inbound Travellers”, reminding them that for any urgent needs, medical or otherwise, they may contact DQH staff or call the DH’s 24-hour hotline centre for persons under quarantine. In case of emergency, they may dial 999 to seek assistance from the Police.

The DH will provide training to DQH staff and request them to assist the persons under quarantine, including –

- (a) exercising common sense when considering whether the special requests of persons under quarantine are reasonable in consideration of their needs. DQHs should provide suitable assistance and fulfill the medical requests of persons under quarantine whenever possible, such as delivering medicine to them;
- (b) ensuring sufficient manpower to handle emergencies. In case of emergency, they should dial 999 to seek assistance from the Police;
- (c) paying close attention to the condition of persons under quarantine regularly. If they do not dispose of garbage or collect meals regularly, DQH staff should call them to check on their conditions. If they cannot be reached after several attempts, under an emergency or when their safety is of concern, DQH staff may open the doors of their rooms after wearing suitable personal protective equipment to assist as appropriate even without prior Government approval, and report to relevant Government departments afterwards; and
- (d) assisting in contacting the persons under quarantine if their family members request so to understand the situation.

Moreover, the DH provides support to DQHs and answers medical-related or other enquiries via a 24-hour help desk hotline.

Meanwhile, to ensure that persons with special needs (such as minors or the elderly) can receive the required care when admitted to DQHs, if the person under quarantine requires an accompanying carer, the accompanying carer can apply to the DH before the person's arrival to Hong Kong or after receiving his or her Quarantine Order upon arrival. The accompanying carer and the person under quarantine will undergo quarantine in the same DQH room until the end of the quarantine period.

A 24-hour telephone hotline manned by staff of the Civil Aid Service is available at the Penny's Bay CIF to provide information and enquiry services for persons under quarantine. Medical support hotline services are also available at the community isolation hotels. Those under isolation who are in need or feel unwell may contact the staff on duty via the hotline for immediate assistance or medical support. If necessary, the staff on duty will notify the healthcare personnel on-site immediately for rendering medical support. Security staff and housekeeping assistants at the facilities will also conduct regular inspections of the isolation units. If any person is in need of assistance or should any unexpected incidents occur, relevant staff will be informed immediately for taking appropriate actions.

-End-

LEGCO QUESTION NO. 10
(Written Reply)

Asked by Hon CHAN Yuet-ming

Date of meeting : 25 May 2022

Replied by : Secretary for Education

Reply

President,

The Quality Education Fund (QEF) was established in 1998 to fund projects that aim to raise the quality of school education and to promote quality school education at all levels. The Permanent Secretary for Education Incorporated (PSEdI) holds the QEF upon trust. Being the trustee of the QEF, the PSEdI approves funding for worthwhile projects and signs with individual grantees an agreement setting out the terms and conditions of the funds. The PSEdI sets up a steering committee under the QEF to set policies for the allocation of funds, and make recommendations to the Government on all funding applications. The steering committee is supported by a secretariat. Since its establishment, the QEF has funded over 12 700 projects with a total funding amount of over \$6.1 billion.

Our reply to Hon CHAN Yuet-ming's question is as follows:

(1)

The QEF Secretariat, set up under the Education Bureau (EDB), has overall management responsibility for the QEF. Besides providing secretarial support to the steering committee, it is also responsible for various duties such as processing applications, monitoring progress of projects, and disseminating good practices and experiences of funded projects. Currently, there are 22 staff members of the QEF Secretariat mainly responsible for processing applications. As the staff salary expenditure of the QEF Secretariat is subsumed in the overall expenditure of the EDB, a breakdown is not available.

(2) – (4)

Initiatives implemented on a school-based pilot basis in kindergarten, primary, secondary and special education, with a view to enabling students to attain all-round development and develop positive values and attitudes as well as enhancing the professional capacity of teachers, will raise the quality of education and are worthy of the QEF's funding support. Schools, educational bodies, tertiary institutions,

non-governmental organisations as well as individuals can apply for a one-off funding from the QEF to carry out projects that meet the needs of schools and contribute to the improvement of the quality of school education.

Starting from 2003, the QEF has introduced priority themes which address the needs of education. The QEF reviews the priority themes from time to time and makes adjustment on need basis so as to meet the needs of education development in Hong Kong. In the 2020/21 and 2021/22 school year, the QEF has introduced 7 priority themes, including “STEM Education”, “Information Technology in Education”, “Assessment Literacy”, “Life-wide Learning”, “Positive Values”, “Students’ Balanced Development” and “Effective Leadership and School Management”. The priority themes may not be exhaustive. Hence, apart from the priority themes, the QEF also provides funding support to other quality projects that meet the needs of schools.

Besides, the QEF has also launched theme-based funding programmes in recent years, including the Dedicated Funding Programme for Publicly-funded Schools for schools to implement school-based curriculum design and/or student support measures; the “My Pledge to Act” Funding Programme to facilitate schools to nurture positive values and attitudes among students; and the Enhanced “My Pledge to Act” Funding Programme to further support schools to promote national education, national security education as well as media and information literacy education, with the application procedures for the latter two programmes being further streamlined. Schools can, with due regard to their own context and students’ needs, devise school-based project proposals and apply to the QEF for funding. The above-mentioned theme-based funding programmes are welcomed by the school sector. Since its launch in the 2018/19 school year, an accumulative total of over 2 000 applications under the Dedicated Funding Programme for Publicly-funded Schools have been received. As for the “My Pledge to Act” Funding Programme and the Enhanced “My Pledge to Act” Funding Programme subsequently launched, more than 1 200 applications have been received in total.

Upon the implementation of various theme-based funding programmes, schools provided with more options might not necessarily apply for funding under the priority themes. In the 2020/21 and 2021/22 school year, the number of priority themes projects funded by the QEF with breakdown by theme and the respective funding amount are set out as follows:

Priority Themes	Number of Projects Funded by the QEF	Amount of Funding (About \$ Million)
STEM Education	18	21
Information Technology in Education	15	13
Assessment Literacy	2	2
Life-wide Learning	10	8
Positive Values	23	29
Students’ Balanced Development	6	7

Priority Themes	Number of Projects Funded by the QEF	Amount of Funding (About \$ Million)
Effective Leadership and School Management	2	2
Total	76	82

The QEF launched a variety of funding programmes for applications by various sectors of society (including school and non-school organisations as well as individuals). Applicants can devise project details (including funding amount sought, number and types of beneficiaries, etc.) on their own accord with due regard to the needs of schools. The QEF considers each application according to the prevailing assessment criteria with due consideration to its effectiveness in enhancing the quality of school education as a whole, instead of evaluating an application merely based on per capita allocation. Projects funded by the QEF cover diversified aspects of school education, including learning and teaching, student support and development, teachers' professional development, home-school cooperation, etc. In general, project activities are implemented by grantees using a whole school approach and the beneficiaries, apart from students, often include different stakeholders such as teachers and parents. Implementing project activities funded by the QEF not only benefits students' learning and development, but also brings positive impact on teachers' professional development, home-school cooperation, school culture and atmosphere, etc. All these outcomes are not quantifiable. The per capita allocation calculated based on the funding amount and the number of student beneficiaries could neither fully reflect the actual circumstances of project implementation nor the project impact on school education; it might also lead to unnecessary misinterpretation.

In the past three years, the QEF had received more than 3 000 applications. Individual applications were processed in accordance with the prevailing procedures and assessment criteria. In view of the difference in magnitude, complexity and funding amount sought, the time required for processing individual applications varies. In general, the processing time for projects of a smaller scale is relatively shorter. For those schools' applications lacking sufficient details, the QEF Secretariat would have to follow up with the schools for clarification and supplementary information on need basis, leading to longer processing time. However, the related process allows schools to further review and refine the project proposals, improve the project design and enhance the overall effectiveness of project implementation. Hence, there is no direct relationship between the amount of the processing time and the effectiveness of the project on enhancing the quality of school education.

The accumulation of surplus of the fund is not a result of ineffective use of available resources. As long as the applications submitted to the QEF will contribute to the improvement of the quality of school education, they will be supported by the QEF regardless of their scale. The accumulated surplus of the QEF is mainly from the gains from investment over the years. The Director of Accounting Services is responsible for handling the investment of the QEF with the objective of generating a reasonable growth in the value of the funds whilst producing recurrent income to meet funding

needs. The QEF has been adopting a prudent strategy in diversifying its investment with proper risk management. The surplus recorded is mainly attributed to favourable investment returns. As at 31 August 2021, the balance of the QEF is around \$10.5 billion which has to be earmarked to cover a number of current funding programmes. Just the Dedicated Funding Programme for Publicly-funded Schools (\$3 billion earmarked), the e-Learning Funding Programme (\$1.5 billion earmarked) and the e-Learning Ancillary Facilities Programme (\$500 million earmarked) have accounted for a total of \$5 billion being set aside, not to mention other programmes requiring funding support of the QEF including the Priority Themes Funding Programme, the “My Pledge to Act” Funding Programme (funding cap of \$200,000 for each publicly-funded school and kindergarten joining the kindergarten education scheme), and the Enhanced “My Pledge to Act” Funding Programme (funding cap of \$300,000 for each publicly-funded school and \$150,000 for each kindergarten joining the kindergarten education scheme). These funding programmes are currently under implementation.

(5)

National education being an integral part of values education includes the understanding of Chinese culture, Chinese history, national affairs, the Constitution, the Basic Law and the concept of national security, as well as to cultivate students’ identity with Chinese culture and the nation, and strengthen the awareness of teachers and students of their common responsibility to safeguard national security. In the past five years, 189 applications related to national education had been approved with total funding amount of around \$97 million. From the 2017/18 to 2021/22 school year, the number of applications in relation to national education funded by the QEF in each of the school year and the respective funding amount are set out as follows:

School Year	Number of Applications Funded by the QEF	Amount of Funding (About \$ Million)
2017/18	17	10
2018/19	22	21
2019/20	13	14
2020/21	14	22
2021/22 ⁺	123* (497 applications are under processing)	30*
Total	189* (497 applications are under processing)	97* (Applications with total amount of funding sought of around \$130 million are under processing)

As a prevailing practice, the QEF does not disclose the names of individual organisations to avoid labelling effect and piece-meal interpretation of individual applications and results.

⁺ As at mid-May 2022

* Facilitating measures for the Enhanced “My Pledge to Act” Funding Programme have been launched by the QEF with the application deadline extended to end of January 2024. Hence, schools are still making applications. As at mid-May 2022, the QEF has received a total of 618 applications with total amount of funding sought of around \$150 million. According to records, over 90% of applications under the Enhanced “My Pledge to Act” Funding Programme were approved with funding support.

(6)

The EDB has been optimising the usage of QEF to support schools’ development needs and enhance the quality of education with the priority themes reviewed regularly and theme-based funding programmes introduced on a timely basis. To support schools to nurture students’ positive values and attitudes, the QEF has included “Positive Values” encompassing national identity as a priority theme. The QEF also launched the Enhanced “My Pledge to Act” Funding Programme last year for schools’ application for additional funding to step up measures to promote values education, including national education and national security education.

LEGCO QUESTION NO. 11
(Written Reply)

(Translation)

Asked by: Hon Holden CHOW

Date of meeting: 25 May 2022

Replied by: Secretary for Transport and Housing

Reply

President,

To attract more maritime enterprises to establish presence in Hong Kong, the Hong Kong Maritime and Port Board (HKMPB) set up a dedicated Task Force in 2020 to study the economic impact and details of providing tax concessions to specified shipping commercial principals, namely ship agents, ship managers and ship brokers. The Task Force has made reference to the work of introducing tax concessions for ship leasing and made recommendations on the tax concessions to the HKMPB. The recommendations include providing half-tax concessions (i.e. tax rate being 8.25%, half of the profits tax rate for corporations at 16.5%) for specified shipping commercial principals, with a view to facilitating the development of the maritime industry in Hong Kong and consolidating the overall capabilities of Hong Kong as a leading international maritime centre. With the HKMPB's endorsement of the relevant recommendations, the Government is working full-speed on the legislative amendment exercise, and has consulted the Legislative Council (LegCo) Economic Development Panel on the legislative proposal, targeting to introduce the relevant legislative amendment proposal to the LegCo in June 2022.

Having consulted the Inland Revenue Department and the Census and Statistics Department (C&SD), our reply to various parts of Hon Holden CHOW's question is as follows:

- (1) The tax concession proposal includes specifying the coverage of tax concessions and incorporating anti-abuse features so as to safeguard the integrity of the tax system and comply with international tax rules. In determining whether a preferential tax regime provided by a jurisdiction meets the international standards on countering base erosion and profit shifting, the Organisation for Economic Co-operation and Development (OECD) will take into account whether the regime has incorporated substantial activity requirements to ensure that only those entities which undertake the core income generating activities (CIGAs) in the jurisdiction

would benefit from the regime. To satisfy the substantial activity requirements, one of the requirements is that an entity should employ an adequate number of full-time qualified employees for carrying out the CIGAs in the jurisdiction. It is understood that the OECD Forum on Harmful Tax Practices conducted reviews of the shipping supporting services-related tax regimes devised by two jurisdictions and the minimum threshold requirements on the number of employees prescribed under the tax regimes are as follows:

<u>Jurisdiction</u>	<u>Year of review</u>	<u>Name of tax regime</u>	<u>Threshold on the number of employees</u>
Greece	2002	Ship Management Offices	Not less than 4 (specified in 2019)
Singapore	2017	Maritime Sector Incentive Scheme Shipping-related Support Services Award	Not less than 5

To promote the development of shipping commercial principals in Hong Kong, we propose introducing the tax concessions to make our tax regime more competitive vis-à-vis our key competitors. Having consulted the trade and taken into account the operational needs of some start-up companies, we propose that a shipping commercial principal must employ at least one full-time qualified employee in Hong Kong. However, this is only the minimum requirement that a shipping commercial principal must satisfy in order that the CIGAs are regarded as having been carried out in Hong Kong. In accordance with the OECD's requirement, we are also required to introduce the 'adequacy test' for shipping commercial principals regime in the legislative proposal to ensure that the number of full-time qualified employees employed by a principal in Hong Kong must be adequate, compared with the principal's business scale and operation, types and level of business activities, amount of profits earned, etc.

- (2) The number of business establishments engaging in ship agency and ship management, and ship broking by size and their total number of employees in the past five years are tabulated below:

Number of establishments	Size (number of employees)	2016	2017	2018	2019	2020
Ship agents and managers	0-50	232	249	245	251	254
	51-100	13	17	16	11	17
	>100	18	17	15	14	13
	Sub-total	264	283	276	276	284
Ship brokers	0-50	47	39	42	54	61
	51-100	0	0	0	0	0
	>100	0	0	0	0	0
	Sub-total	47	39	42	54	61
Sum of the above	0-50	279	287	286	305	315
	51-100	13	17	16	11	17
	>100	18	17	15	14	13
	Total	311	321	317	330	345

Total number of employees	2016	2017	2018	2019	2020
Ship agents and managers	7 590	7 506	7 325	6 751	6 318
Ship brokers	204	141	238	230	219
Sum of the above	7 793	7 646	7 563	6 981	6 537

Note: There may be a slight discrepancy between the sum of individual items and the total as shown in the tables due to rounding.

Source: C&SD - Annual Survey of Economic Activities

C&SD does not maintain separate statistics on ship agency and ship management businesses.

- (3) The Task Force comprises tax, financial, legal and maritime experts. According to the economic assessment conducted by the Task Force, if the proposed new tax regime for qualifying ship agents, ship managers and ship brokers is put in place, comparing to the case with no introduction of tax measure, over 10 years it would bring about cumulative incremental ship agency, ship management and ship broking business receipts of approximately some HK\$32.5 billion, as well as direct employment of approximately some 27 600 jobs and indirect employment of some 50 000 – 55 000 jobs. The Task Force's assessment has made reference to the

trends in global shipping commercial principal businesses and the current situation of Hong Kong amid the global maritime services scene. Assuming that the relevant tax measures would be introduced, the Task Force anticipated that over the next ten years, Hong Kong would be able to capture a larger global market share in these shipping commercial principal businesses, thus deriving the incremental amount of business receipts under normal economic conditions (e.g. barring protracted impediments to global business activities or unexpected economic impacts brought about by COVID-19). Making reference to the operating statistics of relevant maritime enterprises, the approximate incremental employment and value added were estimated. Based on the structure of shipping and maritime industries, the incremental indirect employment was crudely estimated. The natures of the jobs created cover various maritime and other business services, including all ranks of staff working in relevant industries such as marine insurance, ship finance, equipment repairs and maintenance, etc.

- (4) Every year, C&SD conducts the ‘Annual Survey of Economic Activities’ on major economic sectors. The survey aims to provide statistical information for gauging the business performance and operating characteristics of different economic sectors and for evaluating their contribution to Hong Kong’s Gross Domestic Product. Amongst others, the survey on the transportation, storage and courier services sector compiles the statistics on the business establishments and number of employees etc. engaging in the ship agency and ship management, and ship broking sectors. The statistics may be used for monitoring the trends in operating performance of relevant sectors after the implementation of the new tax regime.

- END -

LEGCO QUESTION NO. 12

(Written Reply)

Asked by : Hon YIM Kong

Date of meeting : 25 May 2022

Replied by : Secretary for Transport
and Housing

Reply

President,

The Central Government clearly supports the consolidation and promotion of Hong Kong's position as an international maritime centre. Hong Kong has a steadfast maritime tradition, with port, shipping and maritime services underpinning the development of the trading and logistics sector all along. The Government will continue to proactively develop and entrench Hong Kong's position as a high value-added maritime services centre and an important transshipment hub in the Asia Pacific region, so as to fully seize the immense opportunities arising from national planning. In fact, the Government has all along been enhancing the planning and development of the maritime and port industry through various policies. Announcement is made through the Chief Executive's Policy Address if there are important development plans. For example, the Government announced a number of initiatives in the Chief Executive's 2018 Policy Address to support and enhance the development of high value-added maritime services, including using tax measures to foster the development of ship leasing business in Hong Kong and setting up Regional Desks of the Hong Kong Shipping Registry (HKSR) of the Marine Department in selected Economic and Trade Offices and Mainland Offices and Liaison Units etc. Besides, the Chief Executive's 2021 Policy Address also announced further developing high value-added maritime business services, including ship registration, ship finance and management, marine insurance, and maritime legal and arbitration services etc.; introducing tax concessions to attract members of the maritime industry to establish a business presence in Hong Kong; further expanding the overseas service network of the HKSR; as well as new initiatives such as developing smart port and green port.

Having consulted the Environmental Protection Department and the Marine Department, our reply to various parts of Hon YIM Kong's question is as follows:

- (1) Regarding development in Hong Kong Port (HKP) and consolidation of its position as an international maritime centre, the "Outline of the 14th Five-Year Plan for National Economic and Social Development of the People's Republic of China and the Long-Range Objectives Through the Year 2035" ("National 14th Five-Year Plan") endorsed by the 13th National People's Congress in March 2021 supported the positioning of HKP and the development of high value-added maritime services in Hong Kong for better integration into the country's development course. The "Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (GBA)" ("GBA Development Plan") promulgated in February 2019 also expressed such support. The GBA Development Plan supports enhancing the overall international competitiveness of the Pearl River Delta port cluster, and emphasises a complementary and mutually beneficial system of ports to achieve synergy; whereas the National 14th Five-Year Plan mentions the functional coordination of ports in proactively and progressively taking forward the development of the GBA. As such, Hong Kong will continue to develop high value-added maritime services and leverage on the high efficiency, strong connectivity and coverage of the HKP for consolidating and enhancing its status as an international maritime centre. To strengthen the collaboration with the GBA ports, the Government will explore establishing communication mechanisms with ports in Guangdong.

Furthermore, on the development of smart port etc., while the industry traditionally has relied heavily on manual operations and paper-based processes, it has in recent years started to embrace digitisation of port operations and leverage on innovative technologies to enhance their efficiency, so as to stay competitive and provide more convenient services for the customers. Through the Task Force on Smart Port Development formed under the Hong Kong Maritime and Port Board, the Government is working with the trade on the concrete proposal to drive the smart port development, with a view to further enhancing port efficiency and reducing cargo handling time and cost through streamlining and optimising the multi-party coordinated processes electronically.

- (2) The Government has been actively identifying suitable sites for supporting modern logistics development. We have concluded two feasibility studies on developing a multi-storey complex for container storage and cargo handling at a site in Tsing Yi and a multi-storey heavy goods vehicle

carpark-cum-modern logistics complex at another site in Kwai Chung so as to support port and logistics operations. The Tsing Yi site was released through public tender on 17 December 2021, but the public tender was cancelled on 23 February 2022 due to the identification of the Tsing Yi site as one of the locations for constructing community isolation and treatment facilities in support of the Government's anti-epidemic work. For the sustainable development of the modern logistics industry, the Kwai Chung site was also put up for sale through public tender on 25 March 2022, and the tender invitation will close on 15 July 2022. We plan to conduct a feasibility study on another logistics site in Kwai Tsing area. Furthermore, under the Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan, about 37 hectares of land have been designated by the Government for logistics development as well. We will continue to identify suitable sites and examine their feasibility for modern logistics development in collaboration with relevant departments.

- (3) As an international maritime centre, Hong Kong has been promoting the development of green port through different measures and encouraging the industry to adopt more sustainable shipping initiatives. To this end, Hong Kong becomes the first port in Asia to mandate ocean-going vessels ("OGVs") to switch to low sulphur fuel while at berth. The Government has been collaborating with the Mainland to reduce emissions from vessels, including establishing jointly with the Guangdong Provincial Government a Domestic Emission Control Area in the waters of the Pearl River Delta Region that further tightened requirements for all vessels to use compliant fuel (i.e. low sulphur fuel or liquefied natural gas, "LNG"), irrespective of whether they are sailing or berthing. To further encourage the use of clean marine fuel by OGVs, the Government has also been examining measures to take forward the adoption of LNG in OGVs, such as actively exploring the use of the offshore LNG terminal newly constructed by the two power companies as a bunkering facility for OGVs, planning for LNG bunkering areas, and formulating technical requirements and related safety regulations and requirements for offshore LNG bunkering, etc. Relevant bureaux and departments of the Government have been working closely with the industry on the arrangements to promote LNG bunkering for OGVs in Hong Kong.

- END -

LEGCO QUESTION NO. 13

(Written Reply)

Asked by Ir Dr Hon LO Wai-kwok

Date of meeting : 25 May 2022

Replied by : Secretary for Development

Reply

President,

The Chief Executive released the Northern Metropolis Development Strategy (the Development Strategy) in the Policy Address in October 2021, which proposed a number of land development, railway and conservation projects in the Northern Metropolis in response to the need of Hong Kong's medium to long term land requirements and sustainable development. The Government is actively following up on the relevant proposals.

In response to the three parts of the question, having consulted the relevant bureaux, my reply is as follows:

- (1) The Government is driving at high level the work to streamline and remove obstacles in the development process. Apart from streamlining and rationalising administrative processes, the Development Bureau is working closely with relevant bureaux and departments to review development approval process under various legislations (such as Town Planning Ordinance (Cap. 131), Lands Resumption Ordinance (Cap. 124) and Roads (Works, Use and Compensation) Ordinance (Cap. 370)), with a view to streamlining statutory procedures of town planning applications, gazettal of road works, land resumption, etc. We have briefed the Panel on Development of the Legislative Council (LegCo) on the initial idea of our legislative proposals in March this year¹. These proposals, if approved and implemented, will be able to expedite various Government development projects in the pipeline, including the development of the Northern Metropolis.

¹ Please refer to the paper submitted to the LegCo's Panel on Development (<https://www.legco.gov.hk/yr2022/english/panels/dev/papers/dev20220322cb1-78-2-e.pdf>) for detail.

Concerning the proposal of setting up a high-level dedicated government institution in taking forward the development of the Northern Metropolis, the Chief Executive has indicated earlier that this matter involved Government's organisation set up and should be considered by the next term of Government.

- (2) The Development Strategy is a conceptual strategic plan. There are a number of land development projects in the Northern Metropolis and some of them have already been commenced. These projects will be implemented according to schedule and in phases with full regard to the consideration of financial viability and sustainability. We keep an open mind on the options of financial arrangements for future projects. In fact, the Financial Secretary announced in the 2022-23 Budget to set aside \$100 billion from the cumulative return of the Future Fund to set up a dedicated fund to ensure sufficient capitals to support the development needs under the Development Strategy and to expedite the projects in the Northern Metropolis. With the implementation of the land development projects in the Northern Metropolis, we can also generate income from private development projects within the districts.
- (3) The HKSAR Government has exchanged views with the relevant authorities in Shenzhen following the release of the Development Strategy. We will continue to keep close communication with the relevant Mainland authorities in taking forward the proposals under the Development Strategy. For instance, the Planning Department of the HKSAR Government holds regular meetings with the Planning and Natural Resources Bureau of Shenzhen Municipality to exchange views on planning matters of common interest. Furthermore, the Governments of Hong Kong and Shenzhen have embarked on the studies on cross-boundary railway projects with a view to improving connectivity between Hong Kong and Shenzhen.

LEGCO QUESTION NO. 14
(Written Reply)

Asked by Ir Hon LEE Chun-keung Date of meeting : 25 May 2022

Replied by : Secretary for Constitutional
and Mainland Affairs

Reply

President,

The Government's reply to Ir Hon LEE Chun-keung's question is as follows:

(1) The Office of the Chief Executive-elect (CE-elect) was established on 3 May 2022 to ensure a smooth transition to the new term of government. The CE-elect's Office has been operating since the sixth-term CE was elected until 30 June 2022. The CE-elect's Office will support the CE-elect in undertaking major tasks including forming a governing team for the new term of Government; preparing and formulating the policy plan for the new government based on the CE-elect's election manifesto; making arrangements with the incumbent government for a smooth transition including major events relating to the celebration of the 25th anniversary of Hong Kong's return to the Motherland, and liaising with different sectors of the community and participating in various official activities, etc.

There are five posts at directorate level and over 20 at non-directorate levels in the CE-elect's Office. Furthermore, the Police has deployed suitable manpower to protect the CE-elect. All staff of the CE-elect's Office are accountable to the CE-elect. The Administration Wing is responsible for house-keeping for the CE-elect's Office's day-to-day administration and resource management. The operating costs of the current CE-elect's Office will be absorbed by deployment of the Government's existing resources.

(2) and (3) For the work related to the re-organisation of the Government structure, the current-term Government would render full assistance to the CE-elect's Office with a view to securing all necessary approvals as soon as possible. We aim to complete the relevant legislative and funding procedures by mid-June 2022, so as to facilitate the new Government structure to come into operation on 1 July 2022. The Policy Innovation and Co-ordination Office is in charge of coordinating the relevant work.

The civil service will continue to work closely with the new-term Government. As a permanent and professional team, the civil service will continue to maintain the effective implementation and continuity of policies. In the light of the changes in Government structure and the policy adjustments, policy bureaux and departments will fully communicate and collaborate with each other to ensure a smooth transition of various policies.

– End –

LEGCO QUESTION NO. 15

(Written Reply)

Asked by: Hon Starry LEE

Date of meeting : 25 May 2022

Replied by : Secretary for Development

Reply

President,

Regarding Hon Starry LEE's question, I would like to reply as follows -

- (1) As of end 2021, the distribution of all types of private buildings (including residential, composite, commercial and industrial) of different age groups from 30 years and above as broken down by geographical constituency in respect of the 2021 Legislative Council election is set out below –

Geographical constituency in respect of the 2021 Legislative Council election	Building Age (years)				Total
	30-39	40-49	50-59	60 or above	
Hong Kong Island East	925	938	931	654	3 448
Hong Kong Island West	2 151	1 786	1 138	708	5 783
Kowloon East	254	292	303	15	864
Kowloon West	690	1 068	1 648	1 011	4 417
Kowloon Central	572	710	837	937	3 056
New Territories South East	1 010	695	118	5	1 828
New Territories North	1 592	383	200	74	2 249
New Territories North West	741	486	65	68	1 360
New Territories South West	468	459	271	56	1 254
New Territories North East	1 905	743	106	17	2 771
Total	10 308	7 560	5 617	3 545	27 030

- (2) Timely and proper building maintenance is the primary responsibility of property owners. That said, some owners may lack the ability in, for instance, affording or organising such works to fulfil the responsibility. Therefore, apart from taking enforcement action to ensure that owners discharge their statutory responsibilities under relevant statutes, the

current-term Government has allocated over \$19 billion and in partnership with the Urban Renewal Authority (URA) rolled out various subsidy schemes relating to building safety and rehabilitation¹ to assist needy owners to maintain their properties.

In addition, we recognise that some owners, in particular those residing in “three-nil” buildings² which are typical amongst old and dilapidated buildings may lack ability to organise repair works at common parts of the buildings. Therefore, the Buildings Department (BD) under the Operation Building Bright 2.0 (OBB 2.0), and the Building Drainage System Repair Subsidy Scheme launched in 2021 proactively selects buildings on risk basis and exercises its statutory power to carry out the requisite works in default of owners, and seeks to recover the cost from owners concerned afterwards. Eligible owners may claim subsidies under the relevant schemes to cover all or part of such costs.

OBB 2.0 is dedicated to provide technical and financial support to eligible building owners to assist them in carrying out the requisite inspection and repair works under the Mandatory Building Inspection Scheme for the common parts of their buildings. OBB 2.0 involves \$6 billion and is expected to benefit 5 000 aged and dilapidated buildings. As of April 2022, URA has received applications from about 1 200 eligible buildings to join OBB 2.0; over the same period, BD has selected about 1 000 buildings on risk basis to join OBB 2.0. Depending on implementation progress of OBB 2.0, URA will accept a new round of applications in due course. BD will also continue to select buildings on risk basis under OBB 2.0 to carry out the requisite works in default of owners.

- (3) URA undertakes, encourages, promotes and facilitates urban renewal of Hong Kong, with a view to addressing the problem of urban decay and improving the living conditions of residents in old districts. Since the announcement of the Urban Renewal Plan for Kowloon City (the Plan) in 2014, URA, owners of private land and different government departments have been implementing the relevant recommendations by

¹ Subsidy schemes includes Operation Building Bright 2.0 (\$6 billion), Fire Safety Improvement Works Subsidy Scheme (\$5.5 billion), Lift Modernisation Subsidy Scheme (\$4.5 billion), Building Maintenance Grant Scheme for Needy Owners (\$2 billion) and Building Drainage System Repair Subsidy Scheme (\$1 billion), etc..

² Viz. buildings which do not have an owners’ corporation or residents’ organisations, or having engaged any property management company.

phases. Of which, URA commenced a total of 9 redevelopment projects³ in the area covered by the Plan. Some of the recommendations have also been putting in place through the development projects of various government departments. For example, works for the Hoi Sham Park Extension are in progress; the harbourfront site adjacent to the Kowloon City Ferry Pier will be enhanced through the development project of the Central Kowloon Route; and the waterfront section of the To Kwa Wan Preliminary Sewage Treatment Works will be developed into a harbourfront promenade through minor works by the Drainage Services Department. Due to market sensitivity, it is not appropriate for the Government to comment at this stage on the timing to redevelop “5 Streets” and “13 Streets” in To Kwa Wan. Moreover, URA must observe confidentiality for its business plan for redevelopment and would only promulgate through publication in the Gazette etc. the details of a redevelopment project including its location and boundary upon commencement of the project. As for waterfront development and district connectivity of redevelopment projects, URA and government departments will give careful consideration at the preparatory stage and consult the Harbourfront Commission in due course.

- (4) As advised by the Transport and Housing Bureau (THB), according to the information of the Hong Kong Housing Authority (HA), there are nine Public Rental Housing (PRH) estates under HA with building age reaching 50 years old or above. The estate names, completion dates and number of domestic flats are as follows –

	Estate Name	Completion Date (Year)	Number of Domestic Flats
1	Model Housing Estate*	1954 - 1979	667
2	Sai Wan Estate	1958 - 1959	636
3	Choi Hung Estate	1962 - 1964	7 435
4	Ma Tau Wai Estate	1962 - 1965	2 075
5	Wo Lok Estate	1962 - 1966	1 938
6	Fuk Loi Estate	1963 - 1967	3 129
7	Wah Fu (1) Estate	1967 - 1969	4 801

³ Excluding the two pilot projects to redevelop the sites of Civil Servants’ Co-operative Building Society Scheme in Kowloon City commenced by the URA in May 2020 in relation to the recommendation announced by the 2018 Policy Address.

8	Wah Fu (2) Estate#	1970 - 1978	4 347
9	Ping Shek Estate	1970 - 1971	4 581

- * Model Housing Estate comprises seven domestic blocks. Five of them (with 245 flats in total) were completed in 1954, while the remaining two high blocks were completed in 1979.
- # Wah Fu (2) Estate comprises six domestic blocks. Four of them were completed between 1970 and 1971 (with 2 913 flats in total), while the other two blocks were completed in 1978.

- (5) THB advised that, the list of 22 aged PRH estates mentioned in the question originated from a study conducted by HA in 2013, and is not the list of PRH estates which HA decides to redevelop. THB added that redevelopment of PRH estates may increase the supply of PRH in the long run, but in the short term, redevelopment will reduce the number of PRH units available for allocation. In view of the prevailing strong demand for PRH, large-scale redevelopments will result in freezing a large number of PRH units which may otherwise be allocated to those on the waiting list with more pressing housing needs (such as households living in subdivided units), and will have negative impacts on households waiting for PRH allocation. HA will, where feasible, consider redeveloping individual PRH estates in an orderly manner. HA has all along been considering the actual circumstances in a prudent manner in accordance with the four basic principles, namely structural conditions of buildings, cost-effectiveness of repair works, availability of suitable rehousing resources in the vicinity of the estates to be redeveloped and build-back potential upon redevelopment, when deciding whether to redevelop a PRH estate.

THB indicated that HA has completed 10 redevelopment projects of aged PRH estates in the past ten years. HA is currently proceeding with a total of eight redevelopment projects. Given the availability of suitable rehousing resources for Sai Wan Estate and Ma Tau Wai Estate and their build-back potential of providing more housing units upon redevelopment, HA is conducting a study on the redevelopment of these two estates and will include the adjacent areas into the redevelopment sites as far as possible to enlarge the site area.

THB pointed out that the aged PRH estates with no redevelopment plan are structurally sound and have no imminent urgency for redevelopment.

HA will continue to implement various programmes and measures to upkeep and improve the building conditions, and provide residents with a safe and comfortable living environment. These include the Comprehensive Structural Investigation Programme, the Estate Improvement Programme, the Total Maintenance Scheme, Responsive In-flat Maintenance Services, and replacement and addition of lifts, etc..

LEGCO QUESTION NO. 16

(Written Reply)

Asked by : Hon SHIU Ka-fai

Date of meeting : 25 May 2022

Replied by : Secretary for Labour
and Welfare

Reply

President,

Having consulted the concerned bureaux, I provide a consolidated reply to the Member's question as follows:

- (1) The child dependency ratio and the elderly dependency ratio of Hong Kong during 2012 to 2021 are shown in the table below.

Year	Child dependency ratio ⁽¹⁾	Elderly dependency ratio ⁽²⁾
2012	152	183
2013	149	190
2014	150	198
2015	154	208
2016	155	218
2017	157	228
2018	159	238
2019	160	249
2020	159	262
2021	157	282

Notes:

- (1) Child dependency ratio refers to the number of persons aged under 15 per 1 000 persons aged between 15 and 64.
- (2) Elderly dependency ratio refers to the number of persons aged 65 and over per 1 000 persons aged between 15 and 64.

According to results of the population projections released by the Census and Statistics Department using the mid-2019 population estimate as the base, population ageing is expected to continue. It is projected that there will be a significant increase in the number of deaths, coupled with a decrease in the number of births. Therefore, the child dependency ratio of Hong Kong is projected to decrease gradually, while the elderly dependency ratio is projected to rise continuously in the next 20 years. The projected child dependency ratio and elderly dependency ratio in selected years are shown in the table below.

Year	Child dependency ratio	Elderly dependency ratio
2026	158	357
2031	144	435
2036	132	483
2041	125	521

In the face of population ageing, the Government will continue to adopt various measures to encourage more people to join the labour market. The Government will also continue to actively invest in education and training to enhance labour productivity.

(2) & (3)

Pursuant to the established policy of the Government, employers must accord employment priority to local workers and only employers with genuine difficulties in local recruitment may be allowed to import workers. The Government operates different schemes for employers to apply for importation of workers on account of their actual operational circumstances so as to supplement skills not readily available in the local labour market, and sustain the competitiveness and meet the development needs of Hong Kong. Depending on the skill level and/or education requirement of the jobs concerned, employers may apply to the Immigration Department (ImmD) or the Innovation and Technology Commission for admission of professionals, or to the Labour Department (LD) for importation of workers at technician level or below under the Supplementary Labour Scheme (SLS).

Employers are required under SLS to launch a four-week open recruitment exercise to accord priority to filling job vacancies with local workers. Upon employers' completion of the above recruitment procedures, LD will analyse each application so as to assess whether the employer has sincerity to recruit / train local workers, its genuine need for manpower, size of its local workforce, the views of training bodies / professional organisations on the local manpower supply situation of the concerned job title, etc. LD will then make recommendations and invite members of the Labour Advisory Board (LAB) to give views. The Commissioner for Labour will thoroughly assess various factors and the views and justifications provided by LAB members, before approving or refusing the concerned applications for importation of labour as appropriate.

The time for LD to process each SLS application is affected by various factors. In recent years, the processing of most SLS applications has taken about five months.

The numbers of applications received and approved under SLS by LD from 2017 to 2021 are at Annex 1. Breakdowns of the numbers of imported workers applied for and approved by industry are at Annexes 2 to 6. LD does not keep the number of enterprises involved in such applications.

(4) and (5)

Relevant government bureaux and departments have been closely monitoring the manpower supply and demand of different sectors, as well as enhancing training and attracting new recruits. On the premise of safeguarding the employment priority of local workers, the Government allows admission of professionals and importation of workers, and will explore with stakeholders the possibility of increasing imported labour on an appropriate and regulated basis, to alleviate the shortage of manpower in individual sectors / job categories. The Government will make reference to the policies of other places on importation of workers when required.

**Number of applications received and approved
under SLS from 2017 to 2021**

	2017	2018	2019	2020	2021
No. of applications*	1 106	1 217	1 097	1 112	1 142
No. of imported workers applied for*	4 390	5 095	4 721	4 204	5 082
No. of applications approved*	946	907	1 036	904	969
No. of imported workers approved*	2 765	3 225	3 378	3 123	3 043

- * The vetting of applications received towards year-end may be completed in the following year, and hence the numbers of applications approved and imported workers approved within the year do not correspond to the numbers of applications received and imported workers applied for in the same year.

**Number of imported workers applied for and approved
under SLS in 2017:
a breakdown by industry**

Industry	No. of imported workers applied for*	No. of imported workers approved*
1. Agriculture and Fishing	791	653
2. Manufacturing	201	147
3. Construction	751	77
4. Wholesale, Retail and Import/Export Trades, Restaurants and Hotels	503	210
5. Transport, Storage and Communications	58	18
6. Financing, Insurance, Real Estate and Business Services	80	11
7. Community, Social and Personal Services	2 006	1 649
Total	4 390	2 765

* The vetting of applications received towards year-end may be completed in the following year, and hence the number of imported workers approved within the year does not correspond to the number of imported workers applied for in the same year.

**Number of imported workers applied for and approved
under SLS in 2018:
a breakdown by industry**

Industry	No. of imported workers applied for*	No. of imported workers approved*
1. Agriculture and Fishing	886	705
2. Manufacturing	390	158
3. Construction	351	589
4. Wholesale, Retail and Import/Export Trades, Restaurants and Hotels	483	197
5. Transport, Storage and Communications	68	24
6. Financing, Insurance, Real Estate and Business Services	168	19
7. Community, Social and Personal Services	2 749	1 533
Total	5 095	3 225

* The vetting of applications received towards year-end may be completed in the following year, and hence the number of imported workers approved within the year does not correspond to the number of imported workers applied for in the same year.

**Number of imported workers applied for and approved
under SLS in 2019:
a breakdown by industry**

Industry	No. of imported workers applied for*	No. of imported workers approved*
1. Agriculture and Fishing	970	797
2. Manufacturing	485	176
3. Construction	561	172
4. Wholesale, Retail and Import/Export Trades, Restaurants and Hotels	448	270
5. Transport, Storage and Communications	131	9
6. Financing, Insurance, Real Estate and Business Services	73	28
7. Community, Social and Personal Services	2 053	1 926
Total	4 721	3 378

* The vetting of applications received towards year-end may be completed in the following year, and hence the number of imported workers approved within the year does not correspond to the number of imported workers applied for in the same year.

**Number of imported workers applied for and approved
under SLS in 2020:
a breakdown by industry**

Industry	No. of imported workers applied for*	No. of imported workers approved*
1. Agriculture and Fishing	1 072	780
2. Manufacturing	274	192
3. Construction	46	218
4. Wholesale, Retail and Import/Export Trades, Restaurants and Hotels	290	228
5. Transport, Storage and Communications	38	16
6. Financing, Insurance, Real Estate and Business Services	8	18
7. Community, Social and Personal Services	2 476	1 671
Total	4 204	3 123

* The vetting of applications received towards year-end may be completed in the following year, and hence the number of imported workers approved within the year does not correspond to the number of imported workers applied for in the same year.

**Number of imported workers applied for and approved
under SLS in 2021:
a breakdown by industry**

Industry	No. of imported workers applied for*	No. of imported workers approved*
1. Agriculture and Fishing	857	734
2. Manufacturing	378	183
3. Construction	846	6
4. Wholesale, Retail and Import/Export Trades, Restaurants and Hotels	508	248
5. Transport, Storage and Communications	71	9
6. Financing, Insurance, Real Estate and Business Services	18	20
7. Community, Social and Personal Services	2 404	1 843
Total	5 082	3 043

* The vetting of applications received towards year-end may be completed in the following year, and hence the number of imported workers approved within the year does not correspond to the number of imported workers applied for in the same year.

LEGCO QUESTION NO. 17
(Written Reply)

Asked by: Hon CHAN Hoi-yan

Date of meeting: 25 May 2022

Replied by: Secretary for Food and Health

Reply

President,

As a statutory professional regulatory body, the Medical Council of Hong Kong (“MCHK”) acts in accordance with its functions under the law, including the conduct of Licensing Examination (“LE”) to enable non-locally trained doctors to obtain full registration in Hong Kong.

In consultation with MCHK, my reply to the question raised by the Hon CHAN Hoi-yan is as follows -

(1)

The numbers of candidates who passed the LE of MCHK in the past 10 years (i.e. for the period from 2012 to 2021) are as follows -

Year	Number of candidates
2012	47
2013	46
2014	74
2015	40
2016	41
2017	53
2018	51
2019	53
2020	0 ^{Note}
2021	34 ^{Note} (Only the relevant number of candidates in the 2021 LE (Second Sitting) is included)

Note: Due to the COVID-19 epidemic, MCHK cancelled the two LEs originally scheduled for 2020 as well as the 2021 LE (First Sitting).

(2)

The LE of MCHK comprises three parts, namely Part I: Examination in Professional Knowledge; Part II: Proficiency Test in Medical English; and Part III: Clinical Examination. The Clinical Examination covers four disciplines, namely medicine, surgery, obstetrics and gynaecology, and paediatrics. Candidates must pass Part I and Part II before applying to sit for Part III.

The numbers of candidates who sat for the various parts of the LE of MCHK and the numbers of those who passed the examination in the past five years (i.e. for the period from 2017 to 2021) are as follows –

Year	Part I: Examination in Professional Knowledge		Part II: Proficiency Test in Medical English		Part III: Clinical Examination	
	Number who sat the examination	Number who passed the examination	Number who sat the examination	Number who passed the examination	Number who sat the examination	Number who passed the examination
2017 (First Sitting)	109	31	45	40	63	27
2017 (Second Sitting)	116	29	44	44	63	26
2018 (First Sitting)	122	24	52	48	54	25
2018 (Second Sitting)	117	40	56	46	56	26
2019 (First Sitting)	145	53	80	58	70	21
2019 (Second Sitting)	124	18	69	61	70	32
2020 (First Sitting)	Examination cancelled					
2020 (Second Sitting)						
2021 (First Sitting)	106	42	60	60	Examination cancelled	

2021 (Second Sitting)	73	27	28	19	68	34
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(3)

Due to the COVID-19 epidemic, MCHK cancelled the two LEs originally scheduled for 2020, Part III: Clinical Examination of the 2021 LE (First Sitting) and Part III: Clinical Examination of the 2022 LE (First Sitting).

For the two LEs (Part I and Part II) originally scheduled for 2020, each received about 150 applications from eligible candidates. Even if the two examinations were not cancelled, due to the epidemic development, various quarantine requirements and border control restrictions, the actual number of candidates coming to Hong Kong for the examinations might have been smaller than that number.

For Part III: Clinical Examination, four sittings were cancelled, namely the 2020 LE (First and Second Sittings), the 2021 LE (First Sitting) and the 2022 LE (First Sitting). As MCHK cancelled these examinations before the application periods, there was no information on the respective numbers of candidates.

According to MCHK's current guidelines on the validity of passes, candidates who have passed Part I and Part II may apply to sit for Part III: Clinical Examination up to five times within five years. In addition, a candidate who has passed three out of the four disciplines in Part III in one go can retain those passes for one further attempt for the failed discipline in either of the following two scheduled sittings.

As the two LEs scheduled for 2020 and Part III: Clinical Examination of the 2021 LE (First Sitting) and the 2022 LE (First Sitting) were cancelled, MCHK has accordingly extended the validity of relevant passes obtained by the candidates in different parts of the LE.

(4) and (5)

Having regard to the drastic deterioration of the epidemic situation in the fifth wave of the COVID-19 in Hong Kong, and the need to safeguard public health and safety while ensuring the smooth operation of LEs, MCHK has decided to cancel Part III: Clinical Examination of the 2022 LE (First Sitting) scheduled for May 2022.

The Government has been closely monitoring the supply of doctors and adopting a multi-pronged approach to address the shortage of doctors in our healthcare system. Apart from continuously increasing the number of local medical training places, the Government has also been actively seeking to attract qualified non-locally trained doctors to practise in Hong Kong through various means, including improving the LE arrangements; enhancing the attractiveness of limited registration; promoting the various registration pathways to persons residing outside Hong Kong and amending the Medical Registration Ordinance (Cap. 161) to create a new pathway for qualified non-locally trained doctors to obtain full registration in Hong Kong as an alternative to the current pathway of passing the LE, subject to certain criteria being met. The Government also announced the first batch of 27 recognised medical qualifications in end April 2022.

The Government will continue to maintain close liaison with MCHK to ensure that it will continue to conduct the LE regularly for qualified non-locally trained doctors to obtain full registration in Hong Kong.

- End -

LEGCO QUESTION NO. 18

(Written Reply)

Asked by : Hon Frankie YICK

Date of meeting : 25 May 2022

Replied by : Secretary for Transport
and Housing

Reply

President,

The Government will fully seize the immense opportunities arising from the “Outline of the 14th Five-Year Plan for the National Economic and Social Development of the People’s Republic of China and the Long-Range Objectives Through the Year 2035” and the development of the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) and continuously introduce various measures to support the Hong Kong logistics industry to develop high value-added logistics and cross-boundary logistics, so as to strengthen Hong Kong’s competitive edge as a regional logistics hub.

Having consulted the Commerce and Economic Development Bureau (CEDB), our reply to various parts of Hon Frankie YICK’s question is as follows:

- (1) According to CEDB’s information, the number of cross-boundary goods vehicle trips and consignments processed under the Intermodal Transshipment Facilitation Scheme (ITFS) and the Single E-lock Scheme (SELS) in the past three years are set out below:

ITFS

Year	2019	2020	2021
No. of vehicle trips	18 011	16 584	11 039
No. of consignments	10 426 679	10 587 649	7 556 476

SELS

Year	2019	2020	2021
No. of vehicle trips	3 600	3 489	2 901
No. of consignments	525 266	579 321	220 220

[Remarks: The number of cross-boundary goods vehicle trips and consignments processed under the two schemes decreased in 2021 due to the COVID-19 pandemic.]

- (2) To further consolidate Hong Kong's role as the regional logistics hub and to facilitate the logistics development in the GBA, the Government has all along been actively taking forward the cooperation with the GBA cities on aviation, maritime and logistics fronts, including the development of intermodal transshipment and air cargo logistics park. For instance, the Airport Authority Hong Kong (AAHK) is developing "sea-air cargo transshipment" between the Hong Kong International Airport (HKIA) and Dongguan, as well as setting up an "HKIA logistics park" in Dongguan so that export cargo from the Mainland can be transported by sea to HKIA and then transhipped overseas directly without the need to undergo further security screening. We will make reference to the relevant operational experience and study further on how to facilitate the cooperation between Hong Kong and other GBA cities in the logistics front.
- (3) The Government has been working closely with the Mainland authorities to adopt various measures to facilitate the cross-boundary logistics within the GBA, so as to strengthen the connectivity among GBA cities.

First of all, the Government continues to improve the cross-boundary transport infrastructure, strengthen the cross-boundary transport connectivity, shorten the travel time between Hong Kong and the GBA cities, and enhance the efficiency of cross-boundary transport. Among them, the commissioning of the Hong Kong-Zhuhai-Macao Bridge (HZMB) in October 2018 has further strengthened the transport connectivity between Hong Kong and the western parts of the Pearl River Delta (PRD) region, thereby expanding the cargo catchment area of Hong Kong to the western PRD region. Apart from the HZMB, there are five other road based land crossings to the Mainland, including Lok Ma Chau, Sha Tau Kok, Man Kam To, Shenzhen Bay and Heung Yuen Wai, facilitating the development of cross-boundary transport between Hong Kong and the GBA.

Besides, in view of the importance of high efficiency and smooth operation of the Hong Kong airport and port in facilitating the cross-

boundary logistics, the Government and relevant organisations have actively examined and introduced various measures to help enhance air cargo and sea cargo efficiency.

As regards air cargo, the AAHK has been actively developing both the landside and airside in the south cargo precinct of the airport island to strengthen its capacity for and efficiency in handling various types of cargo as well as to spur relevant logistics development. The AAHK is also collaborating with its business partner in expanding the express air cargo terminal, so as to enhance Hong Kong's capability in handling express and small parcel shipments, together with the premium logistics centre being developed on the land parcel of about 5.3 hectares at Kwo Lo Wan in the south cargo precinct. The above measures would take an important role for the HKIA to consolidate its leading position in cargo logistics.

As regards sea cargo, the Government is working with the trade on the concrete proposal to drive the development of the "smart port" through the Task Force on Smart Port Development (TFSP) formed under the Hong Kong Maritime and Port Board. The proposal is conducted with a view to further enhancing port efficiency and reducing cargo handling time and cost through streamlining and optimising the multi-party coordinated processes electronically, as well as studying the digitalised systems and innovative technologies adopted by other major ports (such as those in the GBA), so as to explore various initiatives to facilitate digitalisation and the adoption of innovative technologies in the Hong Kong Port.

On the other hand, the Customs and Excise Department (C&ED) has also provided customs clearance facilitation for cross-boundary goods. The SELS facilitates cargo flow between Hong Kong and the Mainland and enhances customs clearance efficiency through the application of electronic locks and Global Positioning System devices. The SELS currently has a total of 75 clearance points, increased by 11 in the past three years, covering all nine Mainland cities of the GBA and providing the trade with over 800 cross-boundary route options.

Besides, since the implementation of the Regional Comprehensive Economic Partnership Agreement (RCEP) on 1 January 2022, C&ED has extended the Free Trade Agreement Transshipment Facilitation Scheme (FTA Scheme) to cover northbound transshipment cargo from all countries under the RCEP to the Mainland via Hong Kong, so that the concerned consignments would be eligible for preferential tariff under the RCEP. Starting from 7 February 2022, the FTA Scheme has been further extended

to cover transshipment cargo under the RCEP from the Mainland to Korea via Hong Kong.

The Government is very concerned about the impact on the cross-boundary land transport under the persistent epidemic situation and the relevant anti-epidemic measures taken in both Guangdong and Hong Kong. As such, the Task Force on Supplies from the Mainland led by the Secretary for Transport and Housing has been working closely with the Mainland authorities to explore various measures to improve the current arrangements on cross-boundary land transport. In addition to land transport arrangements, we have also been securing the sustainable supplies of goods to Hong Kong through water and railway transportation. As the cross-boundary land transport has been gradually resumed under the recent stabilisation of the epidemic, the Government will continue to actively work with the Mainland authorities to improve and enhance cross-boundary transport with a view to optimising the flow of cross-boundary supplies.

- END -

LEGCO QUESTION NO. 19

(Written Reply)

Asked by Hon Judy CHAN

Date of meeting : 25 May 2022

Replied by : Secretary for Food and Health

Reply

President,

In consultation with the Security Bureau (SB), Labour and Welfare Bureau (LWB) and Development Bureau (DEVB), the consolidated reply to the question raised by the Hon Judy CHAN Kapui is as follows:

(1)

In the light of the fifth wave of COVID-19, the Government will, depending on the health risk, care needs and transmission risk in the household, make arrangements for infected persons according to the multi-tiered triage and treatment strategy for suitable treatment and isolation. Asymptomatic patients who require no medical support but have to be isolated somewhere other than their household due to their care needs or household environment will be arranged to be admitted to community isolation facilities (CIFs) to reduce the risk of transmission. Besides, persons who have entered Hong Kong from overseas and are tested positive at the airport or designated quarantine hotels (DQHs) generally will be admitted to CIF hotels to undergo isolation. Having regard to the development of the epidemic and cost-effectiveness, the Government is focusing on utilising the Penny's Bay CIF and one CIF Hotel. The remaining CIFs at Tsing Yi, San Tin, Hong Kong Boundary Crossing Facilities Island of the Hong Kong-Zhuhai-Macao Bridge, Fanling, Hung Shui Kiu and Yuen Long have been put into standby mode, so as to ensure that Hong Kong can cope with a possible sixth wave of epidemic if it arrives.

(2)

Since the outbreak of the epidemic, the Government has arranged for foreign domestic helpers (FDHs) to come to Hong Kong in a gradual and orderly manner on the premise of guarding against importation of infected cases, so as to meet the need of local families for FDHs. Since 1 March 2022, FDHs coming to work in Hong Kong may be admitted to a DQH as with other inbound travellers from overseas, instead of having to be admitted to a designated quarantine facility for FDHs as before. The arrangement provides greater flexibility for FDH employers to make the most appropriate quarantine arrangement for FDHs. Meanwhile, to meet the demand, the Government has gradually increased the number of DQH rooms from around 6 000 at end-March to around 22 000 at present, with over half of the DQH rooms providing rooms with a standard rate of under \$800 per night. According to the room-booking statistics provided by the hotels, as at May 23, the overall booking rate for May and June is around 65% and 70% respectively. The Government will closely monitor the supply-and-demand of DQH rooms and make adjustments when needed.

(3)

To ensure the safety of both users and staff of the CIFs managed by the Government, relevant bureaux and departments including the DEVB, SB, Architectural Services Department, Drainage Services Department, Hong Kong Observatory and related building contractors have formulated severe weather contingency plans and mechanisms for maintaining close communication, inspecting the facilities in CIFs and carrying out improvement/reinforcement works as well as implementing response measures.

Concerning the Penny's Bay CIF that is in operation, staff members have already put in place a contingency plan for adverse weather, including forming an emergency response team to strengthen their ability to cope with the situation concerned. Once there is a forecast of typhoon or adverse weather, corresponding actions will be immediately taken. They include removing or securing outdoor facilities that are not firmly affixed beforehand; arranging cleansing workers to inspect drainage and clear the blockage regularly to prevent flooding; suspending non-essential outdoor

work and reminding all staff to put on appropriate protective gears when working outdoors; and monitoring the latest weather/typhoon information and direction so that the staff may consider suspending all admission to and discharge from the CIF in case of extremely adverse weather.

As for the CIFs in standby mode, apart from having members of SB's anti-epidemic task force working on shift to manage the facilities on-site, the contractors of the Department of Health will continue to deploy security personnel and cleansing workers in accordance with the practical need to assist in inspection of the facilities and maintenance work such as cleansing.

- End -

LEGCO QUESTION 20

(Written Reply)

Asked by: Hon LAI Tung-kwok

Date of meeting: 25 May 2022

Replied by: Secretary for Food and Health

Reply:

President,

The global epidemic situation is still ongoing. Hong Kong continues to prevent the importation of cases under the policy direction of dynamic “zero infection”, and implements stringent prevention and control measures for persons arriving from overseas places. Under the prevailing inbound control measure requirements, all persons arriving from overseas places can only board a flight for Hong Kong if they are fully vaccinated and hold recognised vaccination records.

Recognised vaccination records include (1) vaccination records issued by Hong Kong, (2) vaccination records or certifications issued by Mainland or Macao authorities or an institution recognised by Mainland or Macao authorities (including Chinese embassies or consulates general overseas), (3) vaccination records or certifications issued by an authority or recognised institution of a country where its national regulatory authority is designated by the World Health Organization (WHO) as a stringent regulatory authority (SRA), (4) vaccination records or certifications issued by a relevant authority or recognised institution of a country with which Hong Kong has reached a recognition agreement arrangement with its government, or (5) vaccination records issued by an organisation with which Hong Kong has reached a recognition agreement arrangement. In respect of (3), the 27 member states of the European Union (EU) are countries where their national regulatory authorities have been designated by the WHO as SRAs, and the EU Digital COVID Certificate (EU DCC) mechanism has already been implemented among EU member states. The HKSAR Government also accepts vaccination records recognised under the EU DCC mechanism as recognised vaccination records required for the purpose of boarding flights for Hong Kong from overseas places.

Fully vaccinated persons means persons who have received the necessary doses

as stipulated in guidelines of a COVID-19 vaccination course 14 days prior to their arrival in Hong Kong. The vaccines administered for the relevant persons have to be vaccines listed on the Government's List of COVID-19 Vaccines Recognised for Specified Purposes.

As for lifting the ban on non-Hong Kong residents (non-HKRs) entering Hong Kong, the Government explained when announcing the arrangement earlier that the relevant restriction was originally intended to limit the volume of inbound passengers from overseas places, but considering that the public health risk associated with non-HKRs is the same with that of HKRs coming from the same places, that the overall volume of inbound passengers is controlled by the number of designated quarantine hotels (DQHs), and that overseas inbound passengers are still subject to stringent inbound control measures, the Government, under the premise that the risks could be properly managed, has allowed non-HKRs who have stayed in overseas places in the past 14 days to enter Hong Kong and be subject to the same boarding, quarantine and testing arrangements as HKRs, and to undergo compulsory quarantine in DQHs under closed-loop management upon arriving at Hong Kong.

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

(1) & (2)

The Government has been in discussion with various places on the arrangements for the recognition of vaccination records. In general, the HKSAR Government would invite consular offices of various places to provide relevant information on their vaccination records, including samples of vaccination records, brands of vaccines locally administered, verification methods of vaccination records, whether digital or paper-based records are issued, etc. Consular offices of some places would also proactively approach the HKSAR Government to provide the above information. As the time taken for the governments or the consular offices of various places to provide the above information vary, the time taken for the HKSAR Government to conduct discussions with the consular offices of various places are also different. In general, upon the provision of aforementioned information by the consular offices, subject to review and verification, the HKSAR Government would recognise the concerned records, and would update and announce the List of Places or Organisations of Issuance of Recognised Vaccination Records accordingly.

As of 25 May 2022, the List of Places or Organisations of Issuance of Recognised Vaccination Records has included 116 places or organisations of issuance of recognised vaccination records, including the vast majority of places which have frequent contact with Hong Kong, including the Mainland, Macao, Australia, Canada, member states of the EU, India, Indonesia, Japan, Korea, Malaysia, Myanmar, Pakistan, the Philippines, New Zealand, Russia, Singapore, South Africa, Thailand, Vietnam, the United Kingdom, and the United States, etc. As per the figures of visitor arrivals in Hong Kong in 2019, over 95 per cent of visitor arrivals were from places which are currently on the List. On the other hand, the Government is still waiting for the replies from around 20 places regarding information on vaccination records.

(3)

As regards the List of COVID-19 Vaccines Recognised for Specified Purposes (the List), apart from the COVID-19 vaccines already recognised for use in Hong Kong, vaccines on the WHO Emergency Use Listing or Pre-qualification lists, vaccines recognised for use by Stringent Regulatory Authorities as designated by the WHO or the National Medical Products Administration, as well as vaccines recommended by the Scientific Committee on Vaccine Preventable Diseases and the Scientific Committee on Emerging and Zoonotic Diseases joined by the Chief Executive's expert advisory panel are also listed. In fact, in addition to the two COVID-19 vaccines made available in Hong Kong, according to the latest statistics from Our World in Data, vaccines recognised and used by other major countries / economies have already been included in the List. In other words, for the purpose of inbound travels, Hong Kong has recognised nearly all COVID-19 vaccines which are widely used in the world. As regards formulating the above definition for the List, it is to ensure that the COVID-19 vaccines included are safe, efficacious and of good quality. The Government has uploaded the List to the COVID-19 thematic website, and will update the List from time to time.

(4)

Under the premise of maintaining the measures to prevent the importation of cases and proper management of risks, the arrangement of recognised vaccination records can help confirm the authenticity of vaccination records held by inbound passengers, and provide clarity to inbound passengers on the format

of records accepted.

The Government will continue to closely monitor the epidemic situation of different places in accordance with the principle of guarding against the importation of cases. A basket of factors, including public health factors such as epidemic situation in particular places, testing rate, vaccination rate, volume of arrivals and actual imported cases, as well as the developments of the local epidemic situation and relevant local socio-economic factors, will be considered under the risk-based principle to adjust the boarding, quarantine and testing requirements for overseas arrivals based on risk levels as the situation warrants.

- End -

LEGCO QUESTION NO. 21

(Written Reply)

Asked by Hon Dominic LEE

Date of meeting : 25 May 2022

Replied by : Secretary for Development

Reply

President,

Pak Lok Path in Tai Wai falls within the private lot of the Pristine Villa (Sha Tin Town Lot No. 331, hereafter “the Lot”). According to the lease conditions governing the Lot, the grantee was required to construct an access road within the stipulated area of the Lot (i.e. the existing Pak Lok Path). Currently, the said road is jointly owned by the owners of Pristine Villa.

In consultation with the Transport and Housing Bureau (THB) and the Food and Health Bureau (FHB), the coordinated reply to the questions raised by the Hon Lee is as follows:

(1) The Government has mechanisms to invoke applicable legislations/provisions to resume private roads when necessary having regard to the circumstances of individual private roads for tackling problems of the private roads concerned, e.g. environmental hygiene, traffic and road maintenance, etc.. Since the circumstances of private road resumptions in the past and the departments responsible for the resumptions varied from case to case, the Government does not have complete statistics on the resumption of private roads for conversion into public roads.

(2) and (3)

As mentioned above, Pak Lok Path falls within the private lot of Pristine Villa. There is no requirement under the lease that owners of Pristine Villa are obliged to open Pak Lok Path for public use.

The Government notes that since 2020, during the periods of Ching Ming and Chung Yeung Festivals, the Incorporated Owners (IO) of Pristine Villa would close Pak Lok Path during the daytime, and only allow its residents and vehicles authorised by the IO to use the road. As the traffic problem arising from Pak Lok Path has brought inconvenience to the local community, relevant government departments have been exploring different solutions. The Transport Department and other departments concerned have

implemented special traffic arrangements in the vicinity of the lower section of To Fung Shan Road during the Ching Ming and Chung Yeung Festivals, under which the road was converted from one-lane one-way (uphill) traffic to one-lane two-way traffic in order to maintain smooth traffic. In addition, the Transport Department is conducting a study on improving the section of To Fung Shan Road between Chung Ling Road and Pak Lok Path. If improvement works are feasible, uphill and downhill traffic can be routed through To Fung Shan Road without routing through Pak Lok Path after the improvement. Relevant departments will continue to monitor the traffic situation of Pak Lok Path and the effectiveness of the above measures before considering whether resumption of Pak Lok Path is necessary.

- (4) According to information from the FHB, the Private Columbaria Ordinance (Cap. 630) (the Ordinance) establishes a licensing regime to regulate the operation of private columbaria. Under the Ordinance, there would be a grace period (of 9 months beginning on the gazettal date of the Ordinance, i.e. from 30 June 2017 to 29 March 2018) for a private columbarium in operation immediately before the Ordinance came into effect. If such a private columbarium applied for a Temporary Suspension of Liability (TSOL) on or before 29 March 2018, the grace period remains valid during the processing of the application, until it is finally disposed of or withdrawn. During the grace period, the private columbarium concerned may continue to operate without a specified instrument (i.e. a licence, an exemption or a TSOL), but the operator must not sell or newly let out niches.

Ching To Yuen is a private columbarium already in operation immediately before the Ordinance came into effect. It has submitted an application for the TSOL before the deadline in accordance with the requirement described above, and is therefore currently under the grace period under the Ordinance. The Private Columbaria Licensing Board is working in full swing to process applications for specified instruments from private columbaria (including Ching To Yuen). It aims to arrive at certain decisions (i.e. giving approval or approval-in-principle to or rejecting the licence/exemption/TSOL applications) by the middle of next year on all applications for specified instruments in respect of the pre-cut-off columbaria.

According to the lease governing the lot of Ching To Yuen, there are restrictions that no human remains should be deposited within the lot and no structures be erected within certain portion of the lot. As such, the columbarium is in breach of the relevant lease conditions. In the event that the licence application from Ching To Yuen is rejected by the Private Columbaria Licensing Board, the Lands Department will collaborate with the Food and Environmental Hygiene Department to take land lease enforcement actions against the columbarium concerned.

LEGCO QUESTION NO. 22

(Written Reply)

Asked by: Dr Hon TAN Yueheng

Date of meeting: 25 May 2022

Replied by: Secretary for Financial
Services and the Treasury

Reply

President,

In 2022, the uncertainties in global economy and financial markets have brought tremendous challenge to worldwide markets, among which the stock markets have been particularly volatile. The Government, the Hong Kong Exchanges and Clearing Limited (“HKEX”) and financial regulators have been closely monitoring market conditions to ensure that Hong Kong’s stock market and financial system are operating in an orderly and smooth manner, while continuing to take forward market development and endeavouring to enhance the overall competitiveness of Hong Kong’s listing platform.

In consultation with the Securities and Futures Commission (“SFC”) and HKEX, my reply to the four parts of the question is as follows:

- (1) In light of various macroeconomic factors such as heightened geopolitical tensions, uncertainty of COVID-19 situation, inflation and interest rate increase by major central banks, the leading financial markets around the globe have been relatively volatile in recent months. Initial public offerings (“IPOs”) have also been affected as issuers generally are more cautious. According to market information, the amount of fund raised through IPOs globally decreased by more than 50% year-on-year in the first quarter. The ranking on IPO fund raised of other markets, such as the major exchanges in the United States and Europe, also declined. The ranking on IPO fund raised of Nasdaq dropped from the first in 2021 to the fifth in the first quarter, whereas the ranking of New York Stock Exchange and London Stock Exchange, which were the second and sixth in 2021 respectively, fell out of the global top ten places. As an international financial centre, Hong Kong’s IPO performance was also affected by external factors. Notwithstanding this, HKEX received 22 new listing applications

in April 2022, and was processing a total of 168 listing applications as at the end of April. This reflects that the demand for listing has not slowed down.

- (2) Despite the short term market situation, the Government, SFC and HKEX are committed to continuously strengthening the competitiveness of our fundraising platform, building a solid foundation for future development. Over the past few years, we implemented a series of enhancements to the listing regime in forging a more diverse, dynamic and sustainable listing platform, promoting the prosperity of the securities market.

To cater for the fundraising needs of emerging and innovative companies, HKEX launched a new listing regime in April 2018 to allow emerging and innovative enterprises that have weighted voting rights (“WVR”) structures and pre-revenue / pre-profit biotechnology companies to list in Hong Kong, and establish a new concessionary route for qualifying issuers to seek secondary listing in Hong Kong. As at the end of April 2022, a total of 74 companies had been listed through the new regime with \$580.7 billion raised, representing over 40% of the total fund raised through IPOs in the same period. Hong Kong has also become Asia’s largest and the world’s second-largest fundraising hub for biotechnology.

HKEX launched a listing regime for special purpose acquisition companies (“SPACs”) in January 2022, introducing a brand new listing avenue for emerging enterprises with potential. At the same time, HKEX has implemented enhancement measures to allow Greater China companies without WVR structures which are not from innovative sectors to seek secondary listing in Hong Kong and offer greater flexibility for issuers seeking dual-primary listings. Such measures would further attract quality “China Concept Stocks” to list in Hong Kong and provide more choices to investors, thereby increasing market liquidity.

The Financial Secretary announced in the 2022-23 Budget that, in order to cater for the emerging new economy in the Mainland in recent years and considering the fundraising needs of large-scale advanced technology enterprises, SFC and HKEX would review the Main Board Listing Rules and, having due regard to the risks involved, examine the revision of the listing requirements to meet the fundraising needs of such enterprises. HKEX is approaching

relevant market participants for views, with a view to putting forward concrete recommendations as soon as practicable.

In addition, in response to market views, HKEX commenced a review on the functions and positioning of GEM last year, and established a dedicated panel under the Listing Committee to handle the work concerned. The review will be conducted under the principle of further strengthening the competitiveness of Hong Kong as a global premier listing hub and enhancing the overall quality of the Hong Kong capital market. Alongside facilitating different types of enterprises to list in Hong Kong, HKEX will take into consideration market attractiveness and liquidity, and safeguard the interests of the investing public. HKEX is engaging different parties and will make reference to the experiences of similar markets in other places.

- (3) and (4) HKEX unveiled in March 2022 its vision to build the “Marketplace of the Future”, with a view to facilitating the two-way capital flows between East and West as well as delivering vibrant and diversified markets, thereby strengthening Hong Kong’s position as an international financial centre. Building on Hong Kong’s unique advantages in leveraging the strengths of our country and engaging the world, HKEX put forward three strategic pillars, namely “Connecting China and the World”, “Connecting Capital with Opportunities”, and “Connecting Today with Tomorrow”. HKEX has devised concrete measures in the short, medium and long term under each of the three strategic pillars. With the continuous growth of Mainland economy and the opportunities brought by Hong Kong’s position in connecting the financial markets in the Mainland and the rest of the world, HKEX will enhance Hong Kong’s overall competitiveness relative to other overseas markets. The concrete details and measures on HKEX’s vision have been uploaded to its dedicated webpage¹.

Overall speaking, leveraging on the Mainland strength, HKEX will continue to bring the Mainland growth story to international investors, while facilitating Mainland enterprises to raise funds in Hong Kong and Mainland capital in offshore asset allocation through the Hong Kong capital market. By further developing the mutual access programme and growing its portfolio of Mainland-related product offerings, HKEX’s goal is to develop

¹ <https://www.hkexgroup.com/about-hkex/about-hkex/our-strategy>

Hong Kong into Mainland's go-to offshore hub for fundraising, trading, and risk management. In the short term, HKEX will work to expand the mutual access schemes, take forward the inclusion arrangements for exchange traded funds ("ETFs") in Stock Connect and allow stocks traded via the Southbound Trading of Stock Connect to be denominated in Renminbi. HKEX will also look into including more products and services under the mutual access programme, such as listed bonds, and expand the suite of risk management tools in equity and fixed income products.

In addition, HKEX is committed to enhancing the depth, vibrancy and diversity of its markets, strengthening Hong Kong's position as a premier fundraising, risk management and trading hub by improving the primary market attractiveness and enabling more efficient trading, clearing and settlement. Apart from the initiatives mentioned in part (2) and this part as above, HKEX will also strive to optimise the efficiency of IPO price discovery, as well as to enhance the trading hours of derivatives products and trading calendar of mutual access programmes, thereby enhancing market structure.

In face of the new trends including digitisation, tokenisation, big data, personalised finance, and the new mission of incorporating environmental, social and governance ("ESG") considerations, HKEX is actively developing digital capabilities and exploring new opportunities in digital assets, ESG, private markets and other emerging sectors, leveraging its data as well as agile and modern infrastructure to develop new business. In the short and medium term, HKEX plans to launch FINI (Fast Interface for New Issuance), an electronic IPO settlement platform, and will look into the introduction of ESG equity index derivatives and voluntary carbon credit trading, as well as enhance its Sustainable and Green Exchange ("STAGE").

Over the next few years, HKEX will, in collaboration with the Government, take forward various business reforms following the above plans and drive the development of the local financial services sector in collaboration with the Government, with a view to supporting the development of the financial market for the future of Hong Kong.

-End-

REQUEST FOR POST-MEETING AMENDMENTS

The Secretary for Labour and Welfare requested the following post-meeting amendments in respect of the concluding remarks on the motion on “Addressing squarely the problem of child abuse in Hong Kong and protecting children’s rights”

Line 4, fourth paragraph, page 142 of the Confirmed version

To amend “, with another nearly 30% of people offering ‘conditional support’ to the Bill.” as “, with another nearly 20% of people offering ‘conditional support’ to the Bill.” (Translation)

(Please refer to line 5 to 6, third paragraph, page 2943 of this Translated version)

**The marked-up version of the amendment moved by Mr LUK Chung-hung
(Translation)**

That ~~in retrospect~~, quite a number of appalling child abuse cases have occurred one after another in Hong Kong in recent years, including two cases in 2018 and 2019 in which a girl aged five and a baby girl aged less than two respectively died of being abused, a serious child abuse incident which occurred in the boarding section of Hong Chi Pinehill No. 2 School in 2020, a case of child abuse by a babysitter in 2021, and the child abuse incident in the Children's Residential Home in late 2021; according to the information released by the Police in November 2021, in the first three quarters of 2021, the Police received a total of 871 criminal child abuse cases, an increase of nearly 66% over the corresponding period in 2020, in which 18% of the abused children were aged only zero to five, thus showing that the above child abuse incidents are likely to be just the tip of the iceberg; the SAR Government stated in the 2021 Policy Address that to prevent child abuse tragedies from happening again, the authorities were formulating a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases, but it is undeniable that at present, there are problems in the whole chain of child protection in Hong Kong, resulting in children being unable to receive proper protection at home, in schools, hostels, as well as child welfare service organizations, etc.; abuse will not only cause bodily harm to children but also affect children's mental and personality development; in this connection, this Council urges the SAR Government to:

- (1) present the bill on the mandatory reporting mechanism on child abuse cases to this Council for scrutiny as early as possible;
- (2) expeditiously provide social welfare personnel with training and guidelines so that the sector can comply with the requirements under the new legislation and also provide services with the highest professional standard before the relevant legislation comes into operation;
- (3) comprehensively review the monitoring, funding ~~and~~, inspection ***and punishment*** mechanisms of subsidized welfare service units, so as to ensure that the relevant organizations can meet the expected service standard, ***and hold the non-compliant organizations accountable and take punitive action in accordance with the mechanisms;***

- (4) establish a clear accountability mechanism and thoroughly investigate the responsibilities of government departments, individual officers and child welfare service organizations in child abuse incidents in the past;
- (5) check whether closed-circuit television records of all child welfare service organizations in Hong Kong are complete, and conduct random checks on the footage to enable early identification of child abuse incidents;
- (6) given that many victims of child abuse cases all have records of unexplained absence from class and abnormal behaviour and even apparent injuries, study in detail why the child abuse incidents concerned failed to be identified early; ~~and~~
- (7) require class teachers of all schools to meet and talk with each student individually for at least two times in each academic year to understand the recent situation of the students, including whether they have greater psychological and physical problems; in case a child is suspected of being abused, the class teacher should immediately hand over the case to the school social worker for further follow-up actions; at the same time, the authorities should also provide school teachers with training and guidelines on handling of suspected child abuse cases;
- (8) *strengthen the foster care service in the community and enhance the allowance for such a service, so as to encourage members of the public to serve as foster parents and share family care and love with abused children in need, which can also shorten the waiting time for foster care service for children in families with a greater possibility of child abuse and prevent the occurrence of child abuse tragedies; and*
- (9) *strengthen the promotion of family education in society, such as enhancing parents' and guardians' understanding of the responsibility for children's upbringing, promoting the establishment of correct family values in society and advocating harmonious family relationships, thereby reducing the occurrence of child abuse cases at root.*

Note: Mr LUK Chung-hung's amendment is marked in *bold and italic type* or with deletion line.

The marked-up version of the further amendment moved by Mr LAM San-keung (Translation)

That quite a number of appalling child abuse cases have occurred one after another in Hong Kong in recent years, including two cases in 2018 and 2019 in which a girl aged five and a baby girl aged less than two respectively died of being abused, a serious child abuse incident which occurred in the boarding section of Hong Chi Pinehill No. 2 School in 2020, a case of child abuse by a babysitter in 2021, and the child abuse incident in the Children's Residential Home in late 2021; according to the information released by the Police in November 2021, in the first three quarters of 2021, the Police received a total of 871 criminal child abuse cases, an increase of nearly 66% over the corresponding period in 2020, in which 18% of the abused children were aged only zero to five, thus showing that the above child abuse incidents are likely to be just the tip of the iceberg; the SAR Government stated in the 2021 Policy Address that to prevent child abuse tragedies from happening again, the authorities were formulating a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases, but it is undeniable that at present, there are problems in the whole chain of child protection in Hong Kong, resulting in children being unable to receive proper protection at home, in schools, hostels, as well as child welfare service organizations, etc.; abuse will not only cause bodily harm to children but also affect children's mental and personality development; in this connection, this Council urges the SAR Government to:

- (1) present the bill on the mandatory reporting mechanism on child abuse cases to this Council for scrutiny as early as possible;
- (2) expeditiously provide social welfare personnel with training and guidelines so that the sector can comply with the requirements under the new legislation and also provide services with the highest professional standard before the relevant legislation comes into operation;
- (3) comprehensively review the monitoring, funding, inspection and punishment mechanisms of subsidized welfare service units, so as to ensure that the relevant organizations can meet the expected service standard, and hold the non-compliant organizations accountable and take punitive action in accordance with the mechanisms;

- (4) establish a clear accountability mechanism and thoroughly investigate the responsibilities of government departments, individual officers and child welfare service organizations in child abuse incidents in the past;
- (5) check whether closed-circuit television records of all child welfare service organizations in Hong Kong are complete, and conduct random checks on the footage to enable early identification of child abuse incidents;
- (6) given that many victims of child abuse cases all have records of unexplained absence from class and abnormal behaviour and even apparent injuries, study in detail why the child abuse incidents concerned failed to be identified early;
- (7) require class teachers of all schools to meet and talk with each student individually for at least two times in each academic year to understand the recent situation of the students, including whether they have greater psychological and physical problems; in case a child is suspected of being abused, the class teacher should immediately hand over the case to the school social worker for further follow-up actions; at the same time, the authorities should also provide school teachers with training and guidelines on handling of suspected child abuse cases;
- (8) strengthen the foster care service in the community and enhance the allowance for such a service, so as to encourage members of the public to serve as foster parents and share family care and love with abused children in need, which can also shorten the waiting time for foster care service for children in families with a greater possibility of child abuse and prevent the occurrence of child abuse tragedies; and
- (9) strengthen the promotion of family education in society, such as enhancing parents' and guardians' understanding of the responsibility for children's upbringing, promoting the establishment of correct family values in society and advocating harmonious family relationships, thereby reducing the occurrence of child abuse cases at root; *and*

(10) introduce as soon as possible the Children Proceedings (Parental Responsibility) Bill into this Council for scrutiny in order to protect children's rights; the bill provides the legal basis for the court to make 'care orders' and 'maintenance orders' so as to arrange abused children of divorced parents to be placed in the care of the Social Welfare Department ('SWD') or other guardians to protect the children against harm; while the children are in SWD's care, the parents must make maintenance payments to SWD.

Note: Mr LAM San-keung's amendment is marked in ***bold and italic type***.

The marked-up version of the further amendment moved by Dr Stephen WONG (Translation)

That quite a number of appalling child abuse cases have occurred one after another in Hong Kong in recent years, including two cases in 2018 and 2019 in which a girl aged five and a baby girl aged less than two respectively died of being abused, a serious child abuse incident which occurred in the boarding section of Hong Chi Pinehill No. 2 School in 2020, a case of child abuse by a babysitter in 2021, and the child abuse incident in the Children's Residential Home in late 2021; according to the information released by the Police in November 2021, in the first three quarters of 2021, the Police received a total of 871 criminal child abuse cases, an increase of nearly 66% over the corresponding period in 2020, in which 18% of the abused children were aged only zero to five, thus showing that the above child abuse incidents are likely to be just the tip of the iceberg; the SAR Government stated in the 2021 Policy Address that to prevent child abuse tragedies from happening again, the authorities were formulating a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases, but it is undeniable that at present, there are problems in the whole chain of child protection in Hong Kong, resulting in children being unable to receive proper protection at home, in schools, hostels, as well as child welfare service organizations, etc.; abuse will not only cause bodily harm to children but also affect children's mental and personality development; in this connection, this Council urges the SAR Government to:

- (1) present the bill on the mandatory reporting mechanism on child abuse cases to this Council for scrutiny as early as possible;
- (2) expeditiously provide social welfare personnel with training and guidelines so that the sector can comply with the requirements under the new legislation and also provide services with the highest professional standard before the relevant legislation comes into operation;
- (3) comprehensively review the monitoring, funding, inspection and punishment mechanisms of subsidized welfare service units, so as to ensure that the relevant organizations can meet the expected service standard, and hold the non-compliant organizations accountable and take punitive action in accordance with the mechanisms;

- (4) establish a clear accountability mechanism and thoroughly investigate the responsibilities of government departments, individual officers and child welfare service organizations in child abuse incidents in the past;
- (5) check whether closed-circuit television records of all child welfare service organizations in Hong Kong are complete, and conduct random checks on the footage to enable early identification of child abuse incidents;
- (6) given that many victims of child abuse cases all have records of unexplained absence from class and abnormal behaviour and even apparent injuries, study in detail why the child abuse incidents concerned failed to be identified early;
- (7) require class teachers of all schools to meet and talk with each student individually for at least two times in each academic year to understand the recent situation of the students, including whether they have greater psychological and physical problems; in case a child is suspected of being abused, the class teacher should immediately hand over the case to the school social worker for further follow-up actions; at the same time, the authorities should also provide school teachers with training and guidelines on handling of suspected child abuse cases;
- (8) strengthen the foster care service in the community and enhance the allowance for such a service, so as to encourage members of the public to serve as foster parents and share family care and love with abused children in need, which can also shorten the waiting time for foster care service for children in families with a greater possibility of child abuse and prevent the occurrence of child abuse tragedies; and
- (9) strengthen the promotion of family education in society, such as enhancing parents' and guardians' understanding of the responsibility for children's upbringing, promoting the establishment of correct family values in society and advocating harmonious family relationships, thereby reducing the occurrence of child abuse cases at root; and

- (10) introduce as soon as possible the Children Proceedings (Parental Responsibility) Bill into this Council for scrutiny in order to protect children's rights; the bill provides the legal basis for the court to make 'care orders' and 'maintenance orders' so as to arrange abused children of divorced parents to be placed in the care of the Social Welfare Department ('SWD') or other guardians to protect the children against harm; while the children are in SWD's care, the parents must make maintenance payments to SWD;
- (11) *comprehensively review the staff recruitment and continuous training mechanisms of subsidized welfare service units and manpower ratios of the care services; and*
- (12) *ensure that abused children will receive support and long-term follow-up by professionals such as clinical psychologists and social workers, so as to help the children recover.*

Note: Dr Stephen WONG's amendment is marked in *bold and italic type*.

**The marked-up version of the further amendment moved by Mr Stanley LI
(Translation)**

That quite a number of appalling child abuse cases have occurred one after another in Hong Kong in recent years, including two cases in 2018 and 2019 in which a girl aged five and a baby girl aged less than two respectively died of being abused, a serious child abuse incident which occurred in the boarding section of Hong Chi Pinehill No. 2 School in 2020, a case of child abuse by a babysitter in 2021, and the child abuse incident in the Children's Residential Home in late 2021; according to the information released by the Police in November 2021, in the first three quarters of 2021, the Police received a total of 871 criminal child abuse cases, an increase of nearly 66% over the corresponding period in 2020, in which 18% of the abused children were aged only zero to five, thus showing that the above child abuse incidents are likely to be just the tip of the iceberg; the SAR Government stated in the 2021 Policy Address that to prevent child abuse tragedies from happening again, the authorities were formulating a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases, but it is undeniable that at present, there are problems in the whole chain of child protection in Hong Kong, resulting in children being unable to receive proper protection at home, in schools, hostels, as well as child welfare service organizations, etc.; abuse will not only cause bodily harm to children but also affect children's mental and personality development; in this connection, this Council urges the SAR Government to:

- (1) present the bill on the mandatory reporting mechanism on child abuse cases to this Council for scrutiny as early as possible;
- (2) expeditiously provide social welfare personnel with training and guidelines so that the sector can comply with the requirements under the new legislation and also provide services with the highest professional standard before the relevant legislation comes into operation;
- (3) comprehensively review the monitoring, funding, inspection and punishment mechanisms of subsidized welfare service units, so as to ensure that the relevant organizations can meet the expected service standard, and hold the non-compliant organizations accountable and take punitive action in accordance with the mechanisms;

- (4) establish a clear accountability mechanism and thoroughly investigate the responsibilities of government departments, individual officers and child welfare service organizations in child abuse incidents in the past;
- (5) check whether closed-circuit television records of all child welfare service organizations in Hong Kong are complete, and conduct random checks on the footage to enable early identification of child abuse incidents;
- (6) given that many victims of child abuse cases all have records of unexplained absence from class and abnormal behaviour and even apparent injuries, study in detail why the child abuse incidents concerned failed to be identified early;
- (7) require class teachers of all schools to meet and talk with each student individually for at least two times in each academic year to understand the recent situation of the students, including whether they have greater psychological and physical problems; in case a child is suspected of being abused, the class teacher should immediately hand over the case to the school social worker for further follow-up actions; at the same time, the authorities should also provide school teachers with training and guidelines on handling of suspected child abuse cases;
- (8) strengthen the foster care service in the community and enhance the allowance for such a service, so as to encourage members of the public to serve as foster parents and share family care and love with abused children in need, which can also shorten the waiting time for foster care service for children in families with a greater possibility of child abuse and prevent the occurrence of child abuse tragedies; and
- (9) strengthen the promotion of family education in society, such as enhancing parents' and guardians' understanding of the responsibility for children's upbringing, promoting the establishment of correct family values in society and advocating harmonious family relationships, thereby reducing the occurrence of child abuse cases at root; and

- (10) introduce as soon as possible the Children Proceedings (Parental Responsibility) Bill into this Council for scrutiny in order to protect children's rights; the bill provides the legal basis for the court to make 'care orders' and 'maintenance orders' so as to arrange abused children of divorced parents to be placed in the care of the Social Welfare Department ('SWD') or other guardians to protect the children against harm; while the children are in SWD's care, the parents must make maintenance payments to SWD;
- (11) comprehensively review the staff recruitment and continuous training mechanisms of subsidized welfare service units and manpower ratios of the care services; and
- (12) ensure that abused children will receive support and long-term follow-up by professionals such as clinical psychologists and social workers, so as to help the children recover;
- (13) *comprehensively review the existing child care services, including exploring the diversified care model to meet the needs of different children, and introducing other care service units to provide more choices for families at risk of child abuse; review and enhance the staffing establishment and workflow of child welfare service organizations to relieve the work pressure of the relevant staff, with a view to reducing the potential risks of child abuse incidents; and*
- (14) *strengthen the existing Comprehensive Child Development Service and send staff to visit families with newborn babies, so as to enable early identification of families with higher risks of child abuse, thereby providing parents in need with comprehensive support and counselling services to ensure the all-round healthy development of children.*

Note: Mr Stanley LI's amendment is marked in *bold and italic type*.

The marked-up version of the further amendment moved by Dr Hoey Simon LEE (Translation)

That quite a number of appalling child abuse cases have occurred one after another in Hong Kong in recent years, including two cases in 2018 and 2019 in which a girl aged five and a baby girl aged less than two respectively died of being abused, a serious child abuse incident which occurred in the boarding section of Hong Chi Pinehill No. 2 School in 2020, a case of child abuse by a babysitter in 2021, and the child abuse incident in the Children's Residential Home in late 2021; according to the information released by the Police in November 2021, in the first three quarters of 2021, the Police received a total of 871 criminal child abuse cases, an increase of nearly 66% over the corresponding period in 2020, in which 18% of the abused children were aged only zero to five, thus showing that the above child abuse incidents are likely to be just the tip of the iceberg; the SAR Government stated in the 2021 Policy Address that to prevent child abuse tragedies from happening again, the authorities were formulating a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases, but it is undeniable that at present, there are problems in the whole chain of child protection in Hong Kong, resulting in children being unable to receive proper protection at home, in schools, hostels, as well as child welfare service organizations, etc.; abuse will not only cause bodily harm to children but also affect children's mental and personality development; in this connection, this Council urges the SAR Government to:

- (1) present the bill on the mandatory reporting mechanism on child abuse cases to this Council for scrutiny as early as possible;
- (2) expeditiously provide social welfare personnel with training and guidelines so that the sector can comply with the requirements under the new legislation and also provide services with the highest professional standard before the relevant legislation comes into operation;
- (3) comprehensively review the monitoring, funding, inspection and punishment mechanisms of subsidized welfare service units, so as to ensure that the relevant organizations can meet the expected service standard, and hold the non-compliant organizations accountable and take punitive action in accordance with the mechanisms;

- (4) establish a clear accountability mechanism and thoroughly investigate the responsibilities of government departments, individual officers and child welfare service organizations in child abuse incidents in the past;
- (5) check whether closed-circuit television records of all child welfare service organizations in Hong Kong are complete, and conduct random checks on the footage to enable early identification of child abuse incidents;
- (6) given that many victims of child abuse cases all have records of unexplained absence from class and abnormal behaviour and even apparent injuries, study in detail why the child abuse incidents concerned failed to be identified early;
- (7) require class teachers of all schools to meet and talk with each student individually for at least two times in each academic year to understand the recent situation of the students, including whether they have greater psychological and physical problems; in case a child is suspected of being abused, the class teacher should immediately hand over the case to the school social worker for further follow-up actions; at the same time, the authorities should also provide school teachers with training and guidelines on handling of suspected child abuse cases;
- (8) strengthen the foster care service in the community and enhance the allowance for such a service, so as to encourage members of the public to serve as foster parents and share family care and love with abused children in need, which can also shorten the waiting time for foster care service for children in families with a greater possibility of child abuse and prevent the occurrence of child abuse tragedies; and
- (9) strengthen the promotion of family education in society, such as enhancing parents' and guardians' understanding of the responsibility for children's upbringing, promoting the establishment of correct family values in society and advocating harmonious family relationships, thereby reducing the occurrence of child abuse cases at root; and

- (10) introduce as soon as possible the Children Proceedings (Parental Responsibility) Bill into this Council for scrutiny in order to protect children's rights; the bill provides the legal basis for the court to make 'care orders' and 'maintenance orders' so as to arrange abused children of divorced parents to be placed in the care of the Social Welfare Department ('SWD') or other guardians to protect the children against harm; while the children are in SWD's care, the parents must make maintenance payments to SWD;
- (11) comprehensively review the staff recruitment and continuous training mechanisms of subsidized welfare service units and manpower ratios of the care services; and
- (12) ensure that abused children will receive support and long-term follow-up by professionals such as clinical psychologists and social workers, so as to help the children recover;
- (13) comprehensively review the existing child care services, including exploring the diversified care model to meet the needs of different children, and introducing other care service units to provide more choices for families at risk of child abuse; review and enhance the staffing establishment and workflow of child welfare service organizations to relieve the work pressure of the relevant staff, with a view to reducing the potential risks of child abuse incidents; and
- (14) strengthen the existing Comprehensive Child Development Service and send staff to visit families with newborn babies, so as to enable early identification of families with higher risks of child abuse, thereby providing parents in need with comprehensive support and counselling services to ensure the all-round healthy development of children;
- (15) *study how to enhance the existing initiatives, such as the Pilot Scheme on Social Work Service for Pre-primary Institutions, the policy of 'one school social worker for each school' in primary schools and the policy of 'two school social workers for each school' in secondary schools, so as to find out hidden child abuse cases as early as possible;*

- (16) *include additional terms in the funding application requirements for welfare service units in which child abuse incidents have previously occurred to require the relevant units to improve their services, and blacklist such units if the situation does not improve, so as to reduce the potential risk of occurrence of child abuse incidents; and*
- (17) *establish a database on human resource management of non-government subvented organizations for compiling statistics on various professional grades in child welfare service units in Hong Kong, such as the manpower ratio and turnover rate of child care workers, to help the SAR Government grasp the specific situations on matters relating to human resource management of child welfare service units and provide early support when necessary; at the same time, review afresh the manpower ratios of various professional grades in child welfare service, formulate roadmaps and timetables to further improve their manpower ratios, and put forward practicable solutions in respect of the shortage of professional personnel to ensure that the service quality of child welfare service units will not be affected by manpower shortage, thus contributing to the occurrence of child abuse incidents.*

Note: Dr Hoey Simon LEE's amendment is marked in *bold and italic type*.

The marked-up version of the further amendment moved by Ms Maggie CHAN (Translation)

That quite a number of appalling child abuse cases have occurred one after another in Hong Kong in recent years, including two cases in 2018 and 2019 in which a girl aged five and a baby girl aged less than two respectively died of being abused, a serious child abuse incident which occurred in the boarding section of Hong Chi Pinehill No. 2 School in 2020, a case of child abuse by a babysitter in 2021, and the child abuse incident in the Children's Residential Home in late 2021; according to the information released by the Police in November 2021, in the first three quarters of 2021, the Police received a total of 871 criminal child abuse cases, an increase of nearly 66% over the corresponding period in 2020, in which 18% of the abused children were aged only zero to five, thus showing that the above child abuse incidents are likely to be just the tip of the iceberg; the SAR Government stated in the 2021 Policy Address that to prevent child abuse tragedies from happening again, the authorities were formulating a legislative proposal to provide for a mandatory reporting mechanism on child abuse cases, but it is undeniable that at present, there are problems in the whole chain of child protection in Hong Kong, resulting in children being unable to receive proper protection at home, in schools, hostels, as well as child welfare service organizations, etc.; abuse will not only cause bodily harm to children but also affect children's mental and personality development; in this connection, this Council urges the SAR Government to:

- (1) present the bill on the mandatory reporting mechanism on child abuse cases to this Council for scrutiny as early as possible;
- (2) expeditiously provide social welfare personnel with training and guidelines so that the sector can comply with the requirements under the new legislation and also provide services with the highest professional standard before the relevant legislation comes into operation;
- (3) comprehensively review the monitoring, funding, inspection and punishment mechanisms of subsidized welfare service units, so as to ensure that the relevant organizations can meet the expected service standard, and hold the non-compliant organizations accountable and take punitive action in accordance with the mechanisms;

- (4) establish a clear accountability mechanism and thoroughly investigate the responsibilities of government departments, individual officers and child welfare service organizations in child abuse incidents in the past;
- (5) check whether closed-circuit television records of all child welfare service organizations in Hong Kong are complete, and conduct random checks on the footage to enable early identification of child abuse incidents;
- (6) given that many victims of child abuse cases all have records of unexplained absence from class and abnormal behaviour and even apparent injuries, study in detail why the child abuse incidents concerned failed to be identified early;
- (7) require class teachers of all schools to meet and talk with each student individually for at least two times in each academic year to understand the recent situation of the students, including whether they have greater psychological and physical problems; in case a child is suspected of being abused, the class teacher should immediately hand over the case to the school social worker for further follow-up actions; at the same time, the authorities should also provide school teachers with training and guidelines on handling of suspected child abuse cases;
- (8) strengthen the foster care service in the community and enhance the allowance for such a service, so as to encourage members of the public to serve as foster parents and share family care and love with abused children in need, which can also shorten the waiting time for foster care service for children in families with a greater possibility of child abuse and prevent the occurrence of child abuse tragedies; and
- (9) strengthen the promotion of family education in society, such as enhancing parents' and guardians' understanding of the responsibility for children's upbringing, promoting the establishment of correct family values in society and advocating harmonious family relationships, thereby reducing the occurrence of child abuse cases at root; and

- (10) introduce as soon as possible the Children Proceedings (Parental Responsibility) Bill into this Council for scrutiny in order to protect children's rights; the bill provides the legal basis for the court to make 'care orders' and 'maintenance orders' so as to arrange abused children of divorced parents to be placed in the care of the Social Welfare Department ('SWD') or other guardians to protect the children against harm; while the children are in SWD's care, the parents must make maintenance payments to SWD;
- (11) comprehensively review the staff recruitment and continuous training mechanisms of subsidized welfare service units and manpower ratios of the care services; and
- (12) ensure that abused children will receive support and long-term follow-up by professionals such as clinical psychologists and social workers, so as to help the children recover;
- (13) comprehensively review the existing child care services, including exploring the diversified care model to meet the needs of different children, and introducing other care service units to provide more choices for families at risk of child abuse; review and enhance the staffing establishment and workflow of child welfare service organizations to relieve the work pressure of the relevant staff, with a view to reducing the potential risks of child abuse incidents; and
- (14) strengthen the existing Comprehensive Child Development Service and send staff to visit families with newborn babies, so as to enable early identification of families with higher risks of child abuse, thereby providing parents in need with comprehensive support and counselling services to ensure the all-round healthy development of children;
- (15) study how to enhance the existing initiatives, such as the Pilot Scheme on Social Work Service for Pre-primary Institutions, the policy of 'one school social worker for each school' in primary schools and the policy of 'two school social workers for each school' in secondary schools, so as to find out hidden child abuse cases as early as possible;

- (16) include additional terms in the funding application requirements for welfare service units in which child abuse incidents have previously occurred to require the relevant units to improve their services, and blacklist such units if the situation does not improve, so as to reduce the potential risk of occurrence of child abuse incidents; and
- (17) establish a database on human resource management of non-government subvented organizations for compiling statistics on various professional grades in child welfare service units in Hong Kong, such as the manpower ratio and turnover rate of child care workers, to help the SAR Government grasp the specific situations on matters relating to human resource management of child welfare service units and provide early support when necessary; at the same time, review afresh the manpower ratios of various professional grades in child welfare service, formulate roadmaps and timetables to further improve their manpower ratios, and put forward practicable solutions in respect of the shortage of professional personnel to ensure that the service quality of child welfare service units will not be affected by manpower shortage, thus contributing to the occurrence of child abuse incidents;
- (18) *draft the bill on the offence of ‘failure to protect’ as soon as possible; and*
- (19) *require the Labour and Welfare Bureau and the Social Welfare Department to review their faults in relation to child abuse incidents in the past, assume main responsibility to protect children, introduce a blacklisting system for child care workers, and clearly provide for the powers to investigate, take over, cease the operation of and cancel the registration of child welfare service organizations suspected of violating the relevant regulations in the future.*

Note: Ms Maggie CHAN’s amendment is marked in *bold and italic type*.